

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

\*Join Zoom Meeting

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

Meeting ID: 975 9968 6909

+1 312 626 6799 US (Chicago)

**AMENDED 8-11-2023**

**AGENDA—COMMON COUNCIL MEETING**

Monday, August 14, 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. Consent Agenda:
  - a) Adoption of Minutes: Meeting held on July 24, 2023
  - b) Approval: Accounts Payable
4. Public Hearing
  - a) Public Hearing: Vacating an unimproved portion of the West Fairfield Court public right-of-way to the Union Pacific Railway due to WisDOT's Interstate 43 highway widening.
  - b) Review and Possible Action: Consideration of a recommendation for vacating an unimproved portion of the West Fairfield Court public right-of-way to the Union Pacific Railway due to WisDOT's Interstate 43 highway widening.
5. 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: Consideration of a recommendation from the Planning and Architectural Review Commission and directing staff to schedule a public hearing 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.
  - b) Review and Possible Action: Consideration of a recommendation from the Planning and Architectural Review Commission and directing staff to schedule a public hearing for 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
  - c) Review and Possible Action: Agreement Governing Landscaping Improvements and Vegetation Management at Nicolet Union High School in the Right of Way
  - d) Review and Possible Action: Authorization to Execute an Agreement for Pavement Marking on Range Line Road, Green Tree and Sunny Point

- e) Review and Possible Action: Consideration on the Uses of ARPA Funds
  - f) Review and Possible Action: Adoption of Five-Year Capital Improvement Plan
  - g) Review and Possible Action: Ordinance: Repealing Section 2.4.5, “Music in the Glen Committee” and Amending Section 2.4.14, “Glendale Days Committee”, Creating a New “Citywide and Maslowski Park Activities Committee
  - h) \*Review and Possible Action: Ordinance: Amending Section 10.1.13 (b), Schedule C “Stops at Crosswalks Through Streets” to include and Stop Signs at the Intersection of W. Clovernook Lane and N. Bittersweet Lane and Amening Section 10.1.26 Schedule J “Parking Prohibited”, to prohibit parking on the south side of Daphne from N. Elm Tree to N. Jean Nicolet Road and to prohibit parking on both side of N. Sunny Point Road from W. Glen River Road to W. Fairfield Court
6. 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)
7. Adjournment.

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

\*The Common Council of Glendale currently holds meetings in person at City Hall, or an alternative physical location as allowed by the City Ordinance. As a courtesy to citizens, Council meetings will also be made available live on the Zoom virtual platform for viewing and possible participation. However, the City cannot guarantee the technology supporting the virtual viewing option will operate perfectly and continuously. The only way to guarantee the ability to offer public comment, or view the meeting uninterrupted, is to appear in person. If the Zoom platform fails, the meeting will continue as scheduled.

3A-3B  
8/14/2023

CONSENT  
AGENDA

- a) [Adoption of Minutes: Meetings held on July 24, 2023](#)
- b) [Approval: Accounts Payable](#)

**SUBJECT:** Consideration of a recommendation for vacating an unimproved portion of the West Fairfield Court public right-of-way to the Union Pacific Railway due to WisDOT’s Interstate 43 highway widening

**FROM:** John Fellows, AICP; Director of Community Development  
Ken Smith, MPA, M.S.; Planner

**Meeting:** Common Council

**MEETING DATE:** August 14, 2023

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

Wisconsin Statutes:	Wis. Stat. §§ <a href="#">62.23(5)</a> , <a href="#">66.1005(1)</a>
Municipal Code:	N/A

**BACKGROUND:**

As part of the I-43 widening project, WisDOT intends to build the modified I-43 within the current Union Pacific Railroad’s train track embankment within the rail right-of-way (ROW). WisDOT intends to rebuild Union Pacific’s embankment within the City of Glendale’s W. Fairfield Court ROW. Union Pacific prefers “a permanent real estate right over property that supports our track infrastructure” so the corporation may have the “rights to use, alter, maintain, etc. the track infrastructure in the future.”

Wis. Stat. § 62.23(5) requires any prospective abandonment of a public ROW to be reviewed by that municipality’s Plan Commission to determine if the abandonment is in the public interest. Upon the Planning and Architectural Review Commission’s recommendation of approval or disapproval, the draft resolution vacating the ROW would be considered by the Glendale Common Council.

Further, Wis. Stat. § 66.1005(1), relating to the reversion of land titles, states, “When any highway or public ground acquired or held for highway purposes is discontinued. . .[it] shall belong to the owner or owners of the adjoining lands. . .”

Timeline

- June 6 – Plan Commission Recommendation
- August 14 – Common Council Public Hearing and Determination

**ANALYSIS:**

If approved, the City of Glendale would vacate approximately 0.237 acres (10,323 sq. ft.) of unimproved (non-paved) right-of-way, leaving three feet of land in the ROW between the proposed new Union Pacific ROW and the existing curblin on W. Fairfield Court.

The ROW abandonment would give Union Pacific control over the land supporting its tracks, ultimately spurred by WisDOT's highway widening.

The Planning and Architectural Review Commission and Glendale Common Council must determine if the right-of-way vacation allowing for Union Pacific to fully control a new embankment created due to the loss of land from I-43 widening is in the public interest.

The Planning and Architectural Review Commission recommended approval at the June 2023 meeting.

**ACTION REQUESTED:**

Motion to recommend approval of the Resolution abandoning the segment of the West Fairfield Court public right-of-way adjacent to the Union Pacific rail right-of-way and N. Jean Nicolet Road.

**ATTACHMENTS:**

1. [Attachments – W. Fairfield Court ROW Partial Abandonment](#)
2. [Attachments – W. Fairfield Court ROW Partial Abandonment](#)

**SUBJECT:** Consideration of a recommendation from the Planning and Architectural Review Commission and directing staff to schedule a public hearing 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:** August 14, 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>
City Council Public Review	August 14, 2023
City Council Public Hearing and Action	September 11, 2023

Specific Development Plan Approval

Planning Commission	September 5, 2023
City Council Action	September 11, or September 25, 2023

Development Agreement:

City Council Action	September 11, or September 25, 2023
---------------------	-------------------------------------



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/exits 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 forth coming 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 were 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 the Planning and Architectural Review Commission hold a Public Hearing.

Staff recommends the Planning and Architectural Review Commission recommend to Common Council approval of a rezoning to PD and approval of a general development plan subject to the following:

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 forth coming 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.

### **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:

#### 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 forth coming 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 were 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.

**ATTACHMENT:**

[Attachments – 5055 N Lydell Ave](#)

**SUBJECT:** Discussion, consideration, and directing staff to schedule a public hearing for 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:** August 14, 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 9, 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:**

Staff recommends the PARC direct staff to schedule a public hearing at the earliest convenience.

**ACTION REQUESTED:**

Motion To - Direct staff to schedule a public hearing at the earliest convenience.

**ATTACHMENT:**

[Attachments – 902 W. Eula Court](#)

**SUBJECT:** Discussion, consideration, and action regarding an Agreement Governing Nicolet Union High School District Planning and Management of Vegetation in the Right of Way along Daphne Rd.

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

**MEETING:** Common Council

**MEETING DATE:** August 14, 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:**

Nicolet High School received approval of a landscaping plan from the Planning and Architectural Review Commission (PARC) for screening of the soccer fields. This screening is parallel to Daphne Rd and is located within the public right of way.

This agreement indicates that the installation, maintenance, and replacing is the responsibility of Nicolet Union High School. In addition, the agreement does allow for the city to access this area to maintain, replace, repair, etc. utilities that are in the general area with Nicolet responsible for the reestablishment of the buffer.

Nicolet Union High School has reviewed and signed the agreement.

**RECOMMENDATION:**

Staff recommends common council approve the agreement as presented.

**ACTION REQUESTED:**

Motion – To approve the agreement as presented.

**ATTACHMENT:**

[Attachments – Agreement Governing Nicolet Union High School District Planning and Management of Vegetation](#)

**SUBJECT:** Pavement Marking Quotes for the 2023 Traffic Calming Project

**FROM:** Charlie Imig, Director of Public Works

**MEETING DATE:** August 14<sup>th</sup>, 2023

**FISCAL SUMMARY:**

Budget Summary:	
Budgeted Expenditure:	\$100,000
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

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

**BACKGROUND/ANALYSIS:**

The 2023 adopted budget includes \$100,000 for traffic calming, which was planned for various areas in Districts 1 and 5. The five-year capital plan also including funding for multiple years for traffic calming.

The City Council previously rejected the bids for this work because of the high bid and directed staff to include this project as part of a larger project next year to reduce the cost. The Common Council also directed staff to obtain quotes for the pavement markings part of this project and for a portion of Sunny Point. Pavement marking quotes were requested from Century Fence Company, Crowley Construction Company and Brickline Inc. Century Fence Company and Crowley Construction Company submitted quotes; however, Brickline, Inc. stated they were already booked for the season and did not submit.

The request for quotes had three specific locations including Range Line Road, Green Tree Road and Sunny Point Road, as evidenced in the attached plan sets. All three locations requested white edge (fog) lines to provide 10-to-11-foot drive lanes with the intention to retain side street parking, similar to how N Range Line Road from W Mill Road to W Green Tree Road was striped in 2021. In addition to the edge lines, bike sharrows and yellow center line pavement marking lines were requested as specified below. If the City Council would like to move forward with this project or parts of it, below is a breakdown of costs from the lowest cost provider, Century Fence.

The total cost of the Range Line and Green Tree traffic calming (2023 traffic calming project) totals \$41,675. The cost for the Sunny Point portion of the project is \$10,925. The pavement markings on Green Tree and Range Line are consistent with the City’s traffic calming plan and would complete the pavement marking program previously started in the area on Range Line north of Green Tree.

The City Council directed staff to obtain costs to install pavement markings on Sunny Point, north of Bender. Due to the narrow width of this section of the road, staff does not recommend that pavement marking be applied in this area. The road narrows 22 foot wide from curb to curb making it difficult to delineate a separation of bicyclists and vehicles. If anything, staff recommends streets sign stating, “May Use Full Lane”. This sign is recommended by the Manual of Uniform Traffic Control Devices (MUTDC) for indicating that bikes may be sharing the road with vehicles.

ITEM DESCRIPTION	Quantity	Total
<b>Range Line Road (Green Tree to Good Hope)</b>		<b>\$14,775</b>
4" White Epoxy Edge Lines	1.00 LS	5,775
4" Yellow Epoxy Centerline Refresh	1.00 LS	3,150
Bike Sharrows as shown on plan	18	5,850
<b>Green Tree Road (Oak Leaf Trail/Sidney to Range Line)</b>		<b>\$7,450</b>
4" White Epoxy Edge Lines	1.00 LS	3,750
4" Yellow Epoxy Centerline Refresh	1.00 LS	1,100
Bike Sharrows as shown on plan	8	2,600
<b>Green Tree Road (Range Line to Green Bay)</b>		<b>\$12,925</b>
4" White Epoxy Edge Lines	1.00 LS	5,650
4" Yellow Epoxy Centerline Refresh	1.00 LS	1,100
Bike Sharrows as shown on plan	19	6,175
<b>Green Tree Road (Green Bay to Milwaukee River Parkway/Oak Leaf Trail)</b>		<b>\$6,525</b>
4" White Epoxy Edge Lines	1.00 LS	2,975
4" Yellow Epoxy Centerline Refresh	1.00 LS	950
Bike Sharrows as shown on plan	8	2,600
<b>Sunny Point Road (Range Line to Green Bay)</b>		<b>\$10,925</b>
4" White Epoxy Edge Lines	1.00 LS	3,675
4" Yellow Epoxy Double Centerline	1.00 LS	3,675
Bike Sharrows as shown on plan	11	3,575

Please find listed below the two quotes received for the pavement markings at the locations.

1. Century Fence Company: \$ 52,600.00
2. Crowley Construction Corporation: \$ 62,150.00

**RECOMMENDATION:**

Staff recommends authorizing the execution of an agreement with Century Fence Company for pavement markings on W Green Tree, N Range Line, not to exceed \$41,675.

**ACTION REQUESTED:**

Motion to proceed as directed by the Common Council.

**ATTACHMENTS:**

1. [2023 Glendale Pavement Marking Plan Sets](#)
2. [2023 Glendale Pavement Marking Quotes](#)

**SUBJECT:** Review of Potential Uses ARPA Funds

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** August 14, 2023

**FISCAL SUMMARY:**

Budget Summary:	Capital Projects Fund
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

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

**BACKGROUND/ANALYSIS:**

The City of Glendale received funds from the Federal Government as part of the recovery effort from the COVID-19 pandemic. These funds were termed American Rescue Plan or ARPA Funds. The City has \$1.5 million in unallocated ARPA funds available for eligible expenditures. Funding is required to be obligated by December 31, 2024, and jurisdictions have until December 31, 2026, to fully expend their funds. Spending should be used for costs incurred after March 3, 2021.

Eligible uses of these funds include:

- Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior to the emergency,
- COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery,
- Premium pay for essential workers,
- Investments in water, sewer, and broadband infrastructure.

The Department of Treasury has defined the eligible uses include parks improvements that improve the health of a disproportionately impacted neighborhoods or communities. The final rule includes enumerated eligible uses in disproportionately impacted communities for developing neighborhood features that promote improved health and safety outcomes, such as parks, green spaces, recreational facilities, sidewalks, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, neighborhood cleanup, and other projects to revitalize public spaces.

As a result of this information and based on the amount of funds available, staff is providing potential eligible projects for consideration, including, but not limited to:

- |                                              |               |
|----------------------------------------------|---------------|
| 1. Creation of neighborhood park             | \$800,000     |
| 2. Skate Park                                | \$700,000     |
| 3. Undetermined Bike/pedestrian improvements | \$1.5 million |

- |                                               |               |
|-----------------------------------------------|---------------|
| 4. Undetermined watermain replacements        | \$1.5 million |
| 5. Silver Spring Bike/Pedestrian improvements | \$1.5 million |

The City received a \$4 million earmark to rebuild Silver Spring Drive. Details on this project will be provided at the August 28<sup>th</sup> City Council meeting. There is a possibility that with the earmark and other revenue for the project, the City may still have to contribute City funds. The City Council could determine to allocate the ARPA Funds towards the pedestrian improvements on Silver Spring Drive to reduce the City's expenses towards this project. If the City Council wishes to consider this as an option, it will be presented in the funding formula for the project.

Not listed here is the possibility of creating a walkway and dog park on the property owned by the Village of Fox Point off Green Bay. The property was formally a landfill, so the uses are limited, but this project would provide a pedestrian path system and a way for residents to get out of the neighborhood and onto Green Bay Road. There is no cost estimate on this project as the concept is relatively new.

**RECOMMENDATION:** Provide staff further direction on the use of ARPA funds, with a final allocation by December, 2023.

**ACTION REQUESTED:** Provide further direction on the use of ARPA Funds.

**ATTACHMENTS:** [Parks Improvements](#)

**SUBJECT:** Review and Approval of the 2024-2028 Capital Improvement Program

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** August 14, 2023

**FISCAL SUMMARY:**

Budget Summary:	Capital Projects Fund
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

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

**BACKGROUND/ANALYSIS:**

On July 10<sup>th</sup>, the City Council approved the Capital Improvement projects for 2024. At that meeting, a discussion took place regarding the schedule for alley rehabilitation, particularly the fact that two years of alley rehabilitations appeared had been unintentionally neglected from the Capital Improvement Plan. After careful examination of the plan and the condition of all alleys in the City, staff is presenting a 5-year alley rehabilitation schedule with the CIP Plan for adoption. These were the only modifications to the CIP Plan since then.

The Supplemental Capital Improvement Plan now includes;

- Projects specific to each aldermanic district. Projects have generally not been included in this section as the information is being collected from each alderperson.
- The establishment of goals related to Capital Improvements and the funding of these projects.

Approval of the Supplemental Plan has not been proposed, at this point.

**RECOMMENDATION:**

Recommend the Common Council approve the 2024-2028 Capital Improvement Program per attachment.

**ACTION REQUESTED:**

Motion to approve the 2024-2028 Capital Improvement Program as recommended.

**ATTACHMENTS:**

- [Capital Improvement Plan](#)
- [Supplemental Capital Improvement Plan](#)

**SUBJECT:** City Code Amendment for Citywide and Maslowski Park Activities Committee

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** August 14, 2023

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

Wisconsin Statutes:	NA
Municipal Code:	2.4.5

**BACKGROUND/ANALYSIS:** The City Code includes two sections establishing a Music in the Glen Committee and a Glendale Days (Fourth of July) Committee. The proposed ordinance amendment would essentially eliminate both committees, combine powers in a combined committee, with new responsibilities to plan additional events and activities in the City of Glendale.

**RECOMMENDATION:** Approve Ordinance Repealing Section 2.4.5, “Music in the Glen Committee” and Amending Section 2.4.14, “Glendale Days Committee”, Creating a New “Citywide and Maslowski Park Activities Committee. The proposed committee would be comprised of three City Staff, a police officer, member of the Common Council and up to four residents of the City or those who work at a Glendale business.

**ACTION REQUESTED:** Approved proposed ordinance.

**ATTACHMENTS:** [Ordinance](#)



**SUBJECT:** City Code Amendment for No Parking Certain Streets and Stop Signs at the Intersection of W. Clovernook Ln. and N. Bittersweet Lane

**FROM:** Karl Warwick, City Administrator

**MEETING DATE:** August 14, 2023

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

Wisconsin Statutes:	NA
Municipal Code:	10.1.26 & 13

**BACKGROUND/ANALYSIS:** The City Council tentatively approved the concept and cost for new no Parking regulations on Sunny Point and new Stop Signs at the Intersection of W. Clovernook Ln. and N. Bittersweet Lane. Attached is the ordinance amending the City Code to formally approve these new regulations.

The Ordinance would also prohibit parking on the south side of Daphne from Elm Tree to Jean Nicolet. This section is currently listed as NO PARKING 7:30 to 4:30 on School Days and during Athletic Events. Due to the construction of Nicolet High School, the main drop off is currently on Daphne. As a result, traffic is not able to flow thru the area with vehicles parked on both sides of Daphne. Staff is proposing to codify this regulation so enforcement can be performed. If, after construction is completed, the City Council desires to return the regulations to the current regulations, the City Code could be modified at that point.

**RECOMMENDATION:** Approve Ordinance Amending Section 10.1.13 (b), Schedule C “Stops at Crosswalks Through Streets” to include and Stop Signs at the Intersection of W. Clovernook Lane and N. Bittersweet Lane and Amending Section 10.1.26 Schedule J “Parking Prohibited”, to prohibit parking on the south side of Daphne from N. Elm Tree to N. Jean Nicolet Road and on both sides of North Sunny Point Road from West Glen River Road to West Fairfield Court.

**ACTION REQUESTED:** Approve the enclosed ordinance.

**ATTACHMENTS:** [Ordinance](#)