

CITY OF GLENDALE — PLAN COMMISSION
December 1, 2020

Regular meeting of the City of Glendale Plan Commission convened via Zoom.

The meeting was called to order by Mayor Kennedy at 6:00 p.m.

Roll Call: Present: Mayor Bryan Kennedy, Commissioners Kyle Mack, Fred Cohn, Karn Cronwell, Phillip Bailey, Amanda Seligman, Josh Wadzinski. Absent: None.

Other Officials Present: Rachel Safstrom, City Administrator; Todd M. Stuebe, Director of Community Development; Megan Humitz, City Clerk.

In accordance with the Open Meeting Law, the North Shore NOW, the City's official newspaper, was advised on Thursday, November 25, 2020, of the date and time of this meeting, the agenda was posted to the official bulletin board of City Hall, the Glendale Police Department, and the North Shore Library; that copies of the agenda were made available to the general public in the Municipal Building and the Police Department, and those persons who 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 of the November 10, 2020 Plan Commission Meeting.

Motion was made by Commissioner Cohn, seconded by Commissioner Mack, to adopt minutes from the November 10, 2020 Plan Commission meeting. Ayes: Commissioners Mack, Cohn, Cronwell, Bailey, Seligman, and Wadzinski. Noes: None. Abstain: None. Motion carried.

Plan Commission Conditional Use Permit Review, Toppers Pizza, 5464 North Port Washington Road (Worth Building). Review and approve proposed specialty pizza restaurant use and occupancy with request for extended hours per Code of Ordinances 7.15.4. Retail Business Closing Hours (a)(1)b.2., extending closing hours open to the general public, and (a)(1)b.3., extending hours for delivery only and closed to the general public.

Mr. Stuebe gave a brief review of Chuck Kappes' request for review and approval for Toppers Pizza to use and occupy a tenant space (former Subway) of about 1,525 square feet in the Worth multi-tenant building located at 5464 North Port Washington Road. The site is zoned B-1, B Community Business and Commercial District and, under the requirements of Section 13.1.34, the proposed use and occupancy requires Plan Commission review and approval with conforming business hours, and will require a Conditional Use Permit review and approval for business hours beyond what is provided for per 7.15.4, Licensing and Regulation.

Toppers Pizza will mostly provide delivery and carry-out with limited table seating with four window countertop seats and four seats at a single table. Proposed business hours are seven days per week from 11:00 a.m. to 2:00 a.m., which is beyond what is permitted under Licensing and Regulation 7.15.4, requiring businesses located within 500 feet of a Residential District to not be open between the hours of 10:00 p.m. and 6:00 a.m. With grant of a Conditional Use Permit under 7.15.4(a)(1)b.2 Toppers Pizza will be able to remain open until 11:00 p.m. Sunday through Thursday and remain open the evenings of Friday and Saturday until midnight.

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With the granting of a Conditional Use Permit under 7.15.4(a)(1)b.3. Toppers Pizza will be able to remain open an additional two hours from the applicable closing time for the sole purpose of taking and delivering orders, provided that during the applicable time the business is closed and locked, and precludes entry by the general public.

Toppers Pizza anticipates having a total of 30 plus employees with as many as 10 employees working at the same time. The property has a total of 88 parking spaces, with 11 in front of the building, nine along the south side, and 68 spaces located in the rear yard of the site. Presently the Worth Building has an approved Planned Sign Program that the property owner has indicated proposed changes will be advanced to accommodate tenants including Toppers Pizza. At present, the trash enclosure is located at the rear of the property and is properly screened and well managed. It will be important for the tenants and owner to work together to assure compliance is maintained in that regard.

Mayor Kennedy stated he is pleased to see the Worth building rented out to new tenants.

Commissioner Cohn raised the question as to whether Jet's Pizza requested an extension of their business hours from the Plan Commission. Mr. Stuebe stated the business did not request an extension and has not requested extended hours since opening.

Commissioner Seligman questioned if there will be a conflict in asking the drivers to use Port Washington Road entrance and exit but requesting the driver's park in the back of the building to adhere to the signage plan. Mr. Stuebe stated the parking lot has a fair amount of depth and will allow the drivers to have a place to park in the rear of the lot without taking away from customer parking. The business owner has been advised of the recommendations for the Plan Commission, which includes the requirement that drivers utilize the Port Washington Road entrance and exit. Commissioner Seligman asked for clarification regarding the Glendale city limits behind the property. Mayor Kennedy indicated there are approximately four blocks of Glendale before Whitefish Bay begins, and that it will be incumbent upon Toppers management to ensure employees are using Port Washington Road and not the residential area to the back of the property.

Motion was made by Commissioner Cronwell, seconded by Commissioner Mack to grant use and occupancy approval for Toppers Pizza, principally a delivery and take-out specialty pizza restaurant with limited seating, to operate at 5464 North Port Washington Road, and also approve grant of a Conditional Use Permit for Toppers Pizza to operate as provided for under Licensing and Regulation 7.15.4(a)(1)b.2. and 7.15.4(a)(1)b.3. per the stated requirements, per the following requirements: 1) Toppers Pizza regular business hours per Licensing and Regulation 7.15.4 are Sunday through Thursday from 11:00 a.m. to 10:00 p.m., and Friday and Saturday from 11:00 a.m. to 10:00 p.m.; 2) Grant of Conditional Use Permit per the requirements of Licensing and Regulation 7.15.4(a)(1)b.2. to remain open Sunday through Thursday from 11:00 a.m. to 11:00 p.m., and Friday and Saturday from 11:00 a.m. to midnight; 3) Grant of additional or further Conditional Use Permit per the requirements of Licensing and Regulation 7.15.4(a)(1)b.3. to remain open an additional two hours from the applicable closing time for the sole purpose of taking and delivering orders, with the business close and locked (precludes entry by the general public); 4) Delivery vehicles to enter and exit the 5464 North Port Washington Road premises along the west side of the property via existing connections with North Port Washington Road and not via North Iroquois Avenue (a

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residential neighborhood); 5) Signs consistent with the existing Planned Sign Program or subsequent change(s) that the property owner will present to the Plan Commission for review and approval at a future meeting of the Plan Commission; 6) Signage requires a Sign Permit(s) per the approved Planned Sign Program and Glendale Sign Code; 7) Delivery vehicles shall not be parked on the property so as to constitute signage display; 8) Dumpster enclosure per Zoning Code 13.1.144; 9) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary pursuant to tenant/owner lease responsibilities; 10) All City of Glendale building, fire, and public health codes being carried out to the satisfaction of the Building Inspector, the North Shore Fire Department, and the North Shore Health Consortium; and 11) Compliance with State of Wisconsin requirements for ADA parking. Motion carried unanimously.

Plan Commission Use and Occupancy Review, Planet Smoothie, 5464 North Port Washington Road. Review and approve proposed specialty smoothie restaurant use and occupancy.

Mr. Stuebe gave a brief review of the request from Sherri Luckett to grant approval for Planet Smoothie, a smoothie specialty restaurant, to operate in a tenant space of about 835 square feet in the Worth multi-tenant building (former occupied by Russell A. Bronson Insurance Services). The proposed smoothie restaurant use in the B-1, Sub-Area B, Zoning District require Plan Commission approval.

Proposed hours of operation are Monday through Saturday from 7:00 a.m. to 8:00 p.m. and, depending on store traffic, potentially reduced hours between 11:00 a.m. and 5:00 p.m. Sundays. Planet Smoothie anticipates having a total of 5 employees, with as many as three employees working at the same time. Presently the Worth Building has an approved Planned Sign Program that the property owner has indicated proposed changes will be advanced to accommodate tenants including Planet Smoothie. At present, the trash enclosure is located at the rear of the property and is properly screened and well managed. It will be important for the tenants and owner to work together to assure compliance is maintained in that regard.

Ms. Sherri Luckett of Planet Smoothie was present to address questions from the Commission. She stated the franchise is currently largely in the southern states but has been gradually moving to the Midwest. The products are fruit and vegetable based, and largely lactose-free. The location in the Worth building was chosen because of the traffic in the area, the location in Glendale but also near Whitefish Bay, and the number of other franchise-style businesses in the area. Ms. Luckett is happy to offer a healthy option for the neighborhood.

Commissioner Mack raised the question on whether this will be Ms. Luckett's first location and if there will be plans to open more locations in the future. Ms. Luckett stated this is her first location, and she does intend to expand in the future.

Motion was made by Commissioner Cohn, seconded by Commissioner Bailey, to grant use and occupancy approval for Sherri Luckett to operate Planet Smoothie, a specialty smoothie restaurant with very limited seating, to operate at 5464 North Port Washington Road, with the following requirements: 1) Planet Smoothie regular business hours are Monday through Saturday from 7:00 a.m. to 8:00 p.m. and, depending on store traffic, possibly reduced business hours Sunday from 7:00 a.m. to 5:00 p.m.; 2) Signs consistent with the existing Planned Sign Program or subsequent change(s) that the

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property owner will present to the Plan Commission for review and approval at a future meeting of the Plan Commission; 3) Signage requires a Sign Permit(s) per the approved Planned Sign Program and Glendale Sign Code; 4) Dumpster enclosure per Zoning Code 13.1.144; 5) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary pursuant to tenant/owner lease responsibilities; 6) All building, fire, and health codes being carried out to the satisfaction of the Building Inspector, the North Shore Fire Department, and the North Shore Health Consortium; 7) Compliance with State of Wisconsin ADA parking requirements. Motion carried unanimously.

Progress Update and Schedule to Adopt: 2040 Comprehensive Plan: Bicycle and Pedestrian Plan Element, “Connecting Glendale 2020 Bicycle and Pedestrian Plan.” Schedule Public Hearing for January 5, 2020, review plan, and recommend to the Common Council to adopt the plan.

Administrator Safstrom gave a brief update on the Bicycle and Pedestrian Plan. Vandewalle and Associates Staff have been working to develop the draft Bicycle and Pedestrian Plan. Excellent feedback has been given by residents during this process, including at the Open House held November 12, 2020. It is recommended the Plan Commission schedule a public hearing for review of this plan. The public hearing will be scheduled via Zoom; however, we will also have City Hall open for anyone that would need to speak that does not have access to Zoom. After the Public Hearing, the Plan Commission may recommend approval of the plan to the Common Council. The Council would have final review of the plan at their January 25, 2021 meeting.

Mayor Kennedy raised the question regarding if Common Council members will be invited to the Public Hearing. Administrator Safstrom stated they are not required; however are welcome to attend, and the draft will be presented to the Council at their second meeting in January 2021.

Commissioner Seligman inquired as to when the Plan Commission members are able to suggest changes to the plan. Administrator Safstrom indicated this can be done at any time, and all suggestions are sent to Vandewalle and Associates for consideration and incorporation into the next draft of the plan. Administrator Safstrom shared Commissioner Seligman’s suggestions with the Commission, stating she has asked to include bike racks in future developments, wants to ensure businesses are bicycle friendly, and questioned if there is a possibility of offering a helmet incentive to those who register their bicycles with the City. Administrator Safstrom stated the purpose of the one-time bicycle registration is to assist in returning bicycles to their owners in the event they are lost or stolen. The City does not currently have a funding source to incentivize the registration process.

Commissioner Cohn raised the question of the expected cost of the project over time. Administrator Safstrom stated a cost has not been estimated, as the plan is project-based and will eventually be incorporated into five-year plans, as well as efforts to receive grant funding. It is anticipated that the project will take 8 to 10 years to implement the entire plan. In addition, work will need to be done with Milwaukee County regarding funding and agreements, as Good Hope Road is a County-owned road, which runs through Glendale.

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Motion was made by Commissioner Cohn, seconded by Commissioner Cronwell, to schedule the Public Hearing for review of the draft Bicycle and Pedestrian Plan for Tuesday, January 5, 2021 at 6:00 p.m. Motion carried unanimously.

ADJOURNMENT.

There being no further business, motion was made by Commissioner Bailey, seconded by Commissioner Cohn, to adjourn the meeting. Motion carried and adjournment of the Plan Commission was ordered at 6:20 p.m., until Tuesday, January 5, 2021 at 6:00 p.m.

Megan Humitz, City Clerk

Recorded: December 2, 2020