CITY OF GLENDALE
5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209

# AGENDA -- PLAN COMMISSION
**Tuesday, August 01, 2017**
**6:00 P.M.**

1. Roll Call and Pledge of Allegiance.

2. Adoption of Minutes of Meeting of July 11, 2017.

3. a. Certified Survey Map (CSM), 6956 (Ken Larsen) and 6970 (Mark Johnson) North Rockledge Avenue. Review and approve proposed Certified Survey Map to modify property boundary.
*Ken Larsen and Mark Johnson*

   b. Plan Commission Review, Halloween Express, 200 West Silver Spring Drive. Review and approve proposed temporary Halloween costume specialty shop use and occupancy.
*James Purvis, Halloween Express*

NOTICE: Although this is NOT a meeting of the Glendale Common Council, a majority of Council members may be in attendance. No action or deliberation by the Council will take place.
-Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.-

**Agenda** CITY OF GLENDALE -- PLAN COMMISSION

Tuesday, July 11, 2017

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 Tomika Vukovic, Karn Cronwell, Fred Cohn, Gary Lippow, Josh Wadzinski, and JoAnn Shaw. Absent: None.

Other Officials Present: Rachel Reiss, City Administrator, Todd M. Stuebe, Director of Community Development, and North Shore Fire Department Battalion Chief John Maydak.

In accordance with the Open Meeting Law, the North Shore NOW, the City's official newspaper, was advised on Thursday, July 6, 2017, 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. Lippow, to approve the minutes of the meeting held Tuesday, June 6, 2017. Roll Call: Ayes: Mayor Kennedy, Commissioners Vukovic, Cronwell, Cohn, Lippow, Wadzinski, and Shaw. Noes: None. Abstain: None. Motion carried unanimously.

MATTERS FOR CONSIDERATION.

I. Sign Appeal, Bavarian Bierhaus, 700 West Lexington Avenue. Review and approve proposed sign appeal variance.

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:

Mike Weiss seeks Plan Commission review and approval for the Bavarian Bierhaus Restaurant & Brewery to have signage that exceeds what is provided for in the Glendale Sign Code. Mr. Weiss is revisiting the Plan Commission from the meeting of June 6, 2017, following contact with the Wisconsin Department of Transportation pertaining to statutory

requirements, as well as engaging in further study and analysis of the proposed sign placement given the need to locate the proposed sign within Lot 2. Although the Plan Commission did afford some flexibility pertaining to the possibility of making some adjustments if the sign were to be located within Lot 2, the necessary study and analysis led to a revised proposed sign placement, height, and size that necessitate Plan Commission review and approval of the final plans.

Mike Weiss of both the Friends of BSC (Bavarian complex property owners) and Brauhaus Milwaukee, LLC (AKA Bavarian Bierhaus), will present the proposed signage (Refer to exhibits) which includes a free-standing (in this case pole mounted) sign that includes a standard sign face with the narrative "Bavarian Bierhaus Restaurant & Brewery" as well as an electronic message (action) center that presents messages that periodically change. Signage variances require Plan Commission review and approval.

Permitted signage under the Glendale Sign Code for the restaurant and brewery includes a monument sign or a wall sign. In general the maximum height of a monument sign is ten feet and the maximum size of a sign may attain is 150 square feet. The proposed pole sign and related narrative and analysis are included in the packet materials. A sign variance is necessary for both the height and the size of the signage.

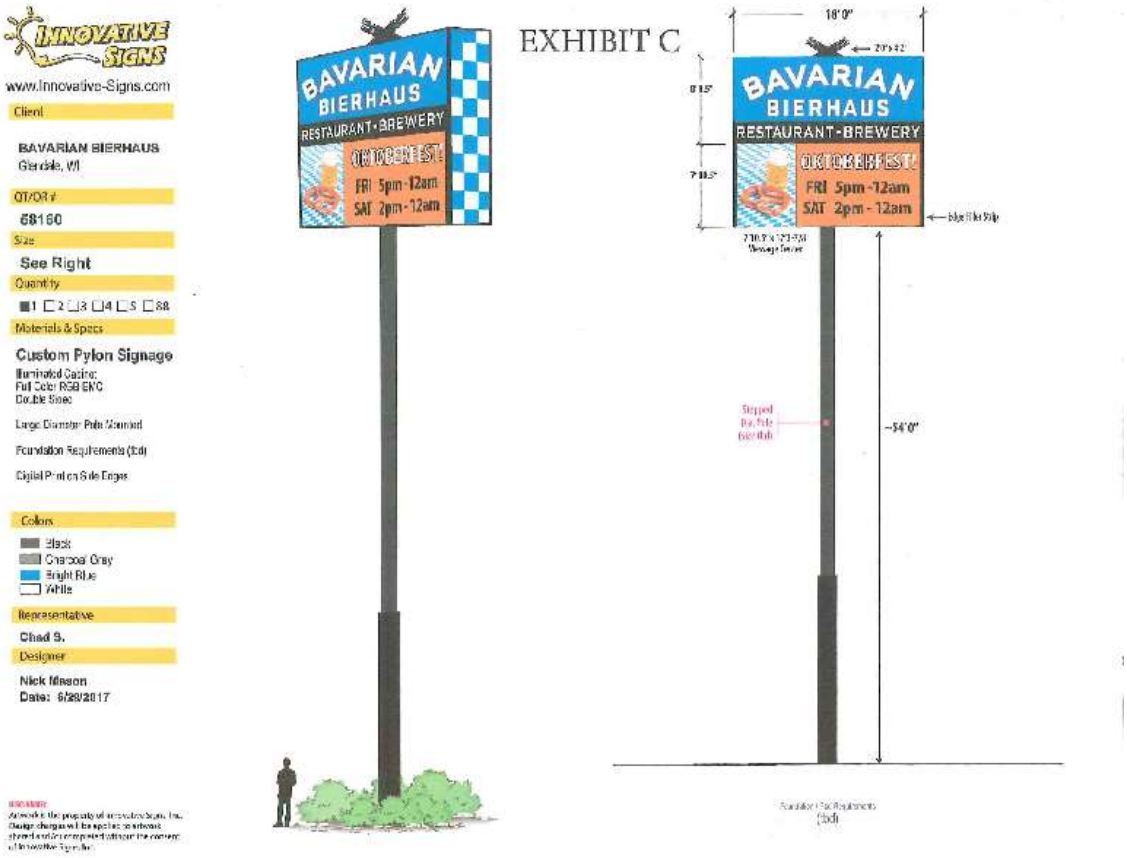
Glendale Sign Code Requirements

The Plan Commission may grant a variance to the Sign Code. Per the Sign Code sign variances are intended to allow flexibility to the sign regulations while still fulfilling the purpose of the regulations, with the caveat that it is not intended to permit the erection or maintenance of signs that are prohibited. The Sign Code states that the Plan Commission shall make the final decision using the following criteria:

a. The basic rule of thumb should be that there be no public harm and there be a public benefit.
b. Variance considerations will include proposals for signs which would enhance the overall character of a neighborhood, or to mitigate unusual site conditions.
c. The sign as proposed will not result in an undue concentration of signage which renders it difficult or confusing to read existing signs.
d. The effect of a proposed sign may have on depreciating property values of a neighborhood.
e. The Plan Commission, in its deliberation of an adjustment, may consider the location of the proposed sign, the height, the size, the appearance, number, and location of other signs in the vicinity of the proposed sign, and any other factor the Plan Commission deems appropriate.

The necessary action by the Plan Commission is to grant, require to modify, or to deny the sign variance request.

Bavarian Signage: Exhibit C from June 30, 2017, Resubmittal




Community Development Director Stuebe stated that Mr. Weiss is revisiting with the Plan Commission following meeting with the Wisconsin Department of Transportation pertaining to their regulatory authority pertaining to signage proximate to the freeway, and subsequently reviewing and analyzing the specific placement that results with changing the pole sign placement from Lot 4 to Lot 2.

Mike Weiss introduced himself and presented the need and rationale for the proposed pole sign placement, height, and measurements.

The Plan Commission made inquiries, discussed, and considered the request for variance to the Glendale Sign Code to permit the proposed increase in height and size as proposed and agreed that the Bavarian complex properties (Lot 1, 2, 3, and 4) has in fact unique geographic and visual limitations that justify a grant of variance to permit the proposed pole sign, and that the proposed pole sign placement, height, and measurements are a practical necessity to the unique property setting.

Note: Both the Variance and the Planned Sign Program were approved in a single action that included both the sign Variance and the Planned Sign Program. Motion by Comm. Cohn seconded by Comm. Cronwell, that the Plan Commission grant approval of the variance of the Glendale Sign Code to permit the proposed signage as proposed. Roll Call: Ayes: Mayor

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

II. Planned Sign Program, Bavarian Bierhaus, 700 West Lexington Avenue. Review and approve proposed Planned Sign Program (PSP).

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:

A Planned Sign Program (PSP) is proposed for the Bavarian Bierhaus and the larger Bavarian complex properties as a multiple property, multiple tenant, multiple use hospitality and recreation campus. The purpose of the PSP is to establish a set of guidelines and criteria for all signs in such a development. The hospitality and recreation campus includes the four properties within about 15.0 acres (651,516 square feet) of land that comprise the Bavarian hospitality and recreation campus.

This month Mike Weiss has come back to the City with the revised pole sign proposal. As such, with the revised placement within Lot 2 rather than Lot 4, and with the electronic message center in final form (Refer to the above Exhibit A and the submittal documents).

Based on the intent of the PSP and the nature of the hospitality and recreation campus, Staff recommends that PSP status be approved per the exhibits and previous Plan

Community Development Director Stuebe stated that in order to facilitate a Bavarian campus-wide signage program to serve the existing uses located within Lot 1, 2, 3 and 4, that includes the proposed placement of the pole sign within Lot 2 that will include an electronic message center element within the proposed pole sign, as well as the previously described signage (June 6, 2017, Plan Commission), a Planned Sign Program (PSP) is required.

The Plan Commission previously reviewed and approved the proposed signage for the Bavarian campus, and approved of a Planned Sign Program for the Bavarian complex to include placement of the various signage within Lots 1, 2, 3, and 4, to serve the various approved uses within the Bavarian campus, as well as to include the electronic message center that is included in the proposed pole sign that will be as indicated within Lot 2.

Note: Both the Variance and the Planned Sign Program were approved in a single action that included both the sign Variance and the Planned Sign Program. Motion by Comm. Cohn, seconded by Comm. Cronwell, that the Plan Commission grant approval of a Planned Sign Program (PSP) that will include the proposed electronic message center element with the proposed pole sign and allow the proposed pole sign to be located within Lot 2, incorporating the above and previously described signage and existing Bavarian complex signage (as approved by the Plan Commission June 6, 2017) into the program. Roll Call: Ayes: Mayor Kennedy,

Commissioners Vukovic, Cronwell, Cohn, Lippow, Wadzinski, and Shaw. Noes: None. Abstain: None. Motion carried unanimously.

III. Plan Commission Review, Goody Gourmets, 6369 North Green Bay Avenue (former Kletzsch Perk). Review and approve architecture, site, landscape, signage, and light plans, as well as office and snack shop 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:

Jacqueline Chesser proposes to enlarge and renovate the existing long-vacant building located at 6369 North Green Bay Avenue for use and occupancy by Goody Gourmets, whose offices and snack shop enterprise serving gourmet popcorn and chocolates will be located there. The site is zoned B-4 Office-Research-Service Business District, and the proposed project plans, use and occupancy require Plan Commission review and approval.

Goody Gourmets: Use

Goody Gourmets presently operates in both Shorewood and Brown Deer, Wisconsin. The proposed facility will be the headquarters office of Goody Gourmets, and Goody Gourmets will maintain the corporate headquarters office there as well as operating a gourmet snack shop counter where it will sell its products as well as provide customers both interior and patio seating to enjoy Goody Gourmet popcorn and chocolates.

Project Environs

The project site is shown in Exhibits A and B. The site measures about 180 feet by 120 feet giving a property size of about 0.5 acres (180' x 120' = 21,600 square-feet). Immediately to the west and north across West Mill Road are single-family residential neighborhoods, to the south are two commercial properties that include The Brick and an office use, to the east across North Green Bay Avenue are a Community Based Residential Facility (CBRF) and a single-family residential neighborhood just beyond, and to the northeast is Kletzsch Park (Milwaukee County Park System).

Project Architecture and Site Plan

The existing former gasoline station and Kletzsch Perk will be enlarged and completely renovated. The existing building is about 1,050 to 1,150 square-feet (about 42' x 25' = 1,050 square-feet). The proposed enlargement of the building will be about 1,200 square-feet (40' x 29' = 1,160 square-feet). Applicant indicates the complete building will be about 2,400 square feet. The existing building space will contain an office, a break room, a storage

room, and part of the proposed kitchen space, along with two storage closets and corridor space. The enlarged space will include the remainder of the kitchen space, display cases and the cash register counter, as well as the customer seating space and men's and women's restrooms.

The exterior look of the building is transformative from the existing service station design to a state-of-the-art commercial office and restaurant design. Exterior materials include cement board, cultured stone, and EIFS (exterior insulation finishing system), the majority of the exterior being the cement board. The color scheme for the exterior is golden and chocolate browns. The sales counter and customer seating space includes a significant amount of natural light and the building generally has a fair amount of windows.

Exhibit A: 6369 North Green Bay Avenue Site

The site will be configured to provide 23 parking spaces, of which there will be a single ADA accessible parking space. Five parking spaces are located

directly east of the building, six along the north edge of the site, and 12 along the west edge of the site. Ingress-egress will be located toward the northwest corner of the site and the southeast corner of the site as indicated, with the connection to West Mill Road shifted west away from the intersection of North Green Bay Avenue and West Mill Road. The proposed parking arrangement will necessitate loss of some of the existing open space, however, loss of this space is also necessary to facilitate moving the north driveway further from the intersection.

Exhibit B: 6369 North Green Bay Avenue Site

Landscaping of the premises is proposed mostly around the west and south edges of the property. At present the west edge of the site is very overgrown with plants. Applicant has represented that there are some limits to planting along the east side of the property due to the environmental status and requirements. A patio seating space is located near the northeast corner

entrance to the building. Applicant has indicated an interest in the possibility of landscape plants within the North Green Bay Avenue right-of-way, however, as a general practice this is not recommended as space is limited and ongoing maintenance of landscape plants sometimes becomes a problem. If possible the existing paved former ingress-egress within the North Green Bay Avenue right-of-way should be removed and restored with grass turf. The plans note the existing fence to remain along the west property line, although the existing fence is believed to be about three to four feet in height and may be largely non-existent or severely dilapidated and deteriorated within the overgrown plants. A six-foot and four-foot height wood privacy fence is recommended along with the proposed plants.

Proposed site lighting includes two pole-mounted lights with cut-off fixture located at the northeast and southeast corners of the site, with wall-mounted lights at the northwest and southwest corners of the building. The height of lights is required to be 15 feet or less with maximum of 3 foot-candles and zero foot-candles at the edge of the property. In general, the lights will have to be very carefully planned, designed, and operated (directed down and the west wall lights shut off at night during non-business hours) so as not to disturb the single-family residential homeowners who reside immediately to the west of the premises and nearby.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant approval of the architectural, site, landscaping, lighting, and signage plans for Jacqueline Chesser to construct the proposed project located at 6369 North Green Bay Avenue, as well as granting approval to operate Goody Gourmets, an office and gourmet popcorn and chocolate snack shop use and occupancy (with interior and patio seating), with the following requirements: 1) Provide six-foot and four-foot height wood privacy fence along the west property line; 2) Remove existing paved ingress-egress surface within the North Green Bay Avenue right-of-way and replace with grass turf, if not required to maintain for environmental requirements; 3) All modifications within the right-of-ways, disconnections or connections to City infrastructure (driveways, sanitary sewer, watermains, storm sewers, etc.) require prior review and approval and permits from the City of Glendale Department of Public Works; 4) All costs associated with modifications and connections within the right-of-way are the sole responsibility of the applicant; 5) Obtain a stormwater management permit per Glendale Code of Ordinances 6-5, and Milwaukee Metropolitan Sewerage District approval, if required; 6) Signage requires a Sign Permit per the Glendale Sign Code; 7 All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary; 8) Dumpster enclosure in compliance with 13.1.144 of the Zoning Code; 9) City of Glendale building and fire codes per the Building Inspector and the North Shore Fire Department; and 10) Compliance with State of Wisconsin ADA parking requirements.

Jacqueline Chesser introduced herself as representing Goody Gourmets, a producer of specialty gourmet popcorn and chocolates that will have its offices, production, distribution, and snack shop dining and accessory retail space at 6369 North Green Bay Avenue, within the improved building there, that will include and addition that will approximately double the size of the existing building.

Eric Highum introduced himself as project developer, and said that the property has been available for about 10 years, and that Goody Gourmets presently has stores in Shorewood and Brown Deer, and will relocate their Brown Deer store to Glendale. Mr. Highum also said that Goody Gourmets produces popcorn, very basic in that they use an electric heat source so that there is a very low risk for fire, and that there will not be any odor problems, the use of chocolate is retempering, so there will not be smells or reactions of any kind taking place, so the impact is very negligible and that they do a very good job of keeping it clean, and added that they do business overseas with four countries, that Dubai is a customer, and that he thinks that Goody Gourmets will be an asset to the community. Mr. Highum concluded saying that the business hours will be 10:30 a.m. to 6:00 p.m. Monday through Saturday, and that they are closed Sundays. Mr. Highum added that Goody Gourmets is very community friendly and that he has talked with several of the neighbors, out cutting the grass and such, and that the biggest thing is that there will finally be something nice there.

Jeremy Bartlett introduced himself as project architect with Thrive Architects, and presented the project architecture and site plans, there will be an addition to the north, and that they have proposed landscape plans for the site, although there are some limits as to what they can do under the Wisconsin Department of Natural Resources environmental regulatory requirements for the property. Mr. Bartlett said that they should be able to bring the drive lane from the public street right-of-way into the property as he does not think that is within a contaminated area, and the former ingress-egress drive that was once there is already not connected to North Green Bay Avenue. Mr. Bartlett also said that they find that the West Mill Road ingress-egress to be in a bad location situated very close to North Green Bay Avenue, so they want to shift that further west, and that they will be able to provide a fence and landscape along the west side of the property, and will have to complete a dumpster rebuild to restore that facility. Mr. Bartlett presented the exterior building as cement board siding, with EIFS (Exterior Insulation Finishing System) above the windows, metal window system, and talked about the proposed seating area at the northeast corner of the building, and that there will be two pole lights and two building-mounted lamps, and concluded saying that there will be a pick-up service window in the back where parties such as car dealers that call in large orders for promotions can retrieve their orders.

Mr. Highum said that the signage at this time is indicative and that they do not contemplate a monument sign, and the signage will likely be raceway attached track letters, not invasive to the neighborhood, with controlled LEDs. Mr. Highum said that with the single-family residential the fence and landscape is essential to the neighbors to block headlights.

Mayor Kennedy said he was happy with the landscaping in the back, and thanked the applicant for explaining the environmental as relates to the landscape, although thought the City has much to maintain and perhaps something low might help there so there is not only grass turf and then cars parked there.

Mr. Highum said that they could do some container planting to serve the patio space, and that they want the space to be as attractive as possible, although it may not be fair to Jacqueline to ask her to keep maintaining and replacing plantings within the public street right-of-way.

Mayor Kennedy agreed that some plantings in pots would be attractive.

Comm. Cohn asked about hours, are they 10:30 a.m. to 6:00 p.m. seven days per week.

Mr. Highum stated that they are closed Sundays.

Inquiry was made about how the property will relate to The Brick, that there have been some bean bag toss games taking place in the parking lot there.

Ms. Chesser said that Tim plows the lot in exchange for the bean bag toss game in the parking lot, and that she would allow that to continue, and that there are some opportunities there too.

Comm. Cohn asked about the existing rickety fence, would that be eliminated.

Mr. Bartlett observed that the revised ingress-egress placement would necessitate the removal of the existing fence along the north side, and that any buckthorn or other noxious plants will be removed.

There was some discussion about the fence along the back and could what the neighbors like be considered, and it was observed that there are maintenance costs with fence and plants.

Comm. Cohn asked about the awning along the front of the building being the main entrance.

Mr. Bartlett said it was not, that the main entrance is the northeast entrance, and that the entrance in the center of the building was more the office entrance rather than the entrance to the shop, although there is a hallway that connects the offices with the interior seating and accessory retail space, he said that they do not want the customers to use that entrance and will likely have that door locked like McDonald's locks that door nearest the restrooms and has it as an exit-only door, although they think that this will become somewhat obvious to the customers.

Comm. Cohn commented that he thinks that this will be a terrific addition to the corner there at 6369 North Green Bay Avenue.

Comm. Cronwell asked what is the length from the ADA parking space to the counter.

Mr. Bartlett said that he thought it to be about 50 feet.

Comm. Cronwell asked if only one ADA parking space would be necessary, even though the requirements may be that only one ADA space is required.

Ms. Chesser said that for their existing customers who have issues they do curbside service to their car.

Mr. Highum said that the reason people come there is because they like Jacqueline, and the popcorn, continuing saying that they can do container planting, although they would require lifts hand trucks or hand-trucks to lift them and move them around, and concluded that there are a lot of to-do's, however, this is the review and approval.

Comm. Vukovic asked about what is meant by gourmet popcorn, and asked specifically about caramel pecan popcorn.

Comm. Wadzinski said that he was a little bit confused about the landscaping, that the City does not want to design it, and thought planters acceptable.

Comm. Shaw said that she is the District Alderman and likes what has been presented, and asked if they brought along samples of the materials.

Mr. Highum said that they did not, although everything on there is the basics. Aluminum, EIFS, cement board siding, in dark tones.

Comm. Shaw asked about the window service.

Mr. Highum said that it is intended to be a pick-up window, and that a drive-thru window typically includes a place to order there to, and that this is more for corporate or special needs citizens.

Comm. Shaw expressed some concerns about the traffic flow that would occur through the site, that it seemed that they were really pushing the movements there.

Mr. Highum said that there will not be any problems.

Comm. Shaw said that the fence would help eliminate lights and sound from impacting the neighbor properties.

Comm. Shaw asked how many customers would they be serving typically, and will coffee be served, and that she thinks of that because it was a coffee shop and an issue is the drive-thru.

Ms. Chesser said there are 90 customers now that will come between both stores, and continued saying that there will not be a menu board, so a person would not know what to order.

Comm. Shaw said that there will be a window for picking stuff up at, and said that she fought for a drive-thru at Kletzsch Perk.

Mayor Kennedy said that with the previous Administration he was told that they do not permit drive-thru window service except where there was already a drive-thru window service, and that there has been a moratorium in place since the early 1990's, and concluded saying that Arby's had to purchase the Burger King in order to have drive-thru window service.

Mr. Highum said that it really is not a drive-thru window service and is only intended for corporate clients, such as the Honda dealer, and that it is a service window, there will not be a menu board or queue to place and confirm orders and not any microphone/speaker system to communicate, and that 99 percent of the time the staff will be aware ahead of time that a client is coming to retrieve their order.

Motion by Comm. Cohn, seconded by Comm. Cronwell, that the Plan Commission grant approval of the architectural, site, landscaping, lighting, and signage plans for Jacqueline Chesser to construct the proposed project located at 6369 North Green Bay Avenue, as well as granting approval to operate Goody Gourmets, an office and gourmet popcorn and chocolate snack shop with accessory retail sales use and occupancy (with interior and patio seating), per the requirements as enumerated. Roll Call: Ayes: Mayor Kennedy, Commissioners Vukovic, Cronwell, Cohn, Lippow, and Wadzinski. Noes: Comm. Shaw. Abstain: None. Motion carried 6-1.

ADJOURNMENT.

Motion by Comm. Cohn, seconded by Comm. Lippow, to adjourn the Plan Commission until 6:00 p.m., Tuesday, August 01, 2017. Roll Call: Ayes: Mayor Bryan Kennedy, Commissioners Vukovic, Cronwell, Cohn, Lippow, Wadzinski, and Shaw. Noes: None. Motion carried unanimously.

Todd M. Stuebe, Director of Community Development

Recorded: July 27, 2017

Agenda

**NOTE:**

# Meeting is 6:00 PM Tuesday

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# City of Glendale Plan Commission

## 6:00 P.M., Tuesday, August 01, 2017

## - Plan Commission Report -

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Glendale

RICH PAST.
BRIGHT FUTURE.

**Staff Report to the Plan Commission**
Meeting of Tuesday, August 01, 2017

3a. **Certified Survey Map (CSM), 6956 (Ken Larsen) and 6970 (Mark Johnson) North Rockledge Avenue.** Review and approve proposed Certified Survey Map to modify property boundary.

Applicants seek approval of a Certified Survey Map to modify the lot line of the two existing parcels located within the River Heights and Graham's River Crest Subdivisions. Essentially, the proposed change will make the two properties rectangular rather than trapezoidal in shape.

The area of the north parcel (6970) decreases from 14,636.40 square Feet to 13,861.20 square feet (115.51' x 120' = 13,861.20 SF), an decrease of about 775 square feet, and the area of the south parcel (6956) increases from 11,884.20 square feet to 12,660 square feet (105.50' x 120' = 12,660 SF), an increase of about 775 square feet. Upon completion of the boundary change both properties are conforming to the minimum width requirement of 100 feet, which neither property conformed to at the beginning of the process, and neither property is conforming to the minimum area requirement of 15,000 square feet, which is the same situation as at the beginning.

The necessary action by the Plan Commission is a recommendation to the Common Council to approve the Certified Survey Map subject to payment of the $75.00 administrative fee, making any required legal and/or technical corrections, and payment of City Attorney and/or Engineer CSM review fees.

3d. **Plan Commission Review, Halloween Express, 200 West Silver Spring Drive.** Review and approve proposed temporary Halloween costume specialty shop use and occupancy.

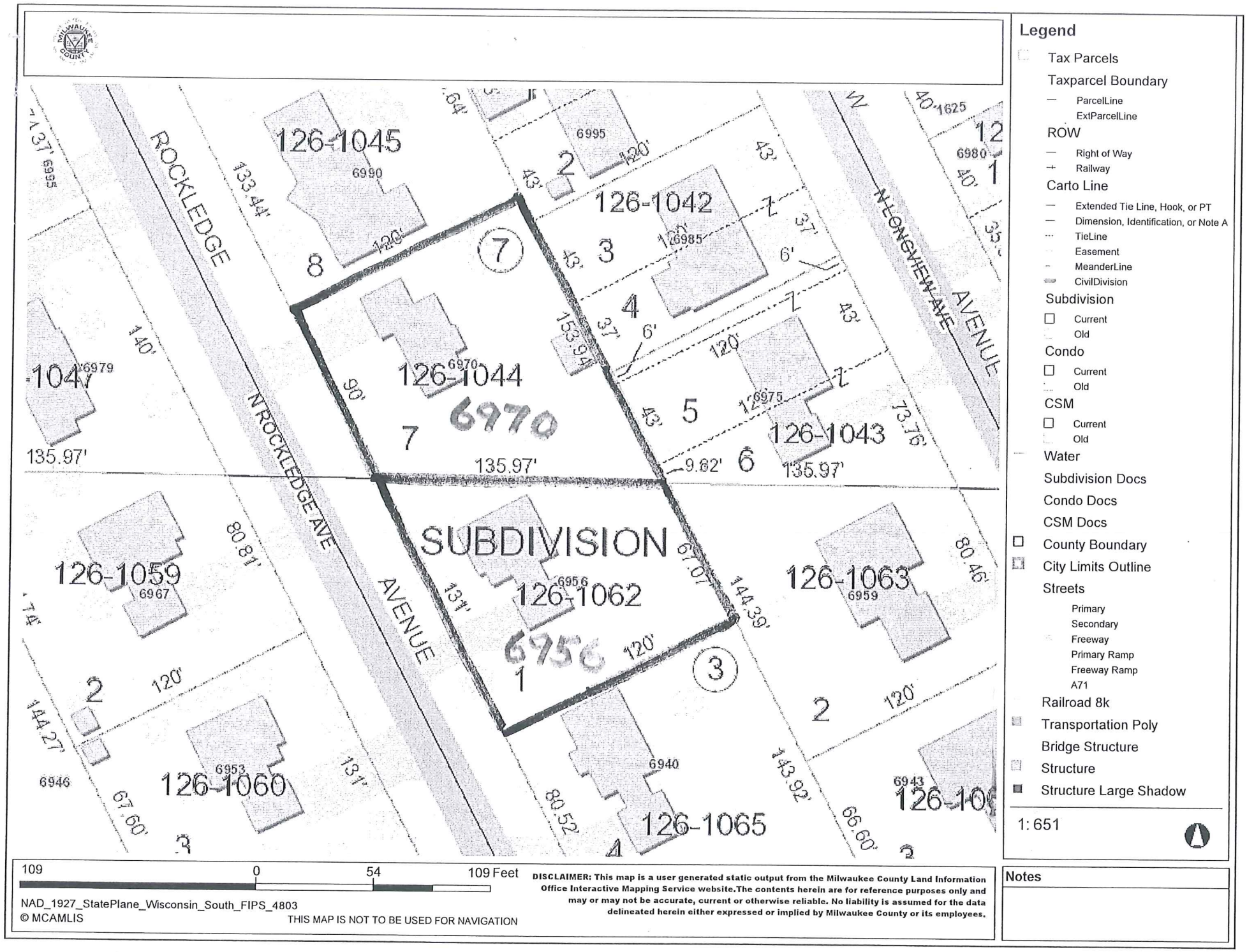
Applicant, James Purvis (2016 Applicant was Jon Majdoch), seeks Plan Commission review and approval for Halloween Express (Previously Halloween Extreme, Halloween Express, and Discount Halloween), a seasonal costume specialty shop use, to temporarily occupy the former Betty Johnson Interiors space located at the east side of the 200 West Silver Spring Drive site. Mr. Purvis has operated other Halloween Express stores in the metropolitan area. Prior to Mr. Purvis and Mr. Majdoch, Jim Peterson owned and operated Discount Halloween and Halloween Extreme in the same space. The proposed use is a permitted use in the B-1, Sub Area E zoning district with Plan Commission review and approval.

Halloween Express will occupy about 7,000 square feet. Based on the previous occupancy of the 200 West Silver Spring Drive tenant space the site will accommodate the proposed temporary use by Halloween Express. As the date of Halloween approaches access to the site during peak hours may present some challenges.

Proposed hours of operation are 9:00 a.m. to 10:00 p.m. daily. The Applicant anticipates that there will be a total of twenty (20) employees and 6 or less employees working at the site at any given time.

**Staff Recommendation:** **Staff recommends that the Plan Commission grant use and occupancy approval for James Purvis to operate Halloween Express, a seasonal costume specialty shop, in the former Betty Johnson Interiors tenant space, located at 200 West Silver Spring Drive, per the following conditions:**

1) Time period for temporary occupancy through Wednesday, November 15, 2016;
2) No outside displays, activities, or distractions of any kind;
3) Property to be regularly policed to maintain a litter-free condition;
4) Signs require a Sign Permit per the Glendale Sign Code;
5) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and Fire Marshall, respectively;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ParcelLine
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ROW
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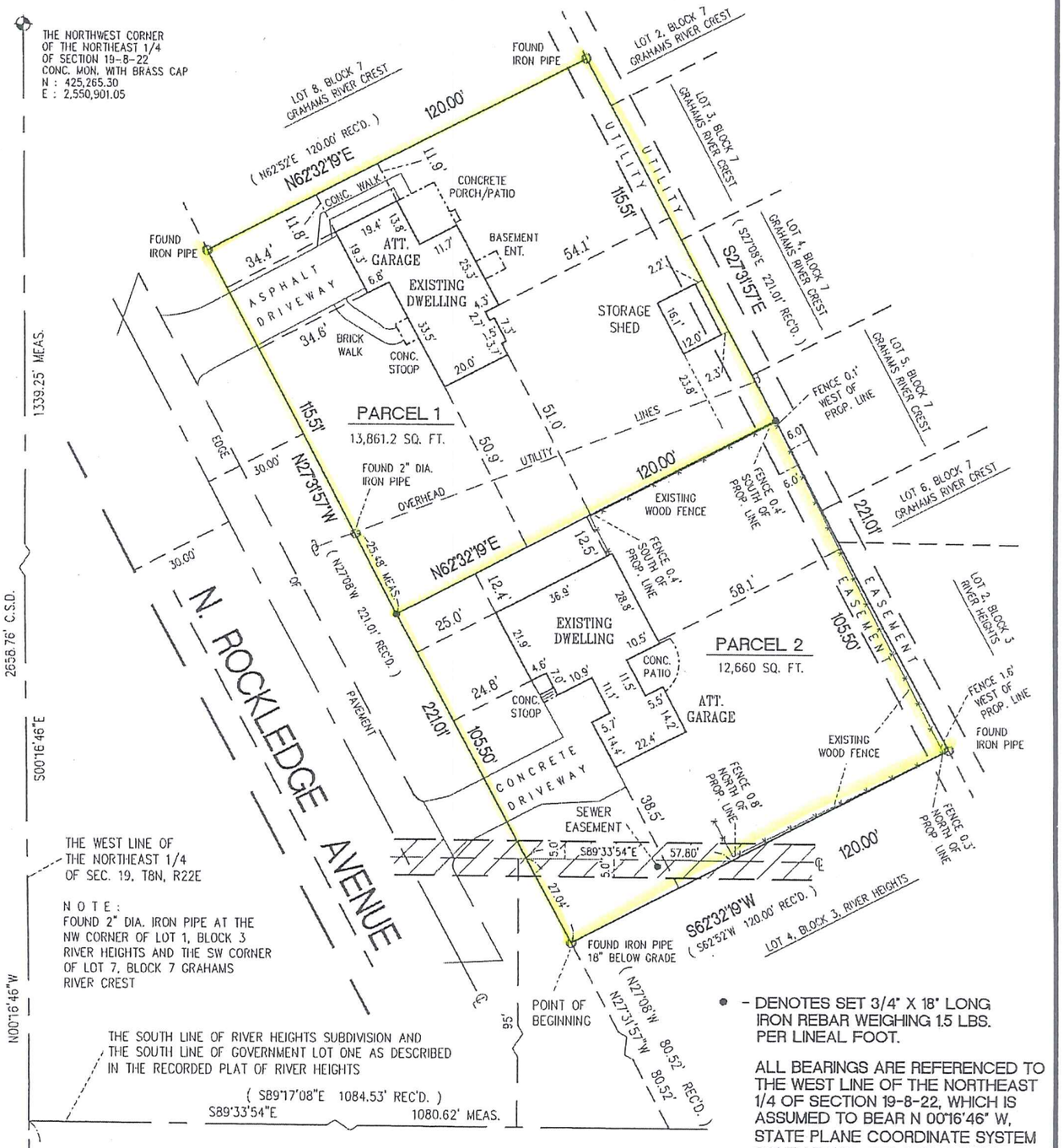
Notes

3a.

# MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO._____

**BEING A REDIVISION OF LOT 1, BLOCK 3, RIVER HEIGHTS AND LOT 7, BLOCK 7, GRAHAMS RIVER CREST, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN.**





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WISCONSIN WILLIAM J. KARPEN S-1927 MUSKEGO, WI LAND SURVEYOR

William Karpen 7-5-2017

WILLIAM J. KARPEN S - 1927

# MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

**BEING A REDIVISION OF LOT 1, BLOCK 3, RIVER HEIGHTS AND LOT 7, BLOCK 7, GRAHAMS RIVER CREST, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN.**

## SURVEYORS CERTIFICATE

I, WILLIAM J. KARPEN, A REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED LOT 1, BLOCK 3, RIVER HEIGHTS AND LOT 7, BLOCK 7,GRAHAMS RIVER CREST, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 19, RUNNING THENCE N 00°16'46" W ALONG THE WEST LINE OF SAID 1/4 SECTION 13.19.51 FEET TO A POINT IN THE SOUTH LINE OF RIVER HEIGHTS SUBDIVISION, THENCE S 89°33'54" E, ALONG THE SOUTH LINE OF RIVER HEIGHTS SUBDIVISION, 1080.62 FEET TO A POINT IN THE EAST LINE OF N. ROCKLEDGE AVENUE; THENCE N 27°31'57"W, ALONG THE EAST LINE OF N. ROCKLEDGE AVENUE, 80.52 FEET TO A FOUND IRON PIPE AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, RIVER HEIGHTS, AND THE POINT OF BEGINNING OF THE LAND HEREIN TO BE DESCRIBED; THENCE CONTINUE N 27°31'57" W, ALONG THE EAST LINE OF N. ROCKLEDGE AVENUE, 221.01 FEET TO A FOUND IRON PIPE AT THE NORTHWEST CORNER OF LOT 7, BLOCK 7, GRAHAMS RIVER CREST; THENCE N 62°32'19" E, ALONG THE NORTH LINE OF SAID LOT 7, 120.00 FEET TO A FOUND IRON PIPE AT THE NORTHEAST CORNER OF SAID LOT 7, BLOCK 7, GRAHAMS RIVER CREST; THENCE S 27°31'57" E, ALONG THE EASTERLY LINE LOT SAID LOT 7, BLOCK 7, GRAHAMS RIVER CREST AND THE EAST LINE OF LOT 1, BLOCK 3, RIVER HEIGHTS, 221.01 FEET TO A FOUND IRON PIPE AT SOUTHEASTERLY CORNER OF LOT 1, BLOCK 3, RIVER HEIGHTS; THENCE S 62°32'19" W, ALONG THE SOUTHERLY LINE OF LOT 1, BLOCK 3, RIVER HEIGHTS, 120.00 FEET TO THE POINT OF BEGINNING.
SAID LANDS CONTAINING 26,521.2 SQUARE FEET MORE OR LESS.

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF KENNETH AND CHARLENE LARSEN AND MARK AND GINGER JOHNSON, OWNERS OF SAID LANDS.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED.

THAT I HAVE FULLY COMPLIED WTH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUES AND SECTION 14-1-42 OF THE SUBDIVISION REGULATIONS OF THE CITY OF GLENDALE IN SURVEYING, MAPPING AND REDIVIDING THE SAME.

DATED THIS 5th OF July 2017.

William Karpen
WILLIAM J KARPEN S-1927
WISCONSIN REGISTERED LAND SURVEYOR

## CITY OF GLENDALE COMMON COUNCIL APPROVAL

THIS CERTIFIED SURVEY MAP APPROVED, AND ALL DEDICATIONS AS SET FORTH THEREIN ACCEPTED, BY THE COMMON COUNCIL
OF THE CITY OF GLENDALE ON THIS _____ DAY OF _____2017.

_____ _____
RICHARD MASLOWSKI, CITY ADMINISTRATOR DATE

PREPARED FOR:
KENNETH AND CHARLENE LARSEN
6956 N. ROCKLEDGE AVENUE
GLENDALE, WI 53209

PREPARED FOR:
MARK AND GINGER JOHNSON
6970 N. ROCKLEDGE AVENUE
GLENDALE, WI 53209

PREPARED BY:
WILLIAM J. KARPEN RPLS
S63W13007 JANESVILLE ROAD
MUSKEGO, WI 53150

THIS INSTRUMENT DRAFTED BY: WILLIAM KARPEN

# MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

**BEING A REDIVISION OF LOT 1, BLOCK 3, RIVER HEIGHTS AND LOT 7, BLOCK 7, GRAHAMS RIVER CREST, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN.**

**OWNER'S CERTIFICATE:**

WE, KENNETH AND CHARLENE LARSEN, AS OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED THE LANDS DESCRIBED ON THIS MAP TO BE SURVEYED, MAPPED, AND COMBINEDED AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUES AND

IN WITNESS WHEREOF, THE SAID KENNETH LARSEN AND CHARLENE LARSEN, HAVE CAUSED THESE PRESENTS TO BE SIGNED AT _____, WISCONSIN, THIS _____DAY OF_____, 2017.

_____ _____

KENNETH LARSEN, OWNER CHARLENE LARSEN, OWNER

**STATE OF WISCONSIN)**
**SS**
**COUNTY)**

PERSONALLY CAME BEFORE ME THIS _____DAY OF_____, 2017, KENNETH AND CHARLENE LARSEN, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____
NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES_____

**OWNER'S CERTIFICATE:**

WE, MARK AND GINGER JOHNSON, AS OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED THE LANDS DESCRIBED ON THIS MAP TO BE SURVEYED, MAPPED, AND COMBINEDED AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUES AND

IN WITNESS WHEREOF, THE SAID MARK JOHNSON AND GINGER LARSEN, HAVE CAUSED THESE PRESENTS TO BE SIGNED AT _____, WISCONSIN, THIS _____DAY OF_____, 2017.

_____ _____

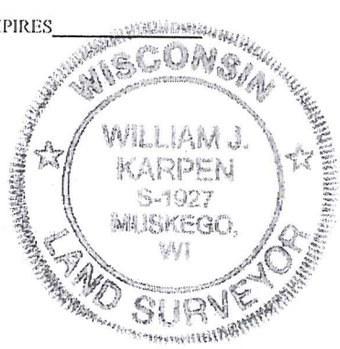
MARK JOHNSON, OWNER GINGER JOHNSON, OWNER

**STATE OF WISCONSIN)**
**SS**
**COUNTY)**

PERSONALLY CAME BEFORE ME THIS _____DAY OF_____, 2017, MARK AND GINGER JOHNSON, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____
NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES_____




7-5-2017
William Karpen

PREPARED FOR:
KENNETH AND CHARLENE LARSEN
6956 N. ROCKLEDGE AVENUE
GLENDALE, WI 53209

PREPARED FOR:
MARK AND GINGER JOHNSON
6970 N. ROCKLEDGE AVENUE
GLENDALE, WI 53209

PREPARED BY:
WILLIAM J. KARPEN RPLS
S63W13007 JANESVILLE ROAD
MUSKEGO, WI 53150

THIS INSTRUMENT DRAFTED BY: WILLIAM KARPEN

Agenda

3b.

CITY OF GLENDALE
COMMUNITY DEVELOPMENT DEPARTMENT
5909 NORTH MILWAUKEE RIVER PARKWAY
GLENDALE, WISCONSIN 53209-3815
PHONE: (414) 228-1704 or (414) 228-1744
FAX: (414) 228-1725
WWW.GLENDALE-WI.ORG

# PLAN COMMISSION REVIEW APPLICATION

**Application Fee: $300**

## APPLICANT INFORMATION

Name of Applicant: JAMES PURVIS

Legal Name of Business: STARSHIP LLC DBA

Name of Business Owner (if different from Applicant):

Applicant Address (City, State, and Zip Code): W192 N13461 DIVISION RD GERMANTOWN WI 53022

Office Phone Number: _____ Cell: 414-803-4170 Fax: _____

Applicant E-Mail: BIGDAWG99@GMAIL.COM

Applicant Signature: _____ Date: _____

## PROPERTY INFORMATION

Property Address: 300 W SILVER SPRING Tax Key Number: _____ Zoning District: _____

Property Owner (if different from Applicant): GLEN BAY PLAZA

Property Owner Address (City, State, and Zip Code): 1000 N WATER ST MILWAUKEE WI 53202

Property Owner Phone: 414-271-1000 Cell: _____ Fax: 414-271-1005

Property Owner E-Mail: A

Property Owner Signature: _____ Date: _____

## PROPOSAL INFORMATION

Name of Business and Type of Business/Use (Please be specific): HALLOWEEN EXPRESS

Total Building Area: _____ To Be Occupied Area: 7000 SQFT

Lot Size: Depth: _____ Width: _____ Area: _____

Previous Occupant in To Be Occupied Space: HALLOWEEN EXPRESS

Other Uses of This Site: _____

Total Number of Parking Spaces: _____ Parking Spaces Available to Tenancy: _____

Business Hours (Days and Hours of Operation): 9A - 10P

Total Number of Employees: 20 Maximum Number of Employees at Site at One Time: 6

Primary Contact Person for This Project: JAMES PURVIS

Primary Contact Phone: _____ Cell: 414-803-4170 Fax: _____

Primary Contact E-Mail: BIGDAWG99@GMAIL.COM

## CITY OF GLENDALE USE ONLY

*Application Fee:* $300 *Date of Application:* 7/25 *Time:* _____ *Received by with date:* _____ *Tentative Hearing Date:* August 1, 2017

G:\COMMON\Community Development Planning Department\Plan Commission Administration (2-4-4)\04 Conditional Uses\01 CU Procedures\CU Application.doc

Check No 15664

| Plan of Operation |
|---|
| 1 Starship LLC DBA Halloween Express. 200 W. Silver Spring Drive. |
| 2 James Purvis Sr. W172N13461 Division Rd Germantown, WI 53022 |
| 3 Same |
| 4 On File |
| 5 On File |
| 6 On File |
| 7 On File |
| 8 App. 7000 SqFt |
| 9 App. 7000 SqFt |
| 10 Retail sale of new Halloween Merchandise. |
| 11 6 to 20 |
| 12 Monday -Sunday |
| 13 9am-10pm |
| 14 Temporary as approved by city. |
| 15 NA |
| 16 NA |
| 17 No |
| 18 No |
| 19 Na |
| 20 Per Code |
| 21 Per Code |
| 22 No construction. Opening September 1st 2017 |
| 23 On site security camares |
| 24 Per Code |
| 25 I have opened 3 seasonal Halloween Express Stores each year. |
| This is my 7th year as a Halloween Express owner. 30 years retail experience. |
| 26 Na |
| 27 Na |
| 28 James M. Purvis Sr 414-803-4170 7/25/2017 |
| 28 |

Physical Open for Business Sept. 1

Copy

# APPLICATION FOR OCCUPANCY CERTIFICATE

*Commercial Property Only*

**CITY OF GLENDALE**
**DEPARTMENT OF BUILDING INSPECTION**
5909 N. Milwaukee River Parkway
Glendale, WI 53209-3815
**Phone:** 414.228.1708 **Fax:** 414.228.1725
**Email:** inspections @glendale-wi.org

| *For Office Use Only* | |
|---|---|
| **Certificate #:** | |
| **Date Entered:** | |
| **Occupancy Class:** | |
| **Zoning Approval Date:** | |
| **Insp. Approval Date:** | |
| **NSFD Approval Date:** | |
| **Occupancy Load:** *(List by area)* | |

*(PRINT CLEARLY)*
**Anticipated Opening Date:** 8-1-17

☐ **Permanent** ☐ **Conditional** ☒ **Temporary** – *Expires:* 11-15-17

**Date of Application:**

**Business Address:** ~~6011 W ST PAUL DRIVE~~ 900 E SILVER SPRING DR Suite #: _____ Glendale, WI Zip: ~~53217~~ 53217

**Trade or Business Name:** HALLOWEEN EXPRESS
*(Name for which the business will be commonly known)*

**Legal Name of Business:** STARSHIP LLC
*(As registered with the State of Wisconsin)*

**Bus. Phone:** (414) 803-4170 **Bus. Fax:** (___) ___-____ **Bus. Email:** BIGDAWG99@GMAIL.COM

**Type of Business:** RETAIL *(Example: Retail, Office, Restaurant, etc.)* **Scope of Business:** NEW HALLOWEEN MERCHANDISE *(Type of goods sold or services provided if not evident.)*

**Area of Building to be Occupied:** FIRST STREET LEVEL *(Example: Second floor office area incl. basement storage)* **Approx. Sq. Ft.:** _____

**Anticipated work or alterations to be performed:** NONE

**Owner/Registered Agent Name:** ANTHONEY PALERMO **Phone No:** (414) 277-1000

**Owner/Registered Agent Email:**

**Permanent Mailing Address:** 1000 N WATER ST **Zip:** 53202

**Contact Person Name** *(if other than owner)*: _____ **Phone:** (___) ___-____

**Building Owner:** ANTHONEY PALERMO **Change in ownership of building?** Yes (No)

**Building Owner's Address:** 1000 N WATER ST #900 MILWAUKEE WI **Zip:** 53202

**Building Owner's Phone:** **Home:** (___) ___-____ **Office:** (414) 271-1000 **Cell:** (___) ___-____

Certificate of Occupancy will be provided to Occupant, Occupant is responsible for providing copies to building owner.

**Applicant's Name** *(Print clearly)*: JAMES PULVIS

**Applicant's Signature:** James Pulvis **Date:** 7-22-17

**Glendale Occupancy Permit Fee**
Base Fee.....$75.00
Administration Fee.....$30.00
**TOTAL FEE**.....$105.00

| *Glendale Use Only* | |
|---|---|
| Date Received: | 7/24/2017 |
| Amount: | $105.00 |
| Payment Type: | CA/CH/CC/RCPT |
| Check/Receipt #: | 15663 |
| Received By: | |

## THIS IS NOT AN OCCUPANCY PERMIT

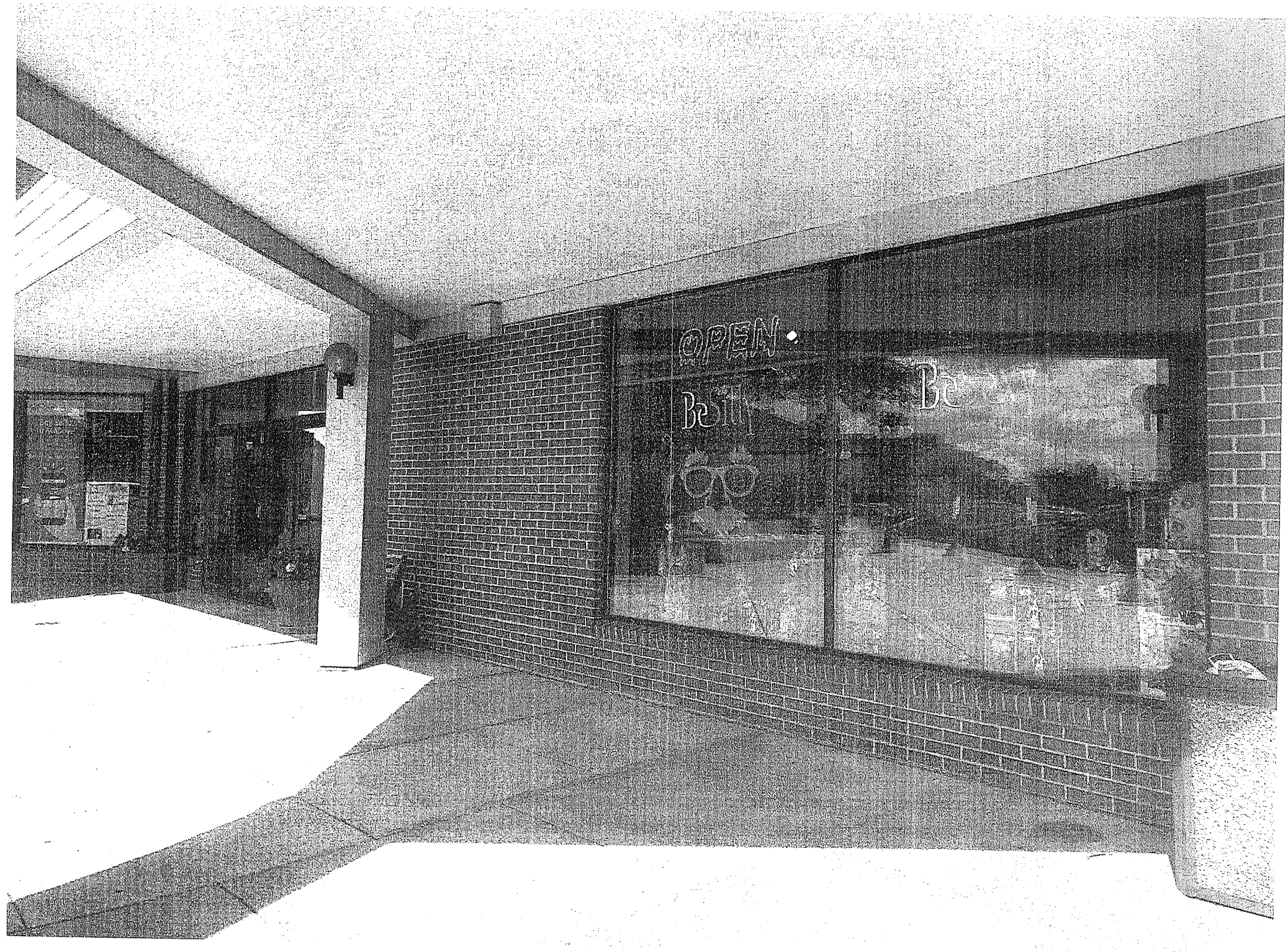
**Occupancy may ONLY take place once approval has been granted by the City of Glendale and a valid Certificate of Occupancy has been issued.**

**Per City of Glendale Ordinance 5.3.1(c)(2), a permit application for Occupancy Inspection must be submitted to the North Shore Fire Department (NSFD) for occupancy of all residential buildings containing 3 or more housing units, public buildings, places of employment and special events in the City. For questions, call NSFD at (414) 357-0113 x1511 or x1101. Separate payments must be made to the City of Glendale and the North Shore Fire Department.*

*COMPLETE REVERSE SIDE*

*Rev: 01/17*

HALLOWEEN EXPRESS
INSURANCE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