

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 10, 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 Correll, Commissioner Siefert and Commissioner Chandler. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator.

Minutes of the March 27, 2018 meeting

Commissioner Siefert moved to approve the minutes of the March 27, 2018 meeting. Alderman Guzikowski seconded. On roll call: all voted aye, except Commissioner Chandler, who abstained. Motion carried.

PUBLIC HEARING

SIGN APPEAL

MOD PIZZA

160 W. TOWN SQUARE WAY

TAX KEY NO. 813-9046-000

Zoning Administrator/Planner Wagner read the public hearing notice into the record.

Mayor Bukiewicz made three calls for public comment. Seeing none, the public hearing was declared closed.

SIGN APPEAL

MOD PIZZA

160 W. TOWN SQUARE WAY

TAX KEY NO. 813-9046-000

Zoning Administrator/Planner Wagner provided an overview of the sign appeal.

Mayor Bukiewicz opened up discussion to the Commissioners.

Commissioner Chandler asked for more information on why this request is being made. Don Nummerdor, Sign Effectz, 1827 W. Glendale Ave., Milwaukee, spoke on behalf of his client Mod Pizza. He explained that Mod Pizza's general logo image is white channel lettering against a red background. The lettering on the west elevation is only 30" and 24" on the south elevation. The red space behind the letter does not light up and they wanted a bigger sign to highlight the white lettering. Commissioner Chandler asked why they are requesting a taller sign. Mr. Nummerdor explained that the lettering is only 24" and 30" tall and they want the lettering to be larger for better visibility.

Commissioner Hanna asked why they are not meeting the ordinance. Mr. Nummerdor responded that they will be using a stacked letter set. This is the image that Mod Pizza uses throughout their national image program. It is not a large horizontal sign, so they are looking at making it taller to accommodate larger lettering.

Mayor Bukiewicz gave a brief overview of how signs are measured as it relates to being code compliant. Commissioner Hanna expressed her concern about the safety of the installation and that it is not too much for the size of the area where it is being installed.

Commissioner Correll expressed his opinion that he would rather see a height variance than the sign stretched out horizontally, thus taking up more of the building façade. He feels the stacked lettering is more aesthetically pleasing as well. He further stated that if the City is looking for national partners and that is what their signage looks like, it should be considered by the City as an opportunity to place people.

Commissioner Johnston referenced the signage on Main Street and that sign height is something that staff struggled with to keep them to 15% of the wall height. Zoning Administrator/Planner Wagner mentioned that Bel Air, Pizza Man and Chocolate Factory were all kept to the 32" height. In the case of Five Guys restaurant, they maximized the height of their lettering and minimized the backer plate to be compliant. The other three tenants met the 32" requirement.

Commissioner Siepert asked if all of the businesses facing internally to Drexel Town Square have met the requirements. Zoning Administrator/Planner Wagner responded that Pot Belly, Orange Leaf, Men's Hair House and Five Guys are all compliant with the sign code. Pot Belly requested a variance to have an illuminated sign in their window, which was granted. Zoning Administrator/Planner Wagner cautioned that if this variance is granted, other tenants may ask for an appeal as well.

Mr. Nummerdor clarified that the sign in front of Mod Pizza will not have "Mod Pizza" on it. It will be on the monument sign with other businesses.

Mr. Nummerdor brought up that the sign on the west side is extremely important for eastbound traffic, and referenced the fact that the Associated Bank building has signs on three elevations.

Mayor Bukiewicz concurred with Commissioner Carrillo and Commissioner Hanna in that consistency is important. As far as a variance goes, past practice should be taken into consideration.

Mr. Nummerdor reiterated his concerns that scaling down the sign to 32" tall will greatly sacrifice the size of the lettering. Also, Associated Bank has signs on three elevations and that precedent is set already.

Commissioner Correll summed up by asking if three signs and a larger badge is acceptable. Commissioner Carrillo clarified it would be two signs at 32" and the large badge. Mayor Bukiewicz indicated he believes consistency with what has already been granted to the other tenants should be adhered to.

Zoning Administrator/Planner Wagner mentioned that a lot of businesses are now using tag lines underneath their business name on signage. He further expressed that there are ways of shrinking the signage through modifications.

Commissioner Carrillo stated that if the City holds them to a 32" tall sign, it would be up to the applicant to modify their sign and it would not have to come back for Plan Commission approval for content. Commissioner Carrillo clarified that basically the Plan Commission would be giving them a variance for the larger shield as well as an additional sign. Zoning Administrator/Planner Wagner added that in the motion, it would have to be stated they are being granted a variance allowing a primary sign on the west elevation that meets the 32" height, not to exceed 68 sf in area, and then allow a variance for the sign on the north elevation to be 45" tall and 15 sf in area.

Commissioner Chandler asked how close the signs are to each other on the north and west elevations. Zoning Administrator/Planner Wagner responded that they will be set in

approximately 5' from the corner of the building on each side respectively. Commissioner Chandler noted that both signs will be visible when traveling eastbound.

Zoning Administrator/Planner Wagner recommended the following wording for the motion.

Recommend granting a variance allowing the tenant to install one primary sign that will be 32 inches tall and 51.75 square feet in area on the west elevation (a non-entry façade). One primary sign that will be 45 inches tall and 15.15 square feet in area on the north elevation, which is the badge, and a primary sign on the south elevation that is 32 inches tall and not to exceed 36 square feet in area or 39 square feet based on the linear footage.

Zoning Administrator/Planner Wagner added that it must be stated that they are allowed to install one primary sign that is 51.75 square feet on the west elevation. That is the variance on the west elevation. One primary sign is allowed that is 45" tall and 15.15 square feet on the north elevation. Zoning Administrator/Planner Wagner added that these are the two variances that the Plan Commission is granting. No variances are being granted to the south elevation. The signage on the south elevation needs to be 32" and not exceed the linear frontage which is 39". Their size is 33" so they could even go a little bit larger if they wanted to.

Zoning Administrator/Planner Wagner worded the recommendation as follows:

Make a recommendation granting a variance allowing the tenant to install one primary sign that is 51.75 square feet on the west elevation and one primary sign that will be 45 inches tall and 15.15 square feet in the area on the north elevation.

Commissioner Hanna so moved. Commissioner Carrillo seconded. On roll call: all voted aye, except Commissioner Johnston and Commissioner Chandler. Motion carried.

**SIGN PLAN REVIEW
MOD PIZZA
160 W. TOWN SQUARE WAY
TAX KEY NO. 813-9046-000**

Zoning Administrator/Planner Wagner stated that because all of the variances that were requested were not granted during the sign appeal process, there will be modifications to the recommendation to the sign plan for Mod Pizza at Suite 100 at 160 W. Town Square Way.

Zoning Administrator/Planner Wagner worded the recommendation as follows:

That the Plan Commission approve the sign plan for Suite 100 located at 160 W. Town Square Way with the following conditions:

- 1) *That the primary sign on the north elevation not to exceed 45 inches in height and 15.15 square feet in area.*
- 2) *That the primary sign on the west elevation not to exceed 68 square feet in area.*

Alderman Guzikowski so moved. Commissioner Correll seconded. On roll call: all voted aye. Motion carried.

**CONDITIONS AND RESTRICTIONS
THE DICKMAN COMPANY
10861 S. HOWELL AVE.**

TAX KEY NO. 955-1001-000

Planner Papelbon provided an overview of the proposed conditions and restrictions specific to this development of an outdoor storage facility.

Of note, Planner Papelbon pointed out the following:

Condition 2 (F) - regarding submission of a certified survey map before building permits can be submitted, she believes the applicant has submitted a CSM for review.

Condition 3 (C) – anything not specific to the business shall not be stored on site.

Mayor Bukiewicz opened up discussion to the Commissioners.

Alderman Guzikowski commented that he does not have an issue with the extended hours.

Commissioner Johnston inquired about the tent for storage that was discussed at the last Plan Commission meeting. He inquired if something should be added to the conditions and restriction that tents should not be allowed for long-term storage of materials. Planner Papelbon responded that it could be added under Section 3, Site and Use Restrictions, Maintenance and Operation Requirements that any structures that are on the site would have to be submitted for review and approval by the Plan Commission, and no temporary structures shall be permanent structures.

Sam Dickman, 2224 Kensington Blvd., Shorewood, WI, explained that they do sometimes set up and take down tents when they go and come back. It would be difficult if they were restricted from doing this. Commissioner Johnston stated that that is understandable. However, at the last meeting, there was discussion of putting up a tent for permanent storage for their flooring material. A tent is not to be put up for permanent storage. Mayor Bukiewicz clarified that tent maintenance would be allowed.

Commissioner Johnston mentioned that the asphalt where they will be storing everything drains to one inlet down in the southwest corner of the property. He cautioned that they might want to keep that open or use the tents to filter all of the sediment that is coming off the site.

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 outdoor storage on the property at 10861 S. Howell Ave., after a public hearing. Commissioner Siefert seconded. Planner Papelbon stated that she will wordsmith the condition about permanent tent structures and that will be included in the conditions and restrictions presented to the Common Council. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT
MARIC INVESTMENTS, LLC
9880 S. RIDGEVIEW DR.
TAX KEY NO. 903-0012-000**

Planner Papelbon provided an overview of this conditional use permit request for a trans-shipment depot and truck engine repair facility. She mentioned that there was a correction to the staff report proposal section to strike “outdoor storage” as this is for a trans-shipment depot facility and truck engine repair.

Mayor Bukiewicz opened up the discussion to the Commissioners.

Alderman Guzikowski is glad to see that the applicant is making improvements to this site.

Commissioner Correll expressed that this is a viable use and he doesn't have a problem with it.

Commissioner Siefert stated it looks good.

A question was raised about the trucks on the property. Marija Mihic, 10226 Park Ridge Circle, Franklin, WI, explained that the trucks travel all over so they are never really all at the site at the same time. Most of the drivers are not from Wisconsin and when they do go home, they go home with their trucks. They will only be stopping by to drop off paperwork.

Alderman Guzikowski asked if the drivers would be staying in their cabs for extended periods of time. Ms. Mihic responded they would not be staying in their trucks overnight.

Commissioner Johnston asked how the repairs would be handled. Ms. Mihic responded that the repairs would be done inside the building, and would only be for minor repairs such as brakes and oil changes.

Mayor Bukiewicz expressed that this would be a great use for the property. Mayor Bukiewicz indicated that he would like the dumpster enclosed and encouraged Ms. Mihic to work with staff on suggested screening.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a trans-shipment depot facility and truck engine repair on the property at 9880 S. Ridgeview Dr., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Commission's review at the next meeting (April 24, 2018). Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**LANDSCAPE PLAN REVIEW
THE DICKMAN COMPANY
10861 S. HOWELL AVE.
TAX KEY NO. 955-1001-000**

Planner Papelbon provided an overview of the landscape plan for a proposed industrial/office space building (see staff report for details). She mentioned that at the last Plan Commission meeting where landscaping was discussed, the Plan Commission requested that the revised landscape plan come back for their review. The amended plan has quite a bit of landscaping that has been installed per Commission and staff recommendations.

Planner Papelbon spoke with the applicant's representatives as well as a representative from WisDOT, and there will not be an allowance for additional landscaping between Howell Avenue and the pond because that is a future road reservation for Howell Avenue. WisDOT will treat that like it is right-of-way. They would prefer not to have any landscaping installed there because it will be removed if there is a road project there.

Commissioner Siefert asked if the whole property was being fenced in. Planner Papelbon responded that just the outdoor storage area is being fenced in. The fence will start on the west side of the building and the west side of the north parking lot. It will then go around the entirety of the west side of the property, along the south side of the property. There is a bit of a space on the south side with about 20 feet between the fence line and property line. There will also be a retaining wall in that area.

Commissioner Correll moved that the Plan Commission approves the landscape plans submitted by Sam Dickman, Jr., The Dickman Company, for the property at 10861 S. Oakview Parkway with

the condition that all conditions of Plan Commission approval from March 27, 2018 remain in effect. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Loreck seconded. On roll call: all voted aye. The meeting was adjourned at 7:03 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

April 24, 2018

Date