

CITY OF GLENDALE -- PLAN COMMISSION

Tuesday, December 6, 2016

Pursuant to adjournment, the City Plan Commission met in the Common Council Chambers of City Hall, 5909 North Milwaukee River Parkway.

Mayor Kennedy called the meeting to order at 6:00 p.m.

Roll Call: Present: Mayor Bryan Kennedy, Commissioners JoAnn Shaw, Karn Cronwell, Fred Cohn, Gary Lippow, Josh Wadzinski, and Tomika Vukovic. Absent: None.

Other Officials Present: Rachel Reiss, City Administrator, and Todd M. Stuebe, Director of Community Development.

In accordance with the Open Meeting Law, the North Shore NOW, the City's official newspaper, was advised on Wednesday, November 30, 2016, of the date of this meeting, the agenda was posted on the official bulletin board in City Hall, copies of the agenda were made available to the general public in the Municipal Building and the Police Department, and those persons who have requested were sent copies of the agenda.

PLEDGE OF ALLEGIANCE.

The Members of the Plan Commission, City staff and all those present pledged allegiance to the flag of the United States of America.

ADOPTION OF THE MINUTES.

Motion was made by Comm. Cohn, seconded by Comm. Cronwell, to approve the minutes of the meeting held on Tuesday, November 1, 2016. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

MATTERS FOR CONSIDERATION.

- I. 6:00 P.M. Plan Commission Public Hearing, Application to Change Zoning of 2510 West Good Hope Road (Certified Survey Map 8771, Lots 1, 2, 3, and 4, and Lands Previously Intended to be Dedicated for Public Street Purposes but Never Formally Accepted by the City for Public Street Purposes, Tax Key Parcels 1009984002, 1009984003, 1009984004, 1009985005 and the Dedicated Lands) from R-3 Residence District to PD-Planned Unit Development District-Residential for use as a Community Based Residential Facility (CBRF) assisted living facility consisting of two 40-unit buildings. The Planned Unit Development also includes one single-family residential lot (CSM 8772, Lot 1, Tax Key Parcel 1009977001) to remain zoned R-3 Residence District. There are also two possible future single-family residential lots on lands owned by others, also to remain zoned R-3 Residence District. Applicant presentation of

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informational statement and general development plan, public comment, and Plan Commission review, discussion, and recommendation to Common Council.

Mr. Stuebe stated that the Plan Commission Report was distributed to the Plan Commissioners and Applicant and is incorporated herein as follows:

Plan Commission Report:

Rob Williams, representing Nick Donets and Dr. Simon Donets, will formally present the Informational Statement and General Development plan to the Plan Commission and interested Glendale citizens (please bring the Plan Commission documents from November 1, 2016).

The Plan Commission indicated some concerns as to the scale of the CBRF facility compared to the original proposal, emergency ingress-egress, and particulars pertaining to the architecture such as the addition of PTAC units, landscape treatments such as the placement of plants and trees and fence requirements, and the project complete schedule.

Required Action

Based on the proposed Informational Statement and the General Development Plan, and pursuant to 13.1.182 of the Zoning Code, the necessary action of the Plan Commission is to recommend to the Common Council that the proposed PD-Planned Unit Development District-Residential zoning be granted as requested, modified, or denied. Upon Common Council approval of the zoning the developer will submit the Specific Plan for Plan Commission final plan review and approval pertaining to both the CBRF assisted living and the single-family residential components, the developer will complete a revised Certified Survey Map, the City will formalize non-acceptance of or vacate dedicated right-of-way associated with CSM 8771 as may be necessary, and the developer will enter into a Development Agreement with the City of Glendale.

Dr. Simon Donets and Rob Williams introduced themselves as representing the proposed project. Nick Donets was seated in the audience.

Mr. Williams presented the proposed project to the citizens present and the Plan Commission. Mr. Williams stated that for the previously approved project the environmental clean-up was not economically feasible for the five single-family residential lots in the south project zone. Mr. Williams said that the revised project includes two buildings with 46 beds each, and about 80 parking places and added that he had met with the North Shore Fire Department about equipment access and that there were not any concerns about that, only to add a fire hydrant.

Mayor Kennedy reiterated that they can back out, that they are O.K. with that, and they can pull into a spot.

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Mr. Williams said that the middle lane is maintained as fire lane, and continued to talk about the landscape that will include a four to five foot berm-screen with heavy plantings, and will also include plantings along the west ingress-egress lane.

Mayor Kennedy reiterated seats up front.

Mr. Williams stated that the buildings are 26 feet in height and that they present in two sections, with two pods per building, each building to include 46 beds, and that each building has two public entrances and a separate service entrance in between, continuing that they broke up the roof line so it is not uniform 26 feet all the way along the building elevation.

Mayor Kennedy reviewed that the original concept had six single-family lot and now there is one single-family lot with the possibility for three, there are two significantly larger CBRF's in four pods that are setback farther from the road.

Mr. Williams confirmed that there were five single-family lots where the CBRF's are now proposed to be located and one to three lots to the north around the south end of North Braeburn Lane.

Mayor Kennedy observed that it seemed that the profit margin is with the CBRF's.

Dr. Donets said that the problem that they have with the five single-family lots is that it is not only with the additional costs it is that the banks are refusing to finance such a development.

Comm. Wadzinski observed that there are 92 beds proposed.

Dr. Donets said that there are 80 units, of which 12 are suites that have two beds such as for a husband and wife, giving a total of 92 residents.

Following the developer presenting the project the Public Hearing commenced.

Jeff Katz, 2240 West Good Hope Road, president of the Manchester Village Owner's Association. Mr. Katz observed about the north perimeter screening and asked if that will be continued along the east perimeter. Mr. Katz also noted that there is a history of water runoff from the Prange property to Manchester Village which presents a hazard when the water freezes and asked if they were going to change the grading so that Manchester would not get the water, and will there be a retention pond and will it be guaranteed. Mr. Katz also said that he is concerned about additional traffic and U-turns in West Good Hope Road given that Manchester Village has 271 units.

Mr. Williams said that an evergreen buffer is proposed along the north and that along the east edge they will fill in the existing deciduous tree line. Mr. Williams also said that Mr. Katz is correct about the existing drainage and that there will be a swale that conveys the flow to the proposed stormwater pond that should resolve overland flow onto the Manchester property, and that the design requirement is for the 100-year storm event being allowed to overflow from the pond.

Mayor Kennedy asked if that will be a requirement in the Development Agreement.

Director of Community Development Todd Stuebe replied that it is a requirement to provide the stormwater management per the requirements of the City of Glendale Code and the Milwaukee Metropolitan Sewerage District (MMSD).

Mr. Williams said that there will be minimal addition to traffic along West Good Hope Road.

Mr. Katz said that there are 271 units at Manchester Village who will want use of the facility.

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Andrew Franklin, 7365 North Bethmaur Lane. Mr. Franklin commented that he is not opposed to the proposed use of the property, and that it is laudable, and that the points that he wants to make are that the project is doubling the size and footprint going to 92 beds in four buildings, and that he thinks that there should not be more than three buildings. Mr. Franklin asked whether the residents will be ambulatory, and whether there will be any restrictions on the population, would it be a teen runaway home, and commented that it was sold as a disabled non-ambulatory. Mr. Franklin asked why when the environmental problems were first noticed why they were not brought to the attention of the Council.

Dr. Donets said that they have 15 years devoted to running CBRF's and that the guidelines are State mandated, and that other types are not a cup of tea, and that they are willing to be specific, and went on to say that assisted living and group homes are slightly different, and that they are elderly handicapped memory care and will allow that to be in a contract.

Mayor Kennedy asked about the timing of the environmental.

Dr. Donets said that their first engineering firm did not do the due diligence and that there are costs involved.

Mr. Franklin said that he has been watching the website and thinks that the environmental has been known since 2013, and asked if we had missed the opportunity to do or shape this differently, and it seems like replacing green with a thin line.

Mr. Williams said that there are concerns that most of the existing vegetation will have to be removed to cap the soils, that there will be a park-like entrance to the senior community with a pond up front, and concluded that they are trying to be sensitive to the single-family around it and noted the berms.

Phillip Lane, 7220 North Range Line Road. Mr. Lane said that he has two concerns, the first is that there is a berm buffer on the north and east sides and the west side does not have a buffer, and about the alarm system what is to keep people from coming onto his property and keep the noise down.

Dr. Donets said that these are elderly and handicapped people, and there is not an outside alarm, and that concerning people coming onto the property that it would be best to consider escorting them back, continuing that there will be allot of shrubbery.

Mr. Lane said that he will escort them back, appropriately.

Peter Evenson, 2260 West Good Hope Road (Manchester Village). Mr. Evenson said that he echoes the previous comments and said that he has concerns about traffic along West Good Hope Road, that he could not cross this evening, and that Manchester Village has 271 units and also there is a school across the street, and thinks that U-turns are hazardous, adding that he is a former manager of Manchester Village and has lived there since 1972, living there when they developed it, and said that more traffic is not good and will not enhance life, concluding that he is totally against the project and does not know anybody for, and feels as though others have shoved this down their throat and would ask to reject the project.

Mayor Kennedy asked the developer about the matter of traffic.

Dr. Donets said that an eight bed has three employees, and that these residents do not get visitors, only holidays at best.

Devora Gelin, 7354 North Braeburn Lane. Ms. Gelin said that she has lived there since 1985 and has seen allot of changes, and that her property sits next door to another property (the north vacant lot) owned by Mr. Donets, and that she and her husband maintained that between 1987 and 1999 when her husband passed away, and that it was never maintained by the Pranges' and that even though they maintained it they were never recompensed. Ms. Gelin said

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that Mr. Donets had offered to sell the lot to her and that she decided it was not a time to take that on in her life, and that her concern is that it be maintained in a better way than historically and that it took a lot of time and effort to maintain.

Dr. Donets said that the lot would be sold to a developer, and if their business is there and they still own it the lot will be maintained in addition to that, and that once their business is functioning there all the time it will be easily maintained with that.

Peter Ernster, 7355 North Bethmaur Lane. Mr. Ernster commented that his lot backs to the same lot and that it has had six and one-half foot weeds and that he does not see why it was not maintained this Spring.

Director of Community Development Stuebe confirmed that the improvements to serve the project, which includes the north property, would be matters for the Development Agreement, that more likely a home builder or interested citizen will purchase the property and the Development Agreement identify how that is accomplished.

CP, Address withheld at the request of the speaker. CP asked about the facility.

Dr. Donets said a client who requires more than five hours of skilled nursing requires transfer to a nursing home rather than a group home, continuing that the client residents are individuals with physical disability and memory care needs, and that if a person needs more than five hours of skilled nursing care requires other care.

Nick Donets speaking from the audience said that they can give their existing license and will agree to the Development Agreement, and that the State license is every two years and that they will provide a copy of the license to the City.

Robin Cohn, 2228 West Acacia Avenue. Ms. Cohn asked what kind of help is there during the day and how many people, and how often.

Dr. Donets said that they provide meals, cleaning service, help with grooming, a program of activities, and the pods are not large facility, and there are three people per 20 bed pod, and there are community programs, they have transport to church and synagogue and community meetings, and that with 80 parking stalls will be way over the top.

William Buszka, 7345 North Braeburn Lane. Mr. Buszka said that he did not receive notice about the first meeting and that they never cut or maintain the poles there and not maintaining things is a big concern.

Richard Wiese (speaking as resident), 7505 North Berwyn Avenue. Mr. Wiese said that he is speaking as a resident, a 30-year resident, was a Prange customer, and over the years the property became a blight to the area with the buildings falling apart, the house roof collapsing, and the land becoming overgrown. Mr. Wiese said that development must become an asset to the community and that he is concerned if this developer abandons the property who will develop it, and said that this project will have a much lower population density than Manchester Village, and concluded that he thinks that they have an attractive plan that will put to good use fallow land.

Jeff Katz, 2240 West Good Hope Road, president of the Manchester Village Owner's Association. Mr. Katz asked how many employees they will have.

Dr. Donets said that there will be 10 to 12 at all times with a maximum of 16 when the facility is up and running full-steam. Mr. Katz said that something said earlier upset him, about as a good neighbor if a person wanders onto their property to bring them back, and asked why put the onus on us, and that Manchester Village has 271 units, and that the first place anybody is likely to go is to Good Hope, so maybe a fence to keep that from happening. Mr.

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Katz also suggested that the solution to the U-turns in West Good Hope Road is to cut into the safety island.

Mayor Kennedy said that the City can approach Milwaukee County as it is a Milwaukee County right-of-way.

Mr. Williams said that they have already investigated this and that it would be too close to other cuts in the median and that it has not been a cost issue as Mr. Katz suggested.

Dr. Donets said that they could require their staff to use the North Range Line Road entrance, and suggested that a "No U-turn" sign for the existing West Good Hope Road cut.

Phillip Lane, 7220 North Range Line Road. Mr. Lane said that previously they had talked about the entrance from North Range Line Road being limited to emergency vehicles only, and said that for the record traffic is not a concern, it is the residents.

Mayor Kennedy asked the developer if staff would come in from North Range Line Road.

Mr. Williams concurred that they had agreed in the earlier plan that North Range Line Road was purely for emergency, and that now they were talking about it not being limited to emergency only or gated.

As there were not any more wanting to speak Mayor Kennedy asked for a motion to close the public hearing. Motion by Comm. Cohn, seconded by Comm. Vukovic, that the public hearing be closed. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, and Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

Comm. Vukovic observed that the decision to not build the single-family residential and to build the CBRF's has to do with it being safe to build, and that was not the initial project.

Mr. Williams said that a commercial building has different requirements for the soil caps, and that the Wisconsin Department of Natural Resources wanted clean soil completely, and that the technique is capping the contaminated soils.

Mayor Kennedy observed that there could not be basements.

Comm. Vukovic asked why if they do not develop single-family homes they agreed to develop, and asked if they were not going to do so in the first place.

Mr. Williams said that the City Master Plan calls for single-family residential, so they would develop the property and sell the ready to build lots.

Dr. Donets said that their intent was to develop the land, bring in the utilities to the lot.

Comm. Vukovic observed that there was clarity not to assume.

Comm. Cohn asked if they would agree to fence the property to ensure that the residents are kept safe, and that perhaps less foliage would be necessary.

Dr. Donets said that they do not want to develop a site that looks like a prison, and that he did not intend to be flippant when he commented about bringing a resident home, and that they have not experienced this happening and that security is mandated.

Mr. Williams said that with the input from the Plan Commission they can bring back a specific plan, and said that he did not think that a six-foot solid fence.

Comm. Cohn asked if the fence could be behind the landscaping so that the fence is not seen.

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Dr. Donets said that he did not want to see a fence visible along West Good Hope Road.

Comm. Cohn said that should be put in the Development Agreement.

Comm. Wadzinski said that the density is larger than set forth in the initial project and that he sees it as maximizing the site, and said that his concern is 92 beds versus lots.

Dr. Donets asked how what is proposed is a burden.

Comm. Wadzinski asked how is it not a burden.

Dr. Wadzinski noted that there is more density next door (Manchester Village).

Comm. Wadzinski observed that next door are more quaint golf course and single-family residential homes, and what is proposed are four gigantic hip roofs, parking spots, four buildings, a massive development in a single-family residential neighborhood, and asked if the developer had considered less buildings and units.

Dr. Donets said that it is not economical.

Comm. Wadzinski said that they did not have a say.

Dr. Donets said that is the public hearing, he went to Nicolet, they have three years invested, that they had 40 rooms and now have 80 rooms, that they doubled the scope of the CBRF.

Comm. Wadzinski said that he apologizes, that he is a resident to the north, not opposed to the type of project but the density.

Mayor Kennedy asked about the height of the single-family residences.

Mr. Williams said that they are 30, 32, 34 feet for two story.

Comm. Wadzinski asked about the square footage and suggested that what matters is not the height but the mass.

Mr. Williams said that the two buildings are 24,000 to 28,000 square feet.

Comm. Wadzinski said that there are two buildings separated by a connector, each 14,000 square feet, and that typical homes total around 2,000 square feet, and observed also Manchester Village as configured, the density and the number of units, is a concern.

Comm. Cronwell asked how they arrived at doubling versus three, the economics of it.

Dr. Donets said that the intent is to develop in stages and to build as the demand of the community, and that the lot size allowed for four, and does not see how it is a burden or the reason to limit opportunities, and that with foliage does not see how it will be seen, and that there will be foliage and water all around, and does not see concern.

Comm. Vukovic asked about the staging, and what happens if they do not have the market.

Dr. Donets said that they will build two immediately and that when they have applications for half the occupancy they would start the next stage, and that the schedule can be addressed in the Development Agreement.

Comm. Vukovic said that if they could not develop this she wants to know exactly what the plan is if they do not do it.

Dr. Donets said that they have to meet the requirements of the Wisconsin Department of Natural Resources so they have a base for all of it, one will be built, and if the second building is not built they will plant more trees and not develop anything else there, so this is what they will do, not something else.

Comm. Vukovic said that Dove is a nursing home that is going to be apartments, and her concern is what if this is built and 15 years down the road what will we have as this sits

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on a landfill, so it must fit with the character of the neighborhood and long-term, 15 to 20 years down the road.

Comm. Shaw said that density and the Manchester Village concern about fences, that she does not see a stockade fence, heavens no, stone or wrought-iron fence, and that homes are not prisons, they should be trying to show off and make it look nice, and the City does not want people to wander off, that there should be enough parking for holiday visitors, and suggests that residents need to be happy with the aesthetics, and that people are going to come and go and we cannot have it look like a jail.

Mayor Kennedy asked if there is a motion to recommend to the Common Council for the property to be rezoned to PD Planned Unit Development District-Residential and the Common Council can take this up.

Motion by Comm. Lippow, seconded by Comm. Cohn, that the Plan Commission recommend to the Common Council approval to rezone the property to PD Planned Unit Development-Residential District. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, and Lippow. Noes: Comm. Wadzinski and Vukovic. Abstain: None. Motion carried 5-2.

- II. 6:00 P.M. Plan Commission Public Hearing, Application to Change Zoning of 1633 West Bender Road (Tax Key Parcel 1619992001) from S-1 Special (Institutional) District to PD-Planned Unit Development District-Residential and Commercial for use as 57-units of multi-family residential and David Hobbs Honda New Automobile Storage. Applicant presentation of informational statement and general development plan, Public Comment, and Plan Commission review, discussion, and recommendation to Common Council.

Mr. Stuebe stated that the Plan Commission Report was distributed to the Plan Commissioners and Applicant and is incorporated herein as follows:

Plan Commission Report:

Michael Klein will formally present the Informational Statement and General Development plan to the Plan Commission and interested Glendale citizens (please bring the Plan Commission documents from November 1, 2016).

The Plan Commission indicated concerns about the aesthetics of the architecture. Ted Matkom stated that in order for the project to maintain the HOME grant zoning must be in place before year end 2016. In order to facilitate to consider only the zoning component of the property in the 2016, the Common Council has scheduled a public hearing for Monday, December 14, 2016.

Required Action

Based on the proposed Informational Statement and the General Development Plan, and pursuant to 13.1.182 of the Zoning Code, the necessary action of the Plan Commission is to recommend to the Common Council that the proposed PD-Planned Unit Development District-

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Residential and Commercial zoning be granted as requested, modified, or denied. Upon Common Council approval of the zoning the developer will work further with the Plan Commission pertaining to project plan concerns, submit the Specific Plan for Plan Commission final plan review and approval pertaining to both the multi-family residential and the David Hobbs Honda components, the developer will complete a Certified Survey Map, and the developer(s) will enter into a Development Agreement(s) with the City of Glendale.

Mayor Kennedy announced that this item was being considered as to zoning only, not the aesthetics, as there were things like three bedroom units that have bedrooms without windows called bedrooms, and that the project is eligible for \$1.8 million grant, although the project plans are not going to be approved tonight, for 57 units, the developer will qualify for the grants, this plan will not be approved by the Plan Commission.

Michael Klein introduced himself as the developer and Jason Korb introduced himself as the project architect.

Mr. Korb said that the old nursing home has been closed since 2007, it was built on an old landfill and the building has four fingers east and west, and 40-foot-deep foundations, continuing stating that they want to tear down what is there and rebuild on the existing foundations and also break off three acres for David Hobbs Honda.

Following the developer presenting the project the Public Hearing commenced.

Jay Sanfello, 6175 North Bridgewood Lane. Mr. Sanfello said that the property is unsightly, there are rat traps, broken windows, and there are kids back there, and that he was like an old man yelling at kids to get out of there. Mr. Sanfello asked who was going to be living there, there is not going to be any garage parking places to keep a car, and asked if the rents would be \$1,700, and observed that he sees less than that in the Plan Commission documents. Mr. Sanfello said that he works at JCI and that he does not think that young people will want to live there where they have to brush snow off of their cars, and that for \$1,400 to \$1,500 thinks where else they may rent without inside parking.

Mayor Kennedy said that the former Residence Inn that was converted to The Glen has studios, one bedrooms, and two bedrooms that range from \$925 to \$1,400, and that does not have covered parking in buildings that are more than 20 years old.

Mr. Sanfello said that for \$1,500 if I cannot park my car in a garage I am not going to do it.

Mr. Klein said that he is willing to take that risk.

Mr. Sanfello said that he is not willing to take that risk, and that nothing has been happening with what is there and he does not see them getting that rent.

Robin Cohn, 2228 West Acacia Road. Ms. Cohn asked to explain the zone now, what does that mean, to explain the new zone.

Mayor Kennedy said that the existing zoning is S-1 Special (Institutional) District, and the proposed zoning is PD Planned Unit Development District-Residential, and also said that is important now because the project is eligible for \$1.8 million this year. Mayor Kennedy said that the City is above the threshold to utilize a Tax Incremental Finance District, and there is State and County money to have some kind of development. Mayor Kennedy said that digging is a problem, that they really cannot dig, and need to build using the existing foundation footings, and they have to have a letter that zoning is in place December 31 this year, concluding saying

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that if rezoned this project could go forward and if not State and County money will be unavailable so they could rezone, although not single-family.

Jim Poehlman, 6195 North Bridgewood Lane. Mr. Poehlman said that he is 99 percent in opposition to this, and that the concept is literally in his backyard, only CP is as close. Mr. Poehlman said that the facts are that Bridgewood can only access Bridgewood, and that is about 21 vehicles, where this will have 57 units multiplied by 3 which is six times the population, and 57 units multiplied by 2 is 114 parking spaces, and dividing the southern part for Hobbs, and that Church and Keyser get the noise from the parking lot. Mr. Poehlman continued stating that his lot is clear of brush, that he bought the property and cleaned it up, and that the appearance from Bridgewood Lane is 10 percent can be seen and 90 percent is hidden behind. Mr. Poehlman said that at the previous meeting the building was described as army barracks, an auto dealership, and Westlawn Housing Project, and said that headlights will shine into their residences, and that there is garbage and trash now on the east side, no garages setup, 114 cars exposed to weather and vandalism, and the noise from cars in our backyards, and that this is replaces one problem with another, more people and proximity to exacerbate. Mr. Poehlman mentioned the names of Glen Court Nicolet Parc, and asked for a nice-looking project like Nicolet Parc, and asked what would happen with homeowner's insurance next to a housing project, and that they have to live with the consequences. Mr. Poehlman said that they should tear down the existing facility, that he is surprised, and that if they do nothing else tear it down, and went on to suggest that they move the project from Good Hope to this site where you have a nursing home

Mr. Klein said that he agreed to a fence so that they will not see headlights.

Jay Hintze, 6936 North Braeburn Lane. Mr. Hintze said that has dealt with the property, and spent many a week in Madison talking about a Closure Report, continuing that he is not opposed to zoning, while he is opposed to a 57-unit project not having an approved project plan specifically for the project, and does not think that the City should go ahead, and that he has been told many a time that my financing is my problem, and is definitely against this PUD project with 57 units.

Steve Glasenapp, 6421 North Bittersweet Road. Mr. Glasenapp said that his concern is that if rezoned and there is not a residential price point, they are working on the existing footings, take the first step, and when they take a step back do not think that apartments are a bad thing, putting on existing footings.

Mayor Kennedy said that the money has not been released and that they have to take possession of the land and start building, and that a rezoning is a first step.

Mr. Glasenapp continued saying that working off of the existing footings ties you to that, and that the amenities in the neighborhood are not there to get young professionals to pay that steep price, and they are tied to the existing footings, and there is a rush due to a deadline, and asked when do we step back to look at this.

CP, Address withheld at the request of the speaker. CP said that there is a car dealership strip, and that she appreciates the time to speak with us as well as the interest in the site, and wants to be direct and clear that she remains opposed, and that the genesis is the sheer volume of traffic and what would happen, a stop light, a traffic study, crime, and that it will never become a nursing home, though she loved it, and escorted many a nursing home resident home, adding that she is torn, if there is the financial feasibility to raze, why a nursing home is not feasible, the thought of green space, a City of Trees, the cost to raze, something has to be done, and that there is so much traffic congestion now, and 57 units added, and concluded saying

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thank you for your interest, and suggested move slowly, and to consider what else might be done there, take it slow.

Lisa Church, 6100 North Bridgewood Lane. Ms. Church asked if it passes is it not a shoe-in.

Mayor Kennedy said no.

Ms. Church said that the development secludes us from the light, and asked if we should rezone with them in mind.

Mayor Kennedy said that if we do not move forward it will sit, and that we are doing a park now on a landfill and it is really expensive, and the City is not in a position to help fewer units.

Mr. Klein said that the lighting plan will be fully approved and will have a photometric plan and that they will not see the lights.

Ms. Church said that to find a car the dealers use a car alarm, and that she has a concern if they leave it the way it is, there will be horrible vandalism and people will be shooting up drugs.

Mr. Korb said that they have been looking since 2011, it was O.K. in 2011, and it is disintegrating unheated, and that there is not such a huge change or change in traffic.

As there were not any more wanting to speak Mayor Kennedy asked for a motion to close the public hearing. Motion by Comm. Cronwell, seconded by Comm. Cohn, that the public hearing be closed. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, and Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

Comm. Lippow said that his thoughts are that there is a dilemma, that it is our job to find the best use for the community and neighbors, constrained by realities financial and environmental issues, and that the best choice of the choices that we have, it has been deteriorating for nine years, the choice we have may be trading one problem for another, although today, this is the zoning change only, and prove us wrong, and that he will vote for not because he likes the plan but to give an opportunity to prove.

Comm. Vukovic said that they are working on a better plan.

Mr. Klein said that they are actively working on meeting with contractors on the exterior to make a better façade.

Mr. Korb said that the biggest constraint is the location of the existing foundations, and that everything above is under review.

Comm. Cohn said that his concern is that we went a month without a better plan, and asked if they own the property.

Mr. Klein said no.

Comm. Cohn said that the property is under contract for \$250,000.

Mr. Klein said that December 31, the end of the year.

Comm. Cohn asked if the money is available next year, do they get to reapply.

Mr. Klein said that they need zoning by the end of this year.

Comm. Cohn asked if they can apply next year, could be four buildings, parking lots, and what are they doing about water runoff.

Mr. Korb said that they are working with a Glendale based civil engineer and that he thinks that David Hobbs Honda would likely also.

Comm. Cohn said that they there are four buildings and the developer had said one with a basement, all with waste and building materials, rubble.

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Mr. Korb said solid slurry, and that they need to get an earthwork contractor.

Comm. Cohn said that he would voice his opinion that there is a gun to our heads to rezone because next year this is going to go down the tubes, and you have not shown us anything, and motion to say no to rezoning now.

Comm. Cronwell asked if the number of units must be 57.

City Administrator Rachel Reiss said that they need the 57 units for grant funds, not the PUD.

Comm. Shaw observed that the rents are \$950 for a one-bedroom, \$1,350 for a two-bedroom, and \$900 for a three-bedroom, and is that subsidized or affordable housing, and shared that she is aware of a person who has a situation that really needs that kind of housing, and sees it as 57 units, no parking on the street, and a bike lane.

Mayor Kennedy said that commercial and manufacturing can have a fence height of eight feet, that this developer has not developed in Glendale before, and nothing has been brought back within one month, and it concerns the neighbors, Hobbs needs this land, there will not be rubble waste, they need zoning first, led to believe.

Comm. Vukovic said that she is interested to see what they can bring to the table, the previous item, they changed the plan, changed three times, have not even started, and said that the plans are really bad and sorry, get decent plans, address the concerns of the residents, and that she would rather hear the plans before she says no.

Mayor Kennedy asked for a motion to recommend to the Common Council to rezone to PD Planned Unit Development District-Residential and Commercial, contingent a completed Development Agreement

Motion by Comm. Vukovic, seconded by Comm. Lippow, that the Plan Commission recommend that the Common Council approve the rezone of the property to PD-Planned Unit Development District-Residential and Commercial. Comm. Shaw asked to amend the motion to be contingent on a signed Development Agreement, and made the motion for same, seconded by Comm. Lippow. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, Lippow, and Wadzinski. Noes: Comm. Vukovic. Abstain: None. Motion carried 6-1. Comm. Cronwell asked to amend the motion to specify 57 living units, and made the motion for same, seconded by Comm. Vukovic. Roll Call: Ayes: Mayor Kennedy, Commissioners Cronwell, Lippow, Wadzinski, and Vukovic. Noes: Comm. Shaw and Cohn. Abstain: None. Motion carried 5-2. Original motion that the Plan Commission recommend that the Common Council approve the rezone of the property to PD-Planned Unit Development District-Residential and Commercial, with the amendment contingent on a signed Development Agreement, as well as with the amendment to specify 57 living units. Roll Call: Ayes: Mayor Kennedy, Commissioners Cronwell, Lippow, Wadzinski, and Vukovic. Noes: Comm. Shaw and Cohn. Abstain: None. Motion carried 5-2.

- III. Referral from Common Council: Application to Change Zoning of 7065 North Port Washington Road (Tax Key Parcel 1288955004) from B-1, G1 Business and Commercial District to PD-Planned Unit Development District-Commercial for an 83-unit Fairfield Inn Hotel and Restaurant/Conference Center. Applicant presentation of informational statement and general development plan to Plan Commission, Plan Commission review and discussion, and schedule Plan Commission public hearing.

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Mr. Stuebe stated that the Plan Commission Report was distributed to the Plan Commissioners and Applicant and is incorporated herein as follows:

Plan Commission Report:

Rachit Dhingra, Odyssey Glendale Hotel, LLC, will formally present the Informational Statement and General Development plan to the Plan Commission (Refer to Plan Commission documents).

As initially shared with the Plan Commission November 1, 2016, Odyssey has informed the City of Glendale that the Radisson Hotel Milwaukee North Shore is closing at the end of 2016. With that reality in view the property owner wants to develop a Fairfield Inn on the 7065 North Port Washington Road property as follows:

Lot1 will be converted to a Fairfield Inn with 86 guest rooms. The Fairfield Inn is one of the franchise brands of Marriott International. Odyssey Glendale Hotel is presently constructing the Residence Inn by Marriott (83 guest rooms) on the adjacent property located at 7003 North Port Washington Road. The Fairfield Inn development will involve the construction of a lobby space at the south end of the existing building that is located on Lot 1 and complete renovation of the existing hotel guest room building. Images of the proposed Fairfield Inn hotel that the developer is working to finalize with Marriott are attached.

Lot 3 contains the existing restaurant and banquet/convention facilities. Odyssey Glendale Hotel seeks to continue to operate the restaurant and banquet/convention facility, however, it will be operated completely autonomously from the Fairfield Inn hotel.

Lot 2 contains the remainder building that includes the atrium with ballroom and swimming pool surrounded by hotel guest rooms. The owner has not yet determined the future use of the Lot 2 building, and has indicated that for the moment it will be operated in concert with the restaurant and banquet/convention center, and that its future use will be determined when both the Residence Inn and Fairfield Inn are open.

The only zoning district that provides the flexibility to accommodate the proposed non-conformities (zero yards) is PD Planned Unit Development District. The property owner has submitted to have the 7065 North Port Washington Road property rezoned to PD Planned Unit Development.

The necessary action by the Plan Commission is to schedule a public hearing for 6:00 p.m. on Tuesday, January 3, 2017.

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Rachit Dhingra introduced himself as the owner and introduced Lynn from the Radisson.

Jason Daye introduced himself as being with Excel Engineering.

Mr. Dhingra said that today they have submitted the revised rendering of the Fairfield Inn & Suites as reviewed by Marriott.

Mr. Daye presented the project to the Plan Commission and also informed the Plan Commission that the Radisson is closing end of year. Mr. Daye indicated the Fairfield Inn will be located in the building along the Interstate Highway 43 side of the property, and shared that the existing Zamboni's Bar & Grille will be changed to Centerfields Bar & Grille, and that the conference center facility will become the North Shore Event Center. Mr. Daye indicated the revised property lines and noted that there will be five compact parking spaces, continuing that the Fairfield Inn building will be completely remodeled and a lobby added to the satisfy the requirements of the Fairfield brand.

Mr. Dhingra summarized that at the last meeting three lots were created, and that now step 2 is to develop the Fairfield Inn & Suites.

Mayor Kennedy observed that the lobby would also include a breakfast room, pool, and fitness room amenity, and asked if the guests could also rest in the Residence Inn

Mr. Dhingra said that they are limited service hotels, the existing Radisson has been a full-service hotel, however, the industry is getting away from that concept, and said that Centerfield's Bar & Grille will service these two hotels (Residence Inn and Fairfield Inn & Suites).

Mr. Daye said that the lot lines were changed to create three parcels to facilitate the project concept.

Mr. Dhingra said that Marriott does not want non-specific traffic entering.

Comm. Cohn asked will it be one hotel.

Mr. Dhingra said that the Residence Inn and the Fairfield Inn will be independent hotels with separate check-in processes

Motion by Comm. Cronwell, seconded by Comm. Cohn, that the Plan Commission schedule the Plan Commission Public Hearing at 6:00 p.m., Tuesday, January 3, 2017. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

- IV. Plan Commission Use and Occupancy Review, Merch and Market, LLC, 6055 North Flint Road. Review and approve proposed eCommerce fulfillment (warehouse/distribution) services use and occupancy.

Mr. Stuebe stated that the Plan Commission Report was distributed to the Plan Commissioners and Applicant and is incorporated herein as follows:

Plan Commission Report:

Bryan Utech seeks Plan Commission use and occupancy approval for Merch and Market, LLC, an eCommerce warehouse distribution business, to occupy a 1,650 square-foot tenant space in the multi-tenant structure located at 6055 North Flint Road. The property is owned by Michael Pelant. The site is zoned M-1 Warehouse, Light Manufacturing, Office, and Service District,

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and the proposed use is permitted with Plan Commission review and approval.

Merch and Market, LLC, will use the tenant space for its warehouse distribution business. Typical hours of operation are Monday through Friday from 8:00 a.m. to 6:00 p.m. Merch and Market, LLC, has three to five employees. There are three (3) parking stalls available per tenancy, as well as more space within the tenant space. There will be a sufficient number of parking spaces available at the site to accommodate the proposed use.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant use and occupancy approval for Merch and Market, LLC, an eCommerce fulfillment (warehouse and distributing) use, to utilize the tenant space at 6055 North Flint Road per the following requirements: 1) Outside storage is limited to owner/employee cars during the work day; 2) Signs require a permit per the Glendale Sign Code; 3) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary pursuant to tenant/owner lease responsibilities; 4) Dumpster enclosure(s) required to comply with 13.1.144 of the Zoning Code; and, 5) All City of Glendale building, and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department.

Mike Pelant introduced himself as the property owner and landlord.

Bryan Utech introduced himself as the owner of Merch and Market.

Comm. Cohn asked what Merch and Market fulfills.

Mr. Utech said Universal Music, anything that you find at a concert.

Comm. Cronwell asked how many employed.

Mr. Utech said only himself now and will add two in two years.

Comm. Shaw asked how long Merch and Market has been in business.

Mr. Utech said two years, all music acts.

Motion by Comm. Lippow, seconded by Comm. Cohn, that the Plan Commission grant use and occupancy approval for Merch and Market, LLC, an eCommerce fulfillment (warehouse and distributing) use, to utilize the tenant space at 6055 North Flint Road, per the five requirements. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

- V. 7:00 P.M. Plan Commission Review, AddeoFit, LLC, 5055 North Lydell Avenue.
Review and approve proposed fitness studio with class and studio based instructing use and occupancy.

Mr. Stuebe stated that the Plan Commission Report was distributed to the Plan Commissioners and Applicant and is incorporated herein as follows:

Plan Commission Report:

Marti L. Wronski and Sarah J. Addeo seek Plan Commission review and approval for AddeoFit, LLC, a fitness studio, to use and occupy about 13,000 square feet of the former Sunbeam/Oster facility located at 5055 North

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Lydell Avenue. The site is zoned B-1, Sub-Area A1, and the proposed use and occupancy requires Plan Commission review and approval.

AddeoFit, LLC, is a fitness studio that will offer a variety of class studio based fitness instruction to its clients as described in the packet materials. AddeoFit is not proposed as a health club, and health clubs are not a permitted or conditional use in the B-1, Sub-Area A1 District. The proposed use is being considered as a specialty studio or class based, as well as personal and small group fitness training and athlete performance (speed and agility) programs, without a swimming pool, tennis courts, or sauna facilities.

AddeoFit proposes to be open six to seven days per week with the following proposed business hours;

Monday, Tuesday, Wednesday, and Thursday	5:30 a.m. to 8:30 p.m.
Friday	5:30 a.m. to 8:30 p.m.
Saturday	6:00 a.m. to 4:00 p.m.
Sunday (seasonal)	6:45 a.m. to 12:00 Noon

AddeoFit will have two or three full-time employees, and five to ten employees who will be part-time. There will be a maximum of sixty (60) facility users inside the 5055 tenant space at any given time. Parking will be satisfactory for the proposed use.

There will not be food service and food preparation, although there will be accessory sales of prepackaged beverages, energy bars, and fruits.

AddeoFit proposes to be open February 2, 2017.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant use and occupancy approval for Marti L Wronski and Sarah J. Addeo to operate AddeoFit, LLC, a fitness class and studio based fitness instructing use, within the tenant space located at 5055 North Lydell Avenue, per the following requirements:: 1) Outside training subject to Plan Commission review and approval; 2) Signs require a Sign Permit per the Glendale Sign Code; 3) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department; and, 4) Compliance with State of Wisconsin requirements for physically disabled parking.

Marti Wronski introduced herself as the owner of AddeoFit with Sarah J. Addeo, and said that AddeoFit will have six class-based studios in one studio, Pilates, yoga, and others, all housed under one roof with limited child care and locker rooms, and that it is not a health club in that you come to take a class and it is not an open gym, and when they are not running classes they are not open.

Comm. Cohn asked if they have lavatory and showers.

Ms. Wronski said yes.

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Comm. Cronwell asked about the occupancy maximum.

Ms. Wronski said personal to a large 30-person class.

Comm. Cronwell asked if that is the JCI site and is there sufficient parking.

Ms. Wronski said that it is one-story with ample parking, the rest of the building is empty now so they had to snag it.

Motion by Comm. Cohn, seconded by Comm. Wadzinski, that the Plan Commission grant use and occupancy approval for Marti L Wronski and Sarah J. Addeo to operate AddeoFit, LLC, a fitness class and studio based fitness instructing use, within the tenant space located at 5055 North Lydell Avenue, the four requirements. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Cohn, Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

- VI. 7:00 P.M. Plan Commission Review, Cousin's Submarines, Incorporated, 5333 North Port Washington Road, Suite 100. Review and approve continuing Cousin's Sub's sandwich shop (with proposal to also serve beer) with continuing drive-in window service use and occupancy in the redeveloped 5333 North Port Washington Road property.

Mr. Stuebe stated that the Plan Commission Report was distributed to the Plan Commissioners and Applicant and is incorporated herein as follows:

Plan Commission Report:

May 2, 1989, the Plan Commission approved Cousin's Building Permit for 5333 North Port Washington Road, which included a drive-in window service. January 5, 2016, the Plan Commission reviewed and approved the project plans for the development of the reconfigured 5317 and 5333 North Port Washington properties anticipating that the existing Cousin's would temporarily close and then occupy the south tenant space in the multiple tenant building being constructed this year. Cousin's continuing operation was anticipated as continuing a legal non-conforming use, with the only significant change being the recent request to also serve beer.

The new Cousin's is proposed to be open seven days per week from 10:00 a.m. until 10:00 p.m., will employ fifteen persons with as many as 10 present. The restaurant has 50 seats available at 11 tables and booths and four counter seats.

The proposed sale of beer is to serve in an open container for consumption within the restaurant, and will not be served via the drive-in service window or via delivery service. Cousin's plans to open January 2, 2017.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant approval for Cousin's to continue their historic sandwich shop use and occupancy at the 5333 North Port Washington Road location, with continuing drive-in window service of food, and serving beer in open containers for consumption within the restaurant, with

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the following requirements: 1) Beer shall only be served in open containers and consumed within the restaurant, and will not be served through the drive-in window or via delivery; 2) Signs require a Sign permit per the approved Planned Sign Program at the 5333 North Port Washington Road property; 3) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector; 4) Compliance with State of Wisconsin requirements for physically disabled parking.

Joe Ferguson introduced himself as the Cousin's Submarines vice-president of Development and that they want to serve bottled beer.

Comm. Cohn said that he will recuse himself from participating in this item as he is cousin to the builder.

Comm. Cronwell said that she was surprised by the application to serve beer.

Mr. Ferguson said that this is their first location to serve beer, and that it is a product offering as evolving to a fast-casual restaurant and that this is a test to potentially bring it into the brand, and that others such as Noodles and Chipotle (margaritas).

Mayor Kennedy asked if they are the property owner, and when do they open.

Mr. Ferguson said that they are leasing, and that they will open the first Thursday of 2017.

Comm. Shaw asked if this will be before the Legislative and Judiciary Committee.

City Administrator Rachel Reiss said it will, that this is for use and occupancy review and approval and to the Legislative and Judiciary Committee due to the change to serve beer.

Comm. Shaw observed that Dr. Dawg and WingStop she thought had a probationary period.

City Administrator Rachel Reiss said that Dr. Dawg and WingStop were both brand new to the City of Glendale.

Mr. Ferguson said that as a franchisor, corporate owner, and having been in the City of Glendale location for 28 years confident that they are responsible operators.

City Administrator Rachel Reiss said that they do not have to issue a probation period.

Comm. Wadzinski said that the archetype is changing and that he appreciates where they are coming from a business sense.

Comm. Cohn asked if a server license is required.

Mr. Ferguson said that they are practicing Safe Serve.

Motion by Comm. Lippow, seconded by Comm. Wadzinski, that the Plan Commission grant approval for Cousin's to continue their historic sandwich shop use and occupancy at the 5333 North Port Washington Road location, with continuing drive-in window service of food, and serving beer in open containers for consumption within the restaurant, per the four requirements. Roll Call: Ayes: Mayor Kennedy, Commissioners Shaw, Cronwell, Lippow, Wadzinski, and Vukovic. Noes: None. Abstain: None. Comm. Cohn recused himself from discussion and voting this item. Motion carried unanimously 6-0.

ADJOURNMENT.

Motion by Comm. Lippow, seconded by Comm. Cronwell, to adjourn the Plan Commission until 6:00 p.m. on Tuesday, January 3, 2017. Roll Call: Ayes: Mayor Bryan

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Kennedy, Commissioners Shaw, Cronwell, Cohn, Lippow, Pfauth, and Vukovic. Noes: None.
Motion carried unanimously.

Todd M. Stuebe, Director of Community Development

Recorded: Tuesday, December 14, 2016