

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

This meeting is in person, but will be broadcast over Zoom to  
accommodate residents with COVID concerns.

Join Zoom Meeting

<https://zoom.us/j/97599686909>

Meeting ID: 975 9968 6909

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AGENDA—COMMON COUNCIL MEETING

Monday, September 11, 2023

6:00 p.m.

1. Roll Call and Pledge of Allegiance.
2. Public Comment. Glendale residents, business owners, and property owners are invited to speak to the Council on items that are not on tonight's agenda but are within the City's ability to regulate or control.
3. Public Hearing:
  - a) Public Hearing Zoning Map Amendment: R-7 Residence District to R-7A Residence District at 902 W Eula Court in the R-7 Residence District and Residential Land Use Classification, Tax Key Number 233-1047-000
  - b) Review and Possible Action: Zoning Map Amendment - R-7 Residence District to R-7A Residence District at 902 W Eula Court in the R-7 Residence District and Residential Land Use Classification, Tax Key Number 233-1047-000
  - c) Public Hearing Zoning Map Amendment: B-1 "A-1" Local Business District to PD Planned Development District, and a general development plan for Phoenix JCR Glendale Industrial Investors LLC, at 5055 North Lydell Ave Residence District and the Mixed-Use Development Land Use Classification and a current B-1 A-1 zoning classification, Tax Key Number 203-8995-004.
  - d) Review and Possible Action: Zoning Map Amendment - B-1 "A-1" Local Business District to PD Planned Development District, and a general development plan for Phoenix JCR Glendale Industrial Investors LLC, at 5055 North Lydell Ave Residence District and the Mixed-Use Development Land Use Classification and a current B-1 A-1 zoning classification, Tax Key Number 203-8995-004.
4. Consent Agenda:
  - a) Adoption of Minutes: Meeting held on August 28, 2023
  - b) Approval: Accounts Payable
  - c) Approval: Denial of Claim – First Citizens Bank
  - d) Approval: Proclamation – Wisconsin School Board Week, October 1-7, 2023

5. Unfinished Business:
  - a) Review and Possible Action: Resolution - Approving the 2023 North Shore Library Agreement
  - b) Review and Possible Action: Appointments - Library Board and Citywide and Richard E. Maslowski Community Park Activities Committee
  
6. New Business: (The public may speak to the Council prior to the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).
  - a) Review and Possible Action: Cancellation - September 25<sup>th</sup> City Council Meeting
  - b) Review and Possible Action: Approval - Fall Newsletter
  - c) Review and Possible Action: Authorization to Execute - 2023-2024 School Resource Officer Shared Services Agreement
  - d) Review and Possible Action: Authorization to Execute – Design Engineering Services Agreement with Clark Dietz, not to Exceed \$658,000
  - e) Review and Possible Action: Resolution - Authorizing the submittal of a State Grant Application and Appropriation for the City of Glendale and Metropolitan Milwaukee Sewage District ICA funds for Municipal Flood Control Grant Project for municipal flood control grant program for the 2024 application period.
  - f) Review and Possible Action: Ordinance - Amending Section 10.1.26 Schedule J “Parking Prohibited”, to prohibit parking on the west side of Jean Nicolet from Glendale’s Northern Boarder on Green Tree to the Daphne
  
7. Commission, Committee, Board and Staff Reports: (This is an Opportunity for Council Members to Report on their Respective Committees, Commissions, Boards of which they serve as a Member and for Staff and Administrator updates)
  
8. Closed Session: The Common Council will convene in Closed session pursuant to Wis. Stat. Sec. 19.85(1)(g), to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved, more specifically, the case Glendale vs. WE Energies, Public Service Commission Docket 6630-CC-237934.
  
9. Reconvene to Open Session and Regular Order of Business.
  
10. Possible Action on Closed Session Items.
  - a) Review and Possible Action: Retaining Godfrey and Kahn as Legal Counsel for the City of Glendale specifically, the case Glendale vs. WE Energies, Public Service Commission Docket 6630-CC-237934, not to Exceed \$50,000
  
11. Adjournment.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities.

**SUBJECT:** Hold a Public Hearing and consideration of a recommendation from the Planning and Architectural Review Commission for a map amendment from B-1 “A-1” Local Business District to PD Planned Development District, and a general development plan for Phoenix JCR Glendale Industrial Investors LLC, at 5055 North Lydell Ave Residence District and the Mixed-Use Development Land Use Classification and a current B-1 “A-1” zoning classification, Tax Key Number 203-8995-004.

**FROM:** John S. Fellows, Community Development Director

**MEETING:** Common Council

**MEETING DATE:** September 11, 2023

**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	Title 13 Article C <a href="#">13.1.34</a> , and <a href="#">Article N</a>

**LAND DEVELOPMENT REFERENCE:**

Land Use:	Mixed Use Development
Zoning:	B-1 “A-1” Local Business District
Target Investment Area:	Lydell Corporate Center

**BACKGROUND/ANALYSIS:**

Request:

The applicant, Phoenix JCR Glendale Industrial Investors LLC, is seeking to rezone 5055 North Lydell Avenue from B-1 “A-1” to PD – Planned Development. The property owner has owned the building for several years and has unsuccessfully been able to attract uses to the site which are permitted under the B-1 “A-1” standards. The applicant seeks to redevelop the property with modifications to the site, buildings and uses and a PD – Planned Development District will provide them with the flexibility to allow the objectives of the City of Glendale’s Comprehensive Plan to be more fully implemented. In addition, a rezoning to PD will align with the Comprehensive Plan recommendations.

The applicant is in discussions with various users for the site and is asking the City to begin the process to amend the zoning map to assure the potential users that their use would be permitted, and this would also expedite the zoning map amendment and development plan process if an end user is interested in the site so that the approval process can be streamlined.

Land Use:

Planned Mixed Use

Description:

This future land use blends a mix of commercial, light industrial, mixed residential, parks and open space, and community facilities land uses on public sewer, public water, and other urban services and infrastructure. Planned Mixed Use areas are intended as vibrant urban places that should function as community gathering spots.

Recommended Zoning

The City's current PD Planned Development district will accommodate a general mix of future land uses consistent with the development desires of the owner and consistent with the City's Comprehensive Plan.

Policies and Programs of Planned Development Districts as Required in the City Code of Ordinances

- a. Carefully review all projects in Planned Mixed Use areas to ensure an appropriate mix of uses compatible with neighboring properties and the City's vision for the area. The precise mix of uses and zoning districts should be at the City's discretion, rather than that of the property owner.
- b. Grant development approvals only after submittal, public review, and approval of site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans.
- c. Planned mixed-use areas require the use of high-quality building materials and design objectives.
- d. Adopt a Mixed-Use zoning district to implement this future land use category. This district should allow the desired mix of uses and provide flexibility in layout in exchange for superior design. The zoning is tied to City approval of a specific plan for the project.
- e. Areas mapped Neighborhood Commercial zoning districts should include dense, walkable design and adequate bicycle and pedestrian infrastructure.

Current Zoning:

The current zoning of B-1 "A-1" includes the following permitted uses: [B-1 Zoning Text](#)

- a. Professional services and administrative offices.
- b. General corporate headquarters offices.
- c. Medical and dental offices.
- d. Research establishments.
- e. Sales offices.
- f. Financial, insurance and real estate offices.  
Note: Multi-family residences (12—15 units per acre) will be considered only under PD-Planned Development District zoning, with a minimum land area of five acres.
- g. Any other uses found to be a similar use by the Plan Commission or Community Development Authority.

Proposed Zoning:

The proposed zoning of PD district includes the following: [PD Zoning Text](#)

*Purpose.*

The purpose of the PD Planned Unit Development District and the regulations applicable to the same are to encourage and provide means for effecting desirable and quality development by permitting greater flexibility and design freedom than that permitted under the basic district regulations and to accomplish a well-balanced, aesthetically satisfying city and economically desirable development of building sites within a PD planned unit development district.

These regulations are established to permit latitude in the development of the building site if such development is found to be in accordance with the purpose, spirit and intent of this chapter and is found not to be hazardous, harmful, offensive or otherwise adverse to the environment, property values or the character of the neighborhood or the health, safety and welfare of the community. It is intended to permit and encourage diversification, variation and imagination in the relationship of uses, structures, open spaces and heights of structures for developments conceived and implemented as comprehensive and cohesive unified projects. It is further intended to encourage more rational and economic development with relationship to public service and to encourage and facilitate preservation of open lands.

Relationship between land use and zoning:

The land use plan provides for the classifications of Mixed-Use Development, while the existing Zoning Code provides for a B-1 “A-1” classifications with a limited number of uses.

Rezoning to PD will allow for better alignment between the land use and zoning policies.

Process / Schedule:

A Map Amendment will follow the standard map amendment as outlined in Section [Title 13, Article D](#) of the municipal code. In general, if a map amendment to PD is approved, a General Development and Specific Development Plan must be approved in the same process as highlighted below.

Staff anticipates the following schedule:

General Development Plan Approval:

<del>Common Council Initial Review</del>	<del>July 10, 2023</del>
<del>Plan Commission Review</del>	<del>August 8, 2023</del>
<del>Plan Commission Public Hearing and Recommendation</del>	<del>August 8, 2023</del>
<del>City Council Public Review</del>	<del>August 14, 2023</del>
City Council Public Hearing and Action	September 11, 2023

Specific Development Plan Approval

Planning Commission	TBD (not yet submitted)
City Council Action	TBD (not yet submitted)

Development Agreement:

City Council Action	TBD
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Note: Above dates assume timely submission of applications and documents for review, comment, and submission to appropriate boards and commission.

## General Development Plan

The general development plan consisting of the demolition of two portions of the existing buildings, modifications of parking, circulation, stormwater, and landscaping.

The main entrance to the building will face the parking area, while service bays will be designed to be drive through with entrance/exists facing Lydell and the interior parking area. The northern wing of the existing building will be modified with the demolition of the two-story office component and a one-story portion. Site modifications will consist of the creation of a green space area with stormwater detention along Lydell and a single loaded parking area. Modification to the northwest concern will consist of a turnaround area and additional landscaping designed to minimize cut through traffic.

The proposed plans call for retaining much of the existing landscaping, replacing dead or missing plantings and adding new landscaping to areas modified.

No information has been provided about HVAC screening, dumpster screening, and exterior lighting.

## Planning and Architectural Review Commission Recommendation

The Planning and Architectural Review Commission held a public hearing on this item and has recommended approve for the rezoning and general development plan to Common Council.

## Review Comments:

The following items shall be addressed prior to the approval of a specific development plan or approval of a development agreement.

### Engineering:

1. Stormwater Comments:
  - a. Based on the preliminary concept map, it appears there may be added impervious surface. If there will be over 5,000 SF of impervious surface added, stormwater management will be required. Please see the attached Criteria and Review Checklist for applicability.
  - b. Any stormwater management facilities installed on the site to meet requirements must be accompanied by a maintenance agreement. A draft agreement is available upon request.
2. Civil Site Comments:
  - a. Modifications to roadway entrances must be detailed and will require ROW permits from the city and or Village of Whitefish Bay.
3. Utility Comments:
  - a. Existing watermain and sanitary sewer shall be shown on the site plans. There are currently two watermains owned and operated by City of Glendale along Lydell Ave. The Village of Whitefish Bay owns and operates the sanitary and storm sewer along Lydell Ave.
  - b. Utility modification plans must be submitted.
  - c. Coordination must occur with Glendale and Whitefish Bay inspections and Water Department staff when planning for the connection to the water, sanitary and storm sewer facilities. Again, when those plans are submitted, we will know more and if this is applicable.

### Public Works:

1. Lydell has limited weight limits. No delivery trucks or semis are permitted on Lydell. All deliveries and semi-trucks shall enter from Port Washington Road.

North Shore Fire and Rescue (NSFR):

1. At the present time the NSFR does not have any comments or concerns.
2. Additional comments will be forthcoming with occupancy applications and plan review.
3. A Fire Truck Circulation Plan shall be provided.

Police:

1. No issues at this time.

Glendale Inspections:

1. We would need specific information as to what the occupancy within each building is.
2. Depending on what those are there may be an issue with the separation distance of the two buildings.
3. Once detailed information becomes available there may be more comments.

Planning:

Landscaping

1. Trees: The landscaping plan indicated existing and proposed trees within the parking lot islands. A number of these islands indicate one existing tree and not a replacement tree. Based upon data each island had two trees. Staff recommends that each island have two trees.
2. Buffer: The new parking lot along Lydell Avenue does not have any screening buffer. Guidelines adopted by the city encourage the planting of buffers between the parking lot and the property line. Currently only bio swales are proposed. Consideration should be given for screening that will accommodate bio swales as well as four season screening.
3. Conflicts: When comparing existing conditions and notes on the landscaping plans there are conflicts. One example is on the south side of the building where a patio and mature plantings are existing, but the plans indicate existing to remain, however the plantings and planting beds are different. Conflicts need to be resolved.
4. Turn around / Buffer: A turn around is proposed on the Northwest portion of the property. The use of this area is not defined, and additional plantings should be provided.
5. Tree protection: The plans indicate a number of existing trees to remain that are near demolition or new construction. A tree protection plan will need to be provided with the specific development plan as well as with building permits applications.
6. Tree species shall comply with DNR recommended Do Not Plant list for the Glendale area.

Delivery Circulation Plan

1. The application does not provide for a delivery circulation plan. Lydell Avenue is classified as a weight restricted street, thus only passenger vehicles are permitted on Lydell. Plans shall be provided to show how delivery vehicles will enter from Port Washington Road and circulate through the site.

Lighting Plan

1. A Lighting Plan has not been provided. A lighting plan will need to be provided with the specific development plan.

Uses

1. The applicant will need to provide the location and number of parking spaces used for display vs parking for employees and visitors.

**RECOMMENDATION:**

Staff recommends Common Council Hold a Public Hearing.

Staff recommends the Common Council approval of a rezoning to PD and approval of a general development plan subject to the following items being addressed with the submission of the specific development process:

Engineering:

1. Stormwater Comments:
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  - b. Utility modification plans must be submitted.
  - c. Coordination must occur with Glendale and Whitefish Bay inspections and Water Department staff when planning for the connection to the water, sanitary and storm sewer facilities. Again, when those plans are submitted, we will know more and if this is applicable.

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Police:

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Glendale Inspections:

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2. Buffer: The new parking lot along Lydell Avenue does not have any screening buffer. Guidelines adopted by the city encourage the planting of buffers between the parking lot and the property line. Currently only bio swales are proposed. Consideration should be given for screening that will accommodate bio swales as well as four season screening.
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#### Lighting Plan

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#### Uses

1. The applicant will need to provide the location and number of parking spaces used for display vs parking for employees and visitors.

### **ACTION REQUESTED:**

Hold a Public Hearing.

To - Recommend to Common Council approval of a rezoning to PD and approval of a general development plan subject to the following items being addressed with the submission of the specific development process:

#### Engineering:

1. Stormwater Comments:
  - a. Based on the preliminary concept map, it appears there may be added impervious surface. If there will be over 5,000 SF of impervious surface added, stormwater management will be required. Please see the attached Criteria and Review Checklist for applicability.
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Lighting Plan

1. A Lighting Plan has not been provided. A lighting plan will need to be provided with the specific development plan.

Uses

1. The applicant will need to provide the location and number of parking spaces used for display vs parking for employees and visitors.

**ATTACHMENT:**

[Attachments – 5055 N Lydell Ave](#)

**SUBJECT:** Public Hearing and discussion, consideration of a zoning map amendment from R-7 Residence District to R-7A Residence District at 902 W Eula Court in the R-7 Residence District and Residential Land Use Classification, Tax Key Number 233-1047-000

**FROM:** John S. Fellows, Community Development Director  
Kenneth Smith, Planner

**MEETING:** Common Council

**MEETING DATE:** September 11, 2023

**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	Zoning Map Amendment Article C: <a href="#">13.1.30</a> , <a href="#">13.1.31</a> , and <a href="#">Article N</a>

**LAND DEVELOPMENT REFERENCE:**

Land Use:	Single Residential and Environmental Corridor
Zoning:	R-7 Residence District
Target Investment Area:	NA

**BACKGROUND/ANALYSIS:**

Request:

The applicant is requesting a zoning map amendment for 902 W. Eula Court from R-7 Residence District to R-7A Residence District. The original platting of the property was two narrow lots. In 1939, a structure was built on the two lots with the house straddling both lots. In 2020, the house was razed and has been vacant land ever since.

The applicant is requesting the change of zoning to allow for two separate home structures to be built upon the one parcel and to be developed as condominiums. The current 80-foot lot is not typical of the pattern of development in the neighborhood. One single family home on this 80-foot lot would appear inconsistent with the rest of the streetscape.

Land Use:

The land use plan classifies the property and surrounding area as single family. This land use category is intended for existing and planned groupings of single-family detached residences served by public sanitary sewer and water systems. Small public and institutional uses—such as parks, schools, churches, and stormwater facilities— also may be built on lands within this category. This category is mapped in significant portions of the City of Glendale where the desire is to promote or retain single family character.

Current Zoning:

The current zoning of R-7 includes the following: [R-7 Zoning Text](#)

*Uses permitted.*

- (1) Single-family detached dwellings.
- (2) Public parks.
- (3) Municipally owned buildings.
- (4) Customary home occupations engaged in by the occupant of a dwelling not involving the conduct of a business on the premises, including also a professional office when situated in the same dwelling occupied by such person as his or her private dwelling.
- (5) Accessory buildings and uses customarily incident to any of the above uses, including private garages. No accessory building shall be erected unless the main building to which the accessory building is an incidental use has been erected or will be erected simultaneously with said accessory building.

The proposed zoning of R-7A includes the following: [R-7A Zoning Text](#)

*Uses permitted.*

- (1) Single-family detached dwellings.
- (2) Public parks.
- (3) Municipally owned buildings.
- (4) Customary home occupations engaged in by the occupant of a dwelling not involving the conduct of a business on the premises, also including a professional office when situated in the same dwelling occupied by such person as his or her private dwelling.
- (5) Accessory buildings and uses customarily incident to any of the above uses, including private garages. No accessory building shall be erected unless the main building to which the accessory building is an incidental use has been erected or will be erected simultaneously with said accessory building.
- (6) A single-family semi-detached dwelling or a two-family detached dwelling shall be permitted to be erected on any lot of record as of the date of the adoption of this chapter from which there is available a public sanitary sewer connection in the street and conforming to or with one of the following requirements as of the effective date of this chapter

Relationship between land use and zoning:

The land use plan provides for the classifications of single family as well as two family land use classifications. The current Zoning Code provides for an R-7 district that allows only single family on lots with a minimum width of 60ft. In addition, the code provides for the R-7A district to have a minimum width of 60ft. With a lot of 80 feet, it is not able to be subdivided. A minimum of 120 feet is required to be able to create two new lots.

The R-7 district states that one-single family structure may be constructed on a lot, while the R-7A allows for a single-family semi-detached structure, which the applicant desires to construct.

Currently, there are two properties on W. Eula Court that have a land use classification of single-family and a zoning of R-7A. In addition, there are similar properties along the north side of W. Glendale Avenue.

Process / Schedule:

A Map Amendment will follow the standard map amendment as outlined in Section [Title 13, Article N](#) of the municipal code. Staff anticipates the following schedule:

Common Council Initial review \_\_\_\_\_ July 10, 2023

Plan Commission Review	August 8, 2023
Plan Commission Public Hearing and recommendation	August 8, 2023
City Council Public Review	August 14, 2023
City Council Public Hearing and Action	September 11, 2023

**Review Comments:**

The Planning and Architectural Review Commission held a public hearing and recommended approval of the rezoning from R-7 to R-7A at the August 8, 2023, meeting.

**Review Comments:**

Planning

1. Any future construction will need to be approved for site plan and architectural review.
2. Any future construction will need to comply with zoning and flood plain regulations.
3. Driveways and other work to be done within the public right of way will require approval of right of way permits.
4. Any future construction will need to comply with stormwater regulations.
5. Future development plans will need to provide utility plans for review and approval.

Engineering/Public Works/Utilities

1. Modifications to the building or site in the future would require review and possible stormwater analysis.

**RECOMMENDATION:**

To hold a public hearing on the rezoning.

To approve a zoning map amendment from R-7 Residence District to R-7A Residence District at 902 W Eula Court in the R-7 Residence District and Residential Land Use Classification, Tax Key Number 233-1047-000.

**ACTION REQUESTED:**

Motion – To approve a zoning map amendment from R-7 Residence District to R-7A Residence District at 902 W Eula Court in the R-7 Residence District and Residential Land Use Classification, Tax Key Number 233-1047-000.

**ATTACHMENT:**

[Attachments – 902 W. Eula Court](#)

4A-4D  
9/11/2023

CONSENT  
AGENDA

- a) [Adoption of Minutes: Meetings held on August 28, 2023](#)
- b) [Approval: Accounts Payable](#)
- c) [Approval: Denial of Claim – First Citizens Bank](#)
- d) [Approval: Proclamation – Wisconsin School Board Week, October 1-7, 2023](#)

**SUBJECT:** Amended Library Agreement

**FROM:** Bryan Kennedy, Mayor

**MEETING DATE:** September 11, 2023

**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	N/A

**BACKGROUND/ANALYSIS:** On May 8<sup>th</sup>, 2023, the City Council approved a revised North Shore Library Agreement, primarily to increase the number of Library Board members from 9 to 10 and increase the number of Library Board members from Glendale from 4 to 5.

Both Bayside and Fox Point adopted this agreement as presented. After this, River Hills attorney reviewed the agreement and made several minor amendments that clarified representation, and updated wording to be consistent throughout the agreement.

**RECOMMENDATION:** Approve the revised Joint Library Agreement

**ACTION REQUESTED:** Adopt the Resolution, adopting the Amended and Restated Fox Point, Bayside, Glendale and River Hills Joint Library Agreement

**ATTACHMENTS:**

[Resolution, Approving Agreement](#)

[Joint Library Agreement](#)

[Redlined Library Agreement](#)



**SUBJECT:** Appointments to the Library Board and Citywide & Richard E. Maslowski  
Community Park Activities Committee

**FROM:** Bryan Kennedy, Mayor

**MEETING DATE:** September 11, 2023

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**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	2.4

**BACKGROUND/ANALYSIS:**

Please find enclosed a letter from Mayor Kennedy recommending appointments to the activities committee and Library Board.

**RECOMMENDATION:** Review letter and take requested action.

**ACTION REQUESTED:** Confirm Mayor Kennedy's appointments.

**ATTACHMENTS:**

[Letter from Mayor Kennedy](#)

**SUBJECT:** September Schedule of Council Meetings

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** September 11, 2023

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**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	N/A

**BACKGROUND/ANALYSIS:**

Due to the Jewish Holiday, Yom Kippur, beginning at sundown September 23 and lasting through September 25, it is recommended to cancel the second Council meeting in September.

**RECOMMENDATION:**

It is recommended that the September 25, 2023, Common Council, as prescribed by City Ordinance, shall not be held and the Mayor and City Administrator have the ability to call second meeting in September on another date, if necessary.

**ACTION REQUESTED:**

Motion to cancel the September 25, 2023, Common Council meeting.

**ATTACHMENTS:**

1. None.

**SUBJECT:** Review and Approval of Fall Newsletter

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** September 11, 2023

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**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	N/A

**BACKGROUND/ANALYSIS:**

The City publishes the newsletter three times a year and past practice is to have the Common Council review and approve the City's newsletter.

**RECOMMENDATION:**

Once approved, the newsletter will be printed and mailed to Glendale businesses and residents. In addition, the newsletter will be posted on the City's website and additional copies will be available for pickup at City Hall.

**ACTION REQUESTED:**

Motion to approve the content of the 2023 Fall Newsletter, as presented.

**ATTACHMENTS:**

1. [Fall Newsletter](#).

**SUBJECT:** Review and approval of the 2023-2024 SRO Shared Services Agreement

**FROM:** Chief Ferguson

**MEETING DATE:** September 11, 2023

**FISCAL SUMMARY:**

Budget Summary:	520-21-1100/47341
Budgeted Expenditure:	\$136,490
Budgeted Revenue:	\$90,083

**STATUTORY REFERENCE:**

Wisconsin Statutes:	
Municipal Code:	

**BACKGROUND/ANALYSIS:**

The Police Department and Nicolet School District have a Shared Services Agreement where the Nicolet School Board pays 66% of wages and benefits for the School Resource Officer. Payments are based on a monthly amount when school is in session.

Attached is an SRO Shared Services Agreement for the 2023-2024 school year. Under the Agreement, the City will receive funding from the Nicolet School District for an officer assigned to Nicolet High School from for the 2023 – 2024 school year. These funds offset the SRO salary and go into the General Fund Revenue to offset the cost of this police officer.

Nicolet School District has already approved the agreement.

**RECOMMENDATION:**

Authorize Police Chief Mark Ferguson to execute the SRO Shared Services Agreement for the 2023 – 2024 school year.

**ACTION REQUESTED:**

Motion to approve the SRO Shared Services Agreement for the 2023 – 2024 school year.

**ATTACHMENTS:**

1. [School Resource Officer Shared Services Agreement between City of Glendale Police Department and Nicolet School District](#)

**SUBJECT:** Authorization to Execute – Design Engineering Agreement with Clark Dietz, not to Exceed \$658,000 for the Silver Spring Drive Reconstruction Project

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** September 11, 2023

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**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	\$658,000
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	N/A

**BACKGROUND/ANALYSIS:** The Common Council previously authorized staff to negotiate an agreement with Clark Dietz for Design Engineering Services for the Silver Spring Reconstruction Project from 27<sup>th</sup> Street to the Milwaukee River. Please find enclosed the agreement for these services that includes full design engineering service, coordination of public hearing process, submitting eligible grant applications, and receiving all permit approvals. The cost is \$658,000.

The next steps in the process will be to approach the City of Milwaukee for formal approval of their approximate 30% cost share of the entire project, including \$197,000 of the design engineering cost.

**RECOMMENDATION:** Authorize the City Administrator to execute a design services engineering agreement with Clark Dietz, not to exceed \$658,000 for design engineering work on Silver Spring Drive, not to exceed \$658,000.

**ACTION REQUESTED:** Authorize the City Administrator to execute a design services engineering agreement with Clark Dietz, not to exceed \$658,000 for design engineering work on Silver Spring Drive, not to exceed \$658,000.

**ATTACHMENTS:**

1. [Agreement for Design Engineering with Clark Dietz](#)

**SUBJECT:** Resolution - Authorizing the submittal of a State Grant Application and Appropriation for the City of Glendale and Metropolitan Milwaukee Sewage District ICA funds for Municipal Flood Control Grant Project for municipal flood control grant program for the 2024 application period.

**FROM:** John S. Fellows, Community Development Director  
Kenneth Smith, Planner

**MEETING:** Common Council

**MEETING DATE:** September 11, 2023

**FISCAL SUMMARY:**

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	N/A

**LAND DEVELOPMENT REFERENCE:**

Land Use:	Flood Way
Zoning:	Multiple
Target Investment Area:	NA

**BACKGROUND/ANALYSIS:**

The City of Glendale has participated in the Wisconsin Department of Natural Resources Municipal Flood Control Grant program for many years. This grant program is biannual. The next grant cycle is October 2023 with an application deadline of March 15, 2023.

More information on this program can be found at: [Municipal Flood Control Grant Program | Wisconsin DNR](#)

The City of Glendale’s partnership with Metropolitan Milwaukee Sewage District agreement reimburses the City for expenditures through the ICA Agreement, which was executed in 2019. This relationship has allowed the City to combine grant programming from the DNR and the funding through the MMSD to purchase structures within the floodway along the Milwaukee River with little to no cost to the City. This program has been focused on the Sunny Point area of the Milwaukee River. In recent discussions, MMSD and City staff are recommending expanding this program to other areas of the floodway along the Milwaukee River.

This is strictly a voluntary program and inquiries into the opportunity in no way obligate a property owner to participate in the program or sell your property. Neither the State nor the City of Glendale will use its eminent

domain authority to acquire any property. In fact, the use of eminent domain power is explicitly prohibited where federal or state funds are employed for such mitigation projects.

Next Steps:

- The process for the grant application is:
- Adoption of a resolution directing staff to proceed.
- Letters sent to property owners seeking interest.
- Gathering up addition information related to the grant application from those interested, survey, appraisals, etc.
- Application of Grant by March 15, 2024.
- Await award information.

Items that must be submitted with each grant application for each property include:

- Application Form 8700-291
- Application Project Evaluation Sheet
- Authorizing Resolution
- Detailed Project Description/Property Management Plan
- Map Showing Property Lines, Municipal Boundaries and Existing Conditions
- Environmental Hazards Assessment 1800-001 (one per property)
- Flood Insurance Rate Map (FIRM) showing structure location(s) and Floodplain District
- Boundaries
- Property Appraisal – one per property (two appraisals per property are required only if property is valued over \$350,000)
- Detailed Budget Breakdown (applicable only if acquisition project includes multiple properties)

**RECOMMENDATION:**

To approve the attached resolution and direct staff to move forward with next steps.

**ACTION REQUESTED:**

Motion to approve a Resolution authorizing the submittal of a State Grant Application and Appropriation for the City of Glendale and Metropolitan Milwaukee Sewage District ICA funds for Municipal Flood Control Grant Project for municipal flood control grant program for the 2024 application period.

**ATTACHMENT:**

[Attachments – WI DNR Municipal Flood Control Grant Project](#)

**SUBJECT:** Glendale Code of Ordinances Amendment for No Parking on W. Jean Nicolet Road

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** September 11, 2023

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**FISCAL SUMMARY:**

Budget Summary:	NA
Budgeted Expenditure:	NA
Budgeted Revenue:	NA

**STATUTORY REFERENCE:**

Wisconsin Statutes:	NA
Municipal Code:	10.1.26 & 13

**BACKGROUND/ANALYSIS:** Attached is an ordinance amending the Glendale Code or Ordinances 10.1.26, Schedule J to prohibit parking on the west side of N. Jean Nicolet Road from W. Daphne Road to the City limits northerly thereof. This also requires a change to 10.1.27 Schedule K, Parking Prohibited During Certain Periods at Nicolet High School, restricting the parking on the west side of N. Jean Nicolet Road between W. Daphne Road and W. Acacia Road, instead of W. Green Tree Road. Staff is proposing to codify this regulation so enforcement can be performed.

**RECOMMENDATION:** Approve Ordinance Amending Section 10.1.26 Schedule J “Parking Prohibited”, to prohibit parking on the west side of N. Jean Nicolet Road from W. Daphne Road to the City limits northerly thereof, and Amending Section 10.1.27 Schedule K “Parking Prohibited During Certain Periods at Nicolet High School”, to restrict parking on the west side of North Jean Nicolet Road between West Daphne Road and West Acacia Roads.

**ACTION REQUESTED:** Approve the ordinance restricting parking access on Jean Nicolet Road.

**ATTACHMENTS:**

1. [Ordinance](#)