

CITY OF GLENDALE — JOINT PLAN
COMMISSION / COMMUNITY DEVELOPMENT
AUTHORITY

Tuesday, June 4, 2019

The City Joint Community Development Authority (CDA) and Plan Commission Meetings convened simultaneously in the David Hobbs Honda for the People Community Room, Richard E. Maslowski Community Park, 2200 West Bender, Glendale, Wisconsin (Glendale City Hall is being reconstructed), for the CDA Meeting and the Plan Commission's regular monthly meeting.

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

Roll Call Plan Commission: Present: Mayor Bryan Kennedy, Commissioners Kyle Mack, Karn Cronwell Josh Wadzinski, Amanda Seligman, Frederick Cohn, and Phillip Bailey.

Roll Call CDA: Present: Mayor Bryan Kennedy, Alderwoman Tonika Vukovich, Commissioners Peter Brennan, Casey Shorts, Don Voight. Absent: Alderman Jim Daugherty.

Mayor Kennedy announced Quorums for both meetings.

Other Officials and Staff present: Rachel Safstrom, City Administrator, City Attorney, John Fuchs, Todd M. Stuebe, Director of Community Development, and Candice Green, Deputy Clerk/Treasurer.

Guest Speakers: Debbie Tomcyk, Attorney representing Bayshore Mall and Kirk Williams of Cypress.

In accordance with the Open Meeting Law, the North Shore NOW, the City's official newspaper, was advised Thursday, May 30, of the date and time of this meeting, the agenda was posted to 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.

MATTERS TO BE CONSIDERED.

Public Hearing: Plan Commission and Community Development Authority Public Hearing Pertaining to Tax Incremental District 8 Project Plan Amendment #2.

City Attorney Fuchs gave a brief explanation of the need to amend the current Project Plan for Tax Incremental Financing District #8 (TIF). The requests are to extend the boundary of TIF 8 to include the North East corner of North Port Washington Rd and West Silver Spring Drive and to extend the life of the TIF by the maximum 4 years to 2033. The expansion of the TIF is a requirement of the Wisconsin Department of Revenue due to the initial area being split between two separate TIFs. With the closure of TIF 6, it is being required to put the entire Bayshore parcel in TIF 8.

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Attorney Debbie Tomczyk, who represents Bayshore Mall, spoke on behalf of her client thanking the City of Glendale staff on the positive discussions about how to move forward with the Bayshore Development. Ms. Tomczyk talked about the success of the open house that was held on June 3 at the Bayshore Mall Rotunda. She said there were about 200 people there from Glendale. There was significant positive feedback.

Mayor Kennedy stated that new developments that come from this proposal will receive municipal assistance. There will be future investments and future tax revenue.

Commissioner Seligman (Plan Commission) asked what will happen if the TIF was just allowed to expire?

City Attorney Fuchs responded that the indebtedness that was incurred when prior owner walked away from Bayshore; the property was assessed at \$300MM even though it was not worth \$300MM. A stabilization fund was created, but it was not near enough to pay off the debt. Federal bankruptcy and receiverships cut ½ of the debt for the prior owner, however; Glendale would still owe a debt. There is no obligation to reinvest in the area if the property was turned over to AIG.

City Attorney Fuchs explained that there was a \$40MM outstanding obligation in loans that was left when the previous owner of Bayshore walked from the property. AIG, the current owner, is willing to put money into an account that pays off existing bonds. This will also take away the risk to the City of Glendale.

Commissioner Cronwell reconfirmed that the end date of the extension of TIF 8 would be 2023? Afterwards, would residents benefit from the taxes going forward? Mayor Kennedy replied that school districts, the county, etc would benefit and that the max extension is 4 years.

Commissioner Cohn questioned if the City answers to others, i.e. MATC, County, and School Districts. Attorney Fuchs replied the Joint Review Board is the overseeing entity with representatives from each taxing jurisdiction.

Mayor Kennedy opened the Public Hearing.

Rob Cronwell 7530 N. Applewood Lane, stated that he appreciates the plan, but noticed there was no cap on the \$37MM on the four year extension of TID#8. He would like to see a cap on how much the Developer can take out. If things go well TID could close early. He also brought up that Exhibits F&G were missing from the project plan documents.

Debbie Tomczyk addressed the concern about missing exhibits by stating that exhibit G was simply a letter just to the City analyzing TIF property tax values.

Mayor Kennedy replied to Mr. Cronwell by saying that if this was a new bond, he would do a cap on the spending; but since our bonds were paid off up front this is a good deal. No cap is needed because the responsibility lies with the ownership group and not the City. So the Developer can invest as much as they want in Glendale with no indebtedness to the City.

Mr. Cronwell pointed out that the Statute states all that is required is a 2/3 vote on this issue and he was confused as to why the Plan Commission and CDA were both meeting on these issues.

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City Attorney Fuchs explained that the Resolution was adopted and delegated to the Plan Commission. The Plan Commission is covering its bases by including the CDA in a vote; it may be redundant but all bases will be covered.

A second and third call for questions was made by Mayor Kennedy. The audience had no more testimonies.

Plan Commission motion to close the public hearing made by Commissioner Bailey, seconded by Commissioner Cronwell. Ayes: Mayor Bryan Kennedy, Commissioners Cronwell, Wadzinski, Mack, Seligman, Bailey, and Cohn. Noes: None. Motion carried unanimously.

CDA motion to close the public hearing made by Ald. Vukovic, seconded by Mr. Brennan: Ayes: Mayor Bryan Kennedy, Alderwoman Tomika Vukovic, Commissioners Peter Brennan, Casey Shorts, Don Voith, Josh Wadzinski. Absent: Alderman Daugherty. Noes: None. Motion carried unanimously.

There was no further discussion by members of the Plan Commission and CDA.

CDA motion by Mr. Voith, seconded by Ald. Vukovic to recommend Council approve the expansion of the TIF 8 boundary to include additional territory at the NE corner of North Port Washington Rd and West Silver Spring Drive Ayes: Mayor Bryan Kennedy, Commissioners Cronwell, Wadzinski, Mack, Seligman, Bailey, and Cohn. Noes: None. Motion carried unanimously.

Plan Commission motion by Commissioner Wadzinski, seconded by Commissioner Bailey to recommend Council approve the expansion of the TIF 8 boundary to include additional territory at the NE corner of North Port Washington Rd and West Silver Spring Drive Ayes: Mayor Bryan Kennedy, Commissioners Cronwell, Wadzinski, Mack, Seligman, Bailey, and Cohn. Noes: None. Motion carried unanimously.

CDA motion by Mr. Voith, seconded by Mr. Brennan to recommend Council approve the extension of TIF #8 by the maximum 4 years to 2033. Ayes: Mayor Bryan Kennedy, Commissioners Cronwell, Wadzinski, Mack, Seligman, Bailey, and Cohn. Noes: None. Motion carried unanimously.

Plan Commission motion by Commissioner Cohn, seconded by Commissioner Cronwell to recommend Council approve the extension of TIF #8 by the maximum 4 years to 2033. Ayes: Mayor Bryan Kennedy, Commissioners Cronwell, Wadzinski, Mack, Seligman, Bailey, and Cohn. Noes: None. Motion carried unanimously.

Motion to close CDA portion of meeting was made by Ald. Vukovich, seconded by Commissioner Brennan. Ayes: Mayor Bryan Kennedy, Alderwoman Tomika Vukovic, Commissioners Peter Brennan, Casey Shorts, Don Voith, Josh Wadzinski. Absent: Alderman Daugherty. Motion carried unanimously. The CDA was adjourned at 6:40 p.m.

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Plan Commission portion of the meeting re-convened at 6:41PM.

There were 3 items for consideration:

- I. Review and approve architecture, site/landscaping, signage and lighting plans of Andrews Toyota:

Todd Stuebe, Director of Planning and Zoning started the discussion by stating that Staff recommends the approval of proposed exterior changes to 1620 W Silver Spring.

Jeff Strahan, who is the Architect on the Project stated that the current floor plan does not allow for good traffic circulation. The service bay addition will help to create a better flow of traffic between the buildings.

The discussion was opened up to the Plan Commission for questions:

- 1.) Commissioner Cronwell asked if changes are visually contained within the existing building? The answer from the Architect was 'yes'.

Mayor Kennedy asked if there was a motion to approve the request based on Staff Recommendation:

Commissioner Bailey moved to approve request, motion was seconded by Commissioner Cohn.

Plan Commission Roll Call: Ayes: Mayor Bryan Kennedy, Commissioners Cronwell, Wadzinski, Mack, Seligman, Bailey, and Cohn. Noes: None. Motion carries.

3 Stipulations are made by Staff for approval:

- 1.) Andrew Toyota evaluates and provides site design measures to protect persons proximate to the proposed service exit path.
- 2.) All City of Glendale building and fire codes are carried out to the satisfaction of the Building Inspector, North Shore Fire Dept., and North Shore Health Consortium.
- 3.) Compliance with State of Wisconsin ADA requirements.

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II. Plan Commission Use and Occupancy Review, Board Game Barrister, 5530 North Port Washington Rd.

Gordon Languaer is requesting approval for the Board Game Barrister to relocate from the Bayshore Town Center Food Court to the tenant space at 5530 North Port Washington Rd. He is proposing serving prepackaged and/or prepared food items and beverages such as soft drinks; and is also potentially proposing a coffee/espresso machine. Mr. Languaer is also proposing at a later date, the possibility of the sale of beer and/or wine.

Staff recommends approval of proposed occupancy with the following requirements:

- 1.) Specify food and beverage to be considered for review and approval.
- 2.) All signs to conform with the Glendale sign code.
- 3.) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to approved landscape plans, and pursuant to tenant/owner lease responsibilities.
- 4.) Dumpster enclosure(s) per Section 13.1.144(d) of the Code of Ordinances;
- 5.) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector, North Shore Fire Dept., and North Shore Health Consortium.

III. Use and Occupancy Review Havas & Joy, 7949 North Port Washington Rd.

Jennifer Havas & Jeff Joy are requesting that the Plan Commission grant approval for their law firm, Havas & Joy, S.C., to occupy the property at 7940 North Port Washington Rd. Havas & Joy has six employees; parking will be sufficient with six spaces on the south end of the building and two to four additional parking spaces in the front of the garage.

Staff recommends that the Plan Commission grant use and occupancy for Havas and Joy per the following requirements:

- 1.) All signs to conform with the Glendale Sign Code.
- 2.) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to approved landscape plans, and pursuant to tenant/owner lease responsibilities.
- 3.) Dumpster enclosure(s) in compliance with 13.1.144 of the Zoning Code, if necessary.
- 4.) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector, the North Shore Fire Department, and the North Shore Health Consortium.

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Motion carried unanimously with no additional discussion.

ADJOURNMENT.

Motion to Adjourn was made by Commissioner Bailey and seconded by Commissioner Cohn. Meeting was adjourned at 6:45 PM; until the Tuesday, June 4, 2019 meeting at 6:00 PM, in the David Hobbs Honda for the People Community Room at Richard E. Maslowski Community Park, 2200 West Bender Road, Glendale, Wisconsin.

Candice Green, Deputy Clerk/Treasurer

Respectfully Submitted: Candice S. Green