

## CITY OF GLENDALE COMMON COUNCIL

Meeting Minutes

October 24, 2022

Regular meeting of the Common Council of the City of Glendale held in City Hall, 5909 North Milwaukee River Parkway, Glendale, Wisconsin and via Zoom conference call.

The meeting was called to order by Mayor Bryan Kennedy at 6:00 p.m.

Roll Call: Present: Mayor Bryan Kennedy, Ald. Tomika Vukovic, Jim Daugherty, John Gelhard, Phillip Bailey, Steve Schmelzling, and JoAnn Shaw. Absent: None.

Other Officials Present: Karl Warwick, City Administrator; Nathan Bayer, City Attorney; Mark Ferguson, Police Chief; John Fellows, Community Development Director; and Megan Humitz, City Clerk.

### PLEDGE OF ALLEGIANCE.

The members of the Common Council, City staff, and all those present pledged allegiance to the flag of the United States of America.

### OPEN MEETING NOTICE.

City Administrator Warwick advised that in accordance with the Open Meeting Law, the local news media was advised on Thursday, October 20, 2022, of the date of this meeting; that the Agenda was posted on the official bulletin board of City Hall, the Glendale Police Department, and the North Shore Library; that copies of the Agenda were made available to the general public in the Municipal Building and the Police Department; and those persons who requested, were sent copies of the Agenda.

### 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.

Community Development Director, John Fellows, stated the applicant, David Hobbs Honda, requests to rezone the 6100 North Green Bay Avenue 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 19<sup>th</sup> Meeting and recommended a public hearing be held.

Mayor Kennedy opened the public hearing.

Glendale resident Tina Kyzer, 6101 N. Bridgewood Lane, requested the auto dealership be required to plant evergreen trees on their side of the fence to reduce noise from car alarms and other sound. She also inquired as to how this rezoning will affect development down the road. Mayor Kenendy stated he will send a letter to the applicant regarding development plans, which have not yet been received, for additional plans on landscaping and sound shielding. He indicated the dealerships as a whole should not be utilizing their car alarms as vehicle locating devices. The rezoning being done will incorporate the indicated area into the same zoning as the rest of the dealership, however most of the development will be towards the street. Ald. Daugherty questioned if the lighting from the

dealership is also an issue. Ms. Kyzer indicated this is also a problem, as it is extremely bright and shines into adjacent properties.

Glendale resident Liisa church, 6100 N. Bridgewood Lane, expressed concern over the noise from the car alarms and intercom at the dealership, as well as the garish lighting which is brighter and taller than most of the streetlights and can be seen from the parkway. She also questioned since Bridgewood Lane was remediated by the EPA and there was concern over contaminated soil, what makes this area different and protects the neighbors from any contaminants that may be released through digging and redevelopment. Ms. Church would also like to see more substantial landscaping on the property. Mayor Kennedy stated since he has not seen the development plans yet, he cannot speak to what will be done but he does intend to address the sound and light issue with the dealership. Ald. Daugherty indicated the City should also look into the lot at the south end of the property and consider what the City's long-term plan is for this land.

Mayor Kennedy called three times for anyone else on the Zoom call or in the Council chambers that wished to speak for public comment. Hearing no more public comment, Ald. Daugherty made the motion to close the public hearing, seconded by Ald. Gelhard. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

Motion by Ald. Daugherty, seconded by Ald. Schmelzling, to approve the Ordinance to Rezone 6100 North Green Bay Avenue (Tax Key Parcel 161-803-5000) from PD Planned Unit Development to B-4 Office-Research-Service Business District. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

Motion by Ald. Bailey, seconded by Ald. Gelhard, to amend the Development Agreement for the Planned Development District removing 6100 from the document(s). Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

#### PUBLIC COMMENT.

Glendale resident Kathleen Carey, 5711 N. Crestwood Boulevard, questioned if there have been changes in funding which have resulted in a lack of clearing in the boulevard area over the past few years. She noted an overgrowth of weeds, numerous dead trees, and a general unkempt appearance. Mayor Kennedy stated he would have administration follow up with the Director of Public Works regarding the issues.

Glendale resident Chris Hemmerly, 6881 N. Ironwood Lane, questioned if the City of Glendale could change trick-or-treat to period to include nighttime hours. Mayor Kennedy responded there are currently 19 municipalities in Milwaukee County in a long-term agreement through 2026 or 2027, which has set the trick-or-treat time for 1:00-4:00pm on the last Sunday of October. However, he indicated there are several neighborhood associations that participate in nighttime trick-or-treat hours, and that information can be obtained from the police department or by reaching out to the various associations.

Glendale resident Liisa Church, 6100 N. Bridgewood Lane, expressed concern that the end of the cul-de-sac joining Bender Road and Green Bay Avenue could use traffic calming, and recommended the implementation of a traffic circle in the area to reduce police chases and the high rates of speed cars typically travel. Ms. Church indicated left turns out of the area are quite difficult and it often requires going the other direction just to turn around. In addition, she expressed concern over a neighbor with many dead trees that are not being removed and inquired on the removal policy for unkempt properties. Mayor Kennedy expressed his interest in moving forward with researching the possibility of implementing more traffic circles in the City of Glendale. He also stated that residents may submit property maintenance complaint forms online if there is an issue, however in the instance of trees if they are in the WE Energies right-of-way it would become a WE Energies issue instead of a City issue.

CONSENT AGENDA.

I. File No.

Adoption of Minutes from Meetings held on October 10, 2022, Approval of Monthly Reports, and Review and Approval of Request for extended Holiday hours at Kohl's and Target – Bayshore Town Center.

Motion by Ald. Shaw, seconded by Ald. Daugherty, to Adopt Minutes from the Meeting held on October 10, 2022, Approve Monthly Reports, and Approve Request for extended Holiday hours at Kohl's and Target – Bayshore Town Center. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

NEW BUSINESS.

II. File No.

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, in the Planned Unit Development (PD) zoning classification, Planned Mixed Use land use classification, and Tax Key Number 097-8000-000.

Community Development Director, John Fellows, stated a request was received 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. The applicant has submitted plans for a gas station and convenience store.

Motion by Ald. Gelhard, seconded by Ald. Bailey, to approve the 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 below stated items being addressed prior to issuance of any permits. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

*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.

6. Planning Comments: The final landscaping plan shall be reviewed by Community Development staff to verify that plantings are balanced and scaled appropriately.

III. File No.

Development Agreement for a Planned Development – Spring North Corp/Jason Singh, 7575 N Port Washington Road.

Community Development Director, John Fellows, stated 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 conducts the public hearing and acts on the specific development plan, then staff recommends that the Council consider acting on the development agreement.

Motion by Ald. Gelhard, seconded by Ald. Schmelzling, to approve the Development Agreement for 7575 N Port Washington Road. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

IV. File No.

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 161-8024-002 and 161-8035-000.

Community Development Director, John Fellows, stated 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 Commission recommended approval of the CSM at the October 2022 Plan Commission Meeting.

Motion by Ald. Daugherty seconded by Ald. Gelhard, to approve the 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 Deeds office within 90 days of execution. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried.

V. File No. \_\_\_\_\_  
Review of 2021 Financial Audit.

The status of the 2021 Financial Audit was discussed with no action.

COMMISSION, COMMITTEE, BOARD, AND STAFF REPORTS.

There were several updates from Council members, on the activities of the various Commissions, Committees and Boards on which they serve as a Member and an Administrator update.

ADJOURNMENT.

There being no further business, motion was made by Ald. Vukovic, seconded by Ald. Shaw, to adjourn the meeting. Ayes: Ald. Vukovic, Daugherty, Gelhard, Bailey, Schmelzling, and Shaw. Noes: None. Absent: None. Abstain: None. Motion carried and adjournment of the Common Council was ordered at 6:49 p.m., until Monday, November 14, 2022, at 6:00 p.m.

Megan Humitz  
City Clerk