CITY OF GLENDALE
PLAN COMMISSION MEETING MINUTES

Tuesday, October 1, 2019

The City Plan Commission Meeting convened 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 Plan Commission's regular monthly meeting at 6:01 p.m.

Roll Call Plan Commission: Present: Mayor Bryan Kennedy, Commissioners Karn Cronwell, Fred Cohn, Amanda Seligman, and Bruce Cole. Absent: Commissioners Kyle Mack, Philip Bailey, and Josh Wadzinski.

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

In accordance with the Open Meeting Law, the North Shore NOW, the City's official newspaper, was advised Thursday, September 26, 2019, 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.

Adoption of minutes from September 3, 2019 Plan Commission Meeting.

Motion was made by Commissioner Cohn, seconded by Commissioner Cronwell, to adopt minutes as presented. Approved unanimously.

3a. Conditional Use Permit Hearing Review, Lupient Kia, 1720 West Florist Avenue. Review and approve Conditional Use Permit for Accessory Storage of Automobiles per Zoning Code 13.1.39(d)(9) and the Wisconsin Statutes 62.23(7)(de), directly related to the Lupient Kia facility located at 6030 North Green Bay Avenue. Representatives for Lupient Kia: Dennis Quinn, Lupient Kia and Nathan Powers, Boerke.

Staff recommends that the Plan Commission approve the Conditional Use Permit with the following conditions:

1.) Satisfy the requirements of the North Shore Fire Department to maintain at all times a Fire Lane 20' in width, as well as maintaining at all times ingress-egress pathways per applicable Building Code requirements;
2.) Install a 6' or 8' height wrought iron style security fence and gates along the south side of the property with sufficient security lighting;
3.) Maintain and repair the existing pavement;
4.) Improve the landscape between the 1720 West Florist Avenue property and the 6030 North Green Bay Avenue property and the property to the north, to provide a more integrated, orderly, and attractive landscape environment;

5.) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to previously approved landscape plans;
6.) All building and fire codes being carried out to the satisfaction of the Building Inspector, Fire Marshall, and North Shore Health Consortium, respectively.

Mayor Kennedy asked if the transaction requiring the Conditional Use Permit was a property purchase. Nathan Powers with The Boerke Company replied that it is a purchase of an existing building with land.

Mayor Kennedy asked if there needed to be a change to the Certified Survey Map. Director Stuebe stated that a CSM was not necessary for a single parcel.

Mayor Kennedy stated that this parcel was highlighted in the City of Glendale Master Plan as potential redevelopment site, and he would like to have a conversation with Lupient about what their future plans for the property. Mayor Kennedy asked if there plans for another dealership. Mr. Powers responded no, that this property would only be used for storage and that partners of Lupient are going to operate the existing building as a lease space investment. Plans are to clean it up and lease the space. Mayor Kennedy stated that no future dealerships would be approved.

City Administrator Safstrom stated that if Lupient Kia were to look to put a dealership in, they would have to come before the Plan Commission for re-zoning. Mayor Kennedy stated that the northwest side of lot is the only portion of the property being reviewed for vehicle storage during this Plan Commission Meeting.

Commissioner Cronwell asked how this storage facility would compare to other storage facilities of other dealerships in area. Director Stuebe replied that it is smaller than the other lots in the area. Commissioner Cronwell would not like to see a bunch of lots used for vehicle storage in the City of Glendale.

Commissioner Seligman said that it appears that the Plan Commission would be authorizing something based on assertion that there is a land purchase being made; but with no acknowledgment from seller. Mr. Powers stated that the property is currently under contract. There is a purchase agreement with the closing date identified as October 8, 2019 contingent on this approval.

Mayor Kennedy explained it is not unusual for a buyer to get pre-approval from Plan Commission before buying a property so that a contract can be terminated in time if the land use will not be approved by the City. It gives the buyer some flexibility.

Commissioner Cohn wanted to see that the fence that was previously requested by the Plan Commission be finished within 60 days of the close on the sale of this property and that Lupient Kia notify staff when this has been done.

Mayor Kennedy stated that he has noticed that the prior existing sign is still in place along with the newly erected sign. Mr. Powers stated he had not noticed, but that he would take a photo on his way out of the meeting and address the issue.

Director Stuebe stated that the sign at Green Bay Avenue should only be Corporate Center signage and there should not be any Lupient Kia Dealership signage on the Green Bay Avenue property; as it is a separate property from the dealership. Director Stuebe stated this should be considered stipulation #7 on new property to be acquired.

Mayor Kennedy asked if there was anyone wishing to speak at the Public Hearing portion of the meeting subject of Lupient Kia operating a vehicle storage lot behind existing property. Mayor Kennedy made 3 calls for speakers. There were no residents present who wished to speak on this issue.

Motion was made by Commissioner Cole, seconded by Commissioner Cronwell, to close the Public Hearing Motion carried unanimously to close public hearing.

Motion was made by Commissioner Cohn, seconded by Commissioner Cole, to approve the Conditional Use Permit for the property located at 1720 W. Florist Avenue with the following conditions:

1.) Satisfy the requirements of the North Shore Fire Department to maintain at all times a Fire Lane 20' in width, as well as maintaining at all times ingress-egress pathways per applicable Building Code requirements;
2.) Install a 6' or 8' height wrought iron style security fence and gates along the south side of the property with sufficient security lighting;
3.) Maintain and repair the existing pavement;
4.) Improve the landscape between the 1720 West Florist Avenue property and the 6030 North Green Bay Avenue property and the property to the north, to provide a more integrated, orderly, and attractive landscape environment;
5.) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to previously approved landscape plans;
6.) All building and fire codes being carried out to the satisfaction of the Building Inspector, Fire Marshall, and North Shore Health Consortium, respectively.
7.) 60-day limit to raise fence.
8.) No Lupient Kia signage would be allowed on the property.

Motion carried unanimously.

3b. Plan Commission Review: Landmark Credit Union, 6270, 6290, 6300, and 6310 North Port Washington Road. Review and approve proposed architecture, site, landscaping, lighting, and signage plans for a Landmark Credit Union, as well as use and occupancy.
Representatives for Landmark Credit Union: Bob Bruemmer, with Landmark Credit Union and Abbegail Sivwright with La Macchia Group.

Staff recommends approval of the plans with 9 requirements:

1. Complete Certified Survey Map (CSM) assembling the existing four parcels into two parcels, to include all existing site public utilities and required and necessary Utility Easements related to all the public utilities;
2. Light poles are limited to 15-feet height;

3. Submit a Sign Appeal for review and approval by the Plan Commission in order to have both a wall sign and a monument sign, as well as to have an electronic message board within the monument sign.
4. Submit stormwater management analysis and related drainage pattern analyses and grading and drainage plans for review and approval by the City Engineer and the Director of Public Works (Investigate persistent existing drainage from site and concentrated flow directed to the site from lands to the east);
5. Submit erosion control plan satisfactory to Building Inspector and Director of Public Works;
6. Verify condition of existing utilities prior to connections to City of Glendale utility facilities;
7. Submit site civil plans for utilities and ingress-egress street connections to include utility and pavement design and plans satisfactory to the City Engineer and Director of Public Works;
8. City of Glendale and/or Milwaukee County permit(s) required for any work to be completed within the North Port Washington Road public street right-of-way or relating to City of Glendale watermain, sanitary sewer, or storm sewer facilities;
9. All City of Glendale building, fire, and health codes applicable to the premises being carried out to the satisfaction of the Building Inspector, the North Shore Fire Department, and the North Shore Health Consortium.

Mayor Kennedy asked if I-43 at Port Washington Road were to ever be widened would this property be impacted. Director Stuebe responded that the front drive might have a slight impact to it, but the building would not be impacted.

Commissioner Cronwell asked if the property lighting would be down lit to accommodate nearby neighborhood(s). The designer for Landmark Credit Union stated that the lighting will be engineered to not bleed through past the lot.

Commissioner Cohn inquired what protections are there for pipe that provides the water supply for Fox Point? The Civil Engineer from Key Engineering stated that the building will not be above the Fox Point water line. There is an easement in that area that was never recorded for the pipe and will have to be formally fixed. The proposed site is 30’ away from pipe.

Mayor Kennedy requested a timeline for the site construction. Mr. Bruemmer stated construction would begin April 2020 and would likely finish by the end of 2020.

Commissioner Seligman asked about the different types of signage that Glendale has been approving in the past and if digital signs were commonly approved in Glendale. Mayor Kennedy replied that there are a couple of local business that have digital signs that have been approved by the Glendale Plan Commission, some examples were Elite Fitness and the Bavarian Bierhaus.

1. Motion was made by Commissioner Cronwell, seconded by Commissioner Seligman, to approve the architectural site, landscaping, and signage on lot 1 and 2 subject to the following conditions: Complete Certified Survey Map (CSM) assembling the existing four parcels into two parcels, to include all existing site public utilities and required and necessary Utility Easements related to all the public utilities;
2. Light poles are limited to 15-feet height;
3. Submit a Sign Appeal for review and approval by the Plan Commission in order to have both a wall sign and a monument sign, as well as to have an electronic message board within the monument sign.
4. Submit stormwater management analysis and related drainage pattern analyses and grading and drainage plans for review and approval by the City Engineer and the Director of Public Works (Investigate persistent existing drainage from site and concentrated flow directed to the site from lands to the east);
5. Submit erosion control plan satisfactory to Building Inspector and Director of Public Works;
6. Verify condition of existing utilities prior to connections to City of Glendale utility facilities;
7. Submit site civil plans for utilities and ingress-egress street connections to include utility and pavement design and plans satisfactory to the City Engineer and Director of Public Works;
8. City of Glendale and/or Milwaukee County permit(s) required for any work to be completed within the North Port Washington Road public street right-of-way or relating to City of Glendale watermain, sanitary sewer, or storm sewer facilities;
9. All City of Glendale building, fire, and health codes applicable to the premises being carried out to the satisfaction of the Building Inspector, the North Shore Fire Department, and the North Shore Health Consortium.

   Motion carried unanimously.

<u>3c. Certified Survey Map (CSM), 6720, 6290, 6300, and 6310 North Port Washington Road.</u>
Review and recommend to Common Council approval of the proposed CSM.

The proposed Certified Survey Map assembles the existing four parcels into two parcels of land of 1.0023 and 0.7431 acres respectively. There has been much discussion about a 16-inch water supply watermain that traverses the property that is believed to be the primary water supply from the North Shore Water Treatment Plant to the Village of Fox Point and owned by the Village of Fox Point.

The necessary action by the Plan Commission is to recommend that the Common Council approve the Certified Survey Map with requirements of payment of the $205 ($175.00 plus 2x$15) administrative fee, making any required technical corrections to the document to include pertinent information about all existing public utilities and Utility easements and/or agreements, and mapping and dedication of all necessary public Utility Easements, and payment of City Engineer CSM technical review fees, and other required fees, if any.

Motion made by Commissioner Cole, seconded by Commissioner Cohn, to recommend that Common Council approve the Certified Survey Map with requirements of payment of the $205 ($175.00 plus 2x$15) administrative fee, making any required technical corrections to the document to include pertinent information about all existing public utilities and Utility easements and/or agreements, and mapping and dedication of all necessary public Utility Easements, and payment of City Engineer CSM technical review fees, and other required fees, if any. Motion carried unanimously.

3d. Plan Commission Use and Occupancy Review, Educators Credit Union, 7139 North Port Washington Road. Review existing Educators Credit Union automobile lease service for Credit Union Members as it relates to the elimination of the Wisconsin Department of Transportation Lease Only License, necessitating use of the Motor Vehicle Dealer Two Year License form.

Director Stuebe explained that Educators Credit Union approached the City with some issues regarding their Wisconsin Department of Transportation (WDOT) lease only licensing. The Credit Union has been providing a vehicle leasing service to 190,000 members. Don Klute, who is with Educator's Credit Union, stated they have been obtaining a leasing license from the state and that leasing license has since been done away with by the State of Wisconsin. Now, they are being asked to provide a 2-year dealers license to continue operating in this manner. Director Stuebe said the City of Glendale is trying to work with the Credit Union as a continuation of the use of the land that has been on-going.

Statutes of the credit union does not allow them to operate as a car dealer; the State and Federal regulations mandate that in order to lease vehicles, they must have a license to do so. This service has been provided to Educator's Credit Union members for 20 years. Representatives of Educator's Credit Union assured the Plan Commission that no vehicles would be parked in front of its location overnight and would only be there for immediately delivery.

Commissioner Cohn asked the Representatives from the Credit Union if the Glendale location is the only location doing this. The City of Glendale is the only municipality that required approval by the Plan Commission.

Commissioner Cole wanted to know what happened to a vehicle once the lease expired and it was returned to Educator's Credit Union. The response from Educator's Credit Union was that the pre-owned leased units would be sold from their Sturtevant location as wholesale vehicles to other auto dealers.

Commissioner Cronwell asked how often these types of transactions at Educator's Credit Union Glendale location. The answer from the Credit Union Representatives was that it did not occur very frequently, and that most of these transactions are handled from their Sturtevant location. The Glendale location most often will provide courtesy delivery to its members. There may be 10-15 of these type of transactions per month and only 1/3 of the Credit Union's business is vehicle leasing; the remaining transactions are dealer referral with direct lending.

Mayor Kennedy stated that the Glendale Plan Commission would allow lease only service to continue so long as it would not be viewed as adverse to Glendale. Educator's Credit Union would be required to be able to prove to the Plan Commission that there are no zoning issues.

The zoning authority, Director Stuebe, will be required to sign the WDOT Form as the zoning authority for Glendale; to which Director Stuebe has agreed.

Motion made by Commissioner Cohn, seconded by Commissioner Cole, to allow for Educator's Credit Union to continue as legal non-conforming use at 7139 North Port Washington Road viewing as not adverse to Glendale, with no vehicle storage allowed. Motion carried unanimously.

3e. Plan Commission Review, Mobil, 525 West Silver Spring Drive and 7010 North Port Washington Road. Review and approve proposed exterior materials for buildings.

Roettgers Company, Incorporated appeared before the Plan Commission May 1, 2018, and June 5, 2018, to present various changes to the Mobil enterprises located at 525 West Silver Spring Drive and 7010 North Port Washington Road (Refer to the Meeting Minutes in the Plan Commission materials).

August 27, 2019, Roettgers Company delivered material samples to the City of Glendale pertaining to the previously proposed changes to the exterior of the buildings.

Roettgers Company representative Mike Miller presented to the Plan Commission the proposed exterior building materials/treatments to be considered as to their application and acceptability in order to move forward with the proposed project.

Mr. Miller stated there would be no changes to facia of 7010 N Port Washington Road. Initially it was going to be replaced but the materials were not available except for galvanized steel, which the Plan Commission was not in favor. The solution is to paint a Kynar 500 material a silver metallic color, but there are no other changes since last meeting 16 months ago.

For the Bayshore location; Mr. Miller was unable to locate a galvanized steel material and experienced the same issue he had experienced with the North Port Washington location. The company will be painting the same Kynar material a silver metallic color at this location.

Mayor Kennedy asked how this material holds up against time and the elements. Mr. Martin explained that the material being proposed will be good for 50 plus years. Mr. Martin mentioned that Commissioner Wadzinski advocates for the Kynar 500 material that is being proposed.

Commissioner Seligman asked Mr. Martin to differentiate the section of the building that was being discussed was the portion above the windows or the awning and wall portion of the building. Mr. Martin explained the portion where the Kynar 500 was being proposed to be used was the wall portion plus the entire south side of the building.

Commissioner Cohn stated that this project was initially approved 15 months ago; should it be approved at this Plan Commission meeting, what would be the expected completion time. Mr. Martin explained that the exterior painting of the building will be done by December 1, but could not make any other assertions about when the rest of the project will be complete.

Mayor Kennedy requested that a timeline of 6 months be adhered to.

Commissioner Cronwell asked if the installation and painting of the Kynar 500 would be dependent upon the weather. Mr. Martin assured the Plan Commission that weather will not be an issue with the installation.

Staff and Plan Commission recommend approval with the stipulation of a May 1, 2020 completion date to factor in potential weather days/issues.

Motion made by Commissioner Seligman, seconded by Commissioner Cronwell, to approve exterior materials and treatments for the Mobil stations located at 525 W Silver Spring Drive and 7010 North Port Washington Road as presented to be completed by May 1, 2020. Motion carried unanimously.

ADJOURNMENT

Motion was made by Commissioner Seligman, seconded by Commissioner Cole, to adjourn Plan Commission at 7:02 p.m. Motion carried unanimously.

Candice Green, Deputy Clerk/Treasurer

Respectfully Submitted: Candice S. Green