

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, FEBRUARY 27, 2018**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Johnston, Commissioner Carrillo, Alderman Loreck, Alderman Guzikowski, Commissioner Siepert, and Commissioner Chandler. Commissioner Correll was excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator; and Doug Seymour, Director of Community Development.

Minutes of the February 13, 2018 meeting

Commissioner Siepert moved to approve the minutes of the February 13, 2018 meeting. Commissioner Chandler seconded. On roll call: all voted aye, except Commissioner Carrillo, who abstained. Motion carried.

**PUBLIC HEARING
COMPREHENSIVE PLAN AMENDMENT
UPDATE FROM “PLANNED BUSINESS” AND “SINGLE FAMILY RESIDENTIAL” TO “MIXED RESIDENTIAL”
8300, 8304 AND 8380 S. 27TH ST. AND 8370 S. ORCHARD WAY**

Planner Papelbon read the public hearing notice into the record. Mayor Bukiewicz asked if anyone would like to explain the purpose of this Comprehensive Plan amendment. Planner Papelbon explained that the proposal is to change the existing land use categories for the noted properties from Planned Business and Single Family Residential to Mixed Residential in consideration of a future multi-family residential development on the property. Mixed Residential would allow for the development of a variety of housing types consistent with the types of residences currently in the neighborhood. The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objectives, goals, and policies contained within the Comprehensive Plan. The proposal would bring these properties into alignment with the goals of the Comprehensive Plan.

Ryan Schultz, President/Owner, HSI Properties, 18500 W. Corporate Dr., Ste. 120, Brookfield, WI introduced his colleague, Ashley Poull, Junior Project Manager for HSI, and Eric Harrmann of AG Architecture. Mr. Schultz gave a presentation of HSI as a developer of multi-family developments, and cited Drexel Ridge as one of their developments currently underway in Oak Creek. HSI specializes in mixed use multi-family developments, but has also developed commercial, retail, industrial, and health care properties, all of which are located in the greater Milwaukee area. Mr. Schultz emphasized that their multi-family developments are unique in that they offer an upscale community featuring amenities and services that enhance the lifestyles of their residents; they rent not because they are forced to, but because they choose to.

Mr. Schultz gave a brief overview of the Drexel Ridge development including photos of the included amenities such as the clubhouse and pool, as well as unit interiors. He also displayed photos of State Street Station and The Enclave in Wauwatosa, The Standard @ East Library in Milwaukee, and Wells Street Station in Delafield. Moving to the subject property, a combined 20.56 acre section of land, he stated that HSI strives to choose properties that are in up-and-coming areas; with the development of the 27th Street Corridor, this site provides a unique opportunity. Mr. Schultz explained forty percent of the land on the proposed site is already consistent with the Comprehensive Plan; it is just the portion fronting 27th Street that they are requesting to be rezoned from the current mixture of classifications to RM-1 PUD. He explained there is a large market demand for developments such as this. The proposed development would contain 280 units with 2.27 parking stalls per unit at a density of 13.6 units per acre. The buildings

would be two-story townhouse style buildings with direct entrances, upscale finishes and in-unit amenities, as well as community amenities such as a clubhouse, pool, fitness center, green space, and on-site property management.

Eric Harrmann, AG Architecture, 1414 Underwood Ave., Wauwatosa, WI explained that in alignment with the 27th Street Corridor, they opted to position the clubhouse and first building on the 27th Street frontage as a welcoming feature to the living community. The development would include dual points of access with the primary entrance located at the cul-de-sac on W. Colonial Woods Dr. and a secondary access point on 27th Street. This would allow residents to enter and exit directly from the proposed development without having to access the neighboring communities. Connecting interior roads and ample sidewalks to each property create a dynamic flow within the development. Most of the buildings are positioned in pairs that face each other with a green space in between. The buildings on the outskirts are positioned to take in the natural view that surrounds the site. Ample parking will be provided for residents and guests.

In closing, Mr. Schultz summarized that the proposed project provides an alternative modern housing option in a growing community and meets the market demand for new multi-family communities that will appeal to a broad demographic, as well as provide a significant increase in tax base to the City. Mr. Schultz requested that if the Plan Commission chooses to endorse the project, that any approval would be conditioned on HSI Properties or its affiliate taking title to the property, in consideration of a covenant within the purchase agreement with the seller.

Mayor Bukiewicz made a call for public comment.

Arden Degner, 8540 S. Pennsylvania Ave., Oak Creek, WI inquired whether this proposed development is part of the 27th Street redevelopment which includes the City of Franklin extending south of Forest Hill Ave. Mayor Bukiewicz confirmed that it does extend to Forest Hill Ave., and is part of the 27th Street plan. Planner Papelbon clarified that it is part of the general 27th Street Corridor Plan, but is not part of a separate overlay district. Doug Seymour added that there were four different zones: north along Rawson Ave., south along the Southbranch Industrial Park and Ryan Rd., as well as the existing development pattern across the street in the City of Franklin, so it is part of the overall plan, but not part of the overlay district.

Mr. Degner also asked if there would be sidewalk access along 27th Street for pedestrian and wheelchair traffic. Mayor Bukiewicz answered that there is already a sidewalk in place running from Drexel north to Rawson, and he believed that there is a plan to extend the sidewalk north of Rawson as a multi-use path. Mr. Seymour confirmed that it is intended as part of the plan but there is no project at this point in time that would incorporate the multi-use path, which would be ten feet in width. Mr. Degner stressed the importance of sidewalk accessibility in this type of urban area. His other concern is that there is ample visitor parking in the new development. Mr. Seymour emphasized that in spite of the plans presented by HSI, this first step in the process is just discussing and making a decision on the land use with respect to the Comprehensive Plan. As the project unfolds, there will be other appearances before the Plan Commission to discuss rezoning, possible changes to the street patterns, and site and architectural plans. Mayor Bukiewicz acknowledged Mr. Degner's concern with the availability of sidewalks and visitor parking but reiterated Mr. Seymour's point that this discussion is really about the appropriate use for the land.

Mayor Bukiewicz made a second and third call for comment. Seeing none, the public hearing was declared closed.

**COMPREHENSIVE PLAN AMENDMENT
UPDATE FROM “PLANNED BUSINESS” AND “SINGLE FAMILY RESIDENTIAL” TO “MIXED
RESIDENTIAL”**

8300, 8304 AND 8380 S. 27TH ST. AND 8370 S. ORCHARD WAY

Mayor Bukiewicz opened up discussion to the Commission.

Commissioner Hanna inquired about the market analysis that HSI has done to establish the need for this type of development in the community. Mr. Schultz answered that HSI has used a number of companies that provide market studies to developers, including Moegenburg Research in Brookfield and Tracy Cross & Associates in Chicago. The companies study the demand for such housing options, cross-referenced against new developments under construction and being planned. This provides an idea of what criteria need to be met in order to achieve leasing goals. Using this approach gives both the developer and investors peace of mind in their investment.

Alderman Loreck felt that the proposed change to Mixed Residential would be a more appropriate buffer to the condominiums and single-family residences in the surrounding area, as opposed to the current classification as Planned Business.

Commissioner Siefert inquired how HSI is doing with meeting their completion schedule at Drexel Ridge. Mr. Schultz answered that the demand for these units has been so overwhelming that they opted to push up the closing on the second phase and are actually exceeding the initial schedule by about nine months. Anticipated completion of the entire project is before the end of 2018 and the second phase fully leased by spring of 2019, which is approximately a year ahead of schedule. If all goes as anticipated, they are hopeful to begin the 27th Street project by fall of this year which would allow the utility infrastructure to be in place and they would begin construction on the first few buildings which could be framed during the winter months.

Mayor Bukiewicz stated that this development fits the requirements of the State of Wisconsin Smart Growth Law. The impact of this development will leave many things to consider down the road. However, the objective of this meeting is to amend the Comprehensive Plan to allow a residential development, which not only fits the plan, but is also conducive to the City's economic goals. He closed his comments by calling for a motion.

Alderman Loreck moved that the Plan Commission adopts Resolution 2018-04, amending the Comprehensive Plan and Planned Land Use map to reflect the changes in land use from "Planned Business" and "Single Family Residential" to "Mixed Residential" for the properties at 8300, 8304, 8310, and 8380 S. 27th St., and 8370 S. Orchard Way following review and adoption by the Common Council. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

CONDITIONS AND RESTRICTIONS CONDITIONAL USE PERMIT LAKESHORE VETERINARY SPECIALISTS 9472 S. 27TH ST. TAX KEY NO. 878-9001-001

Planner Papelbon provided an overview of the conditions and restrictions for a veterinary clinic (see staff report for details).

Mayor Bukiewicz invited the applicant to address the Plan Commission.

Jordan O'Connor, Design 2 Construct, N173 W21010 Northwest Passage Way, Jackson, WI appeared on behalf of the applicant. Mr. O'Connor asked to clarify item 3B of the Conditions and Restrictions regarding the pet relief area, stating that the area would be completely fenced in and the pets on leash and supervised by an employee. He inquired whether the proposed area could be divided into two portions to provide a distinct isolation animal area which would separate them

from other animals. Planner Papelbon stated that the conditions would allow for two separate areas. This would be further addressed at site plan approval.

Mayor Bukiewicz invited questions from the Commission.

Commissioner Siefert inquired whether there will be an access point on 27th Street to the property. Mr. O'Connor answered that there is not an access point on 27th Street. Currently, there is only a cross-access easement with the neighbor to the east, from Ryan Road. Alderman Guzikowski added that this property is in his district, and he is in agreement with the conditions and restrictions.

Arden Degner, 8540 S. Pennsylvania Ave., Oak Creek, WI inquired whether sidewalks would be included alongside the property. Mayor Bukiewicz noted that the purpose of this meeting is not to specifically address this issue, but it would be addressed later. Mayor Bukiewicz noted that the Conditions and Restrictions are consistent with the other veterinary clinics in the City; he did not have any issues with what is being proposed and called for a motion.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for an animal hospital on the property at 9472 S. 27th St. after a public hearing. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
ALDI FOOD MARKET
410 AND 500 W DREXEL AVE.
TAX KEY NOS. 782-9003-000 AND 782-9014-000

Planner Papelbon provided an overview of the plan review for a new food market (see staff report for details).

Mayor Bukiewicz invited the applicant to address the Plan Commission.

Brian Adamson, ICAP Development, LLC, 833 E. Michigan Ave., Milwaukee, WI commented that in the past, the two parcels in question have been difficult to develop on their own due to their small size, and he believes that ICAP has maximized the potential of the two parcels by combining them, as well as addressing the environmental issues on the site. The building has been designed to provide a cap to that environmental issue, and allows for stormwater runoff in an area that will not be affected by the environmental contamination. Access to the properties has been an issue as well. Mr. Adamson believes this has been addressed by consolidating the two existing access points to create a two-way median on Drexel Ave. as well as considering the flow of traffic across to Drexel Town Square. All truck access for the Aldi building and most for the smaller building will enter on Drexel Ave., exit on 6th Street, and head north. Wetlands and floodplains on the parcels will be left and buffered according to the plan. The design of the porous pavers will cover the area and drain into the stormwater pond to the north. His concern is using the pavers at the appropriate grade height, while avoiding utility areas and truck traffic areas; they are open to working with staff to find solutions to these requirements. With that, Mr. Adamson introduced Tom Howald, Director of Real Estate for Aldi Inc.

Tom Howald, Aldi Inc., 9342 S. 13th St., Oak Creek, WI clarified that this would be their second location for the City of Oak Creek, and noted that in December, they discarded their original plan and began work on a new building concept design now being presented. The building with its angled roofline is unique in design. It is the first of its kind in this area and they feel will complement the architecture of the buildings in Drexel Town Square.

With regard to the east elevation, Mr. Howald stated that they have not received indication that this needed to be broken up. The new building plans, with all of the added architectural features, have a significant overall cost. The east elevation would be completely blocked by the adjacent tenant to the east, including any future development which would be beyond their control. He is proposing working with staff on a landscape plan and fencing to screen the area.

Mayor Bukiewicz opened up discussion to the Commissioners.

Commissioner Chandler inquired if the east elevation is the only blank façade on the building. Planner Papelbon stated that staff is only concerned with the east elevation. Doug Seymour further explained that in terms of the Code, staff is primarily concerned with the visible perimeter. When driving west on Drexel Ave., this elevation will be highly visible, and staff would like to see some of the architectural features from the south elevation wrap around to the east. Commissioner Chandler asked for more information from the applicant regarding the concerns about this east elevation. Mr. Howald agreed that in the renderings, it does look very nondescript. However, there is only a forty-foot span between the proposed building and the Roth Heating building to the east. In addition, they feel that they have addressed the issue by incorporating a very elaborate landscape plan for the area which will complement the east elevation of the building. Commissioner Chandler also inquired about the parcels to the east of the proposed building, which are addressed in the report. Planner Papelbon clarified that the report mentions the east parcels only because they are included in the proposed TID 15 for possible future redevelopment. Commissioner Chandler asked the applicant to address the location of the transformer, utilities, and trash enclosures. Mr. Howald indicated that if acceptable to staff, they would screen any utilities with mature landscaping or board-on-board fencing, if required. One trash receptacle would be located at the front façade underneath the canopy, and one at the north side of the building in the dumpster area, which is recessed about 3.5 feet. This area will include a retaining wall and the entire area will also be screened with pine trees and existing tree growth which will make it very difficult to see. Planner Papelbon also added that at this time the utility and mechanical locations are not determined, but they will work with the applicant at a later time on proper screening of those items. Mr. Howald stated that they will be proposing to locate the transformer on the east elevation; that may change after working with the utility company. All other mechanicals (condenser unit and HVAC) are located on the rooftop. These will be completely screened and should not be visible from the roadway. Line of sight drawings will be provided if requested. Commissioner Chandler asked about the timeline for beginning construction and anticipated completion. Mr. Howald answered that their proposed plan is to commence construction in 2018, but cannot specify a date at this time. Commissioner Chandler also asked about the Nichiha and white material. Mr. Howald stated that the Nichiha cement fiber board is the brown material shown on the renderings; the white material, shown above the brown on the south elevation rendering, is Kalwall, which is an energy-efficient, translucent fiberglass material that looks like spandrel glass but at night, is illuminated by the interior lighting. The other materials are shown on the material list in the report. Commissioner Chandler asked which elevations meet the requirements. Planner Papelbon stated that all of them do, if the Plan Commission approves the Nichiha panel.

Commissioner Hanna inquired if the landscape agreement includes maintenance to ensure that the plantings are taken care of long-term. Mr. Howald explained that Aldi will be responsible for maintaining the landscaping on the site; they hire professional companies to maintain the landscaping at all of their locations year-round.

Commissioner Carrillo indicated that with their location directly across from Drexel Town Square, she felt strongly that they would need to break up the east elevation with some architectural detail. Mr. Howald again reiterated that any future development of the neighboring Roth property may be several years down the road. That timeframe would allow plantings to be fully established, providing enough visual interest to mask the blank façade. Commissioner Carrillo expressed that

with the height of the building, she did not feel that landscaping alone would be sufficient and suggested carrying the light brown material over and extending the windows to mimic the west elevation.

Alderman Guzikowski stated that his only points of concern were breaking up the east elevation and the issue of the pavers. Mayor Bukiewicz added that the pavers are part of the overall stormwater management relative to the wetlands located on the parcels. Commissioner Johnston felt that there was definitely a need to add more pavers, not so much for stormwater management, but due to the lack of landscaping in the parking lot. The pavers serve an aesthetic purpose which is part of the TIF agreement. He noted the parking in the southeast corner would be a viable area to add more pavers, or the corridor between the north-south roadway and the future development area. Mayor Bukiewicz inquired how much square footage that would encompass. Commissioner Johnston indicated an area approximately equivalent to half of the City Hall parking lot. The roadway currently shown is constructed of heavy-duty asphalt; currently the only section of pavers is a small parking area. Mr. Seymour added that this is a sustainability feature that is important to the people in this community and did not feel that the one bank of pavers currently on the paving plan was sufficient. Mayor Bukiewicz agreed, adding that consistency among the surrounding businesses is important. Mr. Howald stated that Aldi did use pavers at one of their other locations for the purposes of stormwater management; but in this case he is proposing that they are used purely for aesthetics as they have determined that given the amount of semi traffic that they have, the pavers do not work well for stormwater management. The areas that were noted as being appropriate for pavers are the exact locations where there will be extensive traffic from delivery vehicles. Whether for aesthetics or for stormwater management, the pavers fail due to the high level of traffic. Commissioner Johnston clarified that the City is proposing the parking stalls, not the travel lanes, utilize the pavers. However, Mr. Howald stated that regardless of the designated travel lanes, the delivery drivers are going to go where they want and the pavers will ultimately not hold up over time as they require too much maintenance. He is proposing to work with staff to determine where the pavers would be most impactful outside of the truck travel paths. If the pavers are being used primarily for aesthetic, rather than stormwater management purposes, Mayor Bukiewicz proposed the use of stamped, dyed concrete. Commissioner Johnston was not in favor, as this material is not porous enough to impact the stormwater management on the property and will break down very quickly. Mr. Howald cited the south areas of the parking lot would be the most appropriate, as this will be the area most visible by consumers entering and leaving the area, but will have very little truck traffic. Mayor Bukiewicz inquired whether they would have truck traffic entering from 6th Street. Mr. Howald stated that they could come in through 6th Street, but they do come in from Drexel as well, back into the dock area, exit through 6th Street north to Rawson Ave., and then travel west to the interstate.

Alderman Loreck reiterated concerns that had been raised by other commissioners, and stated that he felt that while the east elevation is currently blocked by the Roth building, future development might change that, and the location of pavers might be vulnerable due to truck patterns created by possible future adjoining parking lots.

Commissioner Siefert agreed that the east wall is an issue. Mayor Bukiewicz summed up by saying the issue will have to be addressed. If the two adjacent properties were combined and the footprint of the existing buildings is not maintained, the current forty-foot space between the buildings could end up being larger, making the east wall much more visible. The applicant would need to work closely with the Planning staff if additional landscaping would be used to resolve the problem. Mr. Seymour indicated that if Aldi would make modifications to the architecture, staff would like to see that come back before the Plan Commission. Mayor Bukiewicz agreed and was confident that staff would be able to resolve the two big issues of the east façade and the pavers, but stressed that as this site will be a prototype for future stores, it should be a showcase from all sides. He suggested that if they could make some allowances in their budget, it would be nice to see the Nichiha panels brought around to the east façade, perhaps replicating the window and

Nichiha panel combination that is seen in the bump-out on the west elevation. Mr. Howald inquired whether such a change would require another appearance before the Plan Commission. Mayor Bukiewicz indicated that he believes that would be contingent on staff. Mr. Seymour added that if there is a consensus on the modifications, staff would be more comfortable deciding whether the applicant will need to reappear at Plan Commission. Without a consensus, it would be preferable that the applicant reappears. He inquired what the applicant would suggest for potential modifications to the east elevation. Mr. Howald indicated that it is a timing issue determining whether or not they will move forward. Having to reappear could possibly have a detrimental impact on their project plan, and he requested approval from the Plan Commission to be able to work with staff to resolve these issues. The paver and screening items are very identifiable and easy to work with. He suggested collaborating with staff on the east elevation, proposing that they mimic the Nichiha panels on the west elevation, but without the spandrel glass. He would go back to his committee for approval and work with staff to incorporate those features into the design. This would keep things moving forward with their timeline without jeopardizing the project. Mayor Bukiewicz felt this would suffice. Mr. Howald indicated that there might have to be some slight shifting to the location of the panels due to utility locations and maintaining proportion on the east elevation, so staff would have to work with the architects on those points.

Mayor Bukiewicz and Planner Papelbon discussed rewording of the conditions for motion, adding the reference to the Nichiha panels in Condition 2. Planner Papelbon felt comfortable with leaving the language regarding the porous pavers in Condition 5 as proposed. Mayor Bukiewicz called for a motion.

Alderman Loreck moved that the Plan Commission approves the site and building plans for a grocery store submitted by I-Drexel, LLC / ICAP Development, LLC for the properties at 410 & 500 W. Drexel Ave., with the following conditions:

1. That all relevant Code requirements are in effect.
2. That the east elevation is revised to incorporate Nichiha panel design elements similar to those on the west elevation.
3. That the plans are revised to include locations for all mechanicals, transformers, and utilities.
4. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view.
5. That the plans are revised to incorporate additional porous pavers in the parking lot(s).
6. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**TEMPORARY USE
WEST VIEW GARDENS
CLASSIC LANES
7501 S. HOWELL AVE.
TAX KEY NO. 782-9036-000**

Zoning Administrator/Planner Wagner provided an overview of the seasonal garden center request (see staff report for details). Mr. Wagner indicated that there was a typo on the suggested motion for Condition 1, which should not include the text "Classic Lanes OC LLC," and reread the corrected suggested motion without this reference.

Mayor Bukiewicz invited the applicant to the podium to address a question from Commissioner Carrillo, who inquired whether the applicant will be selling produce.

Larry Schutz, 1247 51st Street, Caledonia, WI clarified for Commissioner Carrillo that they do not sell produce, but strictly bedding plants.

With no other questions, Mayor Bukiewicz called for a motion.

Commissioner Siefert moved that the Plan Commission approves the Temporary Use permit for the temporary garden center at 7501 S. Howell Avenue with the following conditions:

1. That the temporary use shall expire on July 10, 2018.
2. Allow one sign no larger than 32 square feet.
3. That the property is returned to its original condition.

Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
SUNSET OPTIONS FUNERAL HOME
904 E. RAWSON AVE.
TAX KEY NO. 732-9990-001

Zoning Administrator Wagner provided an overview of the plan review for exterior building modifications (see staff report for details).

Mayor Bukiewicz opened up discussion to the Plan Commission.

Commissioner Chandler inquired what the applicant would need to modify in order to meet the 75 percent requirement. Zoning Administrator Wagner answered that the beltline would need to be raised up on the east elevation, as well as adding additional masonry on the west elevation. The proposal currently does not include any masonry on the west elevation and the plans overall only include a sixty percent masonry ratio. The applicant is requesting special dispensation from the Plan Commission for aesthetic purposes.

Mayor Bukiewicz invited the applicant to the podium to address the Plan Commission.

LeRoy Stewart, 922 Crabtree Ln., Racine, WI explained that the building, though zoned Commercial, resembles a ranch home with a front elevation of less than eight feet. They are requesting a variance on the 75 percent to make the building more aesthetically pleasing on the south and east elevations. The west elevation is currently bordered by the KEI operation, as well as a 75-year-old oak tree, so it is barely visible looking east. Their plans include landscaping to break up the west elevation. They are also proposing to add a front portico and sconce lighting on the south elevation to give the building more visual interest to passersby, shed the stigma of the previous tenants who occupied the space, and establish themselves as a dignified provider of funeral services for Oak Creek.

Alderman Guzikowski noted his approval of the proposed improvements to the building. Commissioner Carrillo added that she is very familiar with the building and given its very small size, the proposed improvements will be a fantastic addition. She inquired whether they actually hold funeral services at the site. Mr. Stewart answered that they are moving away from holding services there, they typically use clients' churches, and they also have a working relationship with the Oak Creek Community Center, where they are allowed to use a third of their ballroom for families who do not have a church affiliation. Their niche is to provide an affordable funeral option; they are basically a provider of services. Mr. Stewart added that their long-term goal is to expand the north side of the building to include a chapel for small services, but this would be several years down the road.

Commissioner Johnston asked about the stone they are proposing to use on the south and east facades. Mr. Stewart asked his contractor to come to the podium.

Jason Heisinger, Bulldog Builders, S228 W6956 Enterprise Dr., Big Bend, WI indicated that he did not feel that the 75 percent masonry required would be aesthetically pleasing, but did bring a sample of the proposed Versetta Stone, which is backed by a fifty-year warranty. Bulldog Builders also uses a workmanship warranty for the installation. Commissioner Johnston inquired whether it comes in panel form, and how it is attached to the building. Mr. Heisinger stated that it does come in panel form and brought the sample board to the commissioners to view more closely. (Discussion was inaudible on the mics.) Mayor Bukiewicz commented that the proposed plans were an improvement, but felt that he would be satisfied if the applicant extended the brick belt just halfway up. Mr. Stewart asked to clarify if Mayor Bukiewicz meant that the brick should extend to include the west wall as well, considering the limited view due to the neighboring KEI property. Mayor Bukiewicz answered that ideally it would traverse all three walls but realizes cost is a factor. Commissioner Siefert agreed that he would prefer to see a uniform brick height on the south and east elevations. Mr. Stewart also added that there may be some deviation from the colors shown on the renderings – these were chosen just to show the variation in color with the Versetta Stone. Mayor Bukiewicz inquired on the proposed height of the Versetta Stone material. Mr. Stewart clarified that the height is approximately 42 inches. Alderman Guzikowski asked the other commissioners their opinion on the use of the brick material. Mayor Bukiewicz stated that he would prefer the masonry was carried over to the west wall, but was not terribly concerned if they deferred to using just the landscaping to break up the wall. Commissioner Siefert reiterated that he would like to see the masonry on all three walls, but realized this has significant impact on the cost. Mr. Stewart reiterated that due to the visual obstructions already present on the west side of the building, and the speed with which motorists travel on Rawson Ave., passersby would not even notice that the material did not extend to the west elevation until they were past the building heading east. Zoning Administrator Wagner commented that the Commission may want to include the condition of the masonry beltline continuing along the west elevation because the applicant will be required to meet the 75 percent requirement. This may be a compromise in lieu of meeting the 75 percent requirement; it may not meet the criteria for the visible perimeter, but it goes above and beyond the 75 percent required on the south and east elevations. Mr. Stewart stated that he understands the requirements, but as a small business owner, cost is an issue. Mayor Bukiewicz pointed out that if the applicant took the equivalent of the addition to the beltline that has been suggested on the east elevation and moved it to the west elevation, it would not constitute a large difference in the amount of material that is being used. Mr. Heisinger commented that there is a difference in that the east elevation features a door and window that would obviously not be covered by the masonry material, however the west elevation does not include these features, which would account for approximately another five feet of material. Mr. Stewart indicated that if the Plan Commission would approve the proposal this evening based on the recommendation of a consistent beltline of masonry material on all three elevations of the building, then it would be in his best interests to agree to those conditions. Mayor Bukiewicz added that if the masonry were added to the west elevation as recommended, the applicant could forgo the landscaping on that side of the building. Mr. Stewart indicated that he would probably still go ahead with the landscaping for aesthetic purposes at a later time. Mayor Bukiewicz stated that the motion should then include that the masonry material be used on the three exposed sides of the building. Commissioner Siefert inquired about the height of the material. Mr. Heisinger clarified that it would be approximately 36-42 inches in height, wrapping around the east, south, and west elevations. Zoning Administrator Wagner added that the motion would not need to include specific references to the height of the material; it would just need to add the condition that the stone beltline continues on the west elevation.

Alderman Guzikowski moved that the Plan Commission approves the building plans for exterior building modifications to the existing building located at 904 E. Rawson Avenue, with the condition that the stone beltline continue on the west elevation.

Commissioner Chandler indicated that she thought the motion would include the east elevation as well. Zoning Administrator Wagner clarified that the current proposal already includes the south and east elevations; the added condition on the motion is to include the west elevation, which should be fine assuming there is a $\frac{3}{4}$ approval from the Plan Commission.

Alderman Loreck seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
TIME EQUITIES, INC.
8581 S. HOWELL AVE.
TAX KEY NO. 828-9009-000

Planner Papelbon provided an overview of the plan review for requested addition and exterior building (see staff report for details).

Mayor Bukiewicz opened up discussion to the Commissioners. Commissioner Chandler had questions for the applicant regarding using a chain link fence versus masonry material.

Adam Stein, Logic Design & Architecture, spoke on behalf of the applicant, stating that when they designed the exterior of the premises, they only looked at the existing conditions; the apartment complex features significant landscaping. After conversations with Planning staff, it was determined that adding some lower-level plantings between the two areas would provide a better solution. The current landscape includes primarily higher-level trees, but Mr. Stein suggested that adding a line of arborvitae or a condensed evergreen tree would satisfy the screening concerns. He elaborated on the location of the dumpsters for the existing businesses and indicated that they would not be adding any dumpsters; they would just be consolidating what is already there. Mayor Bukiewicz inquired whether the existing landscaping is the property of the apartment complex. Planner Papelbon noted two concerns – first, that the applicant would have to obtain permission of the apartment complex to add more landscaping if that is the option they pursue; and second, to ensure that the existing fire hydrant in that location is not blocked by additional plantings. Planner Papelbon was not certain if there are existing utilities that may be affected by additional plantings. Commissioner Johnston was also unsure of any utilities in that location, but noted there is less than ten feet from the back curb to the property line to accommodate additional landscaping. Planner Papelbon commented that if the Plan Commission feels this is getting too far off-base, they could consider a chain-link fence with some additional slats or covering to make it more opaque. The Plan Commission has the authority to determine opacity of fencing. In this case it would be for aesthetics, but will probably not diminish the noise. Mr. Stein felt this would be acceptable to the applicant; their initial thought was to do a chain-link fence with additional slats for screening or possibly a pressure-treated wood fence, but they proposed the added landscaping as another option. Aesthetically, they would prefer not to add more masonry, as the whole back side of the building is already brick. Mayor Bukiewicz agreed, stating that he would be satisfied with a slatted chain-link fence. He acknowledged that the dumpsters are not really the applicant's issue, but asked if the tenants could be compelled to consolidate their dumpsters. Zoning Administrator Wagner replied that given the relocation of Get it Now to another tenant space and the proposed modifications to the building for the addition of HomeGoods, this is the optimum time to compel the landlord to make all of the dumpster locations compliant with Code. Mayor Bukiewicz agreed but felt it would need to be pursued on a tenant-by-tenant basis. Zoning Administrator Wagner indicated they cannot do it per tenant; it is best used as leverage when building modifications are requested. At the time this building was constructed, the requirement for a dumpster enclosure was not in place, so it is when a landlord proposes changes to a building that the City pursues compliance with current code. Planner Papelbon added that the existing dumpsters are not tied to a specific tenant, which makes the new requirement more difficult to enforce. Mr. Stein stated that he believes the dumpsters are in shared locations which is why they

are distributed in various locations throughout the space. He suggested this item should be added to the overall scope of the project. The movement of Get it Now is providing space for HomeGoods to move in. One of the requirements of HomeGoods is a loading dock which makes a slight addition to the building necessary. Overall, they will actually be reducing the number of dumpsters onsite because HomeGoods will be taking over multiple tenant spaces that were there prior, and adding a compactor which will be tucked behind the recessed loading dock. Commissioner Chandler inquired if the dumpsters in front of the electrical panel will present a safety issue. Mr. Stein responded that the electrical panel shown on the plans is within an enclosed area. The dumpsters will be located in front of this enclosed area to provide enough space for delivery trucks to make turns in the rear parking lot. Mayor Bukiewicz suggested that the applicant speak with the electrical inspector to ensure that there is sufficient clearance in front of the panels.

Commissioner Chandler asked about any potential safety issues with the trash compactor. A photo of the existing trash compactor at the TJ Maxx location was displayed as an example. The photo shows a chute which protrudes from the building and descends into a dumpster. The compactor at HomeGoods will differ in that it will butt up alongside the building and will be located at grade level, rather than having a downward chute. With concern for the tenants at the adjacent apartment complex, Commissioner Siefert asked for clarification on the amount of noise the compactor will produce, and the hours during which it would be in operation. Mr. Stein responded that HomeGoods would need to comply with local noise ordinances just like any other tenant, but the determination of their operating hours has not yet been made. Mayor Bukiewicz stated that he did not believe they would be using the compactor after store closing and inquired what the store's overall hours of operation would be. Mr. Stein was unsure of their operating hours, but anticipated they might be 9 AM – 9 PM. As HomeGoods is owned by TJ Maxx, he assumed their operating hours would be the same. Zoning Administrator Wagner added that he regularly follows up on noise complaints from residents and has never received a complaint about trash compactor noise from residents at the apartment complex.

Mr. Stein inquired about the suggested use of spandrel glass on the four windows at the far end of the HomeGoods space. Their design incorporated the windows to maintain the aesthetics of the building, but featured bronze-backed spandrel glass; putting clear glass there is not an option. He indicated that the tenant would prefer to remove a portion of those windows entirely to allow for interior racking in that location, so the alternative would be to add more split-faced block where the windows were. Mayor Bukiewicz inquired if the commissioners had any issues with that proposal. Hearing none, he called for a motion.

Alderman Loreck moved that the Plan Commission approves the site and building plans for exterior building modifications to the proposed HomeGoods tenant space submitted by Dennis DeBenedetto, Time Equities, Inc., for the property at 8581 S. Howell Ave., with the following conditions:

1. That all relevant Code requirements are in effect.

Planner Papelbon recommended striking conditions 2 and 3 originally stated in the suggested motion. Alderman Loreck noted this change and continued the motion.

2. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

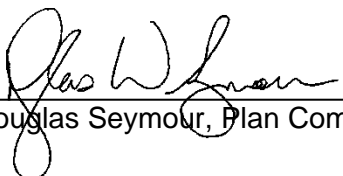
Commissioner Siefert seconded.

Before roll call, Mayor Bukiewicz gave the applicant the opportunity to speak. Dennis DeBenedetto, Time Equities, Inc. wished to clarify that the application did not come specifically from him, but from Oak Creek TEI Equities, LLC.

On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siepert seconded. On roll call: all voted aye. The meeting was adjourned at 8:44 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

March 13, 2018

Date