

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.

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Meeting ID: 954 5991 3672

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AGENDA—COMMON COUNCIL MEETING

Monday, October 24, 2022

6:00 p.m.

1. Roll Call and Pledge of Allegiance.
2. Public Hearings:
 - a) Request to Rezone: 6100 North Green Bay Avenue, Tax Key Number 161-803-5000, from PD Planned Development District to B-4 Office-Research-Service Business District, land use classification Planned Commercial.
 - a) Approval of Ordinance: Rezoning 6100 North Green Bay Avenue, Tax Key Number 161-803-5000, from PD Planned Development District to B-4 Office-Research-Service Business District and amendment to the Development Agreement for the PD district, Land Use classification Planned Commercial.
3. Public Comment. Glendale residents, business owners and property owners are invited to speak to the Council on items that are not on the agenda and are within the City's ability to regulate or control.
4. Consent Agenda:
 - a) Adoption of Minutes: Meeting held on October 10th, 2022
 - b) Approval: Monthly Reports
 - c) Review and Approval: Request for extended Holiday hours at Kohl's and Target – Bayshore Town Center
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 Approval: Request from Spring North Corp / Jason Singh for a Specific Development Plan in a Planned Development for a for a proposed gas station and convenience store, 7575 N Port Washington Road, in the Planned Unit Development (PD) zoning classification, Planned Mixed Use land use classification, and Tax Key Number 097-8000-000.
 - b) Review and Approval: Development Agreement for a Planned Development – Spring North Corp / Jason Singh, 7575 N Port Washington Road.
 - c) Review and Approval: Recommendation to the City Council for a proposed Certified Survey Map (CSM) to assemble the lands into a single tax parcel for Hardwick Investments LLC / David Hobbs Honda, 6100 N. Green Bay Avenue, the B-4 Office-Research-Service Business District, and the Planned Commercial land use classification, Tax Key Numbers 1618024002 and 1618035000.
 - d) Review: 2021 Financial Audit

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

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 Administrator update.)
7. Adjournment.



SUBJECT:

Public Hearing, Receive Recommendation, and Consideration on a requested Zoning Change for 6100 North Green Bay Avenue, from PD to B-4 Office-Research-Service Business District and amendment to the Development Agreement for the PD district, Land Use classification Planned Commercial, Tax Key Number 161-803-5000.

FROM:

John S. Fellows, Community Development Director

MEETING DATE:

October 24, 2022

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	Ch 13, Zoning Ordinance

Land Use:	Planned Commercial
Zoning:	B-4 Office-Research-Service Business District
Target Investment Area:	Civic Core

BACKGROUND/ANALYSIS:

Attached is a request from David Hobbs Honda (owners) to rezone the property from PD to B-4 Office Research – Service Business District. This property prior to 2017 was zoned S-1 Special Institutional District. In 2017 the property was rezoned in conjunction with the housing development at 1633 W Bender which was converting from a senior housing facility to market rate housing. The PD district allows this subject parcel to be used for automobile parking in association with the auto dealership located at 6100 N Green Bay Avenue, parcel number 1618-024-002.

The applicant is requesting to rezone the property to B-4 to allow for a future expansion of the dealership. Their first step will be to rezone the property, followed by a CSM to combine lots, and then Site and Architectural approvals for a new dealership building and remodeling of the exiting dealership. The applicant has met with staff multiple times to discuss zoning options, the proposed CSM, and the site design, building design and other elements of development/redevelopment. Attached are supporting documents for the rezoning. The CSM, site design and building design will be submitted at a future time for review and consideration.

On September 6, 2022, the Plan Commission recommend approval of the rezoning request. City Council reviewed the application at the September 19th Meeting and recommended a public hearing be held.

A Public Hearing is scheduled for October 24, 2022.

RECOMMENDATION:

Staff recommends City Council hold a public hearing and consider adoption of an ordinance changing the zoning from Planned Development District to PD to B-4 Office-Research-Service Business District subject to the following:

1. Amendment to the Development Agreement for the PD district removing 6100 from the document(s).

Staff recommends the City Council approve the development agreement modifying the Planned Development District removing references to 6100 N Green Bay Avenue.

ACTION REQUESTED:

Hold a Public Hearing.

To: Approve an ordinance, changing the zoning from Planned Development District to PD to B-4 Office-Research-Service Business District subject to the following:

To: Approve an amendment to the Development Agreement for the Planned Development district removing 6100 From the document(s).

ATTACHMENTS:

[6100 North Green Bay Avenue – Attachments](#)

[6100 North Green Bay Avenue - Ordinance](#)

[6100 North Green Bay Avenue – Planned Development - Amendment](#)

4A-4C

10/24/2022

CONSENT

AGENDA

- a) [Adoption of Minutes: Meeting held on October 10, 2022.](#)
- b) [Approval: Monthly Reports](#)
- c) [Review and Approval:](#)
 - i. [Request for extended Holiday hours at Kohl's – Bayshore Town Center](#)
 - ii. [Request for extended Holiday hours at Target – Bayshore Town Center](#)



SUBJECT: City Council Agenda
Specific Development Approval

Discussion and consideration of a recommendation to council regarding a request from **Spring North Corp / Jason Singh** for a Specific Development Plan in a Planned Development for a for a proposed gas station and convenience store, 7575 N Port Washington Road, in the Planned Unit Development (PD) zoning classification, Planned Mixed Use land use classification, and Tax Key Number 097-8000-000.

FROM: John S. Fellows, Community Development Director

MEETING DATE: October 18, 2022

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	Title 13 Zoning Code

BACKGROUND/ANALYSIS:

Attached is a request from Spring North Corp/ Jason Singh (prospective owners) and Joachim Peter and Karlin Peter (current owners) for a specific development plan for a Planned Development PD district. The property was rezoned to PD on August 22, 2022.

The applicant has updated the plans and provided greater detail for the specific Development Plan approval.

Process:

The process for the Planned Development District includes three steps.

Step one: Map amendment and general development plan approval.

Step two: Approval of a specific development plan.

Step three: Approval of a development agreement with recording.

Steps are summarized as:

Rezoning and General Development Plan Steps:

- Consideration by City Council - Possible referral to Planning Commission
- Consideration by Plan Commission – Possible recommendation to move forward to

- schedule a public hearing.
- Plan Commission Public Hearing
- Plan Commission Recommendation to Council
- Consideration by Council of the Plan Commission recommendation and consideration to move forward and schedule public hearing
- City Council Public Hearing
- City Council Action (8-22-2022)

Specific Development Plan Approval

- Plan Commission Review (9-6-22)
- City Council Review (9-19-22)
- **City Council Public Hearing and Action (10-24-2022)**

Development Agreement

- **City Council Review (10-24-2022)**
- Recording (TBD)

Specific Development Plan Summary:

Plan of Operation: The applicant has provided a plan of operation which is attached.

Site: The applicant has submitted plans for a gas station and convenience store. The submitted plans indicate a reduction of driveways and improvements to existing driveways. The building will be positioned in the middle of the site facing Port Washington Road. The canopy structure will be in front of the building and parallel to Port Washington Road. Gas pumps for diesel will be located at the rear of the property. The plans do not show any electric charging stations or other similar technologies. Sidewalks will be provided within the public right away to comply with the Pedestrian and Bike Master Plan recommendations. Bike parking is located near the Northeast entry of the store.

Building: Building plans indicate larger window openings, brick veneer and spandrel windows. The applicant has been working with staff to provide additional windows and architectural details. Building materials are indicated on the plan set. The building is proposed to have two colors of brick and a split face CMU base.

- The applicant has indicated that the CMU base of the building will be modified to a product that is more stone like in appearance. Details are suggested to be deferred to staff prior to permitting.
- Specifications for the HVAC screening shall be provided prior to permitting.

Canopy Structure: Conceptual drawings of the canopy structure have been provided. These plans show a canopy with brick piers supporting a flat roof canopy structure. The canopy structure will be metal with a white/off white color. Two signs are intended to be placed on the canopy.

Landscaping: The applicant has provided a more detailed landscaping plan noting screening of the service areas and providing plan species. The landscaping plan has been modified, staff does recommend that the location of the shrubs and day lilies be reversed to allow the taller shrubs to be behind the day lilies.

Lighting: The applicant has provided lighting plans. These plans show lighting levels at just above zero at the property lines. In addition, they indicate locations for poles and other fixtures.

Dumpsters: Current plans show a dumpster location to be on the south side of the property. The dumpster will be a masonry structure to match the architecture of the building.

Mechanical Screening: Plans indicate a mechanical area with a black metal ornamental fence to enclose the units for protection.

Signage: Signage for the property will be submitted under separate permitting and will be reviewed and approved at the staff level.

Staff Comments:

Public Works / Engineering:

The Site Plan from Parish Survey and Engineering dated April 28th have been reviewed. The following comments are provided:

1. *Grading/Drainage Comments:*

a. *The 1.12 Acre site will be redeveloped. Over 5,000 SF of impervious area will be added to the site and will require the capture of the first ½ inch of rainfall using Green Infrastructure. The site will be disturbing over 1 acre and considered redevelopment, 40% TSS reduction from the parking and roads will be required. These requirements appear to be met, but more information is needed to verify. See the comments below.*

b. *Please note that the 76x48" Storm sewer shown on the plans is in fact owned by the City of Glendale. Pipe is still referred to as Milwaukee's storm sewer.*

c. *Oil/water separators will be required in the storm structures.*

d. *An environmental assessment will be needed for site soils, provisions to handle contaminated soils will need to be included in the design of any stormwater management. New Comment: Contaminated soils were not discussed in the report. Please indicate how soils will be handled. Materials excavated may not be reused onsite for fill if they are contaminated.*

e. *Follow all DNR Requirements for fuel tank removal. Comment Remains.*

f. *Milwaukee County permits will be required for any work within the County ROW for the removal of the driveway off Port Washington Rd. City of Glendale will require copies of County approvals. Status of permits is unknown*

g. *New Comment: information on volume of biofilter and required rainfall capture to meet MMSD Chapter 13 was not discussed. This information is required. Update Stormwater Quantity standards to reflect Chapter 13 requirements.*

h. *New Comment: depth of Biofilter, and elevations of layers do not match between narrative description, plans, and WinSLAMM model.*

2. *Utilities*

a. *Sanitary sewer lateral shall have a cleanout at property boundary.*

- b. Water lateral shall have curb stop location shown on plans.
- c. Any abandonments must be made in accordance with the following and detailed notes should be on the plans for contractors: **COMMENTS REMAIN:** 1. Water a. Abandonment – must be made at the corp (main). The lateral should be cut back enough to provide for disconnection. Curb stop box must be removed down to valve
- d. Tap – permit and ROW Excavation permits must both be submitted with necessary, required documents and payment
- e. Coordination for both tap and abandonment must be made with both Glendale Water Department and Glendale Inspections

3. Sanitary a. Abandonment – An existing private sanitary sewer lateral or its connection which is to be abandoned shall be removed at the City sanitary sewer (“Y”) and shall be sealed with a permanent, watertight plug at the connection to the sanitary sewer main

b. Coordination for both tap and abandonment must be made with both Glendale Water Department and Glendale Inspections

4. **NEW COMMENT:** Storm a. Show storm sewer abandonment. Will EX CBs on East side of property be abandoned? If so, connection to 76x48 storm sewer should be mortared. 18” storm sewers should be removed or filled with flowable fill if planning to leave in place. CB structures should be removed or filled with granular backfill.

5. Subsequent comments, may be forthcoming, regarding plan set revisions

Planning Comments:

- 1. The final landscaping plan shall be reviewed by Community Development staff to verify that plantings are balanced and scaled appropriately.

RECOMMENDATION:

Staff and the Plan Commission recommend council approve a request from **Spring North Corp / Jason Singh** for a Specific Development Plan in a Planned Development for a proposed gas station and convenience store, 7575 N Port Washington Road and Development Agreement being approved and executed with the following items being addressed prior to issuance of a any permits.

1. Grading/Drainage Comments:

- a. The 1.12 Acre site will be redeveloped. Over 5,000 SF of impervious area will be added to the site and will require the capture of the first ½ inch of rainfall using Green Infrastructure. The site will be disturbing over 1 acre and considered redevelopment, 40% TSS reduction from the parking and roads will be required. These requirements appear to be met, but more information is needed to verify. See the comments below.
- b. Please note that the 76x48” Storm sewer shown on the plans is in fact owned by the City of Glendale. Pipe is still referred to as Milwaukee’s storm sewer.
- c. Oil/water separators will be required in the storm structures.
- d. An environmental assessment will be needed for site soils, provisions to handle contaminated soils will need to be included in the design of any stormwater management. New Comment: Contaminated soils were not discussed in the report. Please indicate how soils will be handled. Materials excavated may not be reused onsite for fill if they are contaminated.
- e. Follow all DNR Requirements for fuel tank removal. Comment Remains.
- f. Milwaukee County permits will be required for any work within the County ROW for the removal of the driveway off Port Washington Rd. City of Glendale will require copies of County approvals. Status of permits is unknown

- g. New Comment: information on volume of biofilter and required rainfall capture to meet MMSD Chapter 13 was not discussed. This information is required. Update Stormwater Quantity standards to reflect Chapter 13 requirements.*
- h. New Comment: depth of Biofilter, and elevations of layers do not match between narrative description, plans, and WinSLAMM model.*

2. Utilities

- a. Sanitary sewer lateral shall have a cleanout at property boundary.*
- b. Water lateral shall have curb stop location shown on plans.*
- c. Any abandonments must be made in accordance with the following and detailed notes should be on the plans for contractors: COMMENTS REMAIN: 1. Water a. Abandonment – must be made at the corp (main). The lateral should be cut back enough to provide for disconnection. Curb stop box must be removed down to valve*
- d. Tap – permit and ROW Excavation permits must both be submitted with necessary, required documents and payment*
- e. Coordination for both tap and abandonment must be made with both Glendale Water Department and Glendale Inspections*

3. Sanitary

- a. Abandonment – An existing private sanitary sewer lateral or its connection which is to be abandoned shall be removed at the City sanitary sewer (“Y”) and shall be sealed with a permanent, watertight plug at the connection to the sanitary sewer main*
- b. Coordination for both tap and abandonment must be made with both Glendale Water Department and Glendale Inspections*

4. Storm

- a. Show storm sewer abandonment. Will EX CBs on East side of property be abandoned? If so, connection to 76x48 storm sewer should be mortared. 18” storm sewers should be removed or filled with flowable fill if planning to leave in place. CB structures should be removed or filled with granular backfill.*

5. Subsequent comments, may be forthcoming, regarding plan set revisions

Planning Comments:

- 1. The final landscaping plan shall be reviewed by Community Development staff to verify that plantings are balanced and scaled appropriately.

ACTION REQUESTED:

To: Approve a request from **Spring North Corp / Jason Singh** for a Specific Development Plan in a Planned Development for a proposed gas station and convenience store, 7575 N Port Washington Road and Development Agreement being approved and executed with the following items being addressed prior to issuance of a any permits.

1. Grading/Drainage Comments:

- a. The 1.12 Acre site will be redeveloped. Over 5,000 SF of impervious area will be added to the site and will require the capture of the first ½ inch of rainfall using Green Infrastructure. The site will be disturbing over 1 acre and considered redevelopment, 40% TSS reduction from the parking and roads will be required. These requirements appear to be met, but more information is needed to verify. See the comments below.*
- b. Please note that the 76x48” Storm sewer shown on the plans is in fact owned by the City of Glendale. Pipe is still referred to as Milwaukee’s storm sewer.*
- c. Oil/water separators will be required in the storm structures.*
- d. An environmental assessment will be needed for site soils, provisions to handle contaminated soils will need to be included in the design of any stormwater management. New Comment: Contaminated soils were not discussed in the report. Please indicate how soils will be handled. Materials excavated may not be reused onsite for fill if they are contaminated.*

- e. *Follow all DNR Requirements for fuel tank removal. Comment Remains.*
- f. *Milwaukee County permits will be required for any work within the County ROW for the removal of the driveway off Port Washington Rd. City of Glendale will require copies of County approvals. Status of permits is unknown*
- g. *New Comment: information on volume of biofilter and required rainfall capture to meet MMSD Chapter 13 was not discussed. This information is required. Update Stormwater Quantity standards to reflect Chapter 13 requirements.*
- h. *New Comment: depth of Biofilter, and elevations of layers do not match between narrative description, plans, and WinSLAMM model.*

2. Utilities

- a. *Sanitary sewer lateral shall have a cleanout at property boundary.*
- b. *Water lateral shall have curb stop location shown on plans.*

- c. *Any abandonments must be made in accordance with the following and detailed notes should be on the plans for contractors: COMMENTS REMAIN: 1. Water a. Abandonment – must be made at the corp (main). The lateral should be cut back enough to provide for disconnection. Curb stop box must be removed down to valve*
- d. *Tap – permit and ROW Excavation permits must both be submitted with necessary, required documents and payment*
- e. *Coordination for both tap and abandonment must be made with both Glendale Water Department and Glendale Inspections*

3. Sanitary

- a. *Abandonment – An existing private sanitary sewer lateral or its connection which is to be abandoned shall be removed at the City sanitary sewer (“Y”) and shall be sealed with a permanent, watertight plug at the connection to the sanitary sewer main*
- b. *Coordination for both tap and abandonment must be made with both Glendale Water Department and Glendale Inspections*

4. Storm

- a. *Show storm sewer abandonment. Will EX CBs on East side of property be abandoned? If so, connection to 76x48 storm sewer should be mortared. 18” storm sewers should be removed or filled with flowable fill if planning to leave in place. CB structures should be removed or filled with granular backfill.*

5. *Subsequent comments, may be forthcoming, regarding plan set revisions*

Planning Comments:

- 1. *The final landscaping plan shall be reviewed by Community Development staff to verify that plantings are balanced and scaled appropriately.*

ATTACHMENTS:

[Attachments: 7575 N Port Washington Road Rezone](#)



SUBJECT: Review and approval of a Development Agreement for a Planned Development – 7575 N Port Washington Road.

FROM: John S. Fellows, Community Development Director

MEETING DATE: October 24, 2022

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 Plan Commission and Common Council held public hearings to review the rezoning request for 7575 N. Port Washington Road - Planned Unit Development – Gas Station and Convenience Store.

The Plan Commission recommend approval of the general and specific implementation plans and Common Council has approved a general development plan. City Council will hold a public hearing on the specific development plan and consider action on October 24, 2022.

If Council conduction the public hearing and acts on the specific development plan, then staff recommends that the Council consider acting on the development agreement.

RECOMMENDATION:

The final step in the process is for review and approval of the Development Agreement. The attached agreement has been reviewed by the Developer as well as the City Attorney.

ACTION REQUESTED:

Motion to approve the Development Agreement for 7575 N. Port Washington Road.

ATTACHMENTS:

1. [Planned Development Agreement with attachments](#)



SUBJECT: City Council
Discussion and recommendation to the City Council for a proposed Certified Survey Map (CSM) to assemble the lands into a single tax parcel for Hardwick Investments LLC / David Hobbs Honda, 6100 N. Green Bay Avenue, the B-4 Office-Research-Service Business District, and the Planned Commercial land use classification, Tax Key Numbers 1618024002 and 1618035000.

FROM: John S. Fellows, AICP, Dir. of Community Development

MEETING DATE: October 24, 2022

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	Title 13 -Zoning Code

Land Use:	Planned Commercial
Zoning:	B-4 Office-Research-Service Business District
Target Investment Area:	Civic Core

BACKGROUND/ANALYSIS:

A Certified Survey Map (CSM) is proposed for the lands that include 6100 N Green Bay Avenue, to combine two existing lots of record. The newly created lot will comprise a total of 309,013 sq. ft. or 7.09396 acre. Plan Commissions recommended approval of the CSM at the October 2022 Plan Commission Meeting.

RECOMMENDATION:

Staff and the Plan Commission recommend that Common Council grant approval of a Certified Survey Map (CSM) to assemble the lands into a single tax parcel for Hardwick Investments LLC / David Hobbs Honda, 6100 N. Green Bay Avenue, subject to the following:

1. The land surveyor responsible for the survey and map must sign, seal and date each sheet of the CSM. The sheets are missing seals, signatures, and dates for all pages.
2. This CSM shall be recorded with the Milwaukee County Register of Deeds office within 90 days of execution.

ACTION REQUESTED:

To: Grant approval of a Certified Survey Map (CSM) to assemble the lands into a single tax parcel for Hardwick Investments LLC / David Hobbs Honda, 6100 N. Green Bay Avenue, subject to:

1. The land surveyor signing, adding seal and date each sheet of the CSM.
2. The CSM shall be recorded with the Milwaukee County Register of Dees office within 90 days of execution.

ATTACHMENTS:

[Attachments – CSM David Hobbs Honda](#)