

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JUNE 8, 2021**

Mayor Bukiewicz called the meeting to order at 6:01 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Siefert. Commissioner Chandler participated via Zoom. Also present: Kari Papelbon, Planner; Laurie Miller, Zoning Administrator; and Mike Havey, Assistant Fire Chief.

Minutes of the May 25, 2021 meeting

Commissioner Siefert moved to approve the minutes of the May 25, 2021 meeting. Alderman Guzikowski seconded. On roll call: Commissioner Hanna abstained, all others voted aye. Motion carried.

**PUBLIC HEARING
SIGN APPEAL
LOVE'S TRAVEL STOPS & COUNTRY STORES
9650 S. 20TH STREET
TAX KEY NO. 904-9000-001**

Zoning Administrator Miller read the public notice into the record.

Mayor Bukiewicz made the first call for public comment.

Wayne Palmer, Prodigy Lighting & Signs, LLC, 3535 14TH Ave., Kenosha, WI 53140, representing Love's Travel Stops & Country Stores, asked Planner Papelbon to clarify if the canopy faces or the company insignia are considered as signs.

Planner Papelbon and Zoning Administrator Miller clarified that both the faces and insignias, along with color design, would be considered signs.

Mr. Palmer continued, explaining Love's would like to change out faces of the existing canopies. The new design would be very similar to the existing, just adding the company's name to the four (4) faces of the gas pump canopy and four (4) faces of the diesel pump canopy. Mr. Palmer then described other gas stations in the City which have more than the allowed number of signs.

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

**SIGN APPEAL
LOVE'S TRAVEL STOPS & COUNTRY STORES
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Commissioner Chandler asked the applicant to explain the reason for adding the additional signage. Mr. Palmer explained the existing gas canopies are in very poor condition, and Love's would like to update the signage to match their national marketing, including the word "Love's" and a heart shape.

Commissioner Chandler then asked Zoning Administrator Miller to show where the signs would be on the canopy. The proposed signs were displayed, and Zoning Administrator Miller clarified that the proposed logo for the gas station would be relatively small in comparison to the canopy. Zoning Administrator Miller stated that many current gas stations in the City have asked for the same appeal, and the Commission has granted their requests.

Commissioner Chandler asked the applicant to clarify the number of signs per canopy. Zoning Administrator Miller clarified the information.

Commissioner Siefert stated his agreement that the existing canopies need to be updated by adding the word "Love's" and repainted. Mr. Palmer explained the new signs would not be repainted, but made of a new material, with one of the canopies being illuminated. Commissioner Siefert requested clarification on which canopy will be illuminated. Mr. Palmer explained that only the gas canopy will be illuminated, not the diesel canopy.

Alderman Guzikowski stated the sign appeal would be a welcome change for the area.

Alderman Guzikowski moved that the Plan Commission approve the sign variances allowing the installation of four (4) illuminated wall signs on a diesel pump canopy (two (2) 30' 10" x 36", one (1) 223' 6" X 36", and one (1) 231' 9" x 36") and four (4) illuminated wall signs on the gas pump canopy (two (2) 37' 9" x 36" and two (2) 90' 5" x 36") on the west side of the multi-tenant building located at 9650 S. 20th St.

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

**REZONE
FRED ASTAIRE DANCE STUDIO
2121 E. RAWSON AVE.
TAX KEY NO. 768-9009-000**

Planner Papelbon provided an overview of a request to rezone the property from B-2, Community Business to B-3, Office & Professional Business district (see staff report for details). Planner Papelbon explained that dance studios are mentioned specifically under the B-3, Office & Professional Business zoning district.

Doug Forton, Design 2 Construct, N173W21010 Northwest Passage, Jackson, WI 53037, representing Fred Astaire Dance Studio, gave a brief description of the type of business that will operate at the location and explained why the applicant is looking to enclose the existing drive-through lanes.

Alderman Loreck asked if there would be any parking requirement changes that would come with the zoning change. Planner Papelbon explained the parking requirements will be discussed during the plan review, and that there will be enough parking.

Commissioner Siefert and Mayor Bukiewicz stated their agreement that the project is a great use of the underutilized building.

Commissioner Siefert moved that the Plan Commission recommend to the Common Council that the property at 2121 E. Rawson Ave. be rezoned from B-2, Community Business to B-3, Office and Professional Business (NO CHANGE to existing CUP) after a public hearing.

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

**PLAN REVIEW
FRED ASTAIRE DANCE STUDIO
2121 E. RAWSON AVE.
TAX KEY NO. 768-9009-000**

Planner Papelbon provided an overview of site, building, and related plans for an addition to the existing building (see staff report for details).

Mr. Forton provided additional details regarding the footprint of the building and future landscaping plans along the building.

Commissioner Chandler asked the applicant if there would be any exterior lighting around the proposed addition and adjacent parking spaces. Mr. Forton stated he would be willing to add any needed exterior lighting on the proposed addition as the amount and type of existing exterior lights is unknown.

Commissioner Oldani asked if an additional exit was discussed during the planning of the proposed addition. Mr. Forton stated that when the plan goes before the State, the number of required exits will be determined.

Commissioner Carrillo asked if there would be signage added to the building or on the existing monument sign. Mr. Forton clarified any future signage would come before the Commission, but there are no plans at this time.

Commissioner Hanna asked if there would be any mechanical equipment on the outside of the building needing to be screened. Mr. Forton replied there are no plans for exterior mechanical equipment on the property other than a small PVC vent, which would not need to be screened.

Mayor Bukiewicz asked Planner Papelbon if there is an existing trash enclosure that will be repurposed. Planner Papelbon stated that the existing trash enclosure will remain in its current location.

Mike Havey, Assistant Fire Chief, stated that the number of exists will be certified after the plan is reviewed by the State.

Commissioner Oldani moved that the Plan Commission approves site and building plans submitted by Anna Krasnoshapka, Fred Astaire Dance Studio, for the property at 2121 E. Rawson Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the landscape plans are revised to include vegetative screening for the north parking stalls.
3. That the plans are revised to include locations and screening for any new mechanical equipment, transformers, and utilities (if applicable).
4. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

**TEMPORARY USE PERMIT
IKEA
7500 S. IKEA WAY
TAX KEY NO. 784-9023-000**

Planner Papelbon provided an overview of a request for a temporary use permit for an outdoor dining area on the property (see staff report for details).

Commissioner Hanna questioned the safety of the proposed dining area with the use of a temporary fence. Planner Papelbon explained the fence will be weighted, making the fence posts difficult to move. Also, in addition to security cameras, Ikea will have one (1) staff person to monitor the outdoor dining area during operating hours.

Commissioner Carrillo asked how the proposed dining area would be safe from vehicle traffic. Planner Papelbon explained that the dining area is raised above the road and set back five (5) feet from the existing curb.

Alderman Loreck stated he has rarely observed foot or vehicle traffic along the side of the building where the proposed dining area would be. Planner Papelbon explained that the road along the proposed dining area is lesser-used, one-way drive around the building used mostly by delivery vehicles or customers exiting the property.

Commissioner Siefert commented the area seems small for the number of tables and chairs proposed to be in the space.

Commissioner Chandler asked how high the dining area would be raised. Planner Papelbon answered that the area is already approximately six (6) inches above the road.

Mayor Bukiewicz stated his observation regarding the lack of traffic on the road next to the proposed area, and mentioned possible long-term safety plans in the future for this area.

Alderman Loreck moved that the Plan Commission approve site and building plans submitted by Jason Cornelius, IKEA, for the property at 7500 S. IKEA Way with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all detailed, final plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.
3. That the Temporary Use Permit shall expire September 30, 2021.

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

**PLAN REVIEW
ROLLIN SMOKE, LLC
10166 S. 27TH ST.
TAX KEY NO. 927-9994-000**

Planner Papelbon provided an overview of a request for a permanent outdoor dining area on the property (see staff report for details).

Daniel Neumann, Rollin' Smoke, LLC, 1632 Kuiper Ln, Mount Pleasant, WI 53406, provided photos of the proposed fence material on his phone to delineate the dining area from the existing

parking lot. Mr. Neumann explained it is a thick rope, which would be set back five (5) feet from any parking spaces, with a sidewalk between the proposed dining area and parking lot.

Commissioner Hanna stated her concern for the proposed rope material being safe enough to protect the dining area from vehicles. Mr. Neumann stated there would be about ten (10) feet between the parking lot and the proposed dining area. Commissioner Hanna asked why the applicant did not choose a shielded material for a fence. Mr. Neumann explained that it was so people could clearly see there was outdoor dining available at the restaurant.

Commissioner Carrillo asked if the plan included outdoor music. Mr. Neumann stated the proposed space is for outdoor dining only.

Alderman Loreck and Alderman Guzikowski stated their support for the outdoor dining option, while understanding the safety concerns from Staff.

Commissioner Oldani asked for clarification from Staff if there will be a stipulation for a more permanent fence in the motion. Planner Papelbon explained that Plan Commission would determine the appropriate fence material, and include that in the motion (if required).

Commissioner Siefert asked for more information about the exterior lighting over the proposed area. Mr. Neumann explained there are no plans for permanent lighting at the time.

Commissioner Chandler asked Mr. Neumann if the proposed thick rope material would stop a vehicle from coming onto the patio. Mr. Neumann explained the 4" x 4" posts holding the rope would be bolted into the ground, and the parking blocks in front of parking spaces before the curb would make vehicles coming into the space difficult.

Mayor Bukiewicz stated his support for the outdoor dining option. Mayor Bukiewicz then suggested the possibility of a more permanent patio in the future.

Commissioner Chandler and Commissioner Hanna expressed their support for including enhanced fencing as a condition of approval.

Alderman Guzikowski moved that the Plan Commission approves site and building plans submitted by Daniel Neumann, Rollin' Smoke, LLC, for the property at 10166 S. 27th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. Plans for any exterior lighting, permanent or temporary, for the outdoor dining area shall be submitted for review and approval by the Electrical Inspector and Department of Community Development prior to the submission of permit applications.
3. That all detailed, final plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Commissioner Siefert seconded. On roll call: all voted aye, except Commissioner Chandler and Commissioner Hannah, who voted no. Motion carried.

PLAN REVIEW ALL STAR BUICK GMC

**7020 & 7070 S. 27TH ST.
TAX KEY NOS. 737-9094-000 & 737-9984-001**

Planner Papelbon provided an overview of site, building and related plans for outdoor storage and display of retail merchandise, parking lot expansion, and signage at the property (see staff report for details).

Planner Papelbon explained that the existing street furniture on the corner of West Rawson Avenue and South 27th Street is part of the existing 27th Street Corridor Plan. Any proposed changes for this corner will have to include the street furniture, or amendments to the agreement with the City of Franklin and the Wisconsin DOT (WisDOT) will have to be made to move, remove, or change the existing furnishings. The proposal also includes a City of Oak Creek monument sign and bus shelter with City signage, both of which are not supported by Staff.

Planner Papelbon stated that Staff do not object to the concept of the proposed site plans, but would like to address a number of concerns. The plans are unclear on how close the proposed display cliffs, stonework and landscaping are to the sidewalk. Planner Papelbon suggested the plan be revised to move the proposed elements and parking farther from all public rights-of-way, and noted that setbacks have not been identified. In addition, under the existing overlay district requirements, parking areas are to be to the side or rear of buildings, and the proposed plan shows parking areas in the front of the building. The previously approved landscaping plans are also not shown in the proposed plan.

Planner Papelbon stated Staff does not support the proposal as presented, and suggested two (2) options to move forward:

1. That the Commission places the project on hold so that revisions can be made to the plans, that the CSM is provided for review, and that the required Conditional Use Permit Amendment be submitted to incorporate the corner parcel. OR
2. Vote on the suggested motion with the conditions Staff has presented.

Ron Issleb, Quasius Construction, Inc., 3819 N. 8th St., Sheboygan, WI 53082, stated the CSM is in process, with a projected completion date of June 29. He explained the proposed plan was thought of as a destination with artistic rock and water features. Mr. Issleb stated that he was open to including the desired setbacks and existing street furniture into the plans, and further explained the lighting for the vignettes and waterfall would not face into the traffic of the intersection.

Mayor Bukiewicz stated his support for the general concept, and agreed that the property is vital to the City. Mayor Bukiewicz acknowledged the concerns from Staff regarding the street furniture and bus stop. He asked whether comments were received from the Water and Sewer Utility. Planner Papelbon and City Engineer Sullivan stated that the water mains were under the sidewalk and street, and not a concern. Mayor Bukiewicz stated that feedback from the County and State would be needed to move ahead with the proposal.

Mayor Bukiewicz asked how the storm water run-off will be treated with the new impervious surfaces added.

Jim Hansen, Graef, 275 W. Wisconsin Ave., Suite 300, Milwaukee, WI, stated that in discussion with City Environmental Engineer Phil Beiermeister, green infrastructure was agreed upon and proposed on the submitted plan.

Commissioner Sullivan commented on the immense amount of display area proposed, and suggested a smaller display while still supporting the concept. Commissioner Sullivan stated his support for the proposed motion to hold the project to give time to address Staff's concerns and discuss maintenance of the site.

Mike Davis, Insite Landscape Design, 11525 W. North Ave., Wauwatosa, WI 53226, stated that he the plans will need to reflect the project being moved farther away from the rights-of-way, and removing a few of the vignettes. The scale of the waterfall has already been minimized while trying to maintain a dramatic gateway feature to the City and dealership. Mr. Davis also addressed the maintenance concerns and described more of the design, lighting, mechanical, and signage details and concepts of the proposed plan. In regards to the existing street furniture, Mr. Davis answered that if the furnishings could be taken away, the plans reflect a nicer, better structure for the City in return.

Commissioner Carrillo, Alderman Loreck, Alderman Guzikowski, stated their general support for the concept, and the proposed motion to hold decision on the project. Alderman Guzikowski and Alderman Loreck suggested reducing the number of displayed cars.

Commissioner Siepert agreed with City Engineer Sullivan that the scale of the proposal could be down-sized, and commented on the need for easy traffic flow in and out of the property.

Planner Papelbon then clarified the proposed bus shelter and future signage for the City at this location are not topics of discussion at this time as extensive discussions with outside agencies are required. Commissioner Chandler requested clarification from Planner Papelbon about whether the dealership signage could be discussed at this time. Planner Papelbon answered that Staff and the applicant need to discuss all signage plans further before being presented again.

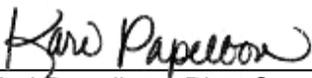
Commissioner Chandler asked the applicant to further detail the proposed lighting on the rock wall. Mr. Davis explained how the rock feature, pond, and waterfall may be lit. Commissioner Chandler asked how the pond will be enclosed. Mr. Davis answered that the pond will be enclosed with a significant amount of plant material, not a rock ring as show in the rendering. Commissioner Chandler asked how the waterfall will be separated from the public, and the proposed depth. Mr. Davis stated that the waterfall will be about five (5) feet tall, with the pond being six (6) - twelve (12) inches deep.

Commissioner Siepert moved that the Plan Commission place the proposed project on hold.

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:37 pm.

ATTEST:



Kari Papelbon, Plan Commission Secretary

6-22-21

Date