

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, JUNE 11, 2019**

1. The meeting was called to order at 6:30 p.m. by Mayor Michael Neitzke

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| ROLL CALL: | Mayor Michael Neitzke | Present |
| | Ald. Karl Kastner | Present |
| | Mr. Brian Weis | Present |
| | Ms. Denise Collins | Excused |
| | Ms. Christine Hallen | Present |
| | Mr. Bradley Sponholz | Excused |
| | Mr. Steve Rogers | Excused |
| | Mr. Don Carlson (alt.) | Present |
| | Mr. Robert Krenz (alt.) | Present |

ALSO PRESENT: Kristi Johnson – Community Development Manager

2. Approval of the minutes from the May 14, 2019 meeting.

Motion by Ald. Kastner, seconded by Mr. Weis to approve the May 14, 2019 Regular Meeting minutes. Motion carried unanimously.

3. Discussion regarding last Common Council meetings.

At the May 21st Common Council meeting, public hearings were held for Complete Mobile Drug Testing, Evan Miller Tattoo and World Class Tattoo. All items were approved as presented.

4A. Special Use Review for a proposed addition to Advanced Animal Hospital, an existing business located at 3374 W. Loomis Rd., submitted by Luis Barbosa, d/b/a BMR Design Group, Inc., and Dr. Vic Dhilon, d/b/a Companion Animal Health Center. (Tax Key No. 553-0430-002)

4B. Site, Landscaping and Architectural Plans for a proposed addition to Advanced Animal Hospital, an existing business located at 3374 W. Loomis Rd., submitted by Luis Barbosa, d/b/a BMR Design Group, Inc., and Dr. Vic Dhilon, d/b/a Companion Animal Health Center. (Tax Key No. 553-0430-002)

Items 4A and 4B may be considered together.

Overview and Zoning

Advanced Animal Hospital is proposing a 3,036 sq. ft. building addition to the existing 2,640 sq. ft. animal hospital. The property is zoned C-2 Community Commercial District, which permits Veterinary Services as a Special Use. Per Section 21.04.0701.K. of the Municipal Code, "*Subsequent change or addition to the plans or use. (Cr. #2731) Any subsequent change or addition to the plans or use shall first be submitted for approval to the Plan Commission. If in the opinion of the Plan Commission, it is anticipated that*

such requested change in the special use substantially changes the concept or intent of a previously approved special use, the Plan Commission can consider it a major change to the original Special Use. If this is the decision of the Plan Commission, then a public hearing before the Common Council shall be required and notice thereof be given pursuant to the provisions of this division, and said proposed changes shall be submitted to the Common Council for approval.” Staff does not recommend that a public hearing be required for the proposed building addition, as it does not substantially change the concept or intent of the originally-approved Special Use Permit.

The building addition is proposed for a variety of reasons. The original business was a start-up and small in size. The owner is also interested in updating equipment, techniques and services, which require larger exam rooms, a separate feline ward, a dentistry suite, larger surgery prep and surgery room, the addition of a critical care recovery space, larger x-ray room, an office for administration, a break room, and an office for doctors. Not only is the animal hospital proposing to expand, but the existing space will be remodeled too. Hours of operation will remain unchanged, Monday – Friday, 8:00am – 7:00pm; Saturday and Sunday 8:00am – 6:00pm.

Site and Landscaping Plans

The building addition is proposed to be constructed on the north side of the building, currently occupied by greenspace. No alterations to the parking lot are proposed. The proposal includes new landscaping along W. Loomis Rd. and along the north property line. Suggested modifications have been forwarded from the City Forester to the architect.

The applicant is requesting the Plan Commission’s approval on the request to construct the new building addition within the 20-foot rear yard setback restriction (the proposed addition will be constructed approximately nine (9) feet off of the rear property line). Per Sec. 21.04.0302 of the Greenfield Municipal Code, “The Plan Commission will evaluate the impact of the standards for building setback/placement and parking lot layout with new construction on a site by site basis and will determine under Site, Building, and Landscape Review what the appropriate building setback/placement and parking lot layout will be within the context of total site review. That recommendation will be forwarded to the Common Council for consideration.” Staff recommends approval of the proposed rear yard setback encroachment. The existing building is constructed approximately nine (9) feet off of the rear alley property line and the proposed addition continues with the same setback. Without the requested setback “waiver,” the proposed building addition would not be feasible as the site is not large enough to accommodate for a 20-foot front yard setback. The back yard abuts an alley, which is lined with garages and other commercial buildings situated very close to the alley lot line. The proposed building addition would be consistent with existing setbacks along the alley.

The site plan includes a continuation of the existing board-on-board fence along the back alley, sprawling from the north property line to the south property line. A new gated opening will be constructed in front of the new refuse enclosure so trucks can access the garbage from the alley. The new refuse enclosure will be constructed of brick to match the building and will be situated on the far northwest corner of the building. Staff requests that a personnel door or maze wall be included in the design of the enclosure.

The animal hospital, under general commercial use parking requirements, will require 3.3 off-street parking spaces/1,000 gross sq. ft. of building space, which totals 19 required off-street parking spaces. The property has 24 parking spaces, of which one (1) is an ADA stall.

Public sidewalk is located in front of half of the site, south of the driveway. Staff recommends that the sidewalk be continued north, to the property line, in an effort to work towards completion of a Loomis Rd. sidewalk network. The construction of a sidewalk may require a retaining wall to be constructed north of the driveway also, which would match the existing retaining wall south of the driveway. Additional engineering review will be necessary to determine if a retaining wall is needed, or if the sidewalk can be constructed with the existing slope north of the driveway.

Architectural Plans

The building addition will be constructed of a brick veneer to match the existing building. New glass windows with aluminum framing will be included: four (4) on the east elevation facing W. Loomis Rd., two (2) on the north elevation and three (3) on the west elevation facing the alley. The east elevation will also include two glass, aluminum-framed doors and the west elevation will include a metal entry door for staff to access the refuse enclosure with a transom window above. A brick sill will distinguish an upper and lower half of the building addition. An asphalt shingle roof will top the addition, to match the existing building.

Recommendation: Recommend Common Council Approval of the Special Use Review and Site, Landscaping and Architectural Plans for a proposed addition to Advanced Animal Hospital, an existing business located at 3374 W. Loomis Rd., submitted by Luis Barbosa, d/b/a BMR Design Group, Inc., and Dr. Vic Dhillon, d/b/a Companion Animal Health Center (Tax Key No. 553-0430-002), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 and 2 are required to be satisfied prior to the issuance of building permits associated with the proposed project reviewed by the Plan Commission.)

1. Revised Site, Landscaping and Architectural Plans being submitted to the Community Development Division to show the following: (a) a personnel door or maze wall being included in the refuse enclosure design; (b) materials being delineated on the refuse enclosure, all doors and all building elevations; (c) a public sidewalk continuing to the north property line along W. Loomis Rd.; (d) a retaining wall being constructed along W. Loomis Rd., north of the existing driveway (if necessary in order to accommodate the sidewalk); and, (e) landscaping species and quantities modifications, per City Forester comments.
2. Permit application and approved plans being submitted to the Engineering Department and WDOT for necessary sidewalk permit.

(Item 3 is required to be satisfied if modifications to existing signs, or new signs are proposed. Contractors applying for permits should be advised accordingly.)

3. A signage plan being submitted to the Community Development Division for review and approval.

Ms. Johnson gave a presentation on this item.

Ms. Johnson noted that Staff recommends that no public hearing is required. Also, Code requires a rear yard setback of 20 feet, but allows for the Plan Commission to recommend to the Common Council for a new construction project that a building could be built within the setback. This project addition would not be feasible if the applicant adhered to the 20 foot rear setback. The applicant has submitted revised plans meeting all conditions listed in number one (1).

A representative was present to answer questions on this item.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend approval of a Special Use Review and Site, Landscaping and Architectural Plans for a proposed addition to Advanced Animal Hospital, an existing business located at 3374 W. Loomis Road, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 18th Common Council meeting. Tax Key No. 553-0430-002. Motion carried unanimously.

5. **Site, Landscaping and Architectural Plans for Pearson Point, a proposed multi-family development, to be located at 11800 W. Beloit Rd., submitted by Raymond Chou, d/b/a Pearson Point, LLC. (Tax Key No. 565-9955-007)**

This item is before the Plan Commission because the Common Council approval on July 17, 2018, expires after one year if a permit is not issued. The developer is getting very close to completing plans, working with the various third parties such as Milwaukee Water Works and Milwaukee County, and receiving City approval, but a permit issuance is unlikely by July 17, 2019. Therefore, the developer is seeking reapproval of the same plans prior to last year's approval expiration. The only difference is that the applicant has reduced the 48-unit apartment proposal by 6 units, to 42 units. The Plan Commission reviewed a proposal of three 16-unit buildings, but the Common Council approved three 14-unit buildings. Rezoning of the land was approved and implemented in July 2018. Below is a summary of the site, landscaping and architectural proposal from February 2018.

Site, Landscaping and Lighting Plans

The site's only entrance/exit is a driveway off of W. Beloit Rd, and once you enter the site, it's laid out in a courtyard fashion with guest parking located within the internal courtyard, the buildings creating a triangle-like shape, and the private drive with access to the garages being situated around the perimeter of the buildings. The drive will have a poured curb, as requested by the Engineering Department. A private pathway will also connect the apartment complex to the city public trail to the southeast, of which an easement will need to be obtained from the City. A wet pond will be constructed at the southeast corner of the parcel. Various wetland delineation exists throughout the site, which are accepted by the City. The developer must provide the necessary WDNR wetland permitting correspondence to allow for wetland filling as they move through the permitting process.

Parking Stalls required: 84 spaces for tenants + 18 spaces for guests = 102 total.
Parking Stalls provided: 85 spaces for tenants (73 in garage) + 26 spaces for guests = 111 total, of which 2 are designated ADA stalls, per code requirement.

The Engineering Department has thoroughly reviewed the site plans and has submitted comments to the developer pertaining to stormwater management, Milwaukee Water Works future involvement, easements, etc. The comments were minor enough that the Engineering Department feels comfortable working with the developer on necessary modifications.

The developer has supplied a photometric lighting plan, showing that light splay will not go beyond the property lines. Nine (9) 13-ft. black LED light poles with 6" arms will be located along the exterior drive, facing straight down, and three (3) 13-ft. black LED light poles with 6" arms will be located in the internal courtyard, also facing straight down. Staff has asked for a colored detailed light pole specification to be supplied, as a condition of approval.

The City Forester has reviewed the landscape plans and had minimal comments/specie modification suggestions. Those comments have been forwarded to the developer and plan modifications can be handled between staff and the developer. The City Forester also walked the site with the developer to discuss the City's Natural Resource Features Protection Intent. The City's policy is that 70% of the existing trees over 4" in diameter be preserved on this type of development. On this site, nearly all of the large trees are along the outer edges of the property where they can be preserved. The developer anticipates that all but one group of Cotton Wood near the retention pond location should be able to be preserved. Per the City Forester, the development should have no problem meeting the City's requirements with the retention of trees and the proposed landscaping.

Architectural Plans

Pearson Point will include three (3) two-story buildings, each with 14 units, totaling 42 units. Each building will be identical in design. The interior facades facing the courtyard will include large windows on the first and second floor. Portions of the first floor will be constructed of a stone veneer and other portions will be constructed of a square edge wood siding material. Metal columns will support the second-floor projection and stone sills will be constructed at the base of the windows. Portions of the second floor will be constructed of a square edge wood siding material and other portions will be constructed of a cedar wood siding. Mitered wood corner boards will be used at all corners/edges of the building. The roof material for the projecting portions of the building will be constructed of standing seam metal and the roof material for the recessed portions of the building will be constructed of architectural shingle. Roof material lifespans will range from 20-35 years for the shingle and 20-50 years for the standing seam metal roof.

The side elevations of the buildings will have a stone veneer base with square edge wood siding material utilized on the top half of the building. Three (3) windows will be included on each side elevation.

The exterior facades facing the exterior driveway will include first-floor wood-stained garage doors and a stone veneer base between each of the garage doors. The second-floor design includes large windows, square edge wood siding, and eight (8) projecting balconies on each building. The balconies will be protected with glass railing. Architectural shingle roofing will be visible from the rear.

Staff does not have any suggested building material or design change recommendations.

Recommendation: Recommend Common Council approval of the Site, Landscaping and Architectural Plans for Pearson Point, a proposed multi-family development, to be located at 11800 W. Beloit Rd., submitted by Raymond Chou, d/b/a Pearson Point, LLC. (Tax Key No. 565-9955-007).

Ms. Johnson gave a presentation on this item.

Raymond Chou was present to answer questions.

It was noted that this item is returning to the Plan Commission as is required due to the lapse of time since this item appeared previously. It was also noted that WisDOT did not allow the deceleration lane at Beloit Road, so Staff will continue to work with the State to attempt to get this lane at which time the road is reconstructed or rebuilt. The State's position is that they do not want to place a retaining wall into the right-of-way along the westbound side.

Motion by Mayor Neitzke, seconded by Mr. Carlson, to recommend approval of Site, Landscaping and Architectural Plans for Pearson Point, a proposed multi-family development, to be located at 11800 W. Beloit Road, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 18th Common Council meeting. Tax Key No. 565-9955-007. Motion carried unanimously.

6. Site and Architectural Plans for Jen's Beer & Liquor, an existing business located at 4312 W. Howard Ave., submitted by Gurmeet Arora, d/b/a Arora Properties, LLC, and Steven R. Sharpe, d/b/a Steven Robert Sharpe Architect. (Tax Key No. 555-8979-000)

On June 14 and 21, 2016, the Plan Commission and Common Council approved a 1,300 sq. ft. building addition to Jen's Beer & Liquor. Proposed architectural materials consisted of an 'EIFS hard coat', pre-finished metal coping, fabric awnings, ceramic tile accents, and outdoor light fixtures. The building elevation referenced an accent-type light fixture for 'wall-wash' purposes; cut-sheet on fixture were requested as part of the Plan Commission minutes, but never received.

The Common Council public hearing minutes provided details about extensive conversations with the neighbor to the north regarding fencing. The motion read, "that the business owner would place an 8 ft. wood fence (along the north property line, abutting the duplex to the north) that cannot be seen through where the 6 ft. fence currently exists and place a wooden 4 ft. fence where the existing 4 ft. wooden fence

currently exists or in the alternative have a black vinyl coated chain link fence where the 4 ft. fence is now.” The minutes continued that, “The neighbor that had concerns with the fence has indicated that he will cooperate by removing his fence when the new fence is installed or if it is required when the new fence is being installed that he will work with his neighbor to coordinate that effort and should the installer step on his property to drill the holes that may be required that as long as they return it to the condition in which they found it he doesn’t have an objection.”

In addition, the site plans in the file note that the refuse enclosure would be constructed with the same materials as the fence, board-on-board.

Since the project approval in 2016, construction commenced and was completed in the winter 2018/19. Staff reports that the building, the building lights, the north fence nor the refuse enclosure were constructed according to plan. Variations include:

- a. The EIFS-approved building facades ended up being constructed of a stone veneer. Staff has no objections to this, however.
- b. Awnings were never added to the building façade.
- c. Industrial-grade, very bright spot lights were added to the façade rather than the decorative accent lights that were approved.
- d. A galvanized chain link fence was constructed along the north property line and a galvanized chain link fence was constructed as the refuse enclosure, rather than the approved board-on-board fencing that was discussed in detail at the Common Council meeting.

Staff recommends that the spot lights be removed from the building and replaced with similar decorative-style lighting, as was original approved. Staff also recommends that all fencing and the refuse enclosure be reconstructed out of board-on-board wood fencing material. There was extensive discussion and a request from the northern property owner to construct a wood fence along the north property line due to the extensive damage snow plowing from the liquor store, imposed on the duplex’s wood fence over time. In addition, the motion clearly indicated that the north property line fence was supposed to be constructed of wood. According to Section 21.06.0305 of the Municipal Code, “Fences shall be constructed of rock, masonry, or wood. Chain link fences and chain link with slats shall be prohibited from use in required bufferyards.”

Regarding the galvanized chain link refuse enclosure, the enclosure as it was constructed, does nothing to keep the garbage container out of site. According to Section 21.04.0803 of the Municipal Code, “sight-proof fencing (wood or masonry) shall be used to obstruct vision into the storage areas totally.”

Recommendation: Recommend Common Council approval of the Site and Architectural Plans for Jen’s Beer & Liquor, an existing business located at 4312 W. Howard Ave., submitted by Gurmeet Arora, d/b/a Arora Properties, LLC, and Steven R. Sharpe, d/b/a Steven Robert Sharpe Architect (Tax Key No. 555-8979-000), subject to Plan Commission comments, staff comments, and the following conditions:

(Item 1 is required to be satisfied by July 31, 2019. The work associated with Item 1 is to be completed by September 30, 2019. At time of completion of work, a Certificate of Occupancy may be issued.)

1. Revised Site, Landscaping and Architectural Plans being submitted to the Community Development Division to show the following: (a) the south and east building elevations with stone veneer building material; (b) the south and east building elevations incorporating decorative wall lighting and the removal of existing wall lights; (c) a board-on-board fence along the north property line; and, (d) a four-sided board-on-board refuse enclosure with a personnel door or maze wall.

Ms. Johnson gave a presentation on this item.

Mr. Arora was present to answer questions.

Ms. Johnson noted that the finished building varied from the original submittal. The EIFS-approved building facades ended up being constructed of a stone veneer, which Staff has no objections to as the appearance of the building was therefore enhanced. However, there have been complaints on the brightness of the lighting. Staff is recommending that the lighting be reverted back to the originally approved plans. Regarding the fence and refuse enclosure, what was constructed was galvanized fencing, a variation from the approved board-on-board fencing that was discussed in detail at the Common Council meeting.

Mr. Arora stated that due to several robberies he installed the brighter lighting. He feels the fencing that was installed was a misunderstanding between his builder and his architect. He stated that he is amenable to what the City desires.

Mayor Neitzke stated that light shields would provide downlighting. Mayor Neitzke also stated that he cannot in good faith go against the Council approval on the fencing type and placement. Also it was noted there was no approval given for outdoor LP sales and that the unpermitted banners must be removed.

Motion by Ms. Hallen, seconded by Mr. Weis to recommend approval of Site and Architectural Plans for Jen's Beer & Liquor, an existing business located at 4312 W. Howard Avenue, subject to Plan Commission and staff comments, with revised plans being submitted to the Community Development Division by July 31, 2019 and all work being completed by December, 2020 showing:

- a) accurate building elevations with stone veneer;
- b) south & east building elevations incorporating decorative wall lighting, and the removal of the existing wall lights, along with the addition of awnings;
- c) wood fencing to be installed for the 6 foot tall portion of the fencing, the 4 foot portion remaining galvanized chain link along the north property line; and
- d) a four-sided board-on-board refuse enclosure to be constructed with gates,

and authorize this item to be expedited to the June 18th Common Council meeting. Tax Key No. 555-8979-000. Motion carried unanimously.

7. **Architectural Plans for façade modifications to Uncle Paulie’s Brick Oven Pizzeria, an existing business located at 4395 S. 76 St., submitted by Tony Antonopoulos, d/b/a Vision Architects, and Frank Orcholski, d/b/a Brick Oven Concept, LLC. (Tax Key No. 605-9979-002)**

Uncle Paulie’s is proposing to replace two (2) windows on their south building elevation, near the proposed patio, with two (2) insulated glass overhead doors. The doors will be functional and will open, along patrons to walk in and out between the restaurant and patio, and allow for fresh air to enter into the building. The overhead door concept is becoming more popular among restaurants in Wisconsin. Some examples include BelAir Cantina in Oak Creek, and Left’s Lucky Town and Blue Sombrero in Wauwatosa. Staff recommends approval.

Recommendation: Recommend Common Council approval of the Architectural Plans for façade modifications to Uncle Paulie’s Brick Oven Pizzeria, an existing business located at 4395 S. 76 St., submitted by Tony Antonopoulos, d/b/a Vision Architects, and Frank Orcholski, d/b/a Brick Oven Concept, LLC. (Tax Key No. 605-9979-002)

Ms. Johnson gave a presentation on this item.

Frank Orcholski was present to answer questions.

Motion by Mayor Neitzke, seconded by Mr. Carlson, to recommend approval of Architectural Plans for façade modifications to Uncle Paulie’s Brick Oven Pizzeria, an existing business located at 4395 S. 76 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 18th Common Council meeting. Tax Key No. 605-9979-002. Motion carried unanimously.

8. **Community Development Manager Report**

None.

9. **Adjournment.**

Motion by Mr. Sponholz, seconded by Ms. Hallen, to adjourn the meeting at 7:10 p.m. Motion carried unanimously.

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed June 18, 2019