

CITY OF GLENDALE
5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209

AGENDA -- PLAN COMMISSION

Tuesday, June 07, 2016

6:00 P.M.

1. Roll Call and Pledge of Allegiance.
2. Adoption of Minutes of Meeting Held on May 3, 2016.
3. a. 6:00 P.M. Plan Commission Public Hearing, Application to Rezone 6789-6799 North Green Bay Avenue (Tax Key Parcel 134-9002-000) from B-4 Office-Research-Service Business District to PD Planned Unit Development-Mixed Use Commercial and Institutional Use. Rabbi Mendel Shmotkin, to present informational statement and general development plan, public comment, and Plan Commission review, discussion, and recommendation to Common Council.
Rabbi Mendel Shmotkin, Lubavitch of Wisconsin
- b. Plan Commission Review, Arby's, 5260 North Port Washington Road. Review and approve proposed architectural, site, landscaping, sign, and lighting plans, plan of operation, and use and occupancy by Arby's.
Brian Cooley, Architect
- c. Plan Commission Review, Dickey's Barbecue Pit, 6969 North Port Washington Road (Glendale Market, part of former Aurora Pharmacy tenant space). Review and approve proposed barbecue sandwich and related food items use and occupancy.
Craig Hatfield, Dickey's Barbecue Pit

NOTICE: Although this is NOT a meeting of the Glendale Common Council, a majority of Council members may be in attendance. No action or deliberation by the Council will take place.

-Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.-

CITY OF GLENDALE -- PLAN COMMISSION

Tuesday, May 03, 2016

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

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

Roll Call: Present: Mayor Bryan Kennedy, Commissioners Bruce Cole, Karn Cronwell, Fred Cohn, Gary Lippow, Robert Pfauth, and Tomika Vukovic. Absent: None.

Other Officials Present: Rachel Reiss, Acting City Administrator, Todd M. Stuebe, Director of Community Development

In accordance with the Open Meeting Law, the North Shore NOW, the City's official newspaper, was advised on Thursday, April 28, 2016, 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. Cole, to approve the minutes of the meeting held on Monday, April 4, 2016. Roll Call: Ayes: Mayor Kennedy, Commissioners Cole, Cronwell, Cohn, Lippow, Pfauth, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

MATTERS FOR CONSIDERATION.

- I. Referral from Common Council: Application to Change the Zoning of 6789-99 North Green Bay Avenue (Greensquare I and Greensquare II, Tax Key Parcel 134-9002-000), from B-4 Office-Research-Service Business District to PD-Planned Unit Development District-Mixed Use Commercial Office and Institutional Use. Present proposed change of zoning use and project plans to the Plan Commission, Plan Commission review and discussion, and Plan Commission to schedule public hearing.

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

CITY OF GLENDALE -- PLAN COMMISSION

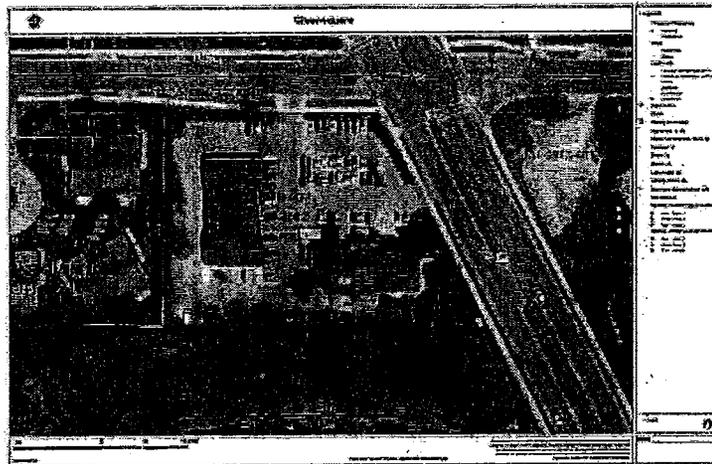
Plan Commission Report:

Lubavitch of Wisconsin proposes to change the zoning of 6789-6799 North Green Bay Avenue (refer to Photograph) from B-4 Office-Research-Services Business District to PD-Planned Unite Development District-Mixed Use Commercial Office and Institutional.

Developer to Present Informational Statement and General Development Plan

Rabbi Mendel Shmotkin of Lubavitch of Wisconsin will present the proposed changes to the Plan Commission (Refer to submittal documents). The proposal will modify the permitted use of the Greensquare II building from commercial office use to provide for the previously approved Hillel High School (Girls only school) and also provide for religious use within the Greensquare II building. Commercial office and alternative healthcare uses will continue to be permitted uses within the Greensquare I building, with the religious use offices also occupying some of the space. City of Glendale real estate property taxes are proposed to be prorated between the remaining commercial use and the religious use(s).

Photograph. View of Greensquare II (West, Left) and Greensquare I (East, Right).



Required Action

The necessary action by the Plan Commission is to schedule a public hearing for 6:00 p.m. on Tuesday, June 7, 2016. Lubavitch of Wisconsin will present the proposed project to interested citizens and public comment will be taken to be considered by the Plan Commission in formulating its recommendation(s) to the Common Council.

Community Development Director Stuebe stated that Rabbi Shmotkin will present the requested rezoning of the Greensquare I and II property to the Plan Commission.

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Rabbi Mendel Shmotkin introduced himself as the representative of Lubavitch of Wisconsin, and stated that the Bader Hillel High School is now at the Karl Jewish Community Campus and also rents at the Barnabas Business Center and the Good Hope School, and that they are looking to expand the girls high school and move their headquarters from Milwaukee, and stated that Synagogue use will primarily be on the weekend. Rabbi Shmotkin stated that as far as changes there would be externally none and that there would be internal changes, Greensquare II would have more open space, and that they planned to have a warming kitchen to serve hot lunches, however, per the suggestion of the North Shore Fire Department they will build a full kitchen space, and that they will have movable walls and a gathering space.

Comm. Lippow observed that Torah Academy of Milwaukee is located at the northeast corner of North Green Bay Avenue and West Green Tree Road, and asked how they compare.

Rabbi Shmotkin stated that they each have a different background and education perspective.

Comm. Pfauth asked if there would be any congestion at the pick-up drop-off place.

Rabbi Shmotkin thought that given the number of students it will not be problematic.

Comm. Vukovitch asked how many students they will have.

Rabbi Shmotkin stated that they have 15 now and that they will slowly grow to 20 students and thinks that there will never be more than 50 students, so the maximum use will be 40 to 50 students. Rabbi Shmotkin said that based on the North Shore Fire Department there will be a maximum occupancy of 110 to 130 persons.

Comm. Cohn asked what will happen with the Children's Hospital clinic/office (Greensquare Developmental Specialists), Muscle Dynamics, and the homeopathic with these plans and their leases.

Rabbi Shmotkin suggested that at the time their leases are up he did not think they are staying, although, as he does not have the property under contract he thought it not a time that he can approach them about their leases or where they might lease space in the future.

Mayor Kennedy asked what would happen if Lubavitch of Wisconsin did not close on the property.

Community Development Director Stuebe stated that the rezone will not become effective until the Common Council approves the Planned Development Agreement with the property owner. Community Development Director Stuebe stated that the necessary action of the Plan Commission is to schedule the Plan Commission Public Hearing for 6:00 p.m. Tuesday, June 7, 2016.

Motion by Comm. Lippow, seconded by Comm. Cohn, that the Plan Commission schedule the Plan Commission Public Hearing pertaining to the request to rezone the Greensquare I and II property for 6:00 p.m. Tuesday, June 7, 2016. Roll Call: Ayes: Mayor Kennedy, Commissioners Cole, Cronwell, Cohn, Lippow, Pfauth, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

II. Plan Commission Review, B&E General Contractors, 6001 North Green Bay Avenue. Review and approve proposal to modify garage for use as two habitable office spaces, as well as 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:

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Plan Commission Report:

Mark Brick seeks Plan Commission review and approval to complete modifications to the 6100 North Green Bay Avenue property. The site is zoned B-4 Office-Research-Service Business District and the proposed architectural and use changes require review and approval by the Plan Commission.

There is a large existing garage building on the property that will be converted from inside storage garage use to office and storage garage use, creating a single office with attached storage garage within the east side of the building, and a separate yet attached storage garage that is essentially unchanged within the west side of the building. The exterior footprint of the existing building will not change. Mr. Brick propose that the created space will be used by B& E General Contractors, making the existing B&E General Contractors tenant space available.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant approval for Mark Brick to complete the proposed changes, as well as use and occupancy at 6100 North Green Bay Avenue, with the following requirements: 1) Signage Permits per the Glendale Sign Code; 2) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to approved landscape plans, pursuant to tenant/owner lease responsibilities; 3) Dumpster enclosure(s) in compliance with 13.1.144 of the Zoning Code; 4) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department; 5) Written certification by owner of compliance with State of Wisconsin requirements for physically disabled parking prior to issuance of Occupancy Permit.

Mark Brick introduced himself as the property owner and principal of B&E General Contractors, and the proposal is to create an office within the existing garage building.

Motion by Comm. Cole, seconded by Comm. Cohn, that the Plan Commission grant approval for Mark Brick to complete the proposed changes, as well as use and occupancy at 6100 North Green Bay Avenue, per the five requirements. Roll Call: Ayes: Mayor Kennedy, Commissioners Cole, Cronwell, Cohn, Lippow, Pfauth, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

- III. Plan Commission Review, 4 Winners Field Hockey, LLC, 6619 North Sydney Place. Review and approve proposed field hockey individual and small group field hockey training, offices, and showroom, as well as 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:

Plan Commission Report:

Applicant, Thomas Carter, seeks Plan Commission approval to operate 4 Winners Field Hockey, LLC, within the Warriors of Fitness space located at 6619 North Sidney Place. The site is zoned M-1 Warehouse, Light

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Manufacturing, Office and Service District and the proposed use and occupancy requires Plan Commission review and approval.

4 Winners will have individual and small-group field hockey training, as well as its business office and a showroom space for field hockey items that are purchased via the World Wide Web.

The proposed training facility will be a scheduled individual and small group field hockey training facility rather than a general membership type health club. Proposed business hours are 9:00 a.m. to 9:00 p.m. Monday through Sunday. Applicant anticipates there will be a total of two or three persons employed by 4 Winners.

Community Development Director Stuebe stated that staff recommends that the Plan Commission grant use and occupancy approval for Thomas Carter to operate 4 Winners Field Hockey, an individual and small-group field hockey training facility (recreational type use), business office, and field hockey equipment showroom, within the Warriors of Fitness tenant space located at 6619 North Sidney Place, with the following requirements: 1) Signage Permits per the Glendale Sign Code; 2) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to approved landscape plans, pursuant to tenant/owner lease responsibilities; 3) Dumpster enclosure(s) per 13.1.144 of the Zoning Code; 4) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department; 5) Written certification by owner of compliance with State of Wisconsin requirements for physically disabled parking prior to issuance of Occupancy Permit.

Due to a prior commitment Mr. Carter was not able to be present.

Motion by Comm. Cohn, seconded by Comm. Cole, that the Plan Commission grant use and occupancy approval for Thomas Carter to operate 4 Winners Field Hockey, an individual and small-group field hockey training facility (recreational type use), business office, and field hockey equipment showroom, within the Warriors of Fitness tenant space located at 6619 North Sidney Place, per the five requirements. Roll Call: Ayes: Mayor Kennedy, Commissioners Cole, Cronwell, Cohn, Lippow, Pfauth, and Vukovic. Noes: None. Abstain: None. Motion carried unanimously.

ADJOURNMENT.

Motion by Comm. Cohn, seconded by Comm. Pfauth, to adjourn the Plan Commission until 6:00 p.m. on Tuesday, June 7, 2016. Roll Call: Ayes: Mayor Bryan Kennedy, Commissioners Cole, Cronwell, Cohn, Lippow, Pfauth, and Vukovic. Noes: None. Motion carried unanimously.

Todd M. Stuebe, Director of Community Development

Recorded: May 6, 2016
June 1, 2016

NOTE:

Meeting Time is 6:00 p.m.

City of Glendale Plan Commission

6:00 P.M., Tuesday, June 07, 2016

- Plan Commission Report -

Glendale

RICH PAST.
BRIGHT FUTURE.



Staff Report to the Plan Commission
Meeting of Tuesday, June 07, 2016

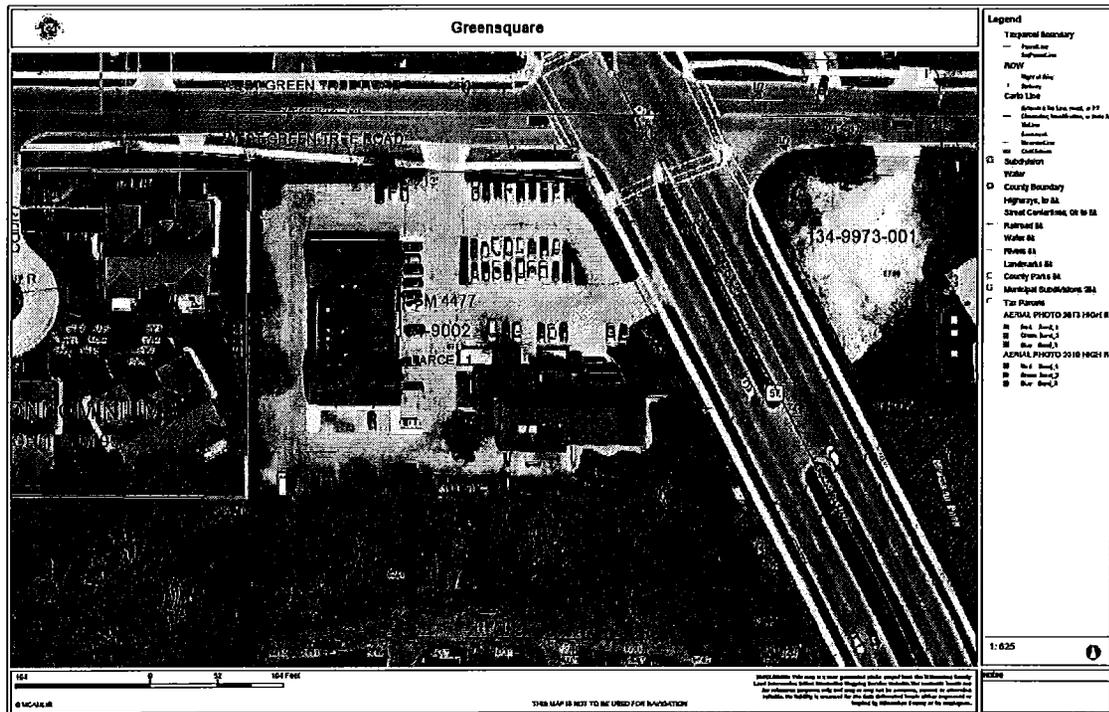
- 3a. **6:00 P.M. Plan Commission Public Hearing, Application to Rezone 6789-6799 North Green Bay Avenue (Tax Key Parcel 134-9002-000) from B-4 Office-Research-Service Business District to PD Planned Unit Development-Mixed Use Commercial and Institutional Use.** Rabbi Mendel Shmotkin, to present informational statement and general development plan, public comment, and Plan Commission review, discussion, and recommendation to Common Council.

Lubavitch of Wisconsin proposes to change the zoning of 6789-6799 North Green Bay Avenue (refer to Photograph) from B-4 Office-Research-Services Business District to PD-Planned Unite Development District-Mixed Use Commercial Office and Institutional.

Developer to Present Informational Statement and General Development Plan

Rabbi Mendel Shmotkin of Lubavitch of Wisconsin will present the proposed changes to the Plan Commission and citizens present (Refer to submittal documents). The proposal will modify the permitted use of the Greensquare II building from commercial office use to provide for the previously approved Hillel High School (Girls only school) and also provide for religious use within the Greensquare II building. Commercial office and alternative healthcare uses will continue to be permitted uses within the Greensquare I building, with the religious use offices also occupying some of the space. City of Glendale real estate property taxes are proposed to be prorated between the remaining commercial use and the religious use(s).

Photograph. View of Greensquare II (West, Left) and Greensquare I (East, Right).



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Required Action

The necessary action by the Plan Commission is to recommend to the Common Council per Zoning Code 13.1.182(b) that the Petition be granted, modified, or denied.

- 3b. Plan Commission Review, Arby's, 5260 North Port Washington Road.** Review and approve proposed architectural, site, landscaping, sign, and lighting plans, plan of operation, and use and occupancy by Arby's.

Brian M. Cooley of Brian Cooley & Associates, LLC, representing Carisch, Incorporated (Property owner and Arby's franchise owner), seeks Plan Commission review and approval of the architectural (as well as material and color sample exhibit), site, landscaping, signage, and lighting plans, as well as use and occupancy and the Plan to Operate (refer to packet documents) the Arby's Restaurant at 5260 North Port Washington Road (currently Burger King restaurant with drive-in window service). The site is zoned B-1, B Business and Commercial District, and the proposed changes require Plan Commission review and approval.

Photograph. View of 5260 North Port Washington Road.



The proposed Arby's will be constructed in the same approximate placement as the existing Burger King, with the drive-in window service to function similar to the existing

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site. The site plan will be largely the same with the parking and drive lanes repaved, improvements to the site lighting, improved landscape, and signage conforming to the Glendale Sign Code.

Staff Recommendation: Staff recommends that the Plan Commission grant approval for Carisch, Incorporated, to construct the proposed Arby's Restaurant at 5260 North Port Washington Road per the architectural (to include the presented materials and colors) site, landscape, lighting, and signage plans, to continue the legal non-conforming drive-in window service, as well as use and occupancy, with the following requirements:

- 1) Signage Permits per the Glendale Sign Code;
- 2) Business hours to comply with Glendale Code 7.15.4 and 7.2.15 as applicable;
- 3) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to approved landscape plans, pursuant to tenant/owner lease responsibilities;
- 4) Dumpster enclosure(s) in compliance with 13.1.144 of the Zoning Code;
- 5) All City of Glendale building and fire codes being carried out to the satisfaction of the Building Inspector and the North Shore Fire Department;
- 6) Written certification by owner of compliance with State of Wisconsin requirements for physically disabled parking prior to issuance of Occupancy Permit.

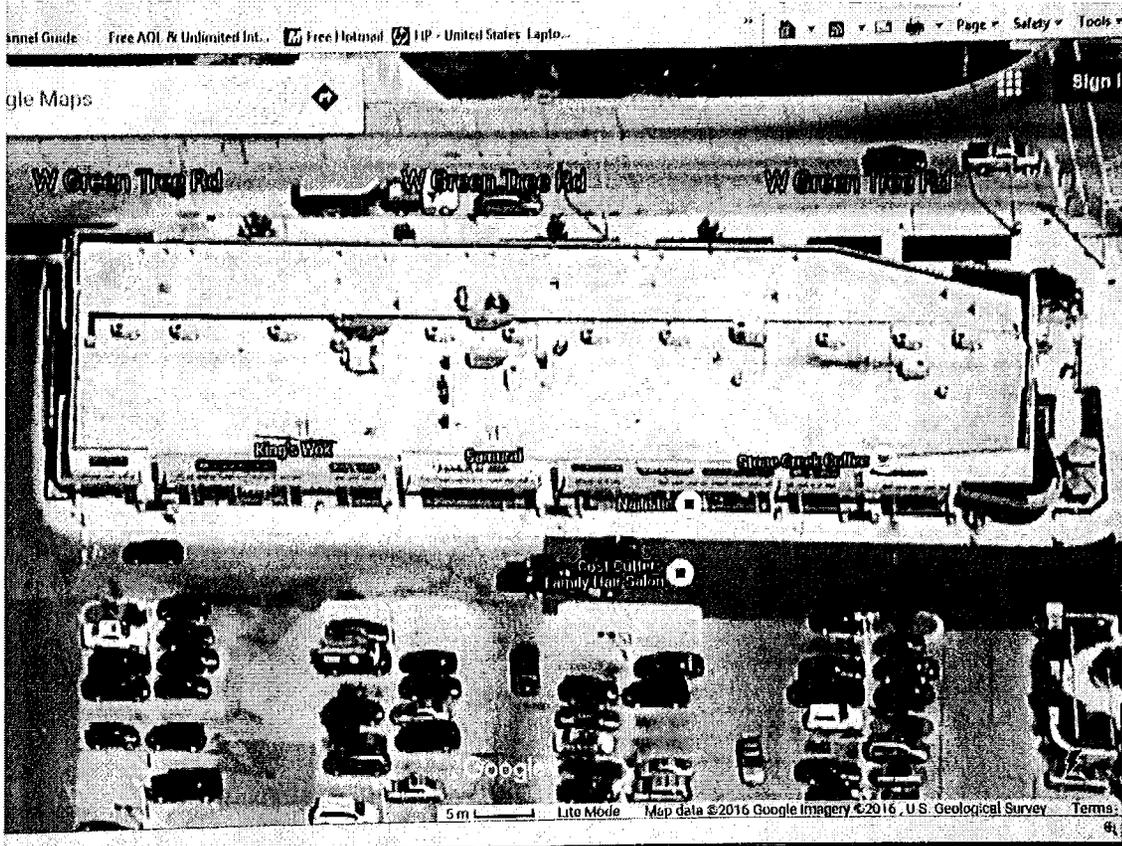
3c. **Plan Commission Review, Dickey's Barbecue Pit 6969 North Port Washington Road (Glendale Market, part of former Aurora Pharmacy tenant space).** Review and approve proposed barbecue sandwich and related food items use and occupancy.

Dickey's Barbecue Pit (Povohat, LLC) seeks Plan Commission approval to operate a Dickey's Barbecue Pit within part of the former Aurora Pharmacy tenant space located at 6969 North Port Washington Road (Glendale Market). The site is zoned PD-Planned Unit Development District and the proposed use and occupancy requires Plan Commission review and approval.

Dickey's Barbecue Pit is a franchise and the proposed restaurant will be owned and operated by Craig Hatfield and Sherri Povolo (Povohat, LLC). The restaurant will feature barbecue sandwiches and plates. The restaurant is a fairly typical state-of-the-art franchise entity and the smoking operation is conducted inside the tenant space utilizing modern cooking equipment to control the impacts that might be of concern if it were a traditional smoking operation. There are not any plans to have delivery vehicles, outside smokers, or other signage such as blow-ups and balloons, pennant streamers, or similar promotional items beyond the two wall signs permitted under the existing Planned Sign Program (PSP) for Glendale Market.

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Photograph. View of 6969 North Port Washington Road (Glendale Market).



Proposed business hours are not specified. Applicant anticipates there will be a total of eight to twenty persons employed, of which two to five will be full-time.

Staff Recommendation: Staff recommends that the Plan Commission grant use and occupancy approval for Craig Hatfield and Sherri Povolo (Povohat, LLC), to operate Dickey's Barbecue Pit, a barbecue sandwich and related food items restaurant that will possibly seek a license to serve beer and/or wine, within a part of the former Aurora Pharmacy tenant space located at 6969 North Port Washington Road (Glendale Market), with the following requirements:

- 1) Common Council review and approval of any request to serve beer, etc.;
- 2) Signage Permits per the existing Glendale Market Planned Sign Program (PSP) and the Glendale Sign Code;

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- 3) Business hours to comply with Glendale Code 7.15.4 and 7.2.15 as applicable;
- 4) All landscaping and lighting features being maintained and replaced and/or replenished whenever necessary, subject to approved landscape plans, pursuant to tenant/owner lease responsibilities;
- 5) Dumpster enclosure(s) per 13.1.144 of the Zoning Code;
- 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 requirements for physically disabled parking prior to issuance of Occupancy Permit.