

CITY OF GLENDALE -- PLAN COMMISSION

Monday, November 03, 2014

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

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

Roll Call: Present: Acting Mayor JoAnn Shaw, Commissioners Dennis Buettner, Izzy Goldberg, Fred Cohn, Walter Wilson, Larry Appel, and Dennis Noble. Absent: None.

Other Officials Present: Richard E. Maslowski, City Administrator, Todd M. Stuebe, Director of Community Development

In accordance with the Open Meeting Law, the Glendale Herald, the City's official newspaper, was advised on Thursday, October 30, 2014, 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. Goldberg, seconded by Comm. Noble, to approve the minutes of the meeting held on Tuesday, September 2, 2014 (meeting of October 7, 2014, was cancelled due to lack of business items). Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

MATTERS FOR CONSIDERATION.

- I. Plan Commission Resolution to Change Regular Monthly Meeting Time. Review and adopt resolution to change the regular monthly Plan Commission meeting time from 7:00 p.m. to 6:00 p.m.

City Administrator Maslowski stated that the Common Council now meets at 6:00 p.m., and that the 6:00 p.m. meeting time is conducive to facilitating appearances by applicants, their professionals, and conduct of public hearings, and that Plan Commission approval of the proposed Resolution is required to change the regular monthly meeting time from 7:00 p.m. to 6:00 p.m.

Motion by Comm. Goldberg, seconded by Comm. Cohn, that the Plan Commission approve the Resolution to change the regular monthly meeting time from 7:00 p.m.

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to 6:00 p.m. Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

- II. Specific Implementation Plan (Revised Site Plan), Glendale Manor CBRF Assisted Living Facilities and Braeburn Meadows Subdivision, 2510 West Good Hope Road and Environs. Plan Commission review and approval to modify the Specific Implementation Plan site plan for Glendale Manor, comprised of two 22-unit CBRF assisted living facilities, and Braeburn Manor, an eight lot single-family residential subdivision. The revised site plan will not result in any change to the number of CBRF living units or architecture, or the number of single-family residential lots. The proposal is that instead of all eight lots being accessible via the lengthened North Braeburn Lane, only three of the proposed lots will be accessible via North Braeburn Lane and five lots will be accessible from North Range Line Road via the proposed Braeburn Court.

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:

Representatives of Applicants, Nick Donets and Dr. Simon Donets, will formally present the proposed revised Specific Implementation Plan site plan to the Plan Commission.

The site plan essentially remains the same except that instead of eight single-family residential lots around the lengthened North Braeburn Lane (refer to site plan exhibit) there will only be three, and there will be five single-family residential lots accessible from North Range line Road via the proposed Braeburn Court. An ingress-egress will be provided from Braeburn Court to the CBRF facilities that will serve to provide a secondary entrance way. The Specific Implementation Plan site plan essentially remains the same in all other respects.

Plan Commission approval of the revised concept as a minor change will allow the developer to finalize the various design plans (landscaping, utilities/permits, stormwater management plan, certified survey map, single-family residential subdivision plat, etc.) and move forward with the project.

Project Schedule

The Specific Implementation Plan for the project was approved by the Plan Commission on August 5, 2014. Developer's original project schedule was to commence demolition, environmental remediation and site preparation in the summer of 2014, with construction of the first 22-unit CBRF building and related site improvements to follow as soon as the site was ready

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(building construction anticipated to take twelve months to complete). Construction of the second CBRF/assisted living building was to commence twelve months after the first building is completed (building construction expected to take twelve months to complete). Construction of the infrastructure for the eight lot single-family residential subdivision was to be completed by the third quarter of 2015.

Project Value

The proposed revision will not change the project value. Developer previously estimated that the combined CBRF/assisted living facilities and single-family residential development value at \$4,500,000, and projects future real estate property taxes at \$88,200 per year, as compared with existing real estate property taxes that total less than \$10,000. The anticipated market value of the eight single-family lots with homes is \$2.2 million (average market value \$275,000), and the CBRF building and site improvement cost is estimated at \$2.3 million, giving the total of \$4.5 million.

Required Action

The necessary action by the Plan Commission is to approve the revised Specific Implementation Plan site plan.

Nick Donets, Dr. Simon Donets, and Rob Williams of TDI were present to present the revised Specific Implementation Plan site plan. Mr. Donets briefly described the proposed revised site plan and stated that with the proposed change the project may proceed without delay related to closing on the Heiden property located in the north area of the site plan.

Mr. Williams presented the revised site plan exhibit drawing and stated that the two cul-de-sacs would be per City standard.

City Administrator Maslowski stated that the North Shore Fire Department finds the site plan is workable and doable.

Comm. Buettner commented that he would like a pedestrian path, a natural path, to allow visits to the neighbors.

Mr. Donets stated that there are no existing sidewalks in the neighborhood.

City Administrator Maslowski stated that the City would not own or maintain the sidewalk, it would be the property owners if in a final Development Agreement.

Comm. Goldberg asked if there would be traffic reduction.

Mr. Donets stated that is part of the reason, and that he had been meeting with Mr. Heiden and that there were delays in achieving closing with Mr. Heiden.

Comm. Buettner commented that the revised plan is a great improvement.

Motion by Comm. Cohn, seconded by Comm. Buettner, that the Plan Commission grant approval of the revised Specific Implementation Plan site plan. Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

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- III. 7:00 PM Plan Commission Review Conditional Use Permit, Kawa, 325 West Silver Spring Drive (former Irina's Kitchen and Jonathan's Bagels). Review and approve proposed Japanese and sushi cuisine specialty restaurant 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:

Lin Jin Xiao (Kawa Japanese Restaurant, LLC), seeks Plan Commission approval of a Conditional Use Permit to utilize the former Irina's Kitchen and Jonathan's Bagel tenant space for a restaurant that features sushi and Japanese cuisine. The site is currently zoned B-1, D1 Local Business District, and the proposed restaurant use requires Conditional Use Permit review and approval.

The restaurant tenant space, about 1,554 square-feet, will be remodeled and improvements will be made to the kitchen and to the building fire and alarm systems generally. Applicant has indicated that they will seek a beer and wine license and will likely serve sake (fermented rice beverage similar to beer). Outside seating and service is not proposed on the existing patio.

The multi-tenant building tenants include the City Animal Hospital Kawa and will share parking with the other tenant(s). There are seventeen (17) parking spaces located immediately south of the subject building. There is also designated curbside parking along North Mohawk Avenue.

The proposed hours of operation include lunch and dinner table service as follows below:

	LUNCH	DINNER
Monday	11:00 a.m. to 3:00 p.m.	3:00 p.m. to 10:00 p.m.
Tuesday	11:00 a.m. to 3:00 p.m.	3:00 p.m. to 10:00 p.m.
Wednesday	11:00 a.m. to 3:00 p.m.	3:00 p.m. to 10:00 p.m.
Thursday	11:00 a.m. to 3:00 p.m.	3:00 p.m. to 10:00 p.m.
Friday	11:00 a.m. to 3:00 p.m.	5:00 p.m. to 10:00 p.m.
Saturday	11:30 a.m. to 3:30 p.m.	5:00 p.m. to 10:00 p.m.
Sunday	12:00 noon to 10:00 p.m.	

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant approval of a Conditional Use Permit for Lin Jin Xiao to operate Kawa Japanese Restaurant, a sushi and Japanese cuisine specialty restaurant, in the designated tenant space in the multi-unit building located at 325 West Silver Spring Drive, subject to the following conditions: 1) Beer and wine license requires approval from the Common Council; 2) Signs are subject to the Planned Sign Program (PSP) and obtaining a Sign Permit; 3) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary pursuant

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to tenant/owner lease responsibilities; 4) Dumpster enclosure(s) in compliance with 13.1.144 of the Zoning Code; 5) Subject to obtaining a Code Compliance Inspection Certificate of Compliance, if necessary; 6) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department; 7) Written certification by owner of compliance with State of Wisconsin Department of Safety and Professional Services requirements for physically disabled parking prior to issuance of Occupancy Permit.

Lin Jin Xiao introduced herself as the owner of Kawa and that they would like to open a Japanese cuisine restaurant that serves foods that include fresh fish and teriyaki.

Tom Vavra of Vavra Design stated that the tenant space has been a restaurant use for many years, and that with this project they will be replacing most everything and all of the kitchen equipment will be completely replaced, that they would like to retain the seating outside.

City Administrator stated that when they fill out the beer and wine license they need to be sure to include that element if beer and wine is served there, and need to provide a letter formalizing that and that they need to understand that there are limits on outside seating.

Mr. Vavra stated that he had met with the Fire Chief and that they would install area separations with three-hour ceiling and fire walls.

Comm. Wilson asked if the bathroom would be shared with the employees.

Mr. Vavra stated that the bathrooms were being enlarged and would serve the patrons and employees, clarifying that there is a space that includes a bathroom that is part of the other City Animal Hospital tenant space and not accessible to the Kawa tenant space.

Comm. Cohn asked why the business hours were staggered and not uniform.

Lin Jin Xiao stated that there was some time for rest and to prepare fresh food.

Comm. Wilson asked about the amount of seating outside.

Mr. Vavra stated that it could really only be four tables.

City Administrator Maslowski stated that the plan for that will come back to the Plan Commission to review.

Motion by Comm. Buettner, seconded by Comm. Wilson, that the Plan Commission grant approval of a Conditional Use Permit for Lin Jin Xiao to operate Kawa Japanese Restaurant, a sushi and Japanese cuisine specialty restaurant, in the designated tenant space in the multi-unit building located at 325 West Silver Spring Drive, per the seven conditions: Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

IV. 7:00 PM Plan Commission Review, Cycling Center, 4170 North Port Washington Road (former Adventure Boot Camp). Review and approve proposed indoor cycling gym and individual and small group cycling fitness training center 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:

Chad Hartley seeks Plan Commission approval for Milwaukee Cycling Center, an indoor cycling training center (not a health club), to occupy a tenant space located at 4170 North Port Washington Road (formerly Adventure Boot Camp). The property is owned by Beerline Crossing, L.L.C.

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At the present time the one major tenant occupying the site is the State of Wisconsin Division of Community Corrections, Region 3 Office. (Unit 326, 334, 336, and 350). The site is zoned M-1 Warehouse, Light Manufacturing, Office and Service District, and, under the requirements of Section 13.1.39(b)(5), indoor sports and recreational facilities, with the specific exception of the use of weaponry, are permitted subject to review and approval by the Plan Commission.

Milwaukee Cycling Center will occupy all of the 8,700 square feet available on the second level at the 4170 North Port Washington Road location. The Beerline Crossing Development totals about 73,000 square feet of first floor space and about 8,700 square feet of second floor space. There are about 334 parking stalls available at the site, of which 20 are designated for use by the second floor tenants (4170 North Port Washington Road). There is an ample amount of parking spaces available to accommodate the existing Wisconsin Department of Corrections use and the proposed use.

Milwaukee Cycling Center will provide area cyclists a social training environment to train during the winter season, and the business will cater to individual and small-group training of no more than ten persons at a time. Clients are required to bring their own bicycle, with riding on Milwaukee Cycling Center's stationary trainers, with no exercise bikes for walk-in clients. Milwaukee Cycling Center states that the programs are similar to personal training with an instructor on hand to set-up equipment and begin the class. The stationary trainers are controlled by a computer that allows the athlete to effectively compete against others or work together. There will also be several pieces of equipment for strength training to coincide with training plans. The proposed business hours will be structured to accommodate clients normal work day hours, with a morning class and also in the late afternoon and evening, thus proposed business hours are Monday through Saturday from 5:00 a.m. to 8:00 a.m. and 4:00 p.m. to 8:30 p.m. Applicant anticipates a total of two employees.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant use and occupancy approval for Chad Hartley to operate Milwaukee Cycling Center, a personal fitness cycling training facility (not a health club), at 4170 North Port Washington Road, subject to the following conditions: 1) Crime prevention practices be implemented to the satisfaction of Crime Prevention Officer Joel Dhein; 2) Approval of the fitness related activities is limited to the tenant space within the interior of the 4170 North Port Washington Road building; 3) All signs to conform with the Glendale Sign Code; 4) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary pursuant to tenant/owner lease responsibilities; 5) Dumpster enclosure(s) in compliance with 13.1.144 of the Zoning Code; 6) Subject to obtaining a Code Compliance Inspection Certificate of Compliance, if required; 7) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department; 8) Written certification by owner of compliance with State of Wisconsin

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Department of Safety and Professional Services requirements for physically disabled parking prior to issuance of Occupancy Permit.

Chad Hartley introduced himself as the owner of Milwaukee Cycling Center, and stated that the facility will provide specialty training for competitive athletes, to include coaching and training on their trainers, with some free weights.

Comm. Buettner asked if he had run a similar business.

Mr. Hartley stated that he has not, although his partner in the business is William Jones, whose business WCJ Pilgrim Wire, is located in the same building next door.

Comm. Goldberg asked if they would have a couple of cycles up there for use.

Mr. Hartley stated that the clients bring their own bicycles.

Comm. Wilson asked if they have a strategy if challenged by disability, and that with regard to ADA it may be wise to have a strategy.

Motion by Comm. Goldberg, seconded by Comm. Cohn, that the Plan Commission grant use and occupancy approval for Chad Hartley to operate Milwaukee Cycling Center, a personal fitness cycling training facility (not a health club), at 4170 North Port Washington Road, per the following eight conditions: Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

- V. 7:00 PM Plan Commission Review, Cable Com, LLC, 6070 North Flint Road (existing United Technologies-Otis Elevator). Concept review of office and limited outside storage use and occupancy that requires Plan Commission Conditional Use Permit review.

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

Applicant, Cable Com, LLC (Niksa Ivanevic RE, LLC), proposes to purchase the 6070 North Flint Road property and for Cable Com to occupy the 6070 building (now owned by United Technologies-Otis Elevator) for use as an office and limited outside storage facility for its network cable install and construct company. The timing of the initial contact and document submittal did not allow time for the required notice to be published for the Plan Commission Conditional Use Permit review for outside storage use.

Cable Com currently has 45 employees and there should not be any problems parking. The proposed hours of operation are Monday through Friday from 6:00 a.m. to 6:00 p.m.

United Technologies-Otis Elevator will continue to occupy the 6070 premises temporarily as a lease-tenant.

Community Development Director Stuebe stated that staff recommends that the Plan Commission indicate its support of the proposed Cable Com, LLC, office use and occupancy with limited outside storage so that Cable Com can move forward to acquire the property for the proposed office and limited outside storage (cable reels as designated on the site plan exhibit) use. Cable Com, LLC, will come back to the Plan Commission on December 2,

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2014, for formal Conditional Use Permit review and approval of the proposed office with limited outside storage use and occupancy.

Teri Severinsen introduced herself as the Chief Financial officer for Cable Com, and introduced Niksa Ivanevic of Cable Com.

Jim Larkin introduced himself as the commercial broker with Colliers.

Teri Severinsen and Niksa Ivanevic described the company operations, including fleet management and truck deliveries, stating that employees generally take their vehicles home at night, vans stay at the site parked in the garage area, and larger vehicles typically stay at the job site, and that the property has a fenced yard, which should prevent vandalism, continuing on stating that they will store mostly fiber optic cable reels and concrete vaults that are 24"x30"x35" on pallets that come with four banded together. Ms. Severinsen stated that part of the south grass lawn area will be graveled and fenced.

Walter Wilson asked how many semi-tractor trailers would visit the site each week.

Ms. Severinsen stated that there would be four to five trucks per week that take materials directly from suppliers to job sites and that leftover reels are generally what are brought back to be stored in the outside storage yard, that they do have Fedex, UPS, and other local carrier deliveries, and occasionally larger trucks were scheduled, but were not a weekly occurrence.

Motion by Comm. Buettner, seconded by Comm. Wilson, that the Plan Commission indicate its support of the proposed Cable Com, LLC, office use and occupancy with limited outside storage of fiber cable reels and vaults, so that Cable Com can move forward to acquire the property for the proposed office and limited outside storage (cable reels as designated on the site plan exhibit) use, and that Cable Com, LLC, will come back to the Plan Commission on December 2, 2014, for formal Conditional Use Permit review and approval of the proposed office with limited outside storage use and occupancy. Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

ADJOURNMENT.

Motion by Comm. Noble, seconded by Comm. Cohn, to adjourn the Plan Commission until 6:00 p.m. on Tuesday, December 2, 2014. Roll Call: Ayes: Acting Mayor JoAnn Shaw, Commissioners Buettner, Goldberg, Cohn, Wilson, and Noble. Noes: None. Absent: None. Motion carried unanimously.

Todd M. Stuebe, Director of Community Development

Recorded: November 25, 2014