

CITY OF GLENDALE -- PLAN COMMISSION

Tuesday, April 9, 2013

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

Mayor Tepper called the meeting to order at 7:00 p.m.

Roll Call: Present: Mayor Jerome Tepper, Commissioners JoAnn Shaw, Izzy Goldberg, Fred Cohn, Ilmar Junge, 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, April 4, 2013, 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. Shaw, to approve the minutes of the meeting held on Tuesday, March 12, 2013. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

MATTERS FOR CONSIDERATION.

- I. 7:00 P.M. Plan Commission Review, Nicolet High School, 6701 North Jean Nicolet Road. Nicolet to present proposed Nicolet High School campus site grading/drainage and lighting changes.

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

Nicolet High School will present the proposed changes to the site grading/drainage and replacement of the site lighting system. The proposed changes to the site grading and drainage include grade modification to route storm water runoff away from the high school physical facilities, which includes re-grading the east parking lot to better collect and route stormwater runoff via underground pipes and

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designed overland flow routes, providing new outfall piping, providing and an emergency overflow drainage swale/channel, providing limited detention (dry pond) and in-ground infiltration, and providing localized collection and infiltration (French drain) near the high school structure.

As proposed the replacement site lighting will exceed the fifteen-foot maximum height allowed by the Zoning Code. Two alternatives are presented, the Nicolet preferred alternative is to install replacement poles similar to the existing height that include pole heights in the east parking lot that are 25 feet in height, and in the remaining areas pole heights that are 15-feet or less in height. In the second alternative all of the lighting is 15-feet or less in height.

Pertaining to the proposed grading and drainage changes the necessary action by the Plan Commission is to approve the proposed grading and drainage plan subject to Nicolet submittal of a stormwater management plan for City review and approval.

For the lighting system the necessary Plan Commission action is to provide conceptual approval of the proposed lighting system so that Nicolet can proceed to the Board of Appeals to request a variance to the 15-foot maximum height for light poles and fixtures.

Brian Reiels introduced himself as the Director of Facilities Services for Nicolet High School District.

Jim Hensel introduced himself as being with North Shore Engineering.

Erv Stern introduced himself as being with Czarnecki Engineering.

Jeff Dellutri introduced himself as Business Administrator for Nicolet High School.

Mr. Reiels stated that the July 2010 storm resulted in damage to the Nicolet High School facilities with a \$14 million dollar loss that was the largest municipal loss in State of Wisconsin Property Trust history, however, they have been informed that that type of insurance is not available through the State of Wisconsin Property Trust, that there will be a limit of \$1.5 million maximum. This evening they are presenting a proposed long-term cure for the stormwater management in and around Nicolet High School, and the goal is that this will prevent any further loss. Presently the District is spending \$100,000 per year on supplemental flood insurance, which is real money so they want to find an expeditious solution to this problem. At the same time that they are looking at the stormwater management it also impacts the entire facility including its parking lots and driveway areas, so it seemed to make sense at this time for some energy efficient upgrades and they will also present that information tonight.

Jim Hensel stated that North Shore Engineering was hired to analyze the site drainage and look for possible solutions for flood mitigation. Mr. Hensel continued stating that as part of their plans there are three basic aspects that he would like to go over, the first being the storm sewer, and that the storm sewer system for Nicolet High School is inadequately sized and has too few basins for the areas designated to handle, also, along the north side of the high school there is a trunk sewer that Nicolet connects to at four points and, for example, during the major

storm of July 2010, if that trunk sewer surcharges then Nicolet's storm sewer has no release which can cause back-ups and flooding, so they want to address that issue with the existing storm sewer. Mr. Hensel stated that they have designed a storm sewer that is appropriately sized to handle a major storm event for the Nicolet campus itself, and have taken offline the Nicolet connections into the trunk sewer, so now they are running a collector sewer parallel with the trunk sewer east and west, along the northerly part of the Nicolet property, and both outfall into the Milwaukee River so, in a major event there should be no danger of that aspect of flooding as far as a back-up and surcharge in the trunk sewer, adding that the other added benefit to this additional collector sewer is, when Nicolet comes off line (so to speak) it will free up capacity in that trunk sewer for other users such as the City of Glendale and the State of Wisconsin, as Nicolet will be coming offline and have their own collection system and disposal system to the river.

City Administrator Maslowski stated that for clarification purposes for the Plan Commission the trunk sewer that Jim Hensel is referring to is located on the north side of the high school to the Milwaukee River is actually owned by the Wisconsin Department of Transportation, and it drains a good portion of Interstate Highway 43, and that is why it was built, and through proper easements Nicolet is tied into that storm sewer into the Milwaukee River.

Mr. Hensel stated that is correct, continuing stating that the second aspect would be the site grading and that, as we all know, Nicolet sits down, the land to the north is higher, the land to the east is higher, and the land to the south is higher for a little way before it starts to slope downward, and the existing site grading for Nicolet goes basically from east to west directly towards the school, so what they did with as minor of grading as possible they are shaping the parking lot, the horseshoe area by the school, and the north driveway to go away from the school as much as possible and into the new storm sewer system, so that it is directed away, for example the main parking lot to the east of the school they have a reverse crown so that it goes from the west to the east into the new storm sewer which transports it to the north, so the water is not going to tend as quickly to go right down the driveways directly towards the school, and they did the same thing in the horseshoe area and the north parking lot, so as much as possible they are directing water, slowing it down, and keeping it away from heading toward the school. Mr. Hensel stated that the third basic issue was flood mitigation, for example the storm in 2010 was probably a 150-year storm, what happens when an event like occurs, so what they did in that case is on the north driveway which is basically the low spot in the freeway and in Jean Nicolet, where the water comes over it will go down the driveway, what they have done is to design the driveway with a reverse crown also with the center being low so that the water that is coming down that north driveway will go past the school, staying in the driveway, and then exit to the west into an overflow channel that goes through the athletic field and then disperses with a weeper system, again towards the Milwaukee River. Mr. Hensel stated that in the horseshoe area they did the same thing, directed the water toward the middle and they are putting a dry detention in that area which is basically to serve if the big storm comes that will help to slow it down, it will direct it there, and then it will be released at a slow rate to the school system which goes under the building. Mr. Hensel concluded stating those are basically the aspects, trying to get the water away from the school and into a system that can handle it.

Mr. Reiels stated that, as he mentioned earlier as a result of obviously the impact on all the paved surfaces, they have decided their lighting is coming of age, presently they have 1,000 Watt high pressure sodium lights, and they looked at an opportunity to a) achieve some

energy savings in the way of more efficient operation using LED lights, and then they wanted to look at some lighting attenuation after hours, and at the same time still provide some basic security, because obviously they have had some issues over the years, and said that he would have Erv Stern provide the scope of the lighting proposal that they are making this evening.

Mr. Stern stated that what the Plan Commissioners have in front of them are two layouts, one using what they are calling a twenty-five foot tall pole layout, and one using a fifteen-foot pole layout that is per the City standards and requirements, and what they would like to do is use the design with the twenty-five foot poles, however, not every pole in that design is twenty-five feet tall, and only eleven of them will be (twenty-five feet tall). Mr. Stern stated presently there are sixteen (16) poles that are twenty-five feet tall, so they are actually reducing the number of twenty-five foot tall poles down to eleven (11), so they are doing kind of an in-kind replacement, and the other poles are either twelve (12) or fifteen (15) feet in height. Mr. Stern stated that the design with the twenty-five foot tall poles is very uniform, there are no dark spots, and there is an average of 1.8 foot-candles, which is the measurement of light one-foot above the ground, and it is perfect, every spot on there is lit, it is excellent for security, it is just a great layout, and continued stating that what he did was took some meter readings with their present design and there are spots that are zero all the way up to 1.8 foot-candles, near the entrance there is a 1.8 reading and that is at one spot, with the proposed design they are averaging 1.8 foot-candles in every spot in the new design, so the best part of the LED technology that they are using is that it is going to save the School District 66 percent in energy savings. Mr. Stern stated that presently the School District is using 37,636 Watts every night in that parking lot and the new design is 12,500 Watts, explaining that if the lights are on an average of nine hours a night every night, granted there is less in the summertime and in the wintertime it is longer, on average it is nine hours a night, the monthly bill is roughly \$1,000 a month, and the new monthly bill is roughly \$341 a month. Mr. Stern stated that the biggest feature of the LED is that they are going to be on, but at a certain time of night they will be programmed so they turn off to 50 percent and, if a car or person were to come through, the lights automatically go back up, so not only is this great for even more energy savings, if the police see the light levels went back up they will see this and know that something is going on there, and the entire campus is LED and every fixture has a motion sensor that activates. Mr. Stern stated that the campus currently has 41 light poles and the new design will have 48 poles, and even though there are more poles what they want is the uniformity so there are not any dark spots at all and the security cameras can pick these up at night, and stated that now he the images were dark.

Comm. Appel inquired whether they were able to take advantage of WE Energies program that has a trust for fluorescent mainly.

Mr. Stern said that they do know about WE Energies program and they vary every two months or so and they send out emails to designers and engineers across the state and the area and let them know what is available, and lots of times the funds are low because people are taking advantage so, if the monies are there to take at the time they do the design and it is commissioned and the money is there, the LED program is part of it, they definitely would be taking advantage of more up-front cost savings on the materials.

Comm. Appel asked about the dry detention pond in the horseshoe, how deep is that, in the big major storm, and what is the diameter.

Mr. Hensel answered that it is about five feet deep, about as deep as they can go for the area, and about 60 feet across by 100 feet, he would have to scale it, it is definitely not a

solution but a help and aid.

Comm. Cohn asked about the 2010 storm that we had, that some of the flooding was attributed to the Good Hope project for the bridge, and is that true.

Mr. Reiels stated that the WDOT was very quick to send out a crew and it turned out that it actually was not related to the WDOT project, and that they did do significant research and that it significantly came off Port Road and across their upper field through the tunnel system in one spot and also across the Interstate in another area.

Comm. Cohn inquired about the work that they are recommending to do, what happens in 2017, 2018, and 2019, if the State comes in for the WDOT and chops through the Nicolet property.

Mr. Reiels said that they actually met with the WDOT, have looked at their proposed drawings, and that the impact on them is minimal at this point, obviously it is not a finalized design at this point, but they have had significant discussion and have obviously talked very openly about the stormwater concerns.

Comm. Cohn commented that this will blend in.

Mr. Reiels said that is correct, and that any impact it will have will be really negligible based on the conversations thus far.

Comm. Noble, on the lighting, on the 25 footers, asked if they could give an approximation, that they did not have to be specific, where are they on the property, starting on the east side, and then on the north side near the athletic fields.

Mr. Stern told the Plan Commission that on the east side they are within the main parking lot, there are six light poles, and presently there are 10 poles, and as you drive in there are three, and continuing west to the bus loading zone there are two more, and that is the extent of the 25-foot poles.

Comm. Noble asked what the lowest elevation of the school is what above the 100-year flood elevation of the river, whether it is substantial.

Mr. Hensel stated that it is substantial, for example the 48-inch storm sewer pipe outfall elevation is one-foot above the 100-year floodplain elevation, and that is down the slope at the river, and the school is probably eight feet above the 100-year floodplain of the river.

Comm. Shaw asked about the lighting sensitivity as to when it would turn up after it gets set to 50 percent, how sensitive are those lights going to be, since there are quite a few dog walkers that go through that parking lot at night.

Mr. Stern said that there is adjustment on how well they sense objects, they want it set so that it does detect a person at 2:00 a.m., the lights will not be set at 50 percent at 9:00 p.m. or 10:00 p.m., and will most likely be set to 50 percent after midnight, so if people are walking dogs after midnight yes there is a possibility that they will go up.

Comm. Shaw asked how much light will impact the neighbors.

Mr. Stern stated that there would be the average of 1.8 foot-candles (per the light photometric document) in that area, so will be like a well-lit parking lot for that area that they walk through, so if they walk in this northern corner area two lights would go on for about fifteen minutes or so until they go back down to 50 percent.

Comm. Junge asked about the retention pond as to where the overflow is, whether it is underneath the school.

Mr. Reiels replied that the storm pipe goes under the C-wing building, it actually goes through underneath the foundation.

Mr. Hensel pointed to the storm pipe on the drawing.

Comm. Junge asked whether the north parking lot area between the school and the tennis courts will be re-graded to drain away from the building as it now appears to drain toward the building rather than away from the building.

Mr. Reiels said yes, that is a real problem that they are going to address, and that there have been numerous lifts of asphalt placed over the years.

Comm. Cohn inquired about the lighting, that they are going to ask for a variance to go to the 25-foot poles, what was the difference between staying with all 15-foot poles versus adding some eleven or other than the 25-foot poles.

Mr. Stern replied that the difference is quantity, and more quantity requires more money for fixtures, concrete bases, more labor, more conduit, more wire, basically going from 41 light poles with the 25-foot design to 77 light poles with all 15-foot light poles, and observed that 15-foot light poles are great, provide a community feel, that he just feels that they are replacing 25-foot poles with 25-foot poles, and actually doing less, they are located along a major highway, and thinks people would not notice the difference.

Mr. Reiels said that traditionally one of the reasons that they put in 1,000 Watt lights in the first place is that there was a real feel by community members that Nicolet High School was dark and perceived not to be safe, and that they probably went a little bit aggressive the last time that they did this project, but was in regards to community feedback, that they felt that it was not safe and he thinks this design is kind of the best of both worlds because they are replacing in-kind with fewer light poles, and are addressing the issue of light pollution after hours, but yet they are still a high school and kids occasionally step off of the right path and it provides us security that we need as well.

Comm. Shaw stated that as a follow-up to Comm. Cohn's question about the number of poles, just for visual aid purposes, how high is a 25-foot pole in the sense of in comparison to the height of the high school building or the expressway, and how much of that is going to be seen by the expressway or in comparison to the Bayshore Town Center itself, just for height purposes.

City Administrator Maslowski inquired how high are the existing light poles.

Mr. Stern said 25-feet.

Mr. Reiels stated that those are actually in-kind.

Mr. Stern stated that they would actually be reducing them from 16 you have now to 11, with ten and six now along the front. Mr. Stern continued stating that the other big issue that he did not mention about LED lighting, better than the energy savings, is the maintenance issue, whereas Brian is calling literally once a month for them to come out and change a lamp, and that the lamps on high pressure sodium for 175 Watt and under, which some of these 12-foot and 15-foot poles are, is roughly 15,000 hours, the life of a lamp that is 250 Watts or greater, is roughly 24,000 hours, LED lamps last 50,000 hours and after that, they go to 80 percent output, so they are still firing but they are not as luminous as originally designed, so there is a great maintenance savings where you are not going to have to call anybody for 15 years, according to this nine hour per night schedule.

Comm. Shaw said that technology is always changing, and inquired about LED lighting and snowstorms.

Mr. Stern stated that the issue with LED lighting and, what communities are finding, is that they are putting LED lights in street lights, and when snowstorms hit they ask why are LED lights not melting they snow in front, the reason is that in LED lights the heat goes out the back, and that is why street maintenance people are seeing snow on the front of stop and

go lights, the heat goes out the back, the design is a solid aluminum heat sink and all the heat goes out the back, and that is what keeps the life of the LED light long, the enemy of LED's is heat, you will not see these fixtures very much in Arizona or Florida, these are not meant for that climate, will they work in summer, of course, but LED technology is changing daily and they are getting better and better.

Comm. Shaw inquired whether that takes into account that they will get covered with snow, and we have had that discussion here with traffic signals.

Mr. Stern and Mr. Reiels stated that these are downward facing fixtures, they are dark sky compliant fixtures, all the lights are facing down, they are Arizona and New Mexico approved, all the light is facing downward, not going out the sides or out the top.

Motion by Comm. Cohn, seconded by Comm. Appel, that the Plan Commission grant approval of the proposed grading plan subject to Nicolet submittal of the stormwater management plan for City and Milwaukee Metropolitan Sewerage District (MMSD) review and approval. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

Motion by Comm. Cohn, seconded by Comm. Appel, that the Plan Commission grant conceptual approval of the proposed LED lighting system plan so that Nicolet can proceed to the Board of Appeals to request a variance to the 15-foot maximum height for poles and lights. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

- II. 7:00 P.M. Conditional Use Hearing, T-Mobile, 1711 West Florist Avenue.
Review and approve proposed modifications to Conditional Use Permit pertaining to wireless facilities.

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

Applicant, Mary Cichanski, SureSite Consulting Group as agent for T-Mobile, a wireless telecommunications provider, seeks conditional use approval to remove six existing antennas and to install nine antennas, and to remove and install related equipment and appurtenances (cabinets, modules, hybrid cables, and conduit) as shown on the plan drawings. The property is owned by Concours Motors. The proposed modification to the existing wireless facility is subject to conditional use review and approval by the Plan Commission.

Mr. Stuebe stated that Staff recommends that the Plan Commission grant approval of the Conditional Use Permit for T-Mobile, a wireless telecommunications provider, to make the proposed modifications to the existing antenna structure and facilities located at 1711 West Florist Avenue, subject to the following conditions: 1) Signs are subject to obtaining a Sign Permit; and 2) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department.

Mark Ninneman introduced himself as the representative from Sure-Site Consulting, the agent for T-Mobile on this project in the Milwaukee area. Mr. Ninneman said that he was primarily there to answer questions as staff has recommended approval, what they

are talking about is the tower just to the west, and stated that he thought that nobody would even notice the change, right now there are six panel antennas, three sets of two antennas, and what T-Mobile is proposing to do is replace those with the newer generation antenna panels, and there would be nine instead of six, and that he thought that from a residents standpoint or bystander standpoint they are never going to notice the difference.

Motion by Comm. Goldberg, seconded by Comm. Appel, that the Plan grant approval of the Conditional Use Permit for T-Mobile, a wireless telecommunications provider, to make the proposed modifications to the existing antenna structure and facilities located at 1711 West Florist Avenue, pursuant to the two conditions. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

- III. 7:00 P.M. Plan Commission Use and Occupancy Review, Grube's Towing (Grube's Thiensville Standard, Incorporated), 2201 West Bender Road, Suite 6 (Michael Pelant Multi-Tenant Building). Review and approve proposed towing company use and occupancy with inside storage only.

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

Applicant, Tim Grube, seeks Plan Commission use and occupancy approval for Grube's Towing, a towing service company, to occupy a 2,340 square-foot tenant space (Unit 6 space) in the 20,700 square-foot multi-tenant office-warehouse structure located at 2201 West Bender Road. The site is zoned M-1 Warehouse, Light Manufacturing, Office, and Service District, and the proposed use is permitted subject to Plan Commission review and approval of a Conditional Use Permit.

Applicant proposes that all towing business vehicle storage on the premises will be located inside the 2201 West Bender Road tenant space.

Proposed business hours are Sunday through Saturday from 7:00 a.m. to 10:00 p.m. Grube, based at 6715 West Donges Bay Road, in the City of Mequon, has a total of 25 employees and a maximum of three employees will be present at 2201 West Bender Road at any given time. There are a sufficient number of parking spaces available at the site to accommodate the proposed employee parking.

Mr. Stuebe stated that Staff recommends that the Plan Commission grant use and occupancy approval for Tim Grube to operate Grube's Towing, a vehicle towing service business, at 2201 West Bender Road, subject to the following conditions: 1) Outside storage is limited to employee cars during the work day; 2) Signs are subject to a permit per the Glendale Sign Code; 3) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary pursuant 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 required; 6) All City of Glendale building

and fire codes being carried out to the satisfaction of the Building Inspector and Fire Marshall, respectively; 7) Written certification by owner of compliance with State of Wisconsin requirements for physically disabled parking prior to issuance of Occupancy Permit.

Tim Grube introduced himself to the Plan Commission. Mr. Grube said that they want to emphasize that their towing company is more or less a transport company, they do a lot of AAA contract work in the area and commercial work, so they are not a junk yard or anything like that as far as bringing cars back to their facility and dumping wrecked cars or police impounds or anything of that nature, it is strictly hook and haul, and they are looking for a facility to base some of their equipment out of because they do a lot of calls in the North Shore, primarily for AAA, and they are trying to help their current employees who live in Milwaukee area, it is closer to them, currently they come up to their location up in Mequon, and they are kind of running out of room up there, and they have such a large area that they cover in the North Shore area they would like to find something where they can base some equipment down here to hopefully help their response time so it is a little bit better, and just make the commute for some of their employees better, so they are looking for a place to park some of their equipment, employees would come in the morning and get in their truck, and will be in their truck all day, and then they come back to the site at the end of the day, get in their personal car and leave, and the same thing happens for the second shift, they run two full-time shifts, first and second shift.

Mayor Tepper commented that they simply want to make certain that the site is not used to dump cars.

City Administrator Maslowski stated that it is very important because the City is the adjacent property owner of that vacant land, and will be coming to this body, probably by the end of summer or early fall, with a City recreation park that will be highly used and highly visible, and we do not want it to be adjacent to a junk yard or automobile storage yard.

Mr. Grube stated that makes sense and he totally agrees and understands, and that their main business is located in Mequon and they have those same stipulations on their facility so he knows what the Plan Commission is looking for as a high class community and he understands, and that he is not looking to pull the wool over anybody's eyes or anything like that and wants to tell you straight-up what their company is, and continued stating that he talks about their company like a transport company, they pick up a car at point A and drop it off at Point B, the vehicles are not coming back for impounds or accidents or anything like that so, as far as junk yard or tow lot, repo, those are not things that they do.

Comm. Noble stated that effectively what the applicant is saying is that they pick up a vehicle on the expressway and it has to go to Concours or Hobbs.

Mr. Grube replied exactly, that 96 percent of their work on the North Shore is strictly AAA contractual work, and they pick up a vehicle from your place of residency or business or your breakdown location and transport it to wherever they want it, it might go back to your house to tinker on it yourself, or go to the dealership or repair shop, wherever, and they do a lot of light service too, a lot of tire changes, battery service, things like that in the community, it does not come back to their shop, and they do not do any auto repair out of their shop either, so they are not bringing those vehicles back to fix or anything, and their facility up in Mequon is where they do their own maintenance, so they are not doing any maintenance on their own trucks down here, so it is really a parking lot to store some of their equipment, and they are trying push as much into the building as possible, and working with Mike Pelant, they would like to put five trucks down here if possible at some point, they can fit two to three inside the building depending upon what trucks they are, they like to keep their equipment clean and

they run newer equipment, they want it to be safe so they like putting it inside the building so, if possible they are hoping at some point Michael will have some room for expansion where they can put everything they have inside so there is nothing outside at all, and that is his goal long-term, but short-term they are taking what space is available, so are putting what they can inside, and they are hoping to park two trucks outside if they have to but that would strictly be on a third shift basis, just overnight until the next morning and the guys come back in and start working again, that is the one concern that they have as far as vehicle storage, and by vehicle storage what he is saying is they are not bringing any vehicles back, there is not going to be any outside storage of customer cars, it would strictly be their own trucks, similar to an HVAC contractor, plumber, where they have their work vehicles, and they leave them out in front of their building at night.

Director of Community Development Stuebe stated that the outside storage of the company vehicles and equipment requires a Conditional Use Permit as a means of defining the operation at the site and Grube's would come back to the Plan Commission for the outside storage component of their enterprise.

City Administrator Maslowski stated that the Plan Commission could grant approval this evening for the inside but for the two vehicles that they want outside they would have to come back for a Conditional Use Permit.

Mr. Grube stated that they could get the ball rolling at least and they can park two trucks inside for the time being, and their employees would park their vehicles outside during their shift and will be gone at night, their area of the parking lot would be empty. Mr. Grube stated that they will come back next meeting, and responded that their current fleet has 19 trucks, and that they would like to keep five at this location.

Motion by Comm. Cohn, seconded by Comm. Noble, that the Plan Commission grant use and occupancy approval for Tim Grube to operate Grube's Towing, a vehicle towing service business, at 2201 West Bender Road, per the seven stated conditions. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

IV. 7:00 P.M. Plan Commission Use and Occupancy Review, Athletic Advantage Sports Massage, LLC, 5225 North Ironwood Road. Review and approve proposed massage therapy service business 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:

Applicants, Christopher and Jessica Dudzik, seek Plan Commission use and occupy approval for Athletic Advantage Sports Massage to occupy an office (Suite 203) in the multi-tenant office building located at 5225 North Ironwood Road. The property is zoned B-1, Sub-Area C Business and Commercial District, and the proposed use and occupancy requires Plan Commission review and approval.

At this time Athletic Advantage Sports Massage owner Jessica Dudzik, a Wisconsin licensed massage therapist, is the sole massage therapist practitioner employed by the company. Applicant advises that one-hour

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massage treatments are scheduled by appointment only with one-half hour provided between each massage treatment. Business hours are Monday through Friday from 8:00 a.m. to 6:00 p.m.

Mr. Stuebe stated that Staff recommends that the Plan Commission grant approval for Christopher and Jessica Dudzik to operate Athletic Advantage Sports Massage, a therapeutic massage service business, at 5225 North Ironwood Road (Suite 203), pursuant to the five conditions: 1) Signs are subject to a permit per the Glendale Sign Code; 2) Subject to obtaining a Code Compliance Inspection Certificate of Compliance, if required; 3) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and Fire Marshall, respectively; 4) Written certification by owner of compliance with State of Wisconsin requirements for physically disabled parking prior to issuance of Occupancy Permit, and suggested that the Plan Commission add that applicant be licensed as a massage therapist, which applicant has provided a copy of her license to the City.

Mayor Tepper asked the Applicant if she is licensed and stated that theoretically, if we have that as a condition, if she lost her license that would be a violation.

Jessica Dudzik stated that she is licensed and that is understandable.

Jessica Dudzik introduced herself to the plan Commission as a licensed massage therapist and a certified personal trainer, and that she currently works at the Wisconsin Athletic Club in the North Shore, and has decided to start her own business and has found a space at the Ironwood Office Park that is a perfect size and location for sports and therapeutic massage as the sole practitioner there, continuing stating that her husband Christopher is the business manager for everything.

Christopher Dudzik introduced himself and reiterated that he is handling the business side and marketing.

Comm. Shaw inquired how long she has been practicing massage therapy.

Ms. Dudzik stated that it will be two years in July, and that she graduated from Lakeside School of Massage Therapy in 2011, and started to work at Wisconsin Athletic Club in July of 2011, and has been working there not quite full-time as a massage therapist, and started working as a personal trainer there also as of the following August of 2012, so has been doing double duty.

Motion by Comm. Shaw, seconded by Comm. Goldberg, that the Plan Commission grant approval for Christopher and Jessica Dudzik to operate Athletic Advantage Sports Massage, a therapeutic massage service business, at 5225 North Ironwood Road (Suite 203), pursuant to the five conditions. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

- V. 7:00 P.M. Plan Commission Conditional Use Permit Review, Integrity Interlock, 2201 West Bender Road, Suite 4 (Michael Pelant Multi-Tenant Building). Review and approve proposed Conditional Use Permit for an alcohol impairment automobile ignition interlock device installer and associated court compliance administrator service business use.

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

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Applicant, Scott Gieringer, of G&S Lawn & Landscape, L.L.C., seeks Plan Commission approval to use and occupy 6125 North Flint Road. The property is zoned M-1 Warehouse, Light Manufacturing, Office and Service District, and a landscaping business use requires Plan Commission conditional use permit review and approval

Applicants, David and Jacinta Hainline, seek Plan Commission Conditional Use Permit approval for Integrity Interlock, an ignition interlock installer, compliance monitor administrator, and equipment calibrating specialty company, to occupy a 700 square-foot tenant space (Unit 4) in the 20,700 square-foot multi-tenant office-warehouse structure located at 2201 West Bender Road. The site is zoned M-1 Warehouse, Light Manufacturing, Office, and Service District, and the proposed use requires Plan Commission Conditional Use Permit review and approval.

Integrity Interlock's services involve the installation of an ignition interlock device that is frequently required by the courts for persons with offenses involving driving a vehicle while impaired with alcohol. Integrity's business exclusively involves the installation of the interlock, periodic re-calibration, and downloading the device data log and transmitting the data to the appropriate government agency. This requires periodic client visits to the Integrity Interlock facility. The proposed use is a specialty service use and is not considered to be an automotive service, repair, body shop, or similar use. As proposed all of Integrity Interlock's use of the 2201 West Bender Road premises will be kept within the structure, with no outside storage of materials or equipment other than daytime parking of employee cars. Integrity Interlock has six employees, with a maximum of one present at 2201 West Bender Road. Work is scheduled by appointment only with regular business hours Monday through Friday from 9:00 a.m. to 6:00 p.m.

There are a sufficient number of parking spaces available at the site to accommodate the proposed employee parking, with one to three spaces provided for use by Integrity Interlock.

Mr. Stuebe stated that Staff recommends that the Plan Commission grant approval of a Conditional Use Permit for David and Jacinta Hainline to operate Integrity Interlock, an installer of ignition interlock devices, compliance monitor administrator, and re-calibrating specialty business, at 2201 West Bender Road (Suite 4), subject to the following conditions: 1) No outside storage; 2) All signs to be compliant with the Glendale Sign Code; 3) Dumpster enclosure(s) in compliance with 13.1.144 of the Zoning Code; 4) Attainment of Certificate of Code Compliance, if required; 5) All City of Glendale building and fire codes being carried out to the satisfaction of the and Building Inspector and North Shore Fire Department; 6) Written certification by owner of compliance with State of Wisconsin

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requirements for physically disabled parking prior to issuance of Occupancy Permit.

David Hainline introduced himself and his wife Jacinta Hainline, and showed the Plan Commission the ignition interlock device that they install in automobiles, stating that as far as automotive type of industry this is the cleanest type of industry related to automobiles, the remainder of debris that is left behind after they do an installation is wire insulation and zip ties, and sometimes a little bit of oil if the car drips oil, and they use dry based compound to clean that up, and the concern about outside storage, they do not store any vehicles, the average installation time for automobiles is two to three hours, when there is a vehicle to be dropped off they will drop it off before business hours and pick it up directly after business hours the same day. Mr. Hainline continued stating that they have several locations throughout the state and they also have this same thing implemented at each shop, in other words they do not allow overnight storage at any of their locations.

Comm. Goldberg asked if they could go over how this exactly works and is done by the courts telling you that this has to be put in a car.

Mr. Hainline stated that this is a list of providers throughout the state and the different locations, the courts provide a list to the people that are mandated to have this device installed in their car, they have options to choose from different providers on that list, there are four approved providers in the state currently, so they can choose any one of the four in whatever specific area they are living or is closest to their residence or place of business, in this area this is another provider located on Teutonia Avenue called Carfeteria, but they do have options.

Mrs. Hainline stated that the point that she thought should be brought up is that the difference between integrity interlock and any other providers out there is that Integrity Interlock is the provider and that others are the installers, which means that they are contracted through someone who is out of state to put this device in the vehicle of whatever client that is coming in that is mandated by the court, so they as the provider only provide interlocks, they do not do anything else on cars, so they are not installing car radios or changing tires or whatnot, they are just doing interlocks.

Comm. Cohn asked at what point does the court require a person to get this installed, first, second, third, or fourth...and who pays for that, how much does it cost, and is it rented.

Mrs. Hainline replied that the first offense is if you have a "bac" (blood alcohol count) of over 0.15, and any second time offenders, third, and up is mandatory, you are a plus, so it can be for a first offense and it is mandatory for second and subsequent offenses, and payment is by the client.

Mr. Hainline stated that it averages between \$70 and \$80 per month and it is rented, continuing stating that it is a computer is what it is, it stores all the data from the clients driving history over the prior 60 days, the State requires that every person that has an interlock mandate to have their information uploaded and to the court system within 60 days so they have to be compliant that way, and basically it records their driving history, drive times, as well as alcohol "bac" levels each time they operate, the device requires them to blow into it and pass a successful test in order to start the vehicle and then randomly as they are driving they also have to do tests to make sure that they are continuing to drive legal.

Comm. Cohn asked what prevents a passenger friend from blowing into the device.

Mr. Hainline replied that nothing prevents that but if your friend is sober the friend should probably be driving, there is nothing that will prevent that from happening, there is

a volume air concentration of 1,500 ml that is required to get a proper sample and the reason why the State has that level set is to deter people from having their children blow into the device when they are sitting next to the driver when their ability is impaired and, as far as an adult blowing into it, at this time the State of Wisconsin does not have positive identification, which is being implemented in other states which have implemented cameras in their vehicles that are equipped with the device, it is not here yet but it is coming.

Comm. Noble stated that in order to start the car you have to blow in the device, you pass, and off you go, now intermittently as a person is driving down the road this thing beeps and there is a certain amount of time and it shuts your car off.

Mr. Hainline stated that it will never shut the car off, it is not designed to do so, but what it will do, in this state it is called a horn and light sanction, so the horn will beep like your car alarm is going off and then you are parking lights will flash, prompting law enforcement to pull you over, so if they choose not to do the retest or they fail the retest then that is what is going to happen, however, to answer the question it does give you time to give you a retest, so it is not something that has to be immediately done, it will give your 30 to 45 seconds and then you can even silence it if you need more time, so a person has about one minute to one and one-half minutes to work with after it asks you for your retest when driving, so there is time to get over on the shoulder or pull over in the slow lane to give your test.

Comm. Shaw stated that she will probably never need it for personal use, but how big of a demand is there for something like this, how many people get busted, on average how many clients do you have for something like this, and how long have you been doing this.

Mr. Hainline stated that this will be their ninth shop in the state, they are in Green Bay, Madison, Sheboygan, Kenosha, Fond du lac, Oshkosh, Appleton, Janesville, there is quite a demand, the way they do it is different than their competitors and, as his wife mentioned, they specialize in interlocks, they do not do anything else, that is all they do, and stated that they are the only company that he is aware of that actually does the files and the data transmittal and does the calibration themselves, which allows them to make sure that they follow-up with all of their clients, and they can be thorough at what they do, and stated that they have been doing this for two and one-half years now.

Motion by Comm. Goldberg, seconded by Comm. Cohn, that the Plan Commission grant approval of a Conditional Use Permit for David and Jacinta Hainline to operate Integrity Interlock, an installer of ignition interlock devices, compliance monitor administrator, and re-calibrating specialty business, at 2201 West Bender Road (Suite 4), per the six conditions. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

VI. Land Division Concept Review, 7225 North Seneca Avenue. Review proposed land division concept.

Mr. Stuebe stated that this item was withdrawn by the Applicant.

VII. Reschedule Regular Tuesday, May 14, 2013, meeting due to schedules.

City Administrator Maslowski stated that it is necessary to reschedule the regular May 14 meeting due to schedule conflicts. The Plan Commission identified a possible meeting date of Tuesday, May 21, 2013, if necessary, in view of the number of business items and

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nearness in time of the regular June 11 meeting

ADJOURNMENT.

Motion by Comm. Cohn, seconded by Comm. Shaw, to adjourn the Plan Commission until the next scheduled meeting date. Roll Call: Ayes: Mayor Jerome Tepper, Commissioners Shaw, Goldberg, Cohn, Junge, Appel, and Noble. Noes: None. Abstain: None. Motion carried unanimously.

Todd M. Stuebe, Director of Community Development

Recorded: May 15, 2013