



Common Council Chambers
8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chaucey Chandler
Donald Oldani
Chris Guzikowski
Ashley Kiepczynski
Gregory Loreck
Fred Siepert
Christine Hanna
Matt Sullivan - ex-officio
Kari Papelbon - ex-officio

AMENDED
PLAN COMMISSION
February 28, 2023
6:00 P.M.

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

Find more information on agenda items at oakcreek.zoninghub.com.

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – February 14, 2023
4. Review and Discuss Report on Recent Common Council Actions
5. Review and Discuss Report on Recent Board of Housing and Zoning Appeals Actions – NONE
6. Review and Discuss Report on Recent Quarterly Parks & Recreation Commission Actions – Next Report March 28
7. Old Business
 - a. PLAN REVIEW - Review plans submitted by Sean Phelan, DTS Mixed Use, LLC, on behalf of Hand and Stone, for modifications to the north windows for the Hand and Stone tenant space at 7978 S. Main St. (tenant address: 7956 S. Main St.) (Tax Key No. 813-9050-000; 2nd Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/BI9TF22DSF>
8. New Business
 - a. CONDITIONS AND RESTRICTIONS - Review Conditions and Restrictions for a request submitted by Fahim Ajmeri, 8950 LLC, to rezone the property at 8950 S. 27th St. to B-4, General Business with a Conditional Use Permit for vehicle rentals (Tax Key No. 856-0070-006; 6th Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/C2NHBHGV6S>
 - b. PRELIMINARY PLAT – Review a preliminary subdivision plat submitted by John Coury, Switchback Enterprises, for the Edgemont Estates single-family residential subdivision located at 10670 S. Nicholson Rd. (Tax Key No. 958-9995-006; 5th Aldermanic District).

Visit our website at www.oakcreekwi.org for the agenda and accompanying Plan Commission reports.

More info at ZoningHub: <https://s.zoninghub.com/D01AGSZ2HL>

- c. ZONING TEXT AMENDMENTS – Review proposed amendments to Sec. 17.1013 (definitions) and Table. 17.0304(c), Nonresidential District Permitted and Conditional Uses for tattoo studios in the B-2, Community Business District and medical diagnostic facilities/laboratories in the B-4, General Business district.
- d. CONDITIONAL USE PERMIT – Review a request submitted by Julie Marie Ragalie, Mostly Harmless Ink, for a Conditional Use Permit for a tattoo studio within a portion of the existing multitenant building on the property at 8632 S. Market Pl. (Tax Key No. 823-0012-000; 4th Aldermanic District). More info at ZoningHub: <https://s.zoninghub.com/NIS11EK11C>
- e. REZONE - Review a request submitted by Kristen Parks, St. John Properties, Inc., to rezone the property at 140 E. Rawson Ave. from M-1, Manufacturing to B-4, General Business (no change to the existing Conditional Use Permits) (Tax Key No. 733-9991-001; 1st Aldermanic District). More info at ZoningHub: <https://s.zoninghub.com/0OEM4VE7QA>
- f. PLAN REVIEW - Review plans submitted by Lance McTrusty, Bauer Sign & Light Company, on behalf of Yoga Six, for modifications to the east windows for the Yoga Six tenant space at 7978 S. Main St. (tenant address: 7966 S. Main St.) (Tax Key No. 813-9050-000; 2nd Aldermanic District). More info at ZoningHub: <https://s.zoninghub.com/6IGUSLCWH9>

Announcements & Adjournment.

Dated this 23rd day of February, 2023

Posted 2/23/2023 dj

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, FEBRUARY 14, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Chandler. Commissioner Siepert was excused. Also present: Senior Planner Kari Papelbon and Assistant Fire Chief Mike Havey.

Minutes of the January 24, 2023 meeting

Alderman Loreck moved to approve the minutes of the January 24, 2023 meeting. Alderman Guzikowski seconded. On roll call: Commissioner Chandler abstained; all others voted aye. Motion carried.

**MASTER SIGN PLAN REVIEW
MYGRANT GLASS
10501 S. OAKVIEW PKWY.
TAX KEY NO. 955-1035-000**

Senior Planner Papelbon provided an overview of the proposed Master Sign Plan for the existing multitenant industrial building on the property at 10501 S. Oakview Pkwy. (see staff report for details).

Ken Krahe, N60W38469 Blackhawk Drive, Oconomowoc, WI, general contractor for the building and representative for the project, made comments that were not audible.

Commissioner Hanna asked Senior Planner Papelbon if the applicant is requesting a sign in a location where there is no entry.

Senior Planner Papelbon made comments that were not audible.

Commissioner Hanna stated that what Senior Planner Papelbon explained was still confusing.

Senior Planner Papelbon stated that staff is asking for clarification as to whether the northeast wall sign is for the primary tenant, because there is not an entry on the north, or a future tenant.

Mr. Krahe stated it would be for a future tenant.

Mr. Krahe made comments that were not audible.

Commissioner Hanna stated she wants to be sure the signs are clear and there is no confusion between the signs.

Mr. Krahe made comments that were not audible.

Alderman Loreck stated that he is fine with the signs for the primary tenant on the south and east; however, he would exclude the extra sign for a future tenant on the east side of the building because that portion of the building is not where the tenant would be. Alderman Loreck thanked Mr. Krahe for clarifying the monument sign, and stated that he thinks a future monument sign should meet the requirements.

Alderman Guzikowski stated he agrees with everything Alderman Loreck said.

Commissioner Chandler asked where the main road is, and whether there was a cross street.

Senior Planner Papelbon stated the road is on the east and that there is no cross street. She stated that what she heard from the representative is that the north side [on the east elevation] would possibly have two (2) tenant signs within the 250 square feet. That would be an exception to anything else that has been allowed in the City.

Commissioner Chandler asked for more information on the purpose of the signs that are proposed on the north side of the building.

Mr. Krahe stated the north side would be the primary entrance for the tenant or tenants. The goal would be to put the tenant's sign above their door on the north side, and the sign on the east side would be to direct their potential clients or customers.

Commissioner Chandler asked about the sign on the south side.

Mr. Krahe said the south side is for Mygrant Glass, as their office is in the southeast corner.

Commissioner Chandler asked to confirm their entrance is on that side as well.

Mr. Krahe confirmed that is correct.

Alderman Loreck stated that he is still against the additional signage for possible future tenants on the east side. If there is any type of wayfinding or identification necessary, a monument sign would be more appropriate than putting it on the side of the building.

Senior Planner Papelbon stated Alderman Loreck's suggestion would be consistent with the other properties in Oakview Business Park.

Mayor Bukiewicz stated his agreement with Alderman Loreck, and stated that the monument sign should meet Code with the concrete base.

Mayor Bukiewicz made comments that were not audible.

Mr. Krahe made comments that were not audible.

Alderman Loreck moved that the Plan Commission approves the Master Sign Plan submitted by Bob Schmitt, Mygrant Glass, for the multitenant industrial building on the property located at 10501 S. Oakview Pkwy. with the following conditions:

1. That all relevant Code and Conditional Use Permit requirements remain in effect.

2. That the monument sign base is revised to meet Code requirements for width and materials.
3. That permits are issued for signs prior to installation. The Master Sign Plan shall become null and void if sign permits associated with all signs included in the Master Sign Plan have not been issued within 12 months of the date of approval, February 14, 2024.
4. That all detailed, revised, and finalized plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Alderman Guzikowski seconded.

Senior Planner Papelbon stated that if the Plan Commission is recommending the sign on the northeast corner be removed, it should be included in the motion.

Alderman Loreck amended the motion to add:

5. That the sign on the northeast portion of the building is removed from the Master Sign Plan.

Senior Planner Papelbon stated that because the Master Sign Plan is for a multitenant building that may not have all the signs will be installed within 12 months, she recommends that the Plan Commission give about three (3) years. Alderman Loreck amended the motion as stated.

Mr. Krahe made comments that were not audible.

Senior Planner Papelbon stated directional signs do not necessarily need to be a part of the Master Sign Plan; however, the monument sign that is proposed as a part of the review would be included.

Mayor Bukiewicz asked Assistant Fire Chief Havey if the Fire Department will have issues with address identification if the monument sign is not installed right away.

Assistant Fire Chief Havey stated that the Fire Department relies on the address alert. The signs are helpful, but the addressing alerts are what EMS and fire systems rely on for identification.

On roll call: all voted aye. Motion carried.

**PLAN REVIEW
HAND AND STONE
7978 S. MAIN ST. (TENANT ADDRESS: 7956 S. MAIN ST.)
TAX KEY NO. 813-9050-000**

Senior Planner Papelbon provided an overview of the Site and Building Plan review for a proposed building modification to change the clear glazing of the north windows to opaque with a graphic covering at 7956 S. Main St. (see staff report for details).

Commissioner Chandler referenced the photo that shows the windows in their current condition, and asked if the proposed covering would be for both windows in the photo.

Senior Planner Papelbon replied in the negative, and explained that the tenant space is currently under construction. The proposed graphics would be installed on the 250 square feet of windows to block the interior massage rooms that are being built out. Senior Planner Papelbon stated that there are other options that include installing shades.

Commissioner Chandler asked how opaque the graphic would be.

Senior Planner Papelbon stated it would be completely opaque.

Commissioner Chandler asked Senior Planner Papelbon if she had any details as to why the proposed graphic was chosen.

Senior Planner Papelbon stated she is not sure, but that it was likely a preference for the tenant. Senior Planner Papelbon explained that the Plan Commission packets contain information that the graphics would be applied to first surface of the glass, meaning the graphic is attached to the exterior of the window. Staff already alerted the consultants that such would not be allowed, and the graphics would need to be on the interior.

Commissioner Chandler inquired if the alternate designs were recommendations discussed with the applicant. Senior Planner Papelbon stated they were alternates proposed by the applicant for the Plan Commission to consider.

Commissioner Oldani asked Senior Planner Papelbon why staff is requesting alternatives. Senior Planner Papelbon explained that the proposed graphic could potentially read as advertising because it is for a spa, and that the included elements are serving as additional signage even though it is not a sign. The proposed graphics will be facing the public space, and the purpose of the clear glazing requirement in the DTSMUPUDD is for people to be able to look into the clear glazing areas that are at street level. If those areas are going to be blocked, staff is asking for a more generic option to be sensitive to the area and the requirements of Drexel Town Square, while avoiding the potential for advertising.

Alderman Guzikowski stated that he is not a big fan of any of the designs. Senior Planner Papelbon stated that she believes the intention of one (1) of the designs is for it to look translucent. There is the possibility of having a covering that is not opaque necessarily, but mimics the look of spandrel glass. The Plan Commission could recommend that if the graphic is going to be completely blank, it needs to be more of a translucent window tint.

Alderman Guzikowski state that after Senior Planner Papelbon's explanation about the last alternate, he likes that one the best out of all the options. Senior Planner Papelbon stated that the intention could be for the window to be whiteish, but her assumption is that it will be less than entirely white.

Alderman Loreck stated that he agrees with Alderman Guzikowski's first statement. Alderman Loreck stated that he does not like the idea of having all the windows and putting a giant sticker over them. He asked if the business has built walls on the inside for the privacy of the customers. Senior Planner Papelbon stated that the applicant has put up the structure

for the massage rooms that will be covered with drywall, and the window graphics would be used to block the gap between the window and the beginning of the drywall. There is always the option of putting in shades, but this is what has been presented for Plan Commission consideration.

Alderman Loreck asked whether the City would be allowed to require the business to put up curtains or something else to decorate the windows if the Plan Commission denies the proposal. Senior Planner Papelbon stated that she is not sure the City can require a specific window treatment, but the Plan Commission can recommend an alternative option. Senior Planner Papelbon stated that she thinks they [the tenant] only have a couple of inches of space to work with.

Alderman Loreck stated he would be against any of these options, but if the alternative is to have a white wall or put aluminum blinds up, he is not sure he would want that, either. He stated that he would be in favor of some nice curtains or some type of greenery or stone fascia on the inside wall.

Commissioner Carrillo stated her agreement, recalling that when the dentist applied to cover the same wall on the opposite building, the Plan Commission denied that request and instructed them to put in shades. She stated that the entire area is covered with white shades, and it does not look good. Commissioner Carrillo stated that she believes that every design that is proposed, with the potential exception of the design in the lower right corner of the screen [blank], is an advertisement. She stated that she has seen the construction for the spa, and is not sure how they would get a sticker on the windows. She stated that she believes on the west side there will possibly be the same issues because she can see the drywall and the structures going in.

Senior Planner Papelbon stated that staff are unaware of any other project, and that anything that is covering the windows should be brought to the Plan Commission for approval. She stated that if the Plan Commission is not comfortable with this proposal and have questions for the applicant -- the applicant and their representatives are not present to answer them -- then her recommendation is for the Plan Commission to hold the item.

Commissioner Hanna inquired if the applicant was already given permission to put a spa in. Senior Planner Papelbon confirmed that a spa is an allowed use.

Commissioner Hanna stated that a spa is a private place, and it is not meant to be clear and see-through. Senior Planner Papelbon stated there are options for building out the interior space that would not require the applicant to have the rooms right up against the windows.

Senior Planner Papelbon explained that the requirements of the Drexel Town Square General Development Plan and Regulating Plan are still valid regardless of whether or not the use is allowed. The applicant is still required to adhere to the requirements for clear glazing, and it is up to them to do their interior buildout while still meeting those requirements.

Commissioner Hanna asked if the applicant was aware of the glazing requirements when they acquired the space. Senior Planner Papelbon stated that she cannot speak to what the tenant was aware of when they signed the lease. The City only becomes aware of the tenants when they come in for a permit.

Commissioner Hanna referenced Alderman Loreck's comments regarding having trees in front of the window as an option, and stated the top right option [banana leaves graphic] would perform the same way. Senior Planner Papelbon stated that any tenant that comes into Drexel Town Square is subject to the same rules and requirements. The use is allowed, but they are still required to maintain the clear glazing and the interior buildout is supposed to incorporate all of those requirements of Drexel Town Square.

Commissioner Hanna stated she would like to ask the owner or the tenants what requirements they were given when they signed the lease.

Mayor Bukiewicz said it [clear glazing] is a requirement of Drexel Town Square. Commissioner Hanna asked what would happen if the landowner did not share the requirements with the tenant. Mayor Bukiewicz stated that it is between the tenant and the landlord.

Mayor Bukiewicz stated he would recommend holding the item, and that he thinks they should look at the interior design, bump it out a couple of feet, make it a storefront, and leave the glass.

Senior Planner Papelbon said the interior space is already under construction. Mayor Bukiewicz reiterated that the landlord should know the stipulations of Drexel Town Square, and disclose that to potential tenants.

Assistant Fire Chief Havey said he has an issue with the first image. In the advocacy of fire prevention, having a graphic showing an open candle near combustibles is not a good image for the community. Assistant Fire Chief Havey stated that if the City is promoting fire safety, that is not a picture of fire safety.

Commissioner Carrillo stated that this is the entrance to Drexel Town Square, and inquired if it is an opportunity to use one of the City's own images. Senior Planner Papelbon stated that she appreciates that idea, but it is the applicant's tenant space.

Mayor Bukiewicz made comments that were not audible.

Commissioner Oldani moved that the Plan Commission holds the site and building plan review for proposed building modification and change the clear glazing on the north windows to opaque with a graphic covering. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
BRIOHN BUILDING CORPORATION
7433 S. 10TH ST & 7300 S. 13TH ST
TAX KEY NOS. 764-9057-000 & 764-9011-000

Senior planner Papelbon provided an overview of the site, building, and related plan review for revisions to a proposed multitenant speculative industrial building on portions of the properties at 7433 S. 10th St. and 7300 S. 13th St. (see staff report for details).

Commissioner Chandler asked the applicant to provide more information about the Planning Department's concerns that have not been addressed regarding landscaping, tree inventory, etc.

Caitlin LaJoie, 3885 North Brookfield Road, Brookfield, stated that was an oversight by the landscape architect, but the plans have been revised and will be resubmitted.

Assistant Fire Chief Havey stated some modifications have been made to the turning radiuses, access, and maneuverability through the site, so the plans are to the Fire Department's satisfaction.

Senior Planner Papelbon referenced the proposed floor plan, and asked the applicant to clarify what the tank pit area is.

Ms. LaJoie stated that was added for a proposed tenant at the time; however, that tenant has since walked away, so it would not be built out at this time.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Caitlin LaJoie, Briohn Building Corporation, for a multitenant industrial building on portions of the properties at 7433 S. 10th St. & 7300 S. 13th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all conditions of approval from the November 22, 2022 approval remain in effect.
3. That all plans are revised to match and incorporate staff comments.
4. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review 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.

**PLAN COMMISSION CONSULTATION
DESIGN DEPARTMENT, INC.
8041 S. 13TH ST.
TAX KEY. 811-9007-000**

Patrick Tetzlaff, 6328 Alex Turn, Caledonia, provided an overview of his business and plans for Oak Creek. Below is a summary of his talking points:

- The applicant plans to make alterations to the interior and exterior of the building and occupy a portion of the building.
- The occupancy target date is fall of 2023.
- Design Department is a product development firm that helps clients move ideas forward.
- Most of their customers are medium to large sized companies.
- Design Department is a team of six (6) employees.
- They also make physical prototypes using 3D printers or partnering with other companies.
- Mr. Tetzlaff showed photos of their current office space and some of the equipment that is in their office.
- Mr. Tetzlaff showed some of their current clients.

- Mr. Tetzlaff also showed some of the prototypes they created for clients.
- They are in the application process with the ATF for a Type 7 FFL permit to produce prototypes.

Mayor Bukiewicz asked Senior Planner Papelbon what the zoning of the property is. Senior Planner Papelbon stated it is zoned B-4.

Senior Planner Papelbon explained that Light Manufacturing would be the correct zoning for research and development and prototyping. Senior Planner Papelbon continued by stating that would require a Comprehensive Plan Amendment and rezoning unless the Plan Commission feels they could make this particular business allowed in the B-4 District. Staff would be concerned about size and intensity of use. There would be no problem with small scale prototyping, small scale assembling of working scale models, but once it starts getting into vehicle production that would possibly be crossing over into the LM-1 District.

Mayor Bukiewicz asked the applicant which part of the building they would be taking over. Mr. Tetzlaff explained that their plan is to have Apex Motorwerks and the supplement store would remain. Mr. Tetzlaff stated they are looking at occupying two spaces, one is currently a car detailing business and the other is a business that applies vinyl wraps to cars.

Mayor Bukiewicz made comments that were not audible.

Mr. Tetzlaff said they would be in the main building. Mr. Tetzlaff explained that the main building has four (4) individual suites right now and they would occupy two (2).

Mr. Tetzlaff stated they are currently in a B-4 District in Racine.

Mayor Bukiewicz made comments that were not audible.

Mayor Bukiewicz stated he has the utmost respect for the staff to figure out what is best. Mayor Bukiewicz said it has been a challenging property.

Mayor Bukiewicz made comments that were not audible.

Commissioner Carrillo stated the building does need a face lift.

Commissioner Kiepczynski said she thinks it is a very interesting concept and would be great for Oak Creek.

Commissioner Kiepczynski made comments that were not audible.

Alderman Loreck stated he agrees. Alderman Loreck also stated he thinks the business sounds amazing and it would be welcomed in Oak Creek. Alderman Loreck continued by saying the building needs an upgrade, even though it is on 13th Street it is still residential and a lot of the residents will be very vocal about what happens on the property.

Alderman Loreck said he hesitates with the LM-1 District because he has a concern about what could go in the property if this business were to leave.

Alderman Loreck asked the applicant if there would be any large deliveries of any solvents or plastics. Mr. Tetzlaff responded saying no, everything comes in UPS, just regular.

Alderman Loreck also asked if there would be any loud noises. Mr. Tetzlaff said no.

Alderman Loreck said he is hoping it could fit in the B-4 Zoning that is already there.

Senior Planner Papelbon explained they may be looking at the Text Amendment because there is currently nothing in the B-4 District that would allow for Research and Development and Prototyping because the LM-1 District was intended for that purpose, but this is a smaller scale than LM-1 was anticipating. Senior Planner Papelbon stated it would probably require a Text Amendment and a Conditional Use Permit.

Alderman Guzikowski said he thinks this would be a business of great value and what the Plan Commission and City can do to make it work would be great.

Commissioner Oldani stated there is no reason to think we would not want them here and hopefully staff can get it figured out.

Commissioner Chandler stated it looks and sounds good.

Mayor Bukiewicz stated this looks interesting and staff is very good at solving problems.

Mr. Tetzlaff said they bring in two (2) to three (3) engineering interns every summer from local colleges.

REZONE/CONDITIONAL USE PERMIT

FAHIM AJMERI

8950 S. 27TH ST

TAX KEY NO. 856-0070-006

Senior Planner Papelbon provided an overview of the request to rezone the property at 8950 S. 27th St. from B-2, Community Business to B-4, General Business (NO CHANGE to the FF, Flood Fringe district) with a Conditional Use Permit for vehicle rentals (see staff report for details).

Akil Ajmeri, 2714 4 ½ Mile Road, Caledonia, stated he has been in business for eight (8) years.

Mr. Ajmeri made comments that were not audible.

Mr. Ajmeri said he is proud to be a member of Oak Creek now. Mr. Ajmeri continued by stating the trucks will be parked right by the building, but he has requested one in the front so people can see it.

Commissioner Hanna expressed concerns that the trucks are not monitored, there is no one on site, and the online reservation system.

Mayor Bukiewicz stated those are good points, but the Plan Commission should stick to the rezone process.

Senior Planner Papelbon stated the process for renting the vehicle is an online reservation process and then picking up.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon clarified the item is for Conditional Use Permit and Rezoning, not just rezoning.

Commissioner Chandler asked Senior Planner Papelbon to repeat her last statement. Senior Planner Papelbon reiterated that this is a rezone and a Conditional Use Permit request.

Mayor Bukiewicz explained that the drop box could be questioned, but not the process the applicant uses.

Commissioner Carrillo said she is not sure a truck can be put on 27th Street, but understands that the parking lot is very large.

Commissioner Carrillo stated she has noticed the trucks there already and she thinks it is a great opportunity for the applicant.

Alderman Loreck agreed with staff that there should not be a truck parked on 27th Street. Alderman Loreck also agreed that it should be limited and screened and all of staff's recommendations. Alderman Loreck inquired if the limitations put on the number of vehicles also apply to trailers.

Senior Planner Papelbon stated that would be within the Plan Commission's purview for the Conditional Use Permit, if it is limited to trucks that is only thing that would be allowed.

Alderman Loreck asked if the max of four (4) vehicles was suggested by the applicant. Senior Planner Papelbon clarified that was the request.

Alderman Loreck asked the applicant if that was for four (4) vehicles, four (4) trailers, or a combination. Mr. Ajmeri stated it would be four (4) trucks.

Mr. Ajmeri explained that the process is all done online, and it is a very easy process.

Alderman Loreck stated he is not sure how much noise there would be, especially if the hours are 10-5, but if people are returning trucks after hours and the trucks have beeping mechanisms when backing up then the noise needs to be minimized.

Alderman Loreck asked if the Plan Commission approves the rezone with the Conditional Use Permit, does the Conditional Use Permit expire. Senior Planner Papelbon explained that it is within the Plan Commission and Common Council's purview to put in an expiration date, however staff is not recommending anything less than a year or two.

Alderman Loreck asked to confirm if the property is rezoned to B-4, if that would open the door to all B-4 businesses. Senior Planner Papelbon confirmed it would open the property up to any possible use within the B-4 District.

Alderman Guzikowski said he has not gotten any phone calls from residents. Alderman Guzikowski also said he is not in favor of this becoming a big storage lot, but said he would be okay with the four (4) trucks as long as they are screened. Alderman Guzikowski also said he agreed with others and does not think a truck should be parked along 27th Street.

Mayor Bukiewicz said he agrees with Alderman Loreck and Alderman Guzikowski.

Mayor Bukiewicz made comments that were not audible.

Alderman Loreck asked if the Plan Commission needed to decide which of the three options they were approving. Mayor Bukiewicz confirmed that they did.

Mayor Bukiewicz made comments that were not audible.

Assistant Fire Chief Havey stated there is a concern if the vehicles are stored right next to the building. Assistant Fire Chief Havey also said there should be some distance from the structure.

Commissioner Chandler asked Senior Planner Papelbon if the email that was received needs to be read. Senior Planner Papelbon summarized that the email came from a resident in the area stating they have no issues with the particular use and asked some questions. Senior Planner Papelbon stated she would respond following the Plan Commission meeting.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the property at 8950 S. 27th St. be rezoned from B-2, Community Business to B-4, General Business (NO CHANGE to the FF, Flood Fringe district) with a Conditional Use Permit for vehicle rentals, after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (February 28, 2023). Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

DISCUSSION ITEM

POTENTIAL UPDATES TO RESIDENTIAL EXTERIOR BUILDING MATERIALS

Senior Planner Papelbon explained that after the 2022 Zoning Code update vinyl is not allowed anywhere in the City. Senior Planner Papelbon stated there have been concerns raised regarding residential vinyl siding. Senior Planner Papelbon presented concerns and questions from previous vinyl discussions. The concerns and questions included:

- Vinyl siding to be allowed on all residential buildings?
- Vinyl siding to be allowed on all floors of all or some residential buildings? Allowed on additions?
- Vinyl siding to be allowed up to a maximum percentage on multifamily residential buildings similar to the previous Code?
- Longevity, durability, aesthetic/design, and maintenance concerns.

- Installation methods and minimum specification requirements.

Senior Planner Papelbon referenced the previous Code and stated that single family residential was allowed to have, “wood, wood clapboards, wood shakes, vinyl steel or aluminum beveled siding, brick, stone or other masonry-type veneer materials, or other similar materials”. Senior Planner Papelbon stated Rd-1 and Rm-1 were less clear. Senior Planner Papelbon also stated her interpretation for Rd-1 under the previous Code is that vinyl was allowed. Senior Planner Papelbon continued by explaining that Rm-1 was the most restrictive and the Code stated Rm-1 had to fall under the same allowed exterior building materials as commercial and manufacturing and had to have at least 65% of the surface of the exterior wall area covered by brick or decorative masonry.

Senior Planner Papelbon provided a summary of recent approved multi-family developments going back to 2014. Oak Park Place used composite. Forge & Flare and all the buildings in Drexel Town Square used fiber cement, brick, stone, and wood products. Azure on Mayhew, Drexel Ridge, the Seasons at Orchard Hills, and Hub13 used fiber cement. Senior Planner Papelbon stated there were some projects that were presented for Plan Commission review that had incorporated vinyl and were denied. Senior Planner Papelbon explained that the Oaks at 8100 had vinyl that was incorporated into their original design and the Plan Commission did not approve of that, so it was revised to be acceptable building materials such as brick, stone, and fiber cement. Senior Planner Papelbon continued by explaining that none of the acceptable building materials at Lakeshore Commons include vinyl. Senior Planner Papelbon stated the vinyl she is referencing is vinyl siding and it does not include vinyl soffits.

Senior Planner Papelbon stated that single family residential has been a mix of requests some are requesting vinyl, but a lot are requesting fiber cement. Fiber cement is approved without a problem.

Alderman Loreck asked Senior Planner Papelbon if an existing home resides are they allowed to use vinyl. Senior Planner Papelbon answered with no. Senior Planner Papelbon expanded by saying the homeowner can repair or paint, but if they are going to redo their entire siding no.

Commissioner Kiepczynski inquired what type of permit would be required for that and when would Planning have the opportunity to review if someone was residing. Senior Planner Papelbon stated that is a great question that she does not have an answer for. Senior Planner Papelbon also stated she would need to check with Inspection to see when a building permit is required for something like that.

Mayor Bukiewicz asked in the one Code section vinyl was never approved.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon stated under the previous Code, but since 2022 not been allowed. Senior Planner Papelbon said it has been very difficult for staff to apply that for minor additions and attached garages.

Mayor Bukiewicz said for additions he would like to see the siding using...

Mayor Bukiewicz was inaudible.

Senior Planner Papelbon stated it has not been that; there is vinyl on the house, and they are proposing vinyl.

Mayor Bukiewicz was inaudible.

Senior Planner Papelbon stated that is also an option. Senior Planner Papelbon stated the existing Code says wood or wood products, so LP would technically fall under the wood product.

Alderman Loreck asked Senior Planner Papelbon if she was looking for a consensus on the concerns and questions she presented in the beginning. Senior Planner Papelbon stated she is looking for more direction because the more direction she gets from the Plan Commission, the better the Code section she can present to the Plan Commission and Common Council.

Mayor Bukiewicz made comments that were not audible.

Mayor Bukiewicz stated the new product maybe better. Senior Planner Papelbon said there is an industry standard and the American Society of Testing and Materials standard for vinyl is a minimum of 0.035 inches. Senior Planner Papelbon also said from what she read is that the recommendation is to go to at least 0.040 inches and the higher the number the better and it goes up to about 0.052 or 0.055 inches. Senior Planner Papelbon continued by saying there are more benefits for the thickness.

Senior Planner Papelbon explained that vinyl will always have some level of wear and tear and is subject to potential cracking, breaking, or weathering. Senior Planner Papelbon stated in today's vinyl the pigment is built into the entire product, so it will not fade the same way and will not need to be painted. Senior Planner Papelbon also stated her research says to look for anti-weather protection to prevent fading. Senior Planner Papelbon continued by stating installation and maintenance are going to be some of the biggest issues for any product that is used.

Commissioner Hanna inquired how other municipalities around Oak Creek approach vinyl siding. Senior Planner Papelbon stated vinyl is everywhere, but she is not sure how they apply it to specific residential buildings.

Commissioner Hanna clarified she is asking more about the permitting side that Oak Creek could use as a guide. Senior Planner Papelbon stated she does not know what surrounding municipalities have done, but stated if Oak Creek prohibits vinyl, it would probably be the only city to do so.

Commissioner Hanna said she agrees that vinyl looks less appealing after a long time, it is cheaper. Senior Planner Papelbon said there have been advancements made in the product that make it a little more durable and a little better. Senior Planner Papelbon continued by

stating the quality, durability, and installation methods will make the longevity type issues go away.

Commissioner Hanna stated maintenance is cheaper too. Senior Planner Papelbon said if the City is trying to encourage housing that is more in line with what people make, having more options available to builders in order to achieve that type of housing product is only going to make that goal more achievable.

Commissioner Carrillo said encouraging new homes to have a higher standard would be great, but she thinks at some point vinyl needs to be added back into the Code.

Commissioner Kiepczynski stated she agrees that vinyl should be in the Code. Commissioner Kiepczynski explained that like anything else it comes down to maintenance.

Commissioner Kiepczynski was inaudible.

Alderman Loreck stated he agrees with Commissioner Carrillo. Alderman Loreck continued by stating he has a vinyl house and as it will eventually deteriorate, he cannot cover his whole house with masonry and it will need to be replaced with vinyl, painted, or another economical option. Alderman Loreck said he would be for putting vinyl back in, that it is allowed. Alderman Loreck also said he would not limit it to any certain floors in single family residential. Alderman Loreck continued by saying he feels there is no issue holding larger multi-family developments to a higher standard and not allowing it or at most allowing it for a certain type of accent. Alderman Loreck said he has no comment on the installation methods because he is not familiar with the installation.

Alderman Guzikowski stated he thinks vinyl should be acceptable.

Commissioner Oldani explained he agrees with almost everything Alderman Loreck said. Commissioner Oldani also explained that the City does not want to give people reasons not to update their homes and if vinyl is taken away some people may choose not to update their homes. Commissioner Oldani agreed with Alderman Loreck that multi-family could be held to a higher standard. Commissioner Oldani reiterated that vinyl should be in the Code somewhere.

Commissioner Chandler asked Senior Planner Papelbon what the reasoning was for why the Plan Commission took vinyl out of the Code. Senior Planner Papelbon stated she does not know when or why it got taken out.

Commissioner Chandler stated she agrees with the comments on including vinyl for residential and the other properties, but inquired if it is possible to have someone come in to give an overview in the differences. Senior Planner Papelbon said she thinks the challenge with asking someone from the vinyl industry if vinyl should be allowed it may turn into a sales pitch and the Plan Commission would not get the information they need.

Commissioner Chandler inquired if it goes back to checking out the surrounding cities because they may have done the research already. Senior Planner Papelbon said she does not know if they have because she thinks municipalities just allow vinyl.

Senior Planner Papelbon explained that staff and the Plan Commission are only having this discussion now as a result of staff realizing that the Code excluded something that maybe should not have been. Senior Planner Papelbon also explained that staff and the Plan Commission now have the opportunity to ask if there is a standard that should be used.

Commissioner Hanna asked if there was a way to handle it on a case-by-case basis. Senior Planner Papelbon stated no, there needs to be a standard to apply to everybody.

Mayor Bukiewicz made comments that were not audible.

Mayor Bukiewicz stated I agree with you.

Mayor Bukiewicz made comments that were not audible.

Mayor Bukiewicz said he thinks the one thing he would add to potential homes is the engineering standards.

Mayor Bukiewicz was audible.

Senior Planner Papelbon stated the ASTM standard is not the commercial grade standard. Mayor Bukiewicz said he would increase it. Senior Planner Papelbon rephrased that the ASTM standard is lower than commercial grade.

Mayor Bukiewicz stated he is assuming thicker is better. Senior Planner Papelbon agreed and stated there are advantages as the thickness increases.

Mayor Bukiewicz said he would consult with the city engineers. Senior Planner Papelbon stated we can try, but she is not sure if they will be able to give an answer. Mayor Bukiewicz clarified that he would ask what the mil should be.

Senior Planner Papelbon said her understanding is that when the thickness goes up the fire protection and insulation increases. Mayor Bukiewicz stated he would go that route; it is probably adding some cost.

Commissioner Hanna made comments that were not audible.

Senior Planner Papelbon said the standard from 30 years ago has changed so it might not be a like for like comparison.

Senior Planner Papelbon said the builders' grade is .4-millimeter, residential grade is .42-millimeter, standard residential grade is .44-millimeter, and goes up to premium grade which is between .52-millimeter and .55-millimeter.

Mayor Bukiewicz said he would be looking at...

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon stated the middle ground would be the standard at .44-milimeter.

Mayor Bukiewicz stated he would put a standard to it.

Commissioner Hanna made comments that were not audible.

Mayor Bukiewicz stated he does not think it makes a difference.

Commissioner Chandler asked Senior Planner Papelbon how the Plan Commission handled the fence situation. Senior Planner Papelbon stated residents can have vinyl coated chain link in the rear and side yard, but no street facing yard.

Mayor Bukiewicz said he thinks the consensus is the City has to allow vinyl on residential homes, but need to figure out the standard.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon asked how the Plan Commission wants to define multi-family. Mayor Bukiewicz said he is thinking four (4) family and above.

Mayor Bukiewicz inquired when a building requires sprinklers.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon referenced the Code and described the different levels of residential.

- Community living must be treated the same as single family residential.
- Multi-family dwellings that are nine (9) plus units, typical multi-family
- Single family attached one story and up to four (4) dwelling units, or dwelling single family attached two stories and or five (5) plus dwelling units.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon stated the City allows single-family attached, single-story up to four (4) dwelling units. Senior Planner Papelbon a single-family attached that was two-stories, like a townhouse, and or five (5) or more single-story or dual-story is a different category that is separate from traditional multi-family.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon asked full masonry or just the base. Mayor Bukiewicz stated just the base.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon asked to clarify full wall or just base. Mayor Bukiewicz stated just the base, like a beltline.

Senior Planner Papelbon asked to confirm that Mayor Bukiewicz is saying single family and two family are allowed to have vinyl, but once it is a single-family attached that falls into the

other two categories it requires a masonry base and multi-family is held to a higher standard that Plan Commission needs to determine.

Mayor Bukiewicz made comments that were not audible.

Commissioner Oldani asked what single family attached is. Senior Planner Papelbon stated if there are four (4) units that are attached in a single-story structure or if there are five (5) or more units in any configuration or attached in two stories like a townhouse or a row home.

Commissioner Hanna asked how it is different than condos. Senior Planner Papelbon stated condos can be almost anything.

Senior Planner Papelbon asked if anyone had any concerns about how it would look.

Commissioner Oldani inquired about consulting with someone regarding the vinyl siding. Senior Planner Papelbon explained that it might delay the process and cost money.

Commissioner Hanna asked if public input could be gathered. Senior Planner Papelbon stated the public wants vinyl. Senior Planner Papelbon also stated that the Plan Commission meeting is public; notices are not set because it effects the whole City. Senior Planner Papelbon continued by stating the public was invited to provide their opinions on the Code before it was adopted and during updates.

Commissioner Hanna asked how they were invited to provide comments on this item. Senior Planner Papelbon explained this item is a discussion item.

Commissioner Hanna asked how the public would be notified in the future. Senior Planner Papelbon stated it is published on the website, social media, and as part of the Council packet when it goes to Council.

Commissioner Carrillo inquired how many builders have come with small houses that had vinyl. Senior Planner Papelbon stated not for small houses, but yes for big houses.

Commissioner Carrillo asked if the Planning department had to deny the request. Senior Planner Papelbon said yes.

Commissioner Carrillo asked if the developers went somewhere else. Senior Planner Papelbon said no, in some cases it was updated to fiber cement or composite.

Mayor Bukiewicz stated he thinks the City needs to allow vinyl and put a standard on it.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon stated multi-family is a little bit more difficult because a percentage would need to be determined.

Mayor Bukiewicz stated he would look at the Code...

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon clarified that she was seeking how much vinyl would be allowed.

Alderman Loreck made comments that were not audible.

Senior Planner Papelbon stated if she understands the rest she understands where the cut off is for multi-family, it is a matter of updating the Code so it is clear.

Senior Planner Papelbon asked if the Plan Commission would support some type of language that would allow the Plan Commission to consider a modification for the incorporation of vinyl on a multi-family residential building that incorporated a certain percentage of affordable.

Mayor Bukiewicz made comments that were not audible.

Commissioner Hanna asked when trying to determine the single housing and the definition of is it different by municipality. Senior Planner Papelbon stated every municipality has their own Zoning Code and sets the standards for what is right in their community. Senior Planner Papelbon also stated the municipality just needs to be in line with what the Milwaukee County Plan is.

Commissioner Hanna asked if that is much different. Senior Planner Papelbon said the County is not setting standards like the City of Oak Creek is.

Mayor Bukiewicz stated the applicant for item 7b arrived after the motion was taken to hold. Mayor Bukiewicz also stated that because the motion was made to hold the item it cannot be opened back up for discussion, but the Plan Commission can get the item brought back for discussion in two weeks.

Commissioner Carrillo moved to adjourn the meeting. Alderman Loreck seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:22 pm.

ATTEST:

Kari Papelbon, Plan Commission Secretary

2-23-23

Date



Recent Common Council Actions

February 20, 2023

ITEM: 4

DATE: February 28, 2023

- Presented an update on the North Bluff Park planning process.
- **APPROVED** a contract for design of a roundabout at the intersection of W. Puetz Rd., S. Liberty Ln., and S. Wood Creek Dr.
- **APPROVED** amendments to Tax Incremental District No. 13 Finance Development Agreement with F Street OCLV LLC, the Tax Incremental District No. 13 Finance Development Agreement with F Street OCLV NT, LLC (Townhomes Parcel) and Tax Incremental District No. 13 Finance Development Agreement with OCLV MF 2, LLC (As Parcel) (Lakeshore Commons).

A handwritten signature in black ink that reads "Kari Papellbon".

Kari Papellbon, CFM, AICP
Senior Planner



PLAN COMMISSION REPORT

Proposal: Plan Review – Hand & Stone

Description: Site and building plan review for a proposed building modification to change the clear glazing of the north windows to opaque with a graphic covering.

Applicant(s): Sean Phelan, DTS Mixed Use, LLC

Address(es): 7978 S. Main St. (Tenant Address: 7956 S. Main St.; 2nd Aldermanic District)

Suggested Motion: Please see the staff report below for condition requirements when considering the following motion.

That the Plan Commission approves the site and building plans submitted by Sean Phelan, DTS Mixed Use, LLC, for exterior building modifications on the north elevation of the tenant space at 7956 S. Main St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the **(SPECIFY approved graphic)** is approved.
3. That a maximum of 250 square feet **(OR dimension determined by the Plan Commission)** of the windows on the north elevation in the location depicted on the approved plan.
4. That the approved graphic is installed on the interior of the tenant space.
5. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

Owner(s): DTS MIXED USE LLC/WESTBROOK MGMT

Tax Key(s): 813-9050-000

Lot Size(s): 1.547 ac

Current Zoning District(s): DTSMUPDD

Overlay District(s): N/A

Wetlands: Yes No

Floodplain: Yes No

Comprehensive Mixed Use
Plan:

Background:

This item was held at the February 14, 2023 meeting as a representative was not present to answer questions during the review. The staff report for the item has not changed, but is included for reference below.

February 14, 2023

The Applicant is requesting Site and Building Plan approval for a proposed building modification on the property at 7978 S. Main St. Hand & Stone, a massage and facial spa, will be occupying the northwest corner tenant space at 7956 S. Main St., and are requesting that a majority (250 sf) of the windows on the north elevation be covered by an opaque window graphic.

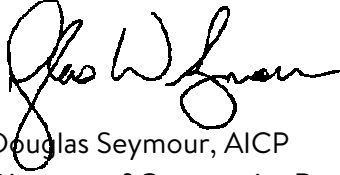
This property is subject to the DTSMUPDD General Development Plan and Regulating Plan, which requires clear glazing zones along street frontages of buildings. Specifically, “tinted glazing and opaque glass panels are prohibited except as accents.” Commercial first floor clear glazing is required at a minimum of 40%, although the existing design and glazing percentages of the building were approved in 2015.

Review of the proposal to modify the clear glazing through the use of an opaque covering as a Site and Building Plan review rather than as a Sign Appeal is consistent with similar requests for Gigi’s Cupcakes and Bel Air Cantina in 2017. In each of those cases, the proposed opaque window coverings were requested to screen interior “back-of-house operations.” However, the difference in the Hand & Stone request is the location – on a prominent street corner facing a proposed future public space immediately north of the tenant space (south of the UWCU building under construction). The Gigi’s Cupcakes and Bel Air Cantina reviews were for windows facing interior parking lots. As was stated in the staff reports for each of those reviews, it is the Plan Commission’s discretion to determine whether a reduction in the commercial first floor clear glazing requirement is appropriate for this tenant space and/or building.

Several options for the window covering are included with this report for consideration. Should the Plan Commission wish to approve the covering, staff recommend that it be a relatively generic image so as not to be construed as advertising. This is due to the proximity to the aforementioned future public space. The allowed graphic, including the maximum allowed square footage and requirement for installation on the interior of the tenant space, must be specified in any approval motion.

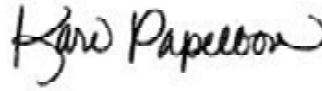
Options/Alternatives: The Plan Commission has the discretion to approve the plans as presented, approve with specified conditions, or disapprove the proposal. Should the request not be approved, Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

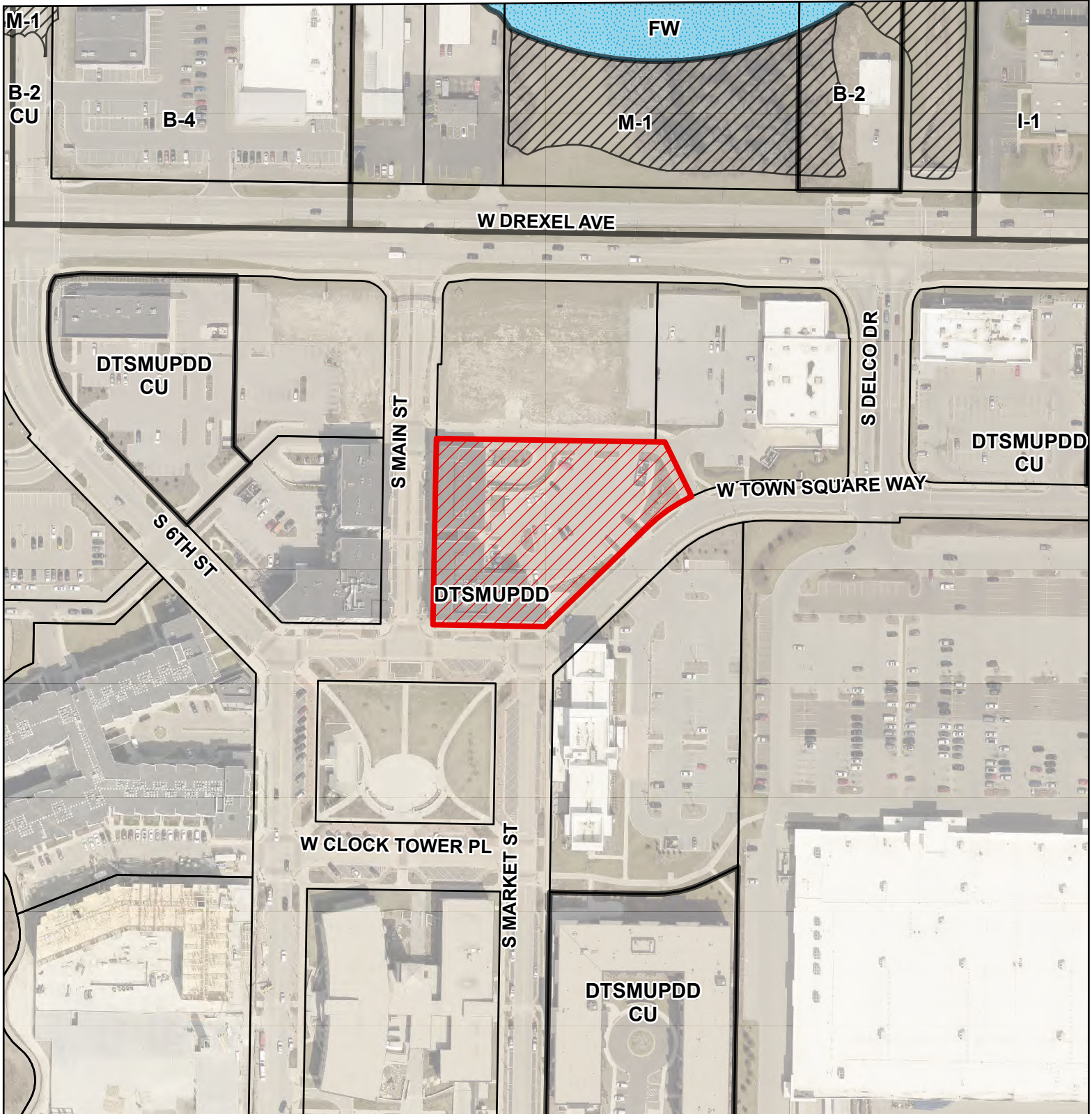
Location Map

Narrative (1 page)

Site Plan, Proposed Elevations, and Alternative Graphic Options (5 pages)

LOCATION MAP

7978 S. Main St. (Tenant Address: 7956 S. Main St.)



This map is not a survey of the actual boundary of any property this map depicts.



Community Development

0 0.01 0.03 0.05 Miles



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Property



Planning Commission Narrative

Summary – Glass Vinyl, Hand & Stone

Vinyl applied to the windows cannot cause more than 10% of the window to be opaque, and one (1) eye level sign/graphic is allowed per 12 linear feet of entry facade per the PUD and the approved Master Sign Criteria. Therefore, the window coverings must go before the Plan Commission as part of Site and Building Plan Review per my previous email.

Proposal

Apply digitally printed vinyl to the Side Elevation of the building (applied to glass 1st Surface). Nine windows of vinyl to be applied. Square footage is 250 SF. The branding has been removed from all the vinyl.



Hand & Stone

Oak Creek, WI

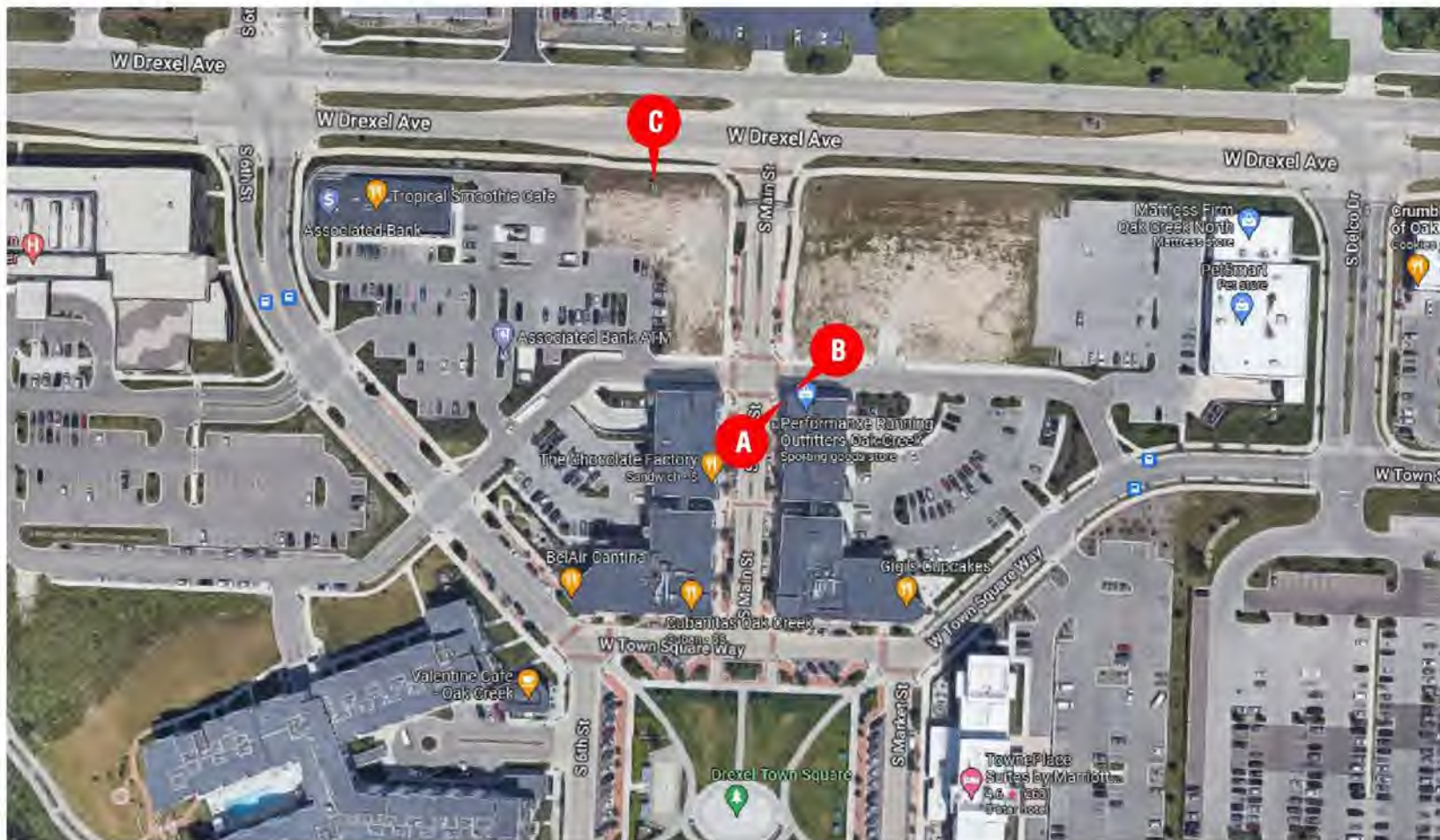
SR

3

01/16/2023

Site Plan

- A. ENTRANCE ELEVATION
- B. SIDE ELEVATION
- C. DOUBLE-SIDED PYLON



PROJECT ADDRESS

7956 S. Main Street
Oak Creek, WI 53154

FILE NAME

Hand & Stone_Oak Creek, WI

ACCOUNT REP.

Veronica W.
631-446-1121

DESIGNER

Kaitlyn P.

COMMENTS



ELECTRICAL REQUIREMENTS
 (1) CIRCUIT
 120 VOLT/20 AMPS

FINAL ELECTRICAL CONNECTION BY CUSTOMER

ATTENTION

Colors of the final product may vary from this drawing. Environmental factors such as location, weathering, size, etc. may also play a role in the look of an installed product.

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www.UNIVERSALSIGNSNY.com
 631-446-1121
 435 Brook Ave. Deer Park, NY 11729

I HAVE REVIEWED THE ABOVE SPECIFICATIONS & HEREBY FULLY UNDERSTAND THE CONTENT OF THE WORK TO BE PERFORMED THAT I APPROVE THIS PROJECT TO BEGIN.

CLIENT:

LANDLORD:

SIGNATURE: _____

DATE: ____ / ____ / ____

SIGNATURE: _____

DATE: ____ / ____ / ____

Hand & Stone

Oak Creek, WI

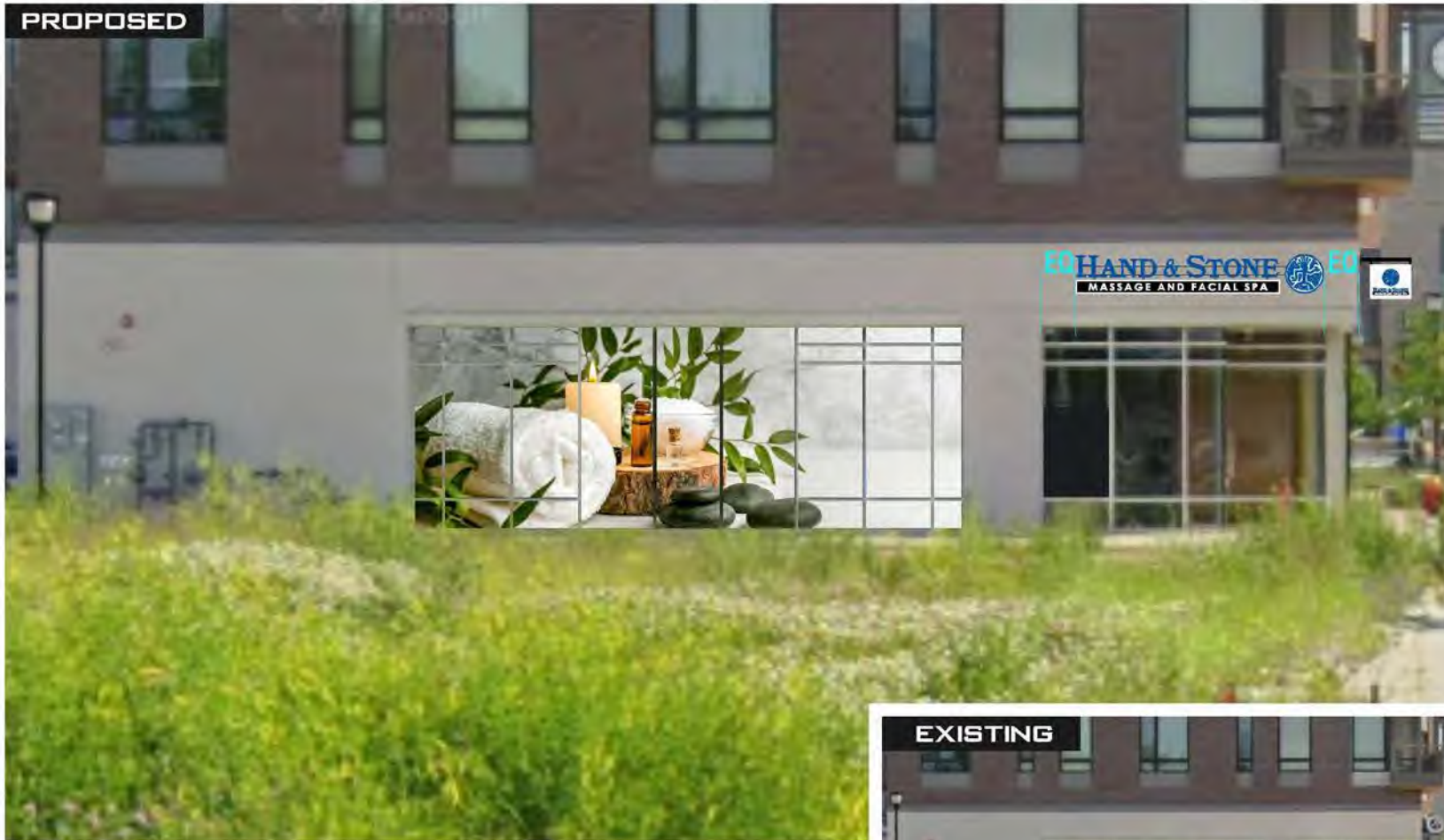
SR

3

01/16/2023

B Side Elevation

PROPOSED



EXISTING



PROJECT ADDRESS

7956 S. Main Street
Oak Creek, WI 53154

FILE NAME

Hand & Stone_Oak Creek, WI

ACCOUNT REP.

Veronica W.
631-446-1121

DESIGNER

Kaitlyn P.

COMMENTS



ELECTRICAL REQUIREMENTS
 (1) CIRCUIT
 120 VOLT/20 AMPS

FINAL ELECTRICAL CONNECTION
BY CUSTOMER

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CLIENT:

LANDLORD:

SIGNATURE: _____

DATE: ____/____/____

SIGNATURE: _____

DATE: ____/____/____

Hand & Stone

Oak Creek, WI

SR

3

01/16/2023

B3 Side Elevation - Window Vinyl

TOTAL 250 SF, QTY. 1



VINYL:



Digital Print
Concept 221

Applied to Glass
1st Surface

PROPOSED



ELECTRICAL REQUIREMENTS
(1) CIRCUIT
120 VOLT/20 AMPS

FINAL ELECTRICAL CONNECTION
BY CUSTOMER

ATTENTION

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CLIENT:

LANDLORD:

SIGNATURE:

DATE:

SIGNATURE:

DATE:

OPTION F



OPTION H



OPTION B



OPTION D





PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions – Vehicle Rentals

Description: Review Review draft Conditions and Restrictions as part of a request for a Conditional Use Permit for vehicle rentals on the property at 8950 S. 27th St.

Applicant(s): Fahim, Ajmeri, 8950 LLC

Address(es): 8950 S. 27th St. (6th Aldermanic District)

Suggested Motion: That the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for vehicle rentals on the property at 8950 S. 27th St.

Owner(s): Akil LLC

Tax Key(s): 856-0070-006

Lot Size(s): 2.195 ac

Current Zoning District(s): B-2, Community Business

Overlay District(s): FF, Flood Fringe

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Commercial

Background:

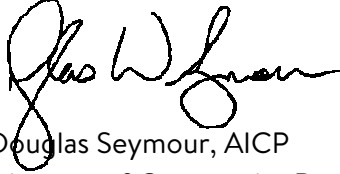
At the February 14, 2023 meeting, the Plan Commission recommended Common Council approval of a Conditional Use Permit for vehicle rentals on the property at 8950 S. 27th St. Staff has prepared draft Conditions and Restrictions for the Commission’s review.

The conditions and restrictions reflect the concerns that were previously noted by staff in the original staff report, and include the location, number and type of vehicles as well as the initial duration of the conditional use permit.

If the Commission is comfortable with the Conditions and Restrictions, the appropriate action would be to recommend that the Common Council approve them as part of the Conditional Use Permit.

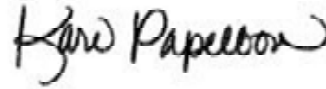
Options/Alternatives: The Plan Commission has the discretion to recommend Common Council approval of, or require modifications to, the draft Conditions and Restrictions.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

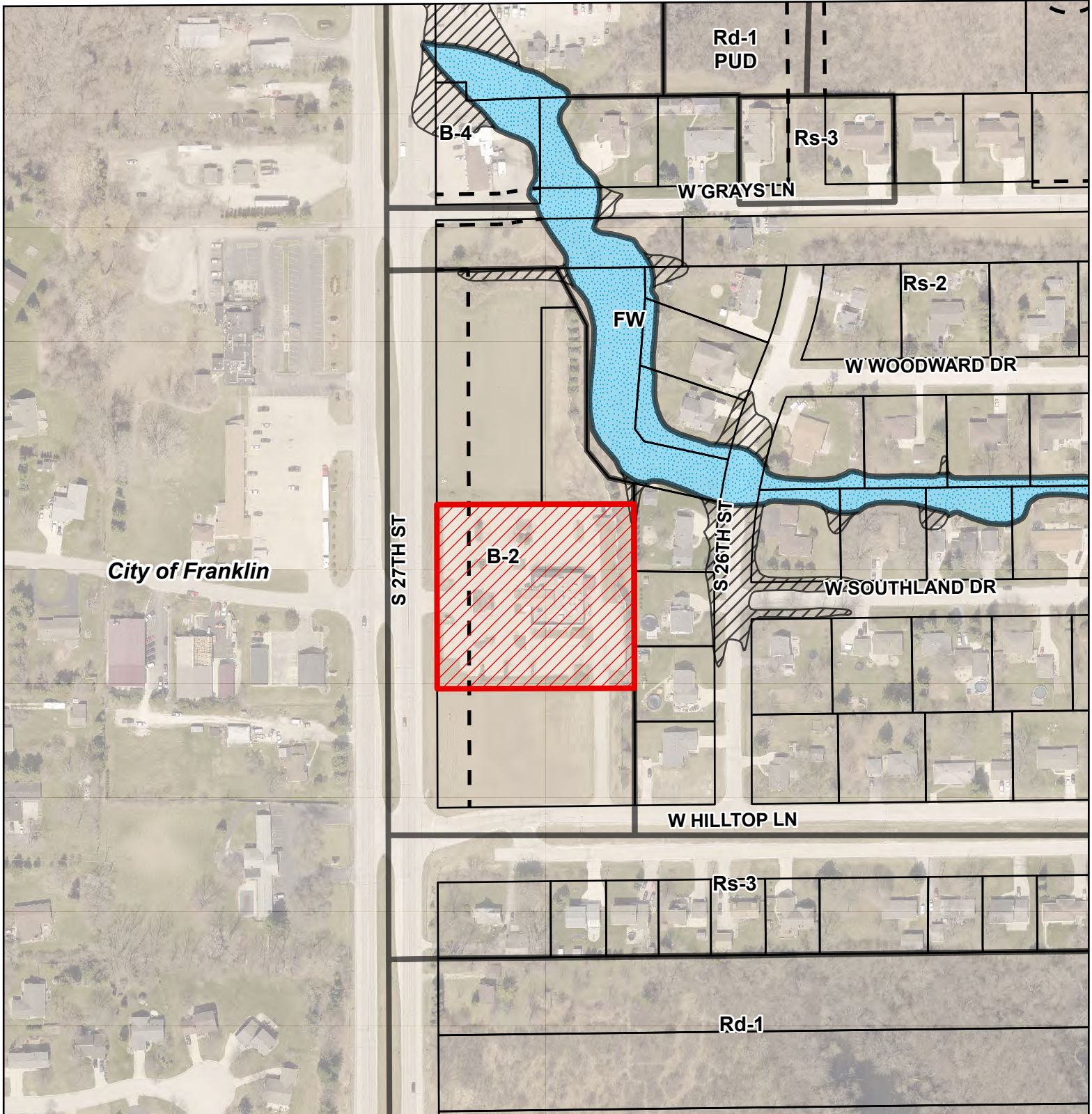
Attachments:

Location Map

Draft Conditions and Restrictions

LOCATION MAP

8950 S. 27th St.



This map is not a survey of the actual boundary of any property this map depicts.



Community Development

0 0.01 0.03 0.06 Miles



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 8950 S. 27th St.

City of Oak Creek – Conditional Use Permit (CUP)
DRAFT Conditions and Restrictions

Applicant: Gary Wendt, Bradford Real Estate
Property Address(es): 8950 S. 27th St.
Tax Key Number(s): 813-9019-000 (portion)
Conditional Use: **Vehicle Rentals**
(moving vehicles only)

Approved by Plan Commission: TBD
Approved by Common Council: TBD
(Ord. TBD)

1. LEGAL DESCRIPTION

CSM NO 7325 PARCEL 2 NW 1/4 SEC 19-5-22 (2.1956 ACS).

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Conditional Use Permit shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall show and describe the following:

1) **General Development Plan**

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number & type(s) of dwellings
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of wetlands (field verified)
- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

2) **Landscape Plan**

- 1. Screening plan, including parking lot screening/berming
- 2. Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

3) **Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

4) **Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) **Fire Protection**

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
 - c) Materials of construction
 - d) Materials to be stored (interior & exterior)

C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building or occupancy permit.

D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of

any building permits.

- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).

H. A landscaping and screening plan must be submitted for review and approval by the Plan Commission prior to the commencement of operations for the rental moving vehicles.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the B-4, General Business zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. A maximum of four (4) rental moving vehicles shall be allowed on the property in striped and designated stalls outside of the 50-foot restricted area along S. 27th St. in the location approved by the Plan Commission as part of Site and Building Plan Review. All vehicles shall be currently licensed and operable.
- C. No rental moving vehicle shall be parked or displayed outside of the area approved by the Plan Commission except for rental moving vehicles actively in transport or in the specific act of rendering a service. Any rental moving vehicles returned by customers shall be moved to the designated parking area during regular hours of operation, or by the beginning of operation the following business day for rental moving vehicles returned after hours.
- D. Rental moving vehicles shall not block or hinder required Fire Department access routes, hydrants, or building FDC.
- E. Landscaping and screening shall be required for all sides of the rental moving vehicle parking area to meet Code requirements, and shall be included in the landscape plans to be reviewed and approved by the Plan Commission as part of Site and Building Plan Review.
- F. There shall be no outdoor storage or rental of trailers, equipment, merchandise, parts, supplies, or any other materials on the property.
- G. One (1) after-hours secure drop-box shall be allowed in a location approved by the Plan Commission as part of Site and Building Plan Review.
- H. Hours of operation for the rental moving vehicles shall be between 10:00 AM and 5:00 PM.
- I. No additional exterior signage shall be allowed for the rental moving vehicles.
- J. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.

- K. Solid waste collection and recycling shall be the responsibility of the owner.
- L. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. **Parking of rental moving vehicles shall not occur within the 50-foot restricted area along S. 27th St. per CSM 7325. See Section 3 above.**
- B. **Parking is restricted to four (4) stalls for rental moving vehicles in striped and designated stalls in the location approved by the Plan Commission as part of Site and Building Plan Review. See Section 3 above.**
- C. Parking and the shared driveway for this development shall be provided in accordance with Sections 17.0501 and 17.0503 of the Municipal Code (as amended), these Conditions and Restrictions (see Section 3 above), and plans approved by the Plan Commission.

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).
- B. All light sources shall be fully shielded full cutoff fixtures directed downward.
- C. The color temperature of the parking lot fixtures shall be limited to a maximum of 3,500 Kelvins.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	30,000 sq ft
Lot Width	150 ft
Yard Setbacks (Minimum) (1)	
Front	25 ft
Street Facing Side	25 ft
Interior Side	15 ft
Rear	25 ft
Building Standards (Maximum)	
Height	50 ft
Building Coverage	40%
Lot Coverage	70%
Parking	
Rental Moving Vehicles	Min. 50 ft from ROW
Transition & Required Landscape Areas	See Sec. 17.0505
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed buffer.	

7. TIME OF COMPLIANCE

The operator of the Conditional Use Permit shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use Permit approval shall expire twelve (12) months after the date of adoption of the ordinance if building permits have not been issued for this use. The applicant shall re-apply for Conditional Use Permit approval prior to recommencing work or construction.

8. DURATION OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to **two (2) years** from the date of issuance of the Conditional Use Permit. The owner may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

The approval and execution of these Conditions and Restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these Conditions and Restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)



PLAN COMMISSION REPORT

Proposal: Preliminary Subdivision Plat

Description: Review a preliminary subdivision plat for Edgemont Estates.

Applicant(s): John Coury, Switchback Enterprises

Address(es): 10670 S. Nicholson Rd. (5th Aldermanic District)

Suggested Motion: That the Plan Commission approves the Preliminary Subdivision Plat for Edgemont Estates submitted by John Coury, Switchback Enterprises, for the property at 10670 S. Nicholson Rd. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all revisions to the plat are submitted to the Department of Community Development prior to submission of permit applications.
3. That all required Development and Stormwater Agreements and Land Use Building Permits are coordinated with the Engineering Department.
4. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.
5. That all reviewing agency comments, if any, are incorporated as required.

Owner(s): Switchback Enterprises, LLC

Tax Key(s): 958-9995-006

Lot Size(s): See Plat

Current Zoning District(s): Rs-3, Single Family Residential

Overlay District(s): FF, Flood Fringe C-1, Shoreland Wetland

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Industrial

Background:

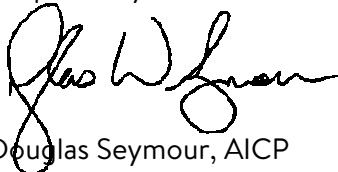
The Applicant is requesting approval of a Preliminary Subdivision Plat for the property at 10670 S. Nicholson Rd., to be called Edgemont Estates. Included within this plat are 14 single-family residential lots ranging in size from 12,802 sf to 15,477 sf. Each of the proposed lots meets the minimum dimensional requirements for the Rs-3, Single Family Residential district. A 50-foot-wide tree preservation easement is proposed on the west sides of Lots 1-7. While the notes state that all mature trees at least 12" DBH (see tree inventory) within the tree preservation easement will be preserved, staff recommend that a formal easement be created, recorded, and referenced in the deeds to Lots 1-7. A copy of the easement language shall be submitted to the Department of Community Development for review prior to recording.

Private storm sewer easements (20 feet wide) are shown between Lots 1 and 2, Lots 4 and 5, Lots 6 and 7, Lots 8 and 9, and along the east sides of Lots 10-14. Outlots 1-4 are designated for stormwater, easements, wetlands, floodplain, and Primary Environmental Corridor. Outlot 1 is designated as a conservancy area in the notes section, with a fence maintained by the Homeowners' Association to be constructed along the southern boundary. Similar to the tree preservation easement, the maintenance and ownership of the fence should be included in the deeds to Lots 1-14. Trees in the remaining outlots outside of the area required for the stormwater infrastructure are to be preserved. Staff note that the plat incorrectly identifies floodway on Outlot 3 – this should be floodplain (fringe).

Access to the subdivision will be via the proposed Edgemont Drive, to be constructed to City standards for public dedication. Due to the requirement for a future public street connection to the property to the east of the subdivision, a temporary cul-de-sac is shown on Outlot 1. Development and stormwater agreements, detailed civil plans, and associated permitting will be required for all proposed public infrastructure and development of the lots.

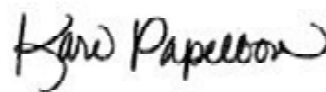
Options/Alternatives: The Plan Commission has the discretion to approve or disapprove of the Preliminary Subdivision Plat. Disapproval would likely result in the existing, undeveloped condition of the property to remain. This area has been identified as part of the Single-Family Residential Lot Inventory, part of the Strategic Plan goals for development of single-family residential homes.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

Location Map

Tree Inventory and Preservation (9 pages)

Milwaukee County DOAS Letter Dated October 22, 2022 (2 pages)

Wisconsin DOA Letter Dated November 22, 2022 (2 pages)

SEWRPC Letter Dated February 15, 2023 (3 pages)

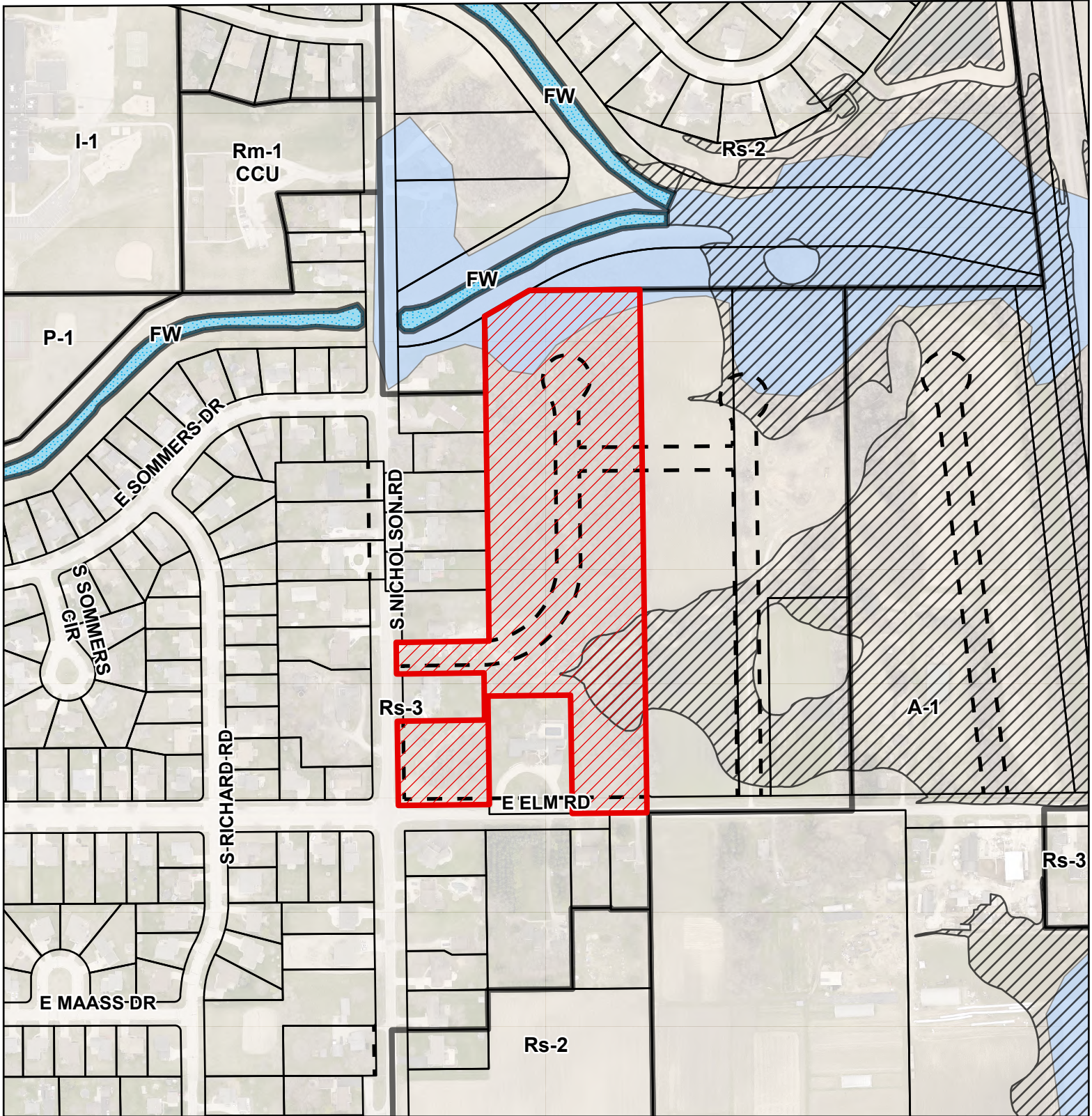
Preliminary Plat (1 page)

Preliminary Grading & Drainage Plan (1 page)

Preliminary Sanitary Sewer & Watermain System Plan (1 page)

LOCATION MAP

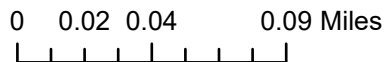
10670 S. Nicholson Rd.



This map is not a survey of the actual boundary of any property this map depicts.



Community Development



Legend

- 10670 S. Nicholson Rd.
- Zoning
- Official Map
- Floodway
- Flood Fringe
- SEWRPC Environ Corridor
CRITICAL
- ISOLATED-NATURAL-AREA
- NATURAL-AREAS
- PRIMARY-ENV-CORR
- SEC-ENV-CORR



Alice Thompson
1514 Menomonee Ave.
South Milwaukee, WI 53172
414.571.8383
414 750 7401

Edgemont Estates
2/15/2023 Tree Plan

There was an 11/15/22 meeting at Oak Creek City Hall on issues relating to the Edgemont Estates Plan located at 10670 S Nicholson Road Oak Creek. After the meeting Thompson and Associates counted, GPS's and identified all living trees at or above 12"DBH.

These tree locations were placed on the plans. It is our understanding from the 11/15/22 meeting that because this project predates the Tree Preservation statute, it does not apply.

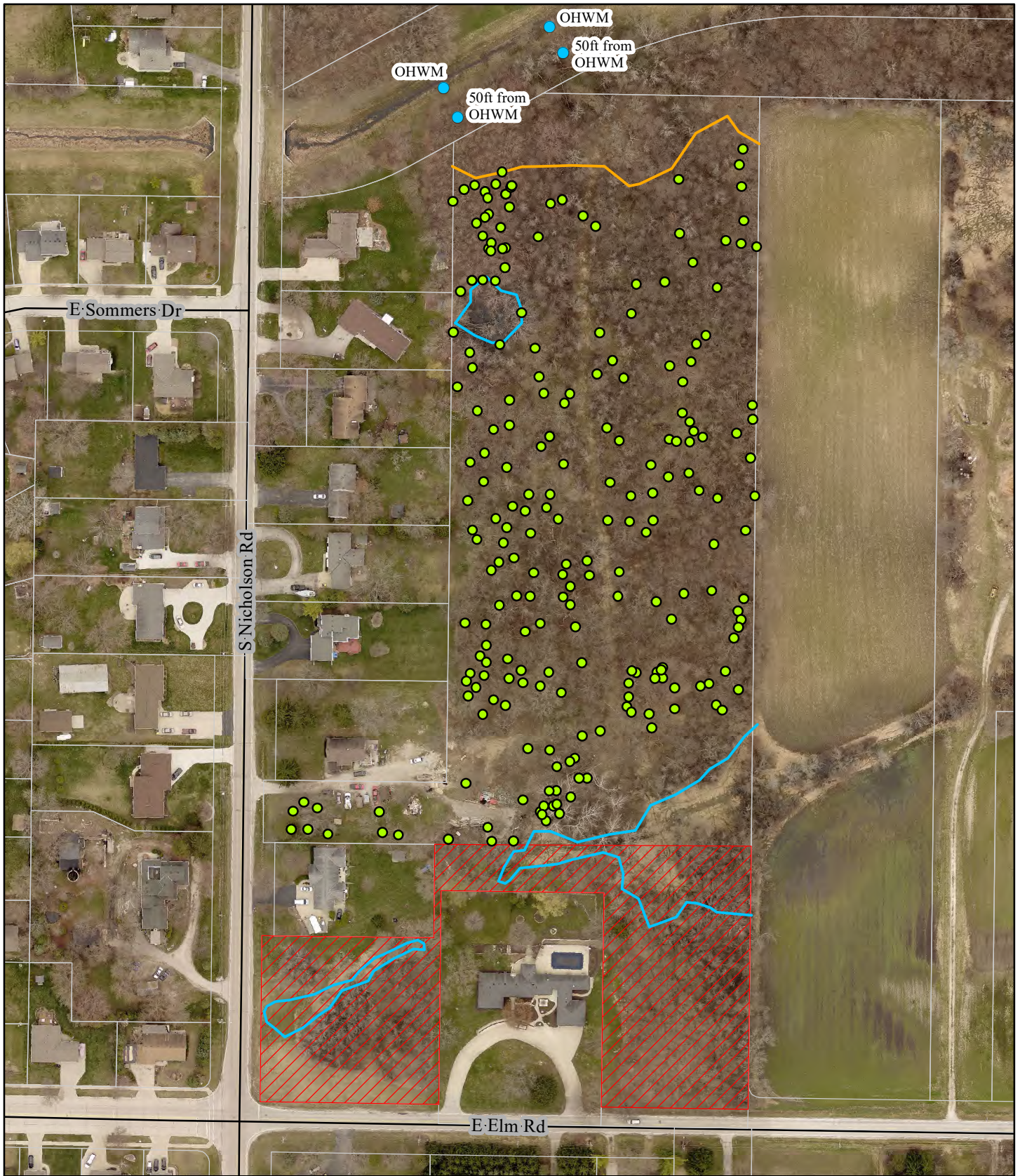
The following is the plan for Tree Preservation:

1. All trees in Outlot 1 which includes the wooded Primary Environmental Corridor and a wooded wetland are preserved. Construction fencing will protect Outlot 1 during construction, followed by a permanent fence to delineate this area.
2. All mature (12" DBH or greater) trees in a 50 foot easement on the western side of lots 1-7 will be preserved. Construction fencing will be placed on the boundary to minimize disturbance during construction.
3. All trees in Outlot 2 are preserved outside of the clearing needed for a wet detention basin.
4. Any mature trees on the east lot lines of Lots 10-14 shall be preserved to the extent possible.

Sincerely,

A handwritten signature in black ink that reads "Alice Thompson" with a stylized flourish at the end.

Alice Thompson, SPWS



Legend

- Trees Over 12 DBH (Diameter At Breast Height)
- OHWM (Ordinary High Water Mark)
- Approximate Wetland Line
- Primary Environmental Corridor Mapped In Field
- Areas Not Investigated
- Milwaukee County Parcels

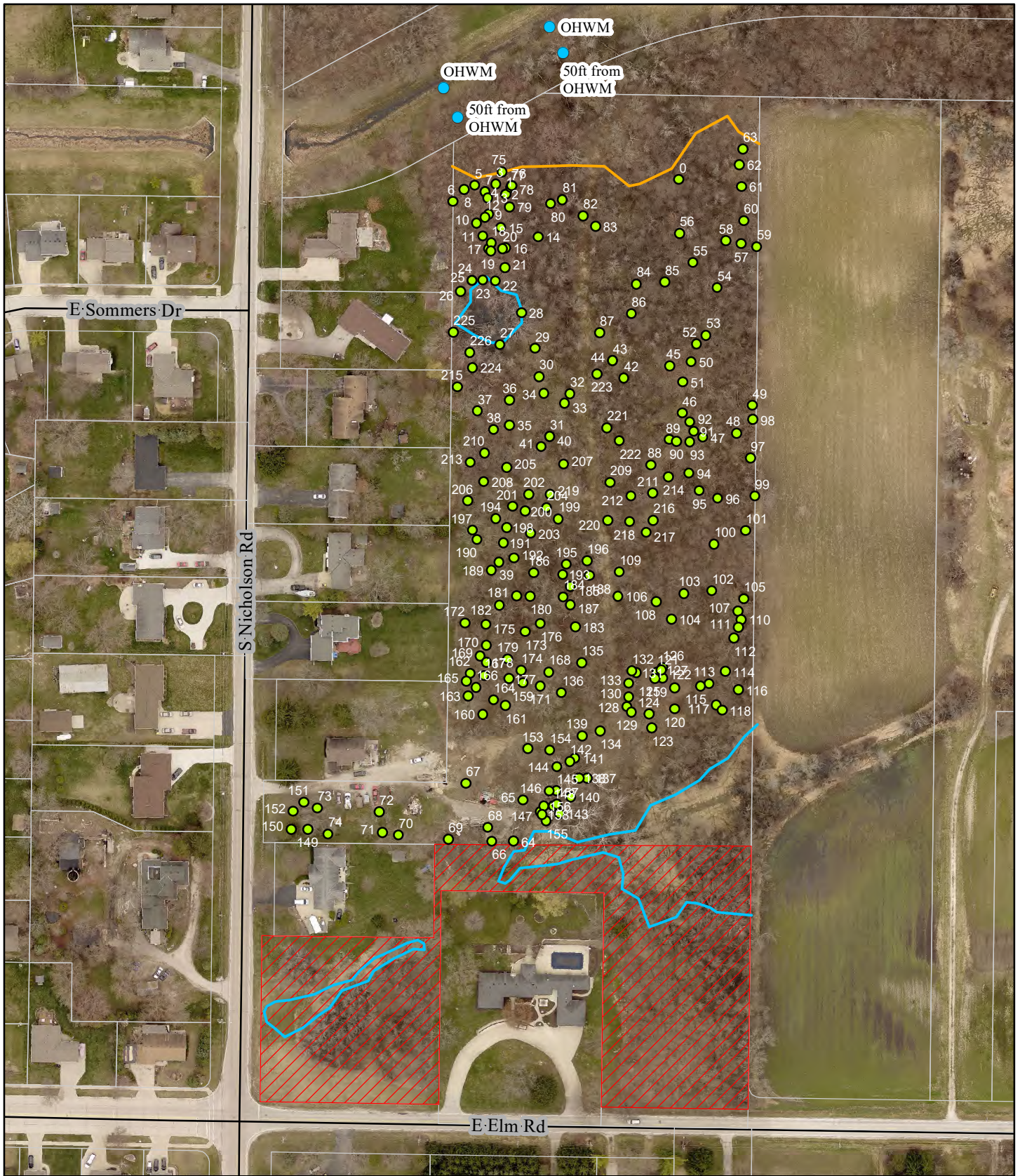


**10670 S Nicholson Rd
Trees Over 12 DBH**



Basemap Source: 2020 Aerial Imagery
Milwaukee County Land Information Office (MCLIO)



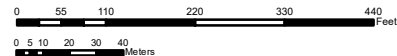


Legend

- Trees Over 12 DBH (Diameter At Breast Height)
- OHWM (Ordinary High Water Mark)
- Approximate Wetland Line
- Primary Environmental Corridor Mapped In Field
- Areas Not Investigated
- Milwaukee County Parcels



**10670 S Nicholson Rd
Trees Over 12 DBH**



Basemap Source: 2020 Aerial Imagery
Milwaukee County Land Information Office (MCLIO)



Tree Count at 10670 Nicholson Road Edgemont Estates
Thompson & Associates Wetland Services
Count on October 15 & December 7, 2022

Trees presumed healthy unless noted as dead or dying below. Most dead trees were not counted.

LABEL	Species 1	Species 2	DBH in inches	Health	Native
NON-NATIVE TREES 12 " DBH OR GREATER					
75	Blue Spruce	<i>Picea pungens</i>	14.9		Non- Native
138	White Poplar	<i>Populus alba</i>	18.3		Non- Native
141	White Poplar	<i>Populus alba</i>	20.5		Non- Native
144	White Poplar	<i>Populus alba</i>	18.3		Non- Native
145	White Poplar	<i>Populus alba</i>	16		Non- Native
146	White Poplar	<i>Populus alba</i>	30.2		Non- Native
148	White Poplar	<i>Populus alba</i>	19.7		Non- Native
149	White Poplar	<i>Populus alba</i>	19		Non- Native
150	Blue Spruce	<i>Picea pungens</i>	14.2		Non- Native
151	Blue Spruce	<i>Picea pungens</i>	19.1		Non- Native
153	Blue Spruce	<i>Picea pungens</i>	16		Non- Native
156	White Poplar	<i>Populus alba</i>	25		Non- Native
158	White Poplar	<i>Populus alba</i>	19.8		Non- Native
159	White Poplar	<i>Populus alba</i>	14.1		Non- Native
DEAD OR DYING NATIVE TREES 12' DBH OR GREATER					
28	Green Ash	<i>Fraxinus pennsylvanica</i>	12	DEAD	Native
52	American elm	<i>Ulmus americana</i>	17.6	DYING	Native
82	Green Ash	<i>Fraxinus pennsylvanica</i>	16	DYING	Native
86	Green Ash	<i>Fraxinus pennsylvanica</i> 13.	13	DYING	Native
134	Green Ash	<i>Fraxinus pennsylvanica</i>	12.8	DYING	Native
190	Black Cherry	<i>Prunus serotina</i>	13.5	DYING	Native
HEALTHY NATIVE TREES 12" DBH OR GREATER					
1	Hawthorn	<i>Crataegus Spp.</i>	17.3		Native
2	Silver Maple	<i>Acer saccharium</i>	17.7		Native
3	Silver Maple	<i>Acer saccharium</i>	17.7		Native
4	Silver Maple	<i>Acer saccharium</i>	12.6		Native
5	Silver Maple	<i>Acer saccharium</i>	13.7		Native
6	American elm	<i>Ulmus americana</i>	15		Native
7	Silver Maple	<i>Acer saccharium</i>	13.6		Native
8	Silver Maple	<i>Acer saccharium</i>	12.8		Native
9	Silver Maple	<i>Acer saccharium</i>	13.2		Native
10	Silver Maple	<i>Acer saccharium</i>	24.3		Native
11	Silver Maple	<i>Acer saccharium</i>	14.5		Native
12	Silver Maple	<i>Acer saccharium</i>	17.5		Native
13	Silver Maple	<i>Acer saccharium</i>	13.4		Native
14	Silver Maple	<i>Acer saccharium</i>	13.2		Native
15	Black Cherry	<i>Prunus serotina</i>	12		Native
16	Silver Maple	<i>Acer saccharium</i>	13.4		Native
17	Silver Maple	<i>Acer saccharium</i>	12.6		Native
18	Silver Maple	<i>Acer saccharium</i>	15		Native

19	Silver Maple	<i>Acer saccharium</i>	15.1	Native
20	Silver Maple	<i>Acer saccharium</i>	13.4	Native
21	Silver Maple	<i>Acer saccharium</i>	13.2	Native
22	Silver Maple	<i>Acer saccharium</i>	12.9	Native
23	Silver Maple	<i>Acer saccharium</i>	19.3	Native
24	Silver Maple	<i>Acer saccharium</i>	13.3	Native
25	Silver Maple	<i>Acer saccharium</i>	15.5	Native
26	Silver Maple	<i>Acer saccharium</i>	15.5	Native
27	Box Elder	<i>Acer negundo</i>	20	Native
29	Silver Maple	<i>Acer saccharium</i>	26.1	Native
30	Black Walnut	<i>Juglens nigra</i>	17.7	Native
31	Black Walnut	<i>Juglens nigra</i>	16.2	Native
32	Black Walnut	<i>Juglens nigra</i>	12.6	Native
33	Black Walnut	<i>Juglens nigra</i>	15.5	Native
34	Black Walnut	<i>Juglens nigra</i>	17.5	Native
35	Slippery Elm	<i>Ulmus rubra</i>	14.7	Native
36	Black Walnut	<i>Juglens nigra</i>	16.4	Native
37	Black Walnut	<i>Juglens nigra</i>	16.3	Native
38	Black Walnut	<i>Juglens nigra</i>	14	Native
39	Black Walnut	<i>Juglens nigra</i>	15.4	Native
40	Slippery Elm	<i>Ulmus rubra</i>	17.4	Native
41	Black Walnut	<i>Juglens nigra</i>	15.6	Native
42	Black Walnut	<i>Juglens nigra</i>	15.8	Native
43	Slippery Elm	<i>Ulmus rubra</i>	14.6	Native
44	Black Walnut	<i>Juglens nigra</i>	14.3	Native
45	Black Walnut	<i>Juglens nigra</i>	14.3	Native
46	Black Walnut	<i>Juglens nigra</i>	13.9	Native
47	Black Walnut	<i>Juglens nigra</i>	12.6	Native
48	Black Walnut	<i>Juglens nigra</i>	14.4	Native
49	Black Walnut	<i>Juglens nigra</i>	13.7	Native
50	Black Walnut	<i>Juglens nigra</i>	13.9	Native
51	White Oak	<i>Quercus alba</i>	16.5	Native
53	Black Walnut	<i>Juglens nigra</i>	12.8	Native
54	Black Walnut	<i>Juglens nigra</i>	14	Native
55	Black Cherry	<i>Prunus serotina</i>	13.4	Native
56	Black Walnut	<i>Juglens nigra</i>	16.4	Native
57	Silver Maple	<i>Acer saccharium</i>	12.2	Native
58	Black Walnut	<i>Juglens nigra</i>	15.2	Native
59	American elm	<i>Ulmus americana</i>	14.8	Native
			6 trunks under	
60	Black Cherry	<i>Prunus serotina</i>	12	Native
61	Silver Maple	<i>Acer saccharium</i>	12.2	Native
62	Silver Maple	<i>Acer saccharium</i>	18.6	Native
63	American elm	<i>Ulmus americana</i>	14.9	Native
64	American elm	<i>Ulmus americana</i>	16	Native
65	Silver Maple	<i>Acer saccharium</i>	19	Native
66	Black Walnut	<i>Juglens nigra</i>	19.2	Native

67	Black Walnut	<i>Juglens nigra</i>	28	Native
68	Black Walnut	<i>Juglens nigra</i>	29.5	Native
69	Black Walnut	<i>Juglens nigra</i>	21.8	Native
70	Black Walnut	<i>Juglens nigra</i>	16.5	Native
71	Silver Maple	<i>Acer saccharium</i>	34.7	Native
72	Silver Maple	<i>Acer saccharium</i>	43	Native
73	Silver Maple	<i>Acer saccharium</i>	32	Native
74	Black Walnut	<i>Juglens nigra</i>	36	Native
76	Slippery Elm	<i>Ulmus rubra</i>	12.5	Native
77	Silver Maple	<i>Acer saccharium</i>	15.5	Native
78	Silver Maple	<i>Acer saccharium</i>	12.5	Native
79	Silver Maple	<i>Acer saccharium</i>	12.5	Native
80	Black Cherry	<i>Prunus serotina</i>	12	Native
81	Silver Maple	<i>Acer saccharium</i>	18.2	Native
83	Black Cherry	<i>Prunus serotina</i>	12.9	Native
84	Hawthorn	<i>Crataegus Spp.</i>	13.5	Native
85	Black Cherry	<i>Prunus serotina</i>	13.1	Native
87	Black Cherry	<i>Prunus serotina</i>	16.2	Native
88	Black Walnut	<i>Juglens nigra</i>	14.6	Native
89	Black Walnut	<i>Juglens nigra</i>	15.8	Native
90	Black Walnut	<i>Juglens nigra</i>	13.8	Native
91	Black Walnut	<i>Juglens nigra</i>	12.7	Native
92	Black Walnut	<i>Juglens nigra</i>	13.6	Native
93	Black Walnut	<i>Juglens nigra</i>	14.4	Native
94	Black Walnut	<i>Juglens nigra</i>	12.2	Native
95	Black Walnut	<i>Juglens nigra</i>	16.1	Native
96	Black Walnut	<i>Juglens nigra</i>	19.2	Native
97	Black Walnut	<i>Juglens nigra</i>	15.8	Native
98	Black Walnut	<i>Juglens nigra</i>	12.2	Native
99	Black Walnut	<i>Juglens nigra</i>	13.3	Native
100	Black Walnut	<i>Juglens nigra</i>	18.3	Native
101	Black Walnut	<i>Juglens nigra</i>	14.7	Native
102	Black Cherry	<i>Prunus serotina</i>	27.2	Native
103	Black Walnut	<i>Juglens nigra</i>	18.9	Native
104	Black Walnut	<i>Juglens nigra</i>	16.5	Native
105	Black Walnut	<i>Juglens nigra</i>	19.2	Native
106	Box Elder	<i>Acer negundo</i>	23.5	Native
107	Slippery Elm	<i>Ulmus rubra</i>	16.3	Native
108	Black Cherry	<i>Prunus serotina</i>	15.6	Native
109	Black Walnut	<i>Juglens nigra</i>	13.2	Native
110	Black Cherry	<i>Prunus serotina</i>	14.2	Native
111	Black Walnut	<i>Juglens nigra</i>	15.6	Native
112	Black Walnut	<i>Juglens nigra</i>	16.8	Native
113	Black Cherry	<i>Prunus serotina</i>	18.4	Native
114	American Elm	<i>Ulmus americana</i>	14.2	Native
115	Black Walnut	<i>Juglens nigra</i>	19.1	Native
116	Black Walnut	<i>Juglens nigra</i>	17.3	Native

117	Black Cherry	<i>Prunus serotina</i>	16.4	Native
118	Black Walnut	<i>Juglens nigra</i>	13	Native
119	Box Elder	<i>Acer negundo</i>	17.8	Native
120	Black Cherry	<i>Prunus serotina</i>	13.3	Native
121	Black Walnut	<i>Juglens nigra</i>	15.2	Native
122	Black Walnut	<i>Juglens nigra</i>	13.5	Native
123	Black Walnut	<i>Juglens nigra</i>	16.6	Native
124	Black Walnut	<i>Juglens nigra</i>	14.6	Native
125	Black Walnut	<i>Juglens nigra</i>	16.8	Native
126	Black Walnut	<i>Juglens nigra</i>	13.2	Native
127	Black Walnut	<i>Juglens nigra</i>	15.8	Native
128	Black Walnut	<i>Juglens nigra</i>	16.9	Native
129	Black Walnut	<i>Juglens nigra</i>	16.4	Native
130	Black Walnut	<i>Juglens nigra</i>	16.6	Native
131	American Elm	<i>Ulmus americana</i>	16.5	Native
132	Black Cherry	<i>Prunus serotina</i>	13.8	Native
133	Slippery Elm	<i>Ulmus rubra</i>	18	Native
135	White Ash	<i>Fraxinus americana</i>	16.4	Native
136	Black Walnut	<i>Juglens nigra</i>	19.5	Native
137	Black Walnut	<i>Juglens nigra</i>	14.5	Native
139	Black Walnut	<i>Juglens nigra</i>	15.9	Native
140	Black Walnut	<i>Juglens nigra</i>	18.4	Native
142	Black Walnut	<i>Juglens nigra</i>	15.3	Native
143	Black Walnut	<i>Juglens nigra</i>	17.9	Native
147	Black Walnut	<i>Juglens nigra</i>	14.4	Native
152	Red Oak	<i>Quercus rubra</i>	29.8	Native
154	Black Walnut	<i>Juglens nigra</i>	18	Native
155	Black Walnut	<i>Juglens nigra</i>	17.6	Native
157	Black Walnut	<i>Juglens nigra</i>	12.3	Native
160	Black Walnut	<i>Juglens nigra</i>	23.2	Native
161	Silver Maple	<i>Acer saccharium</i>	17.5	Native
162	Black Walnut	<i>Juglens nigra</i>	18.5	Native
163	Silver Maple	<i>Acer saccharium</i>	18.5	Native
164	Black Walnut	<i>Juglens nigra</i>	21	Native
165	Black Walnut	<i>Juglens nigra</i>	12.2	Native
166	Box Elder	<i>Acer negundo</i>	20.2	Native
167	Black Walnut	<i>Juglens nigra</i>	18.5	Native
168	Black Walnut	<i>Juglens nigra</i>	18.4	Native
169	Black Walnut	<i>Juglens nigra</i>	16.5	Native
170	Black Walnut	<i>Juglens nigra</i>	18.5	Native
171	Black Walnut	<i>Juglens nigra</i>	13.9	Native
172	Black Walnut	<i>Juglens nigra</i>	15	Native
173	Black Walnut	<i>Juglens nigra</i>	16.3	Native
174	Black Walnut	<i>Juglens nigra</i>	16.2	Native
175	Black Walnut	<i>Juglens nigra</i>	18.1	Native
176	Black Walnut	<i>Juglens nigra</i>	16.1	Native
177	Black Walnut	<i>Juglens nigra</i>	12.7	Native

178	Black Walnut	<i>Juglens nigra</i>	13.2	Native
179	White Ash	<i>Fraxinus americana</i>	18	Native
180	Black Walnut	<i>Juglens nigra</i>	18.4	Native
181	Black Walnut	<i>Juglens nigra</i>	14.2	Native
182	Black Walnut	<i>Juglens nigra</i>	20	Native
183	Black Walnut	<i>Juglens nigra</i>	13.2	Native
184	Black Walnut	<i>Juglens nigra</i>	15.6	Native
185	Black Walnut	<i>Juglens nigra</i>	15.1	Native
186	Black Walnut	<i>Juglens nigra</i>	12.5	Native
187	Black Walnut	<i>Juglens nigra</i>	18.2	Native
188	Black Walnut	<i>Juglens nigra</i>	15.8	Native
189	Silver Maple	<i>Acer saccharium</i>	19.6	Native
191	Black Walnut	<i>Juglens nigra</i>	13.3	Native
192	Black Walnut	<i>Juglens nigra</i>	16	Native
193	Black Walnut	<i>Juglens nigra</i>	13.9	Native
194	Black Walnut	<i>Juglens nigra</i>	12	Native
195	Box Elder	<i>Acer negundo</i>	20	Native
196	Black Cherry	<i>Prunus serotina</i>	14.6	Native
197	Silver Maple	<i>Acer saccharium</i>	24	Native
198	Silver Maple	<i>Acer saccharium</i>	18.2	Native
199	Black Walnut	<i>Juglens nigra</i>	15.5	Native
200	Black Walnut	<i>Juglens nigra</i>	16.8	Native
201	Black Walnut	<i>Juglens nigra</i>	16.5	Native
202	Black Walnut	<i>Juglens nigra</i>	14.8	Native
203	Black Walnut	<i>Juglens nigra</i>	19.5	Native
204	Black Cherry	<i>Prunus serotina</i>	14.4	Native
205	Black Walnut	<i>Juglens nigra</i>	15.7	Native
206	Black Walnut	<i>Juglens nigra</i>	12.8	Native
207	Black Walnut	<i>Juglens nigra</i>	13.3	Native
208	Black Walnut	<i>Juglens nigra</i>	12.8	Native
209	Black Walnut	<i>Juglens nigra</i>	13.8	Native
210	Black Walnut	<i>Juglens nigra</i>	15.3	Native
211	Black Walnut	<i>Juglens nigra</i>	13.3	Native
212	Black Walnut	<i>Juglens nigra</i>	15.8	Native
213	Black Walnut	<i>Juglens nigra</i>	15.6	Native
214	Black Walnut	<i>Juglens nigra</i>	17	Native
215	Black Walnut	<i>Juglens nigra</i>	16	Native
216	Black Walnut	<i>Juglens nigra</i>	16.5	Native
217	Black Walnut	<i>Juglens nigra</i>	14.4	Native
218	Black Walnut	<i>Juglens nigra</i>	14.7	Native
219	Black Walnut	<i>Juglens nigra</i>	17.1	Native
220	Black Walnut	<i>Juglens nigra</i>	13.1	Native
221	Black Walnut	<i>Juglens nigra</i>	17.1	Native
222	Black Walnut	<i>Juglens nigra</i>	12.1	Native
223	Black Walnut	<i>Juglens nigra</i>	13.2	Native
224	Black Walnut	<i>Juglens nigra</i>	15	Native
225	Silver Maple	<i>Acer saccharium</i>	22.6	Native

226	Silver Maple	<i>Acer saccharium</i>	28.4	Native
227	Silver Maple	<i>Acer saccharium</i>	18	Native
	207 Native Trees AT OR over 12 " DBH			
	5 Box Elder, 43 Silver Maple, 2 Hawthorn, 2 White Ash, 125 Black Walnut, 16 Black Cherry			
	1 White Oak, 1 Red Oak, 6 American Elm & 6 Slippery Elm			

DEPARTMENT OF ADMINISTRATIVE SERVICES

Milwaukee County



October 22, 2022

David Bell
Dept. of Administration
Plat Review
101 East Wilson St. FL 9
Madison, WI 53703
P.O. Box 1645
Madison, Wisconsin 53701

**RE: Edgemont Estates
Preliminary Plat - File C-12-784
State File: 121493**

Dear Mr. Bell:

A copy of the Preliminary Plat of Edgemont Estates located in the NW ¼ of Section 34, Township 5 North, Range 22 East in the City of Oak Creek has been reviewed by Milwaukee County in accordance with Section 236.12 of the Wisconsin Statutes.

I hereby certify subject to the conditions listed below that Milwaukee County Planning Agency (Department of Administrative Services) has no objections to Edgemont Estates.

The special conditions are as follows:

1. That Outlots 1, 2, 3, and 4 shown on the plat be dedicated to the City of Oak Creek or be owned by the Edgemont Estates Homeowners Association by means of a fractional ownership.

If the homeowners association elects to own Outlots 1, 2, 3, and 4, then the following note shall be placed on the final plat and made as a requirement of the City in the plat approval process. The note on the plat shall be revised as follows.

Outlots 1, 2, 3, and 4 of the plat of Edgemont Estates is owned and shall be maintained by the Edgemont Estates Homeowners Association and each individual lot owner shall have an undividable fractional ownership of the outlots and that Milwaukee County and the City of Oak Creek shall not be liable for any fees or special assessments in the event Milwaukee County or the City of Oak Creek should become the owner of any lot in the subdivision by reason of delinquency. The Homeowners Association shall maintain said outlots in an unobstructed condition so as to maintain their intended purpose. Construction of any building, grading, or filling in said outlots is prohibited unless approved by the City of Oak Creek. The Homeowners Association grants to the City the right (but not the responsibility) to enter upon these outlots in order to inspect, repair or restore said outlots to its intended purpose. Expenses incurred by the City for said inspection, repair or restoration of said outlots may be placed against the tax roll for said association and collected as a special charge by the City.

If you require additional information or clarification on the above comments, please contact Ms. Emily Herrick at Milwaukee County Real Estate office at 414-897-2384 or via email at emily.herrick@milwaukeecountywi.gov.

David Bell
Edgemont Estates
Preliminary Plat - File C-12-784

The following comments are from the Register of Deeds Office.

1. Forward review fee of \$150.00
2. Submit Road name change of Edgemont Drive
3. Review all abutting street names and abutting property
4. Verify all bearings and distances on all lots. Review the final plat for typos and errors. Also verify with the local municipality for other concerns.
5. Follow all State of Wisconsin States and regulations for recording.

If you require additional information or clarification on the above comments, please contact Ms. Rosita Ross at Milwaukee County Register of Deeds office at 414-278-4047 or via email at Rosita.Ross@MilwaukeeCountywi.gov.

Very truly yours,

David S. Gulgowski
David S. Gulgowski, P.E.

cc: Sarah Toomsen, Parks
Rosita Ross, Register of Deeds
Emily Herrick, Real Estate
John Downing, Surveyor
Christa Miller, Deputy Clerk, City of Oak Creek

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TONY EVERS
GOVERNOR
KATHY BLUMENFELD
SECRETARY-DESIGNEE
Plat Review
PO Box 1645, Madison WI 53701
E-mail: plat.review@wi.gov
<https://doa.wi.gov/platreview>

November 15, 2022, 2022

John Downing
LAND TECH SURVEYING LLC
111 W 2ND STREET, OCONOMOWOC WI 53066
john@landtechwi.com

FILE NO. 121493
EDGEMONT ESTATES
City of Oak Creek, Milwaukee County

Dear John Downing:

You have submitted the preliminary plat of EDGEMONT ESTATES for review. The Department of Administration does not object to this preliminary plat and certifies it as complying with the requirements of: s. 236.16, and s. 236.20 Wis. Stats.; the Milwaukee County Planning Agency.

DEPARTMENT OF ADMINISTRATION COMMENTS:

We have examined and find that, with the exceptions noted below, this preliminary plat appears to conform with the applicable layout requirements of ss. 236.16 and 236.20, Wis. Stats.

-Milwaukee County is an objecting authority for this plat and must be added to the list of review agencies on the final plat.

-The center of the temporary cul-de-sac easement must be tied by bearing and distance to an adjacent lot corner of the final plat.

-The boundary or centerline of the 20' wide sanitary sewer easement crossing Outlot 2 must be dimensioned by bearing and distance tied to an adjacent lot corner of the final plat.

COUNTY PLANNING AGENCY:

The Milwaukee County Planning Agency is an objecting agency on this plat. On 10/04/2022 we transmitted copies to them for review. On 11/14/2022, we were notified that they do not object to this plat with conditions to be met on the final plat.

Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local ordinances;
- conforms with areawide water quality management plans, if sewerage;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

If there are any questions concerning this review or preparation and submittal of the final plat, please contact our office as listed above .

Regards,

A handwritten signature in black ink that reads "Don Sime". The signature is written in a cursive, flowing style.

Don Sime, PLS
Plat Review

cc: John Coury, Owner
Clerk, City of Oak Creek
Milwaukee County Planning Agency

PLAT RECEIVED FROM SURVEYOR ON 10/04/2022; REVIEWED ON 10/21/2022

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 • TELEPHONE (262) 547-6721
FAX (262) 547-1103



Serving the Counties of: KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



February 15, 2023

Ms. Kari Papelbon, CFM, AICP
Senior Planner
City of Oak Creek Community Development Department
8040 South 6th Street
Oak Creek, WI 53154

Re: SEWRPC No. CA-411-216

Dear Ms. Papelbon:

This will respond to your email message of July 15, 2022, requesting that the Commission staff review and comment on a June 6, 2022, primary environmental corridor (PEC) delineation by Ms. Alice Thompson and Mr. Aaron Menke of Thompson & Associates Wetland Services at the Switchback Enterprises, LLC, property (Tax Key Number 9589995006). The subject property is located at 10670 South Nicholson Road in part of the Northwest one-quarter of U.S. Public Land Survey Section 34, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

Pursuant to your request, Commission staff met Mr. Menke at the subject property for the purpose of reviewing the PEC delineation on August 9, 2022. Based upon the field inspection, the Commission staff recommended a minor revision of the PEC boundary in the northeast part of the property to incorporate a stand of Bur oak (*Quercus macrocarpa*) trees. Accordingly, Mr. Menke re-flagged the eastern segment of the PEC boundary to incorporate the stand of oaks. Please note that, with this revision to the PEC boundary, the Commission staff concurs with the subject PEC delineation (see attached aerial map).

Finally, please note that Commission staff identified a State-designated Special Concern species known as Waxleaf meadowrue (*Thalictrum revolutum*) in the northern portion of the property, including a population just south of the PEC. A Critical Species Habitat (CSH) area named Crayfish Creek Critical Species Habitat has been drawn to incorporate appropriate habitat for Waxleaf meadowrue (see attached map). Please notify Commission staff if disturbance is to occur to the CSH during development of the subject property. It may be possible to re-locate the Waxleaf meadowrue to suitable habitat outside the area to be disturbed. Should you have any questions regarding this information, please do not hesitate to contact Mr. Christopher J. Jors, Principal Specialist-Biologist (cjors@sewrpc.org or 262-953-3246).

Sincerely,

Thomas Slawski, PhD
Chief Biologist

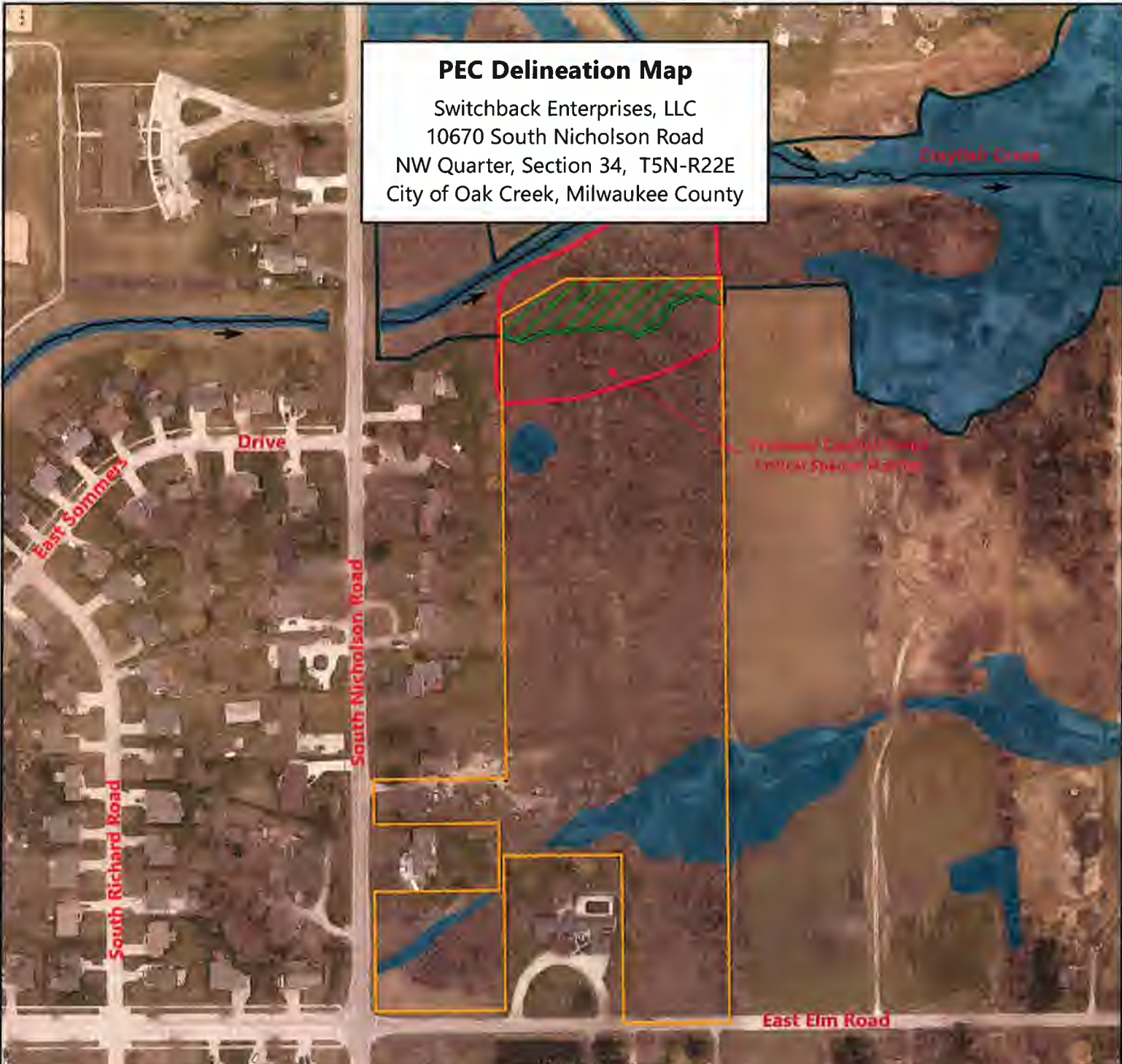
Ms. Kari Papelbon, CFM, AICP
February 15, 2023
Page 2

Enclosure (#266999)

cc: Mr. John Coury, Switchback Enterprises, LLC (w/enclosure by email)
Ms. Alice Thompson, Thompson & Associates Wetland Services (w/enclosure by email)
Mr. Mark Ellena, PE, Ellena Engineering Consultants, LLC (w/enclosure by email)

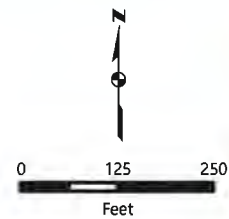
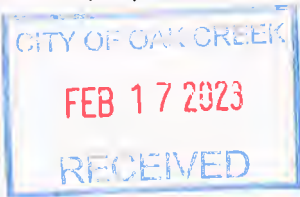
PEC Delineation Map

Switchback Enterprises, LLC
10670 South Nicholson Road
NW Quarter, Section 34, T5N-R22E
City of Oak Creek, Milwaukee County



Legend

- Project Area
- PEC Staked by Thompson and Associates on 6/10/22
- Primary Environmental Corridor (PEC)
- Critical Species Habitat
- Wetland
- Surface Water
- Flow Direction



Source: SEWRPC
Date of Photography: 2020
CA#411-216

PEC Delineation Reviewed by SEWRPC on 8/9/22

Wetland Boundaries Within Project Area Staked by Thompson and Associates on 10/19/21

PRELIMINARY PLAT
EDGEMONT ESTATES

BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWN 5 NORTH, RANGE 22 EAST,
IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

OWNER/DEVELOPER:
SWITCHBACK ENTERPRISES LLC
JOHN COURTY
6340 NORTH GREEN BAY RD.
GLENDALE, WI 53209
414-687-0558

ENGINEER:
ELLENA ENGINEERING CONSULTANTS
MARK ELLENA
700 PILGRIM PARKWAY, SUITE 100
ELM GROVE, WI 53122
262-719-6183

SURVEYOR:
LANDTECH SURVEYING, LLC
JOHN DOWNING
111 W. 2ND ST.
OCONOMOWOC, WI 53066
262-367-7599

REVIEWING AUTHORITIES:
• CITY OF OAK CREEK
• WI DEPARTMENT OF ADMINISTRATION
• MILWAUKEE COUNTY

GROSS PARCEL AREA = 12.437 ACRES (541,768 S.F.)
• LESS EAST ELM ROAD AND NICHOLSON ROAD R.O.W.
= 11,773 ACRES (512,835 S.F.)

CURRENT ZONING
RS-3 SINGLE FAMILY RESIDENTIAL

LOT SIZE
• MINIMUM AREA: 12,000 S.F.
• MINIMUM AVERAGE WIDTH: LOT WIDTH 80, CORNER LOT 90'

BUILDING SETBACKS
• FRONT = 30'
• SIDE = 10'
• REAR = 30'
• REAR = 50' (LOTS 1-7)
• SEE LOT 2 FOR DETAIL

- NOTES:
- WETLANDS WERE DELINEATED BY THOMPSON AND ASSOCIATES WETLAND SERVICES, LLC ON OCTOBER 19, 2021, AND FIELD LOCATED BY LANDTECH SURVEYING ON 12/01/2021.
 - PEC AND O.H.W.M. WERE DELINEATED BY THOMPSON AND ASSOCIATES WETLAND SERVICES, LLC ON JUNE 10, 2022, AND FIELD LOCATED BY LANDTECH SURVEYING ON 06/27/2022. PEC MINOR REVISION AND CONCURRENCE BY SEWRPC, AUGUST 9, 2022 AND FIELD LOCATED BY LANDTECH SURVEYING ON 08/19/2022.
 - DIGGERS HOTLINE LOCATE TICKET NUMBERS: 20214805429, 20214805444.
 - THE UNDERGROUND UTILITIES AS SHOWN ON THIS SURVEY ARE SHOWN PER DIGGER'S HOTLINE MARKINGS AND/OR UTILITY PLANS PROVIDED. THE SURVEYOR DOES NOT CERTIFY OR GUARANTEE THE EXACT LOCATIONS OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.
 - SOIL TEST COMPLETED BY GEOTECHNICAL ENGINEERING REPORT DECEMBER 5, 2007, GESTRA PROJECT NO.: 07151-10.
 - MAXIMUM BUILDING COVERAGE = 40%.
 - TREE INVENTORY PROVIDED AND FIELD LOCATED BY ALICE THOMPSON OF THOMPSON & ASSOCIATES WETLANDS SERVICES, LLC.
 - NO FENCES WILL BE ALLOWED IN ANY EASEMENT THAT CONTAINS INFRASTRUCTURE.
 - OUTLOTS 1, 2, 3, AND 4 OF THE PLAT OF EDGEMONT ESTATES IS OWNED AND SHALL BE MAINTAINED BY THE EDGEMONT ESTATES HOMEOWNERS ASSOCIATION AND EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDABLE FRACTIONAL OWNERSHIP OF THE OUTLOTS AND THAT MILWAUKEE COUNTY AND THE CITY OF OAK CREEK SHALL NOT BE LIABLE FOR ANY FEES OR SPECIAL ASSESSMENTS IN THE EVENT MILWAUKEE COUNTY OF THE CITY OF OAK CREEK SHOULD BECOME THE OWNER OF ANY LOT IN THE SUBDIVISION BY REASON OF DELINQUENCY. THE HOMEOWNERS ASSOCIATION SHALL MAINTAIN SAID OUTLOTS IN AN UNOBSTRUCTED CONDITION SO AS TO MAINTAIN THEIR INTENDED PURPOSE. CONSTRUCTION OF ANY BUILDING, GRADING, OR FILLING IN SAID OUTLOTS IS PROHIBITED UNLESS APPROVED BY THE CITY OF OAK CREEK. THE HOMEOWNERS ASSOCIATION GRANTS TO THE CITY THE RIGHT (BUT NOT RESPONSIBILITY) TO ENTER UPON THESE OUTLOTS IN ORDER TO INSPECT, REPAIR OR RESTORATION OF SAID OUTLOTS MAY BE PLACED AGAINST THE TAX ROLL FOR SAID ASSOCIATION AND COLLECTED AS A SPECIAL CHARGE BY THE CITY.
 - A 50 FOOT PROTECTIVE AREA IS SHOWN AROUND THE WETLANDS IN OUTLOT 2 AND OUTLOT 3. PER WDNR NR 151, WET DETENTION BASINS ARE ALLOWED IN THE PROTECTIVE AREA.
 - OUTLOT 1 IS A CONSERVANCY AREA. A FENCE SHALL BE CONSTRUCTED ALONG THE SOUTH BOUNDARY OF OUTLOT 1. SUBJECT FENCE SHALL BE MAINTAINED BY THE HOA. (SEE LANDSCAPE PLAN)
 - ALL TREES IN OUTLOT 1 WHICH INCLUDES THE WOODED PRIMARY ENVIRONMENTAL CORRIDOR AND A WOODED WETLAND ARE PRESERVED. CONSTRUCTION FENCING WILL PROTECT OUTLOT 1 DURING CONSTRUCTION, FOLLOWED BY A PERMANENT FENCE TO DELINEATE THIS AREA.
 - ALL MATURE (12" DBH OR GREATER) TREES IN A 50 FOOT EASEMENT ON THE WESTERN SIDE OF LOTS 1-7 WILL BE PRESERVED. CONSTRUCTION FENCING WILL BE PLACED ON THE BOUNDARY TO MINIMIZE DISTURBANCE DURING CONSTRUCTION.
 - ALL TREES IN OUTLOT 2 ARE PRESERVED OUTSIDE OF THE CLEARING NEEDED FOR A WET DETENTION BASIN.
 - ANY MATURE TREES ON THE EAST LOT LINES OF LOTS 10-14 SHALL BE PRESERVED TO THE EXTENT POSSIBLE.

LEGEND

- SECTION CORNER MONUMENT SET 1.25" O.D. X 18" REBAR WEIGHING 4.30 LBS/FT.
- FOUND 3/4" REBAR OR NOTED
- FOUND 1" IRON PIPE OR NOTED
- SANITARY MANHOLE
- MANHOLE
- CURB INLET
- FIELD INLET
- WATER VALVE
- HYDRANT
- CMCP CULVERT
- SANITARY SEWER
- SEPTIC TANK
- TV PED
- ELECTRIC POLE
- UTILITY POLE
- GUY WIRE
- OVERHEAD UTILITY
- FLOOR ELEVATION
- EXISTING SPOT GRADE
- EXISTING CONTOUR
- RECORD DIMENSION
- EXISTING DWELLING
- EXISTING SHED
- UNDERGROUND GAS
- WATERMAIN
- SOIL BORE
- TREES TO REMAIN

BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, MILWAUKEE COUNTY ZONE (NAD 83 WISCONS 2018) AND REFERENCED TO THE WEST LINE OF THE NW 1/4 OF SEC. 34-5-22 MEASURED AS N00°47'59"W.

VERTICAL DATUM IS REFERENCED TO CITY OF MILWAUKEE DATUM, WEST 1/4 CORNER OF SEC. 34-5-22 ELEV. 93.03 (673.63 NGVD 29).

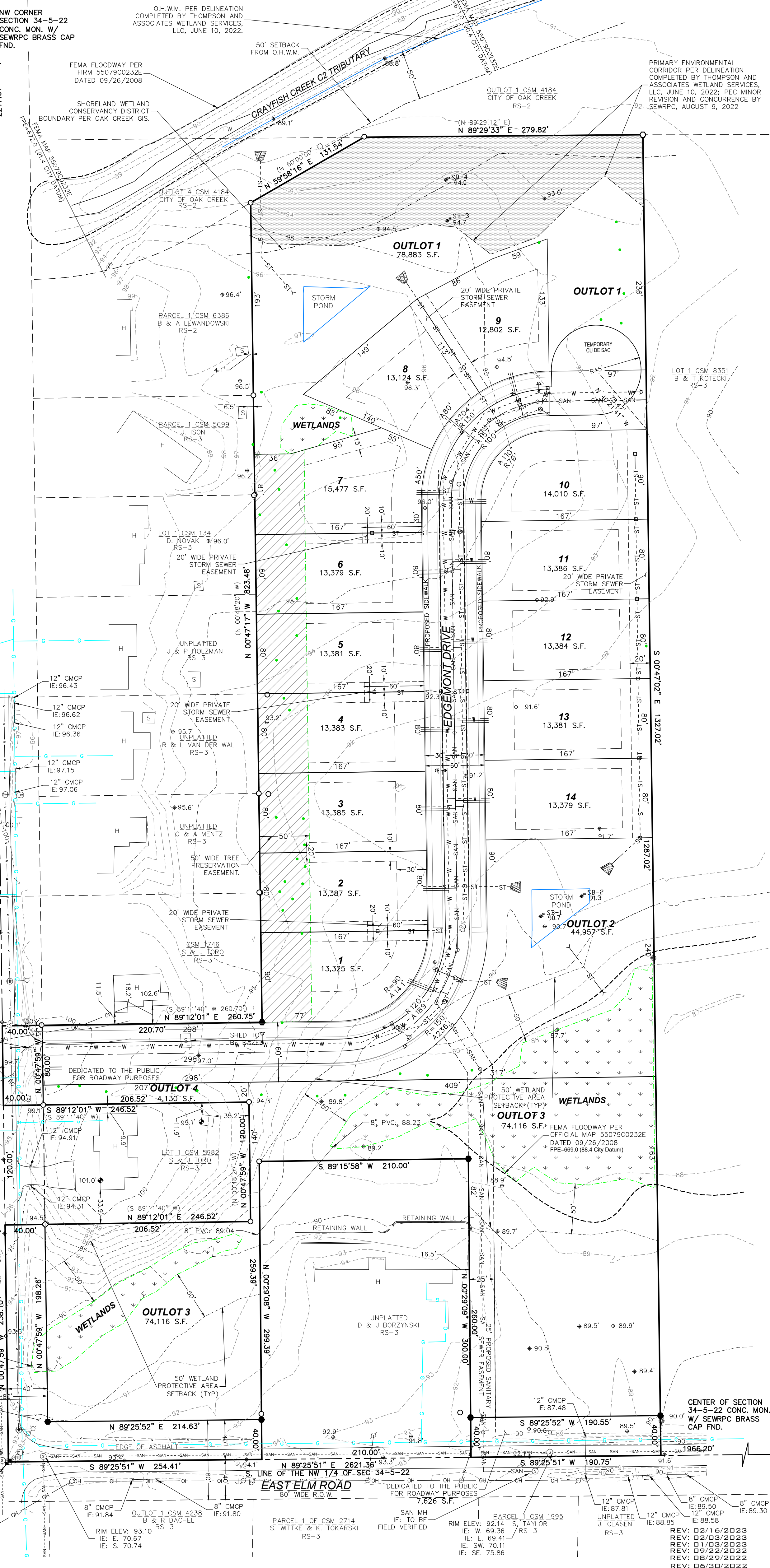
0' 60' 120'
1 INCH = 60 FEET



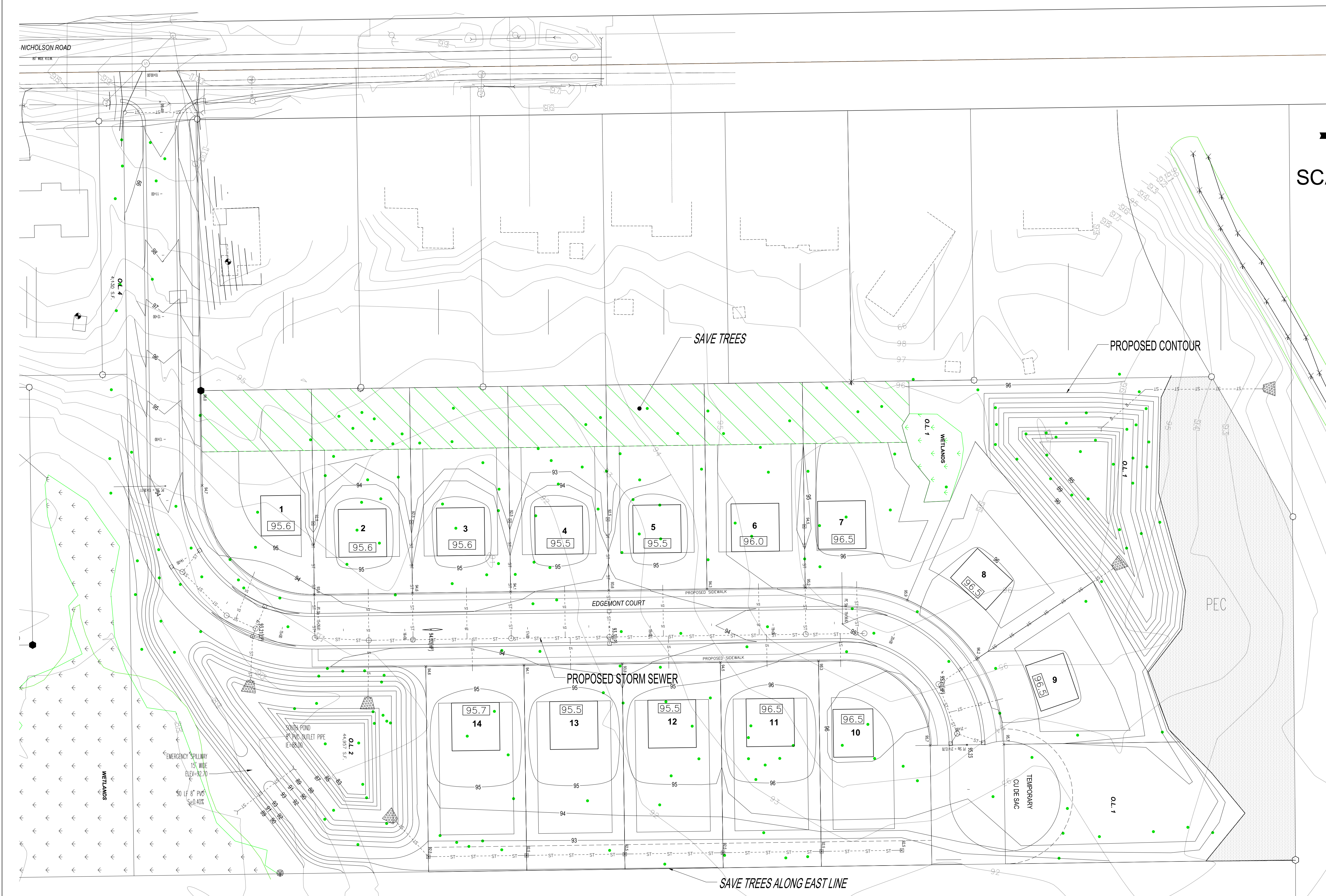
SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS, ROADWAY AND VISIBLE ENCROACHMENTS, IF ANY. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE, THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.

SIGNED: JOHN D. DOWNING, PROFESSIONAL LAND SURVEYOR
S-2939



PRIMARY ENVIRONMENTAL CORRIDOR PER DELINEATION COMPLETED BY THOMPSON AND ASSOCIATES WETLAND SERVICES, LLC, JUNE 10, 2022. PEC MINOR REVISION AND CONCURRENCE BY SEWRPC, AUGUST 9, 2022



SCALE: 1" = 40'

DATE	DESCRIPTION

EEC
ELLENA ENGINEERING CONSULTANTS, LLC
 SITE CIVIL ENGINEERING & STORMWATER MANAGEMENT
 700 Pilgrim Parkway - Suite 100 Elm Grove, WI 53122
 Phone: 262-719-6183 Fax: 866-457-2584 Email: mellenae@eeceng.com

EDGEMONT ESTATES
 CITY OF OAK CREEK, WI
GRADING & DRAINAGE PLAN

WISCONSIN
 MARK R. ELLENA
 E-24090
 WALES, WI
 PROFESSIONAL ENGINEER
Mark R. Ellena
 DATE: 01-03-23
 DESIGNED BY: MARK R. ELLENA, PE
 SCALE: 1"=40'

SHEET NUMBER
 C100



DATE	DESCRIPTION

EEC
ELLENA ENGINEERING CONSULTANTS, LLC
 SITE CIVIL ENGINEERING & STORMWATER MANAGEMENT
 700 Pilgrim Parkway - Suite 100 Elm Grove, WI 53122
 Phone: 262-719-6183 Fax: 866-457-2584 Email: mellenae@eeceng.com

EDGEMONT ESTATES
 CITY OF OAK CREEK, WI
**SANITARY SEWER &
 WATERMAIN SYSTEM PLAN**

WISCONSIN
 MARK R. ELLENA
 E-24090
 WAUKESHA, WI
 PROFESSIONAL ENGINEER
Mark R. Ellena
 DATE: 01-03-23
 DESIGNED BY: MARK R. ELLENA, PE
 SCALE: 1"=40'

SHEET NUMBER
 C200



PLAN COMMISSION REPORT

Proposal: Zoning Text Amendment – Tattoo Studios in B-2, Community Business & Medical Diagnostic Facilities/Laboratories in B-4, General Business.

Description: Review a proposal for amendments to Table 17.0304(c) and Section 17.1013 of Chapter 17 – Zoning and Sign Ordinance related to tattoo studios and medical diagnostic facilities/laboratories.

Applicant(s): Julie Marie Ragalie, Mostly Harmless Ink; Kristen Parks, St. John Properties, Inc.; City of Oak Creek

Address(es): N/A

Suggested Motion: That the Plan Commission recommends to the Common Council that Table 17.0304(c) and Section 17.1013 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code be amended as proposed after a public hearing.

Owner(s): N/A

Tax Key(s): N/A

Lot Size(s): N/A

Current Zoning District(s):

Overlay District(s):

Wetlands: Yes No

Floodplain: Yes No

Comprehensive Plan: N/A

Background:

At the September 27, 2022 meeting, the Plan Commission reviewed the first round of amendments and revisions to the Zoning Code March 15, 2022. The Common Council approved all of the recommended amendments at a public hearing on November 1, 2022. Staff have received two (2) additional requests for consideration of uses within certain zoning districts: tattoo studios in the B-2, Community Business district and medical laboratories in the B-4, General Business district.

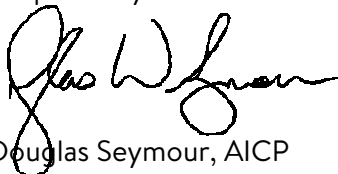
Plan Commissioners should be aware that tattoo studios were allowed as Conditional Uses within the B-2 district through a text amendment approved in 2017. Staff have no concerns with allowing the use as was previously approved – this is correcting an oversight. Medical diagnostic facilities/laboratories are not specifically listed in the Code. There are currently medical / dental office, hospital, and acute care center uses allowed in the B-4 district. Medical or dental offices are defined as “[a]n office for health care providers including but not limited to, dentists, physicians, counselors, and surgeons.” Laboratories, defined as “[a] building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory,” are only allowed in the Lm-1 and M-1 districts. Staff recognize that small-scale medical diagnostic facilities/laboratories, subject to specific criteria, would not be incompatible with other uses in the B-4 district.

Attached to this report are proposed amendments for Plan Commission consideration. It should be noted that these amendments are directly related to the next two (2) items on the agenda.

If the Plan Commission determines that the proposed amendments to the Zoning Code as presented are acceptable, a motion recommending Common Council approval has been provided for consideration.

Options/Alternatives: The Plan Commission has the discretion to approve or disapprove of the proposed updates to Chapter 17. Approval would include recommendation of adoption by the Common Council at a public hearing. Disapproval would delay the consideration for adoption and require additional meetings to discuss revisions to address concerns.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

Draft Amendments (4 pages)

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Agricultural Uses											
Agritourism Related Uses		C									
Aquaculture		P									
Garden Plots for Rent		P								C	
General Farm Structures		P									
General Farming		P									
Keeping and Raising of Domestic Stock, Commercial	17.0402(a)	P									
Plant Nursery / Greenhouse		P		C	C	C		C	C		C
Solar Energy Collection System, Farm		P							C		
Residential Uses											
Dwelling, Multifamily Above Ground Floor			P	C		P	P				
Dwelling, Single-Family Attached											
Dwelling, Single-Family Detached	17.0403(e)	P									
Recreational Uses											
Art Gallery / Museum			P	C		P	P			C	
Boat Mooring and Rental / Marina											C
Campground		C									C
Family Entertainment Center / Indoor Commercial Amusement / Fun Center							C				
Golf Course											C
Golf Course, Miniature						C	C				C
Health, Athletic, or Recreation Facility, Indoor			C	C	C	P	P	C	C	P	C
Health, Athletic, or Recreation Facility, Outdoor						C	C		C	P	C
Parks and Playgrounds, Private		C	C	C	C	C	C			C	C
Parks and Playgrounds, Public		P	P	P	P	P	P			P	P
Shooting / Archery Range, Indoor						P	P	C	C		
Shooting / Archery Range, Outdoor						C	C				
Retail Uses											
Adult Entertainment	17.0405(a)								P		
General Retail, less than 50,000 sq ft			P	C		P	P				
General Retail, 50,000 sq ft - 100,000 sq ft			P			P	P				
General Retail, more than 100,000 sq ft			C			C	P				
Grocery Store			C	C		P	P				
Multitenant Shopping Center			P	C		P	P				
Neighborhood Retail	17.0405(d)			P							
Outlot Retail Building	17.0405(e)		P			P	P				

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Wholesale						C	P				
Service Uses											
Animal Training / Therapy						C		C	C		
Animal Daycare / Recreation						C		C	C		
Bank / Financial Institution			P	C	P	P	P				
Funeral Parlor with Cremation Services						C			C		
Funeral Parlor without Cremation Services						P					
Day Care Center			P	C	P	P	P			C	
General Service			P	C	P	P	P				
Kennel / Boarding Facility / Shelter	17.0406(a)					C		C	C		
Neighborhood Service	17.0406(b)			P	C						
Private Emergency Service						C		C	C		
Self Service Laundry / Dry Cleaner						P	P				
Tattoo, Body Piercing, and Body Art Studios				C		C					
Veterinary Clinic / Animal Hospital	17.0406(c)					C		C	C		
Lodging Uses											
Hotel			P			P	P				
Hotel, Extended Stay			C			C	C				
Motel			C			C	C				
Eating and Drinking Uses											
Drinking Establishment			C			C	C				
Café	17.0408(a)		P	P	P	P	P				
Mobile Retail Food Establishment / Food Truck Park	17.0408(b)		P	P	P	P	P				
Microbrewery / Winery / Distillery			P			P	P	C	P		
Restaurant, Delivery / Carry Out Only			P	C		P	P				
Restaurant, Fast Casual			P	C		P	P				
Restaurant, Sit Down			P	C		P	P				
Tasting Room, Brewery, Winery, Distillery			P			P	P	P	P		
Vehicle Related Uses											
Autobody / Automotive Mechanical Repair						C	C	C	C		
Car Wash						C	C				
Electric Vehicle Charging Stations			P	P	P	P	P	P	P		
Equipment Sales and Rental	17.0414(l)	C						C	C		
Fuel Sales	17.0409(a)					C	C				
Fueling Plaza	17.0409(a)					C	C				
Service Station						C	C				

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Vehicle Sales and Rental	17.0414(l)					C	C	C	C		
Office Uses											
Office, General				C	P	P	P	P	P		
Office, Above Ground Floor			P		P	P	P				
Office, Medical / Dental			P		P	P	P				
Industrial Uses											
Brewery / Winery / Distillery								P	P		
Contractor's Shop / Office									C		
Contractor's Yard	17.0414(m)								C		
Laboratory								P	P		
Manufacturing, Artisan	17.0411(a)		C			C	C	P	P		
Manufacturing, Heavy									C		
Manufacturing, Light								P	P		
Motor Freight Terminal									C		
Self Storage								C	P		
Warehouse, Distribution, Less than 200,000 sq ft									P		
Warehouse, Distribution, 200,000 sq ft or Greater									C		
Warehouse, Storage, Less than 200,000 sq ft									P		
Warehouse, Storage, 200,000 sq ft or Greater									C		
Medical Uses											
Hospital			C		C	C	C		C	P	
Acute Care Center			C		C	C	C		C	P	
Medical Diagnostic Facility/Laboratory				C		P	P				
Public / Institutional Uses											
College / University							P	P	P	P	
Essential Service		P	P	P	P	P	P	P	P	P	P
Governmental Use, Indoor		P	P	P	P	P	P	P	P	P	P
Governmental Use, Outdoor		C	C	C	C	C	C	C	C	C	C
Place of Assembly				P		P	P	P	C	P	P
Religious Institution		P								P	P
School, Private		C								C	C
School, Public		P								P	P
Vocational / Employment Training		C					P	P	P	P	
Utility, Minor		P	P	P	P	P	P	P	P	P	P
Utility, Major		C	C	C	C	C	C	C	C	C	C
Telecommunications Towers	17.0413(a)	C	C	C	C	C	C	C	C	C	C

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Accessory Uses											
Accessory, Building	17.0414(a)	P	P	P	P	P	P	P	P	P	P
Accessory, Retail	17.0414(c)							C	C		
Accessory, Structure	17.0414(d)	P	P	P	P	P	P	P	P	P	P
Donation Drop Box	17.0414(f)									P	
Drive Through	17.0414(g)					C	C				
Home Occupation	17.0414(h)	P	P	P		P	P				
Outdoor Activity / Operation, Permanent	17.0414(j)					C		C	C	C	
Outdoor Dining	17.0414(k)		P	P		P	P				
Outdoor Display / Sale of Merchandise, Permanent	17.0414(l)				C	C					
Outdoor Storage, Permanent	17.0414(m)					C		C	C	C	C
Roadside Stand	17.0414(n)	P									
Solar Energy Collection System, Canopy	17.0414(o)		P			P	P	P	P	P	P
Solar Energy Collection System, Ground Mounted	17.0414(p)	P	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, Roof Mounted	17.0414(q)	P	P	P	P	P	P	P	P	P	P
Truck and Trailer Parking	17.0505							C	C		
Temporary Uses											
Carnival		T	T	T		T		T	T	T	T
Circus / Animal Show		T	T	T		T		T	T	T	T
Seasonal Sales	17.0415(b)		T	T		T		T	T		
Construction Related		T	T	T	T	T	T	T	T	T	T
Farmers Market			T	T		T	T	T	T	T	T
Flea Market											
Mobile Retail Food Establishment / Food Truck	17.0415(c)		T	T	T	T	T	T	T	T	T
Outdoor Activity / Operation, Temporary			T	T	T	T		T	T	T	
Outdoor Display / Sale of Merchandise, Temporary	17.0415(d)		T	T		T		T	T	T	
Truck and Trailer Parking								T	T		

Proposed Sec. 17. 1013(j), Definition of Medical Diagnostic Facility/Laboratory

A facility that provides diagnostic services or tests to a patient in order to obtain information to aid in the assessment of a medical condition, the identification of a disease, or to determine the nature and severity of an injury. Services or tests may include, but not be limited to: x-rays, blood tests, urine tests, radiographs, clinical examinations, biopsies, and similar. Excludes laboratories for experimental or animal research, pharmaceutical manufacturing, or similar uses.



PLAN COMMISSION REPORT

Proposal: Conditional Use Permit – Tattoo Studio

Description: Review a request for a Conditional Use Permit for a tattoo studio within a portion of the existing multitenant building on the property at 8632 S. Market Pl.

Applicant(s): Julie Marie Ragalie, Mostly Harmless Ink

Address(es): 8632 S. Market Pl. #8 (4th Aldermanic District)

Suggested Motion: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit allowing a tattoo studio within a portion of the existing multitenant building on the property at 8632 S. Market Pl., subject to Conditions and Restrictions, after a public hearing.

Owner(s): Raymond & Barbara Gwiazdowski

Tax Key(s): 823-0012-000

Lot Size(s): 0.102 ac

Current Zoning District(s): B-2, Community Business

Overlay District(s): PUD

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Commercial

Background:

The Applicant, with support of the current landowner, is requesting recommendation of approval of a Conditional Use Permit for tattoo studio within a portion of the existing multitenant building on the property at 8632 S. Market Pl. This request is directly related to and dependent upon the Zoning Text Amendment reviewed in the previous agenda item. As presented, tattoo studios would be Conditional Uses in the B-2, Community Business district. Old Forest Studio, an existing tattoo studio, was approved in the Marketplace development in 2017. The Land Use Plan within the Comprehensive Plan identifies this parcel as appropriate for future commercial (re)development.

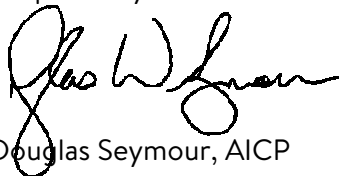
Per the submitted narrative, the applicant would be the owner of and licensed tattoo artist for Mostly Harmless Ink, a private tattoo studio. In addition to the tattoo consultation, design, and application of tattoo body art, the business would include a small retail component for related products and art. A part-time receptionist and retail clerk would be the only other employee. Hours of operation for the tattoo studio are proposed to be by appointment between 9:00 AM – 6:00 PM Monday through Saturday. Retail hours are typically between noon and 5:00 PM, but may be extended when there are no appointments. Sharps and related biohazard waste will be disposed of in FDA containers per health codes. No outdoor storage or display of merchandise is requested. Additional details for the proposal are included with this report, along with proposed Conditions and Restrictions for Plan Commission consideration.

Minimum parking requirements for tattoo studios and for general retail uses under 50,000 square feet are calculated at one (1) stall per 250 square feet. However, parking at Market Place is shared. Due to the nature of the proposal, staff have no immediate concerns for parking at this location.

Should the Plan Commission determine that the request for a Conditional Use Permit for a tattoo studio with the proposed Conditions and Restrictions is acceptable, the appropriate action would be to recommend that the Common Council approve the Conditional Use Permit.

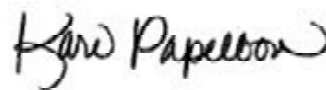
Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

Location Map

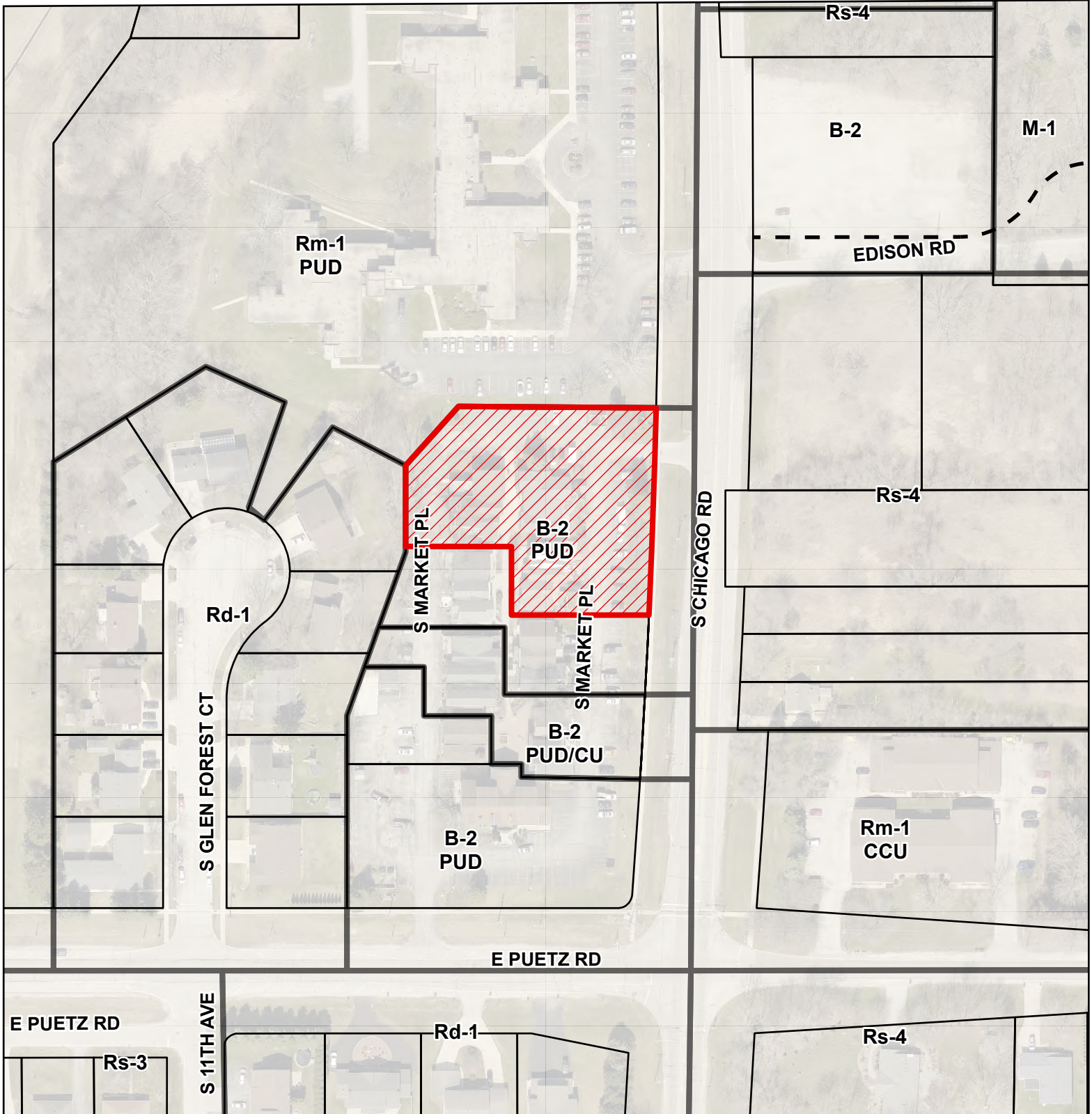
Concept & Floor Plans (3 pages)

Narrative (4 pages)

Conditions and Restrictions

LOCATION MAP

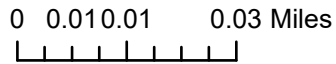
8632 S. Market Pl.



This map is not a survey of the actual boundary of any property this map depicts.



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 8632 S. Market Pl.

CONCEPT SITE PLAN (FROM GIS)



Search...



Home Markup

Tool Labels

- Pan
- Rectangle
- Query
- Filter
- Pictometry
- Google Street View
- Print
- Export
- Share
- Upload Data
- Taxkey
- Address

Navigation Find Data Linked Maps External Search

RAYMOND J GWIAZDOWSKI

I want to...

1 result(s) added to 'Starred Selection'

Description

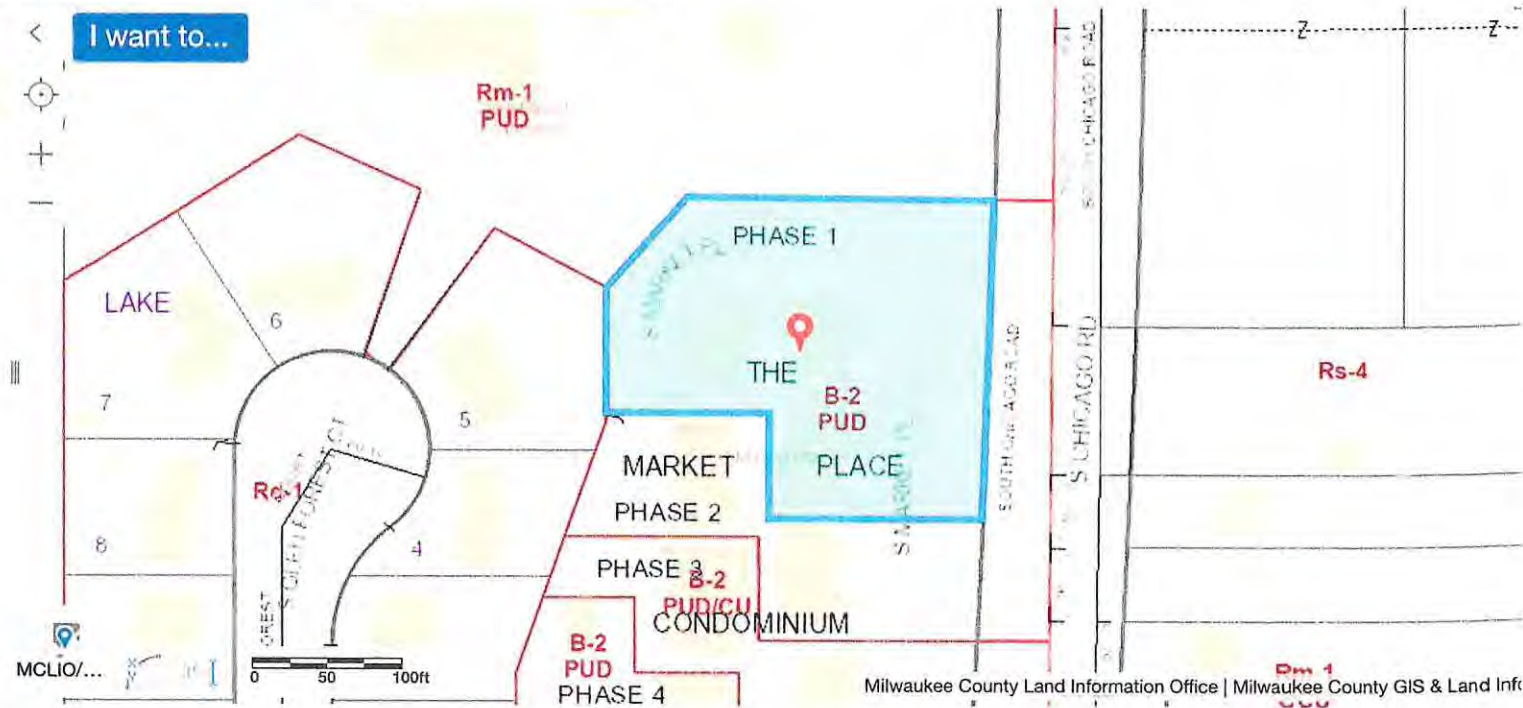
Taxkey: 8230012000
Owner: RAYMOND J GWIAZDOWSKI
Co Owner: BARBARA POKLAR GWIAZDOWSKI
Property Address:
 8632 S MARKET PL
Owner Address:
 3000 S WENTWORTH AVE
 MILWAUKEE, WI 53207

[GCS Land Records Information](#)
[Assessment Data](#)

Details

TAXKEY
 8230012000

Layers RAYMOND J GWIAZD...

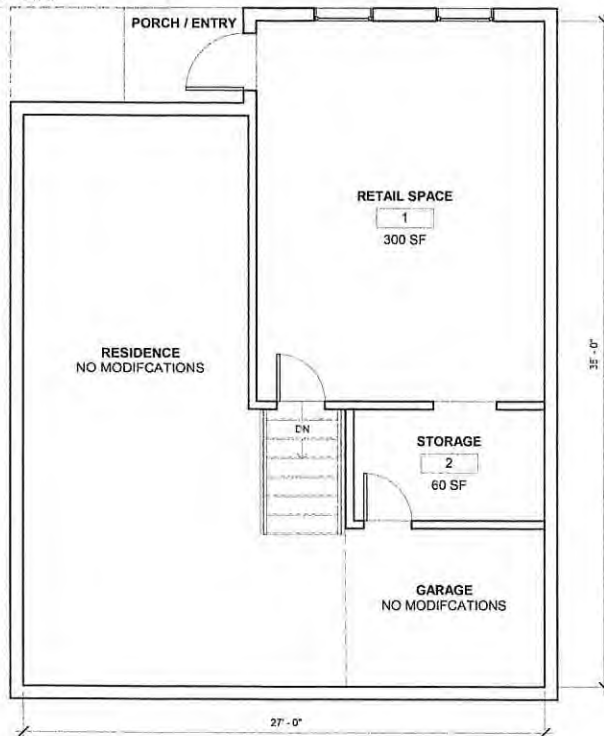


FLOOR PLAN (EXISTING)

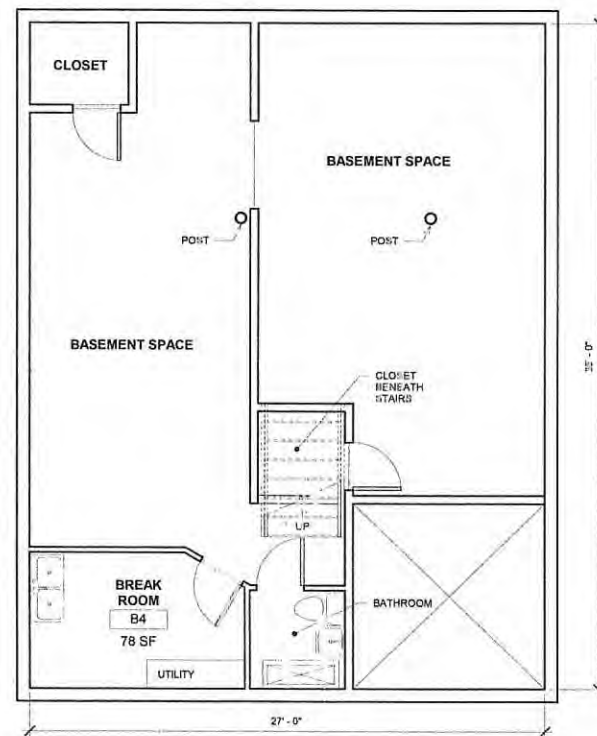
NOTE:

ALL EXISTING BUILDING CONDITIONS ARE TO BE VERIFIED IN FIELD. BUILDING DIMENSIONS AND SQUARE FOOTAGES ARE APPROXIMATE.

NO MODIFICATIONS ARE INTENDED TO BE MADE IN THE FIRST OR SECOND FLOOR RESIDENTIAL AREAS, INCLUDING THE GARAGE. THESE AREAS HAVE BEEN SPARINGLY DRAFTED. THESE DOCUMENTS ARE INTENDED TO REFLECT THE LOCATIONS MOST IMPACTED BY TENNANCY OF MOSTLY HARMLESS INK.



2 EXISTING GROUND FLOOR PLAN
1/4" = 1'-0"



1 EXISTING BASEMENT PLAN
1/4" = 1'-0"

AP BEASLEY
407.587.6602

MARKET PLACE
8632 S MARKET PLACE
OAK CREEK, WI 53154

**MOSTLY
HARMLESS
INK**

**EXISTING
BUILDING**

Date 01.22.2023
Drawn By APB

EX

FLOOR PLAN (PROPOSED)

NOTE:

ALL EXISTING BUILDING CONDITIONS ARE TO BE VERIFIED IN FIELD. BUILDING DIMENSIONS AND SQUARE FOOTAGES ARE APPROXIMATE.

NO MODIFICATIONS ARE INTENDED TO BE MADE IN THE FIRST OR SECOND FLOOR RESIDENTIAL AREAS, INCLUDING THE GARAGE. THESE AREAS HAVE BEEN SPARINGLY DRAFTED. THESE DOCUMENTS ARE INTENDED TO REFLECT THE LOCATIONS MOST IMPACTED BY TENANCY OF MOSTLY HARMLESS INK.

ROOM	#	USE DESCRIPTION / PROPOSED MODIFICATIONS
RETAIL SPACE	1	CLIENT/ARTIST CONSULTATION. CLIENTS ENTER AND CHECK IN FOR APPOINTMENT, FILL OUT DIGITAL WAIVER, AND WAIT IN WAITING AREA PRIOR TO APPOINTMENT. CLIENTS MAY PURCHASE MERCHANDISE OR AFTER-CARE SUPPLIES. RETAIL CUSTOMER MAY CHECK OUT AT POS AND INQUIRE ABOUT TATTOO SERVICES. ART GALLERY SPACE ALONG WALL.
RETAIL STORAGE	2	NOT ACCESSIBLE TO CLIENTS. STORAGE FOR ALL MERCHANDISE: ART, BOOKS, OTHER MERCHANDISE'S MERCHANDISE.
TATTOOING SPACE	B1	INCLUDES: (1) WORKSTATION, (1) TATTOO CLIENT CHAIR, (1) ARTIST CHAIR, STAINLESS STEEL TRASH CAN, WALL MOUNTED SHARP'S BIN, (1) COMPLETE STERILE SANITATION SETUP, (1) TWIN SANITATION AND PREPARATION, STENCIL PLACEMENT, TATTOOING SERVICE, TATTOO BANDING/WRAPPING, AFTER-CARE INSTRUCTION, STERILE SANITATION DISASSEMBLY, PROPER STATE-MANDATED SHARP'S DISPOSAL.
DRAWING + MERCH STUDIO	B2	NOT ACCESSIBLE TO CLIENTS. BACK-OF-HOUSE PERSONAL SPACE FOR ARTIST TO DRAFT, CREATE MERCH, AND STORE ART.
CLOSET	B3	NOT ACCESSIBLE TO CLIENTS. UTILITY STORAGE.
SANITATION AND CLEANING SUPPLY STORAGE	B4	NOT ACCESSIBLE TO CLIENTS. BACK-OF-HOUSE SPACE FOR ARTIST TO STERILIZE AND SANITIZE TOOLS. CLEANING SUPPLY STORAGE.

INTERIOR RENOVATIONS (STRUCTURAL): NONE
 INTERIOR RENOVATIONS (AESTHETIC): NEW EXIT SIGNS, NON-SLIP FLOOR RUG AT ENTRY, WALL MOUNTS FOR ART / MIRRORS

AP BEASLEY
407.587.6802

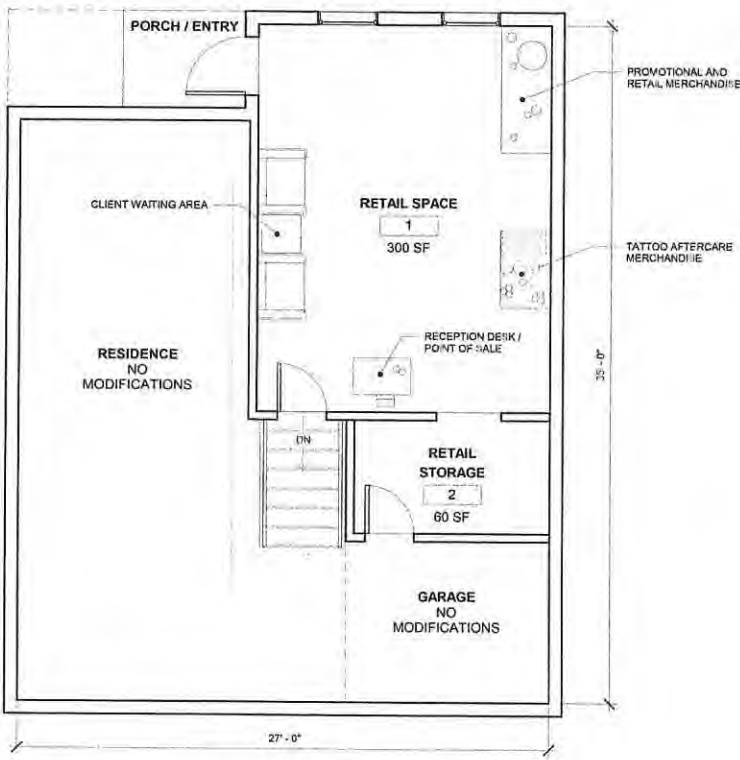
MARKET PLACE
 8632 S MARKET PLACE
 OAK CREEK, WI 53154

MOSTLY HARMLESS INK

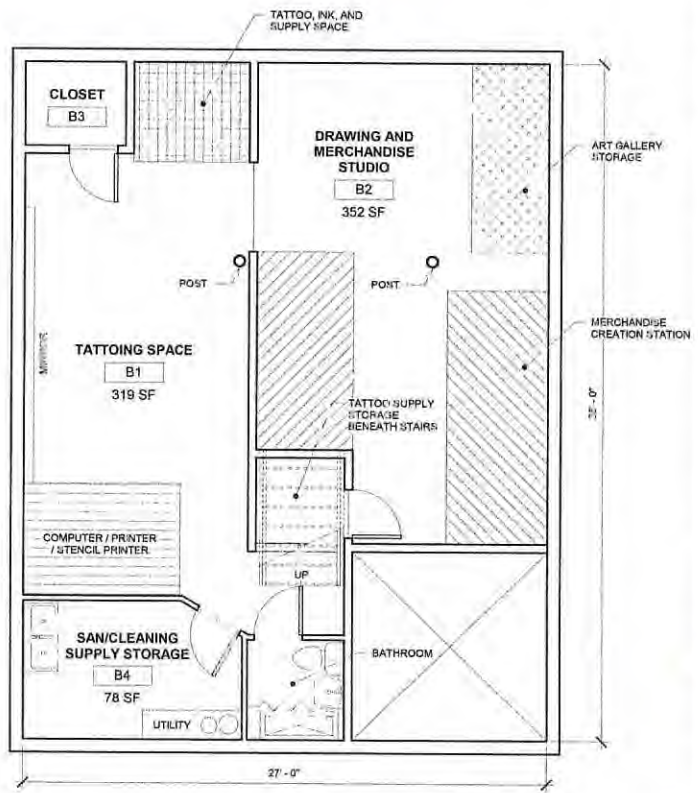
PROPOSED TI

Date: 01.22.2023
 Drawn By: Author

TI



② GROUND FLOOR PLAN - PROPOSED
 1/4" = 1'-0"



① BASEMENT FLOOR PLAN - PROPOSED
 1/4" = 1'-0"

DATE PLOTTED: 01/22/2023 10:58:27 AM

Mostly Harmless Ink Proposed Use/Business Description:

Overview:

Private studio establishment providing safe, sterile tattooing services from an experienced, state-licensed tattoo artist. The business will also include the display of and sale of physical artwork (paintings, drawings, etc), apparel, books, and tattoo-related merchandise in a separate retail space on the premises.

Business Location:

8632 S Market Pl #8, Lower Unit, Oak Creek, WI 53154.

Business Information:

Mostly Harmless Ink- Private Tattoo Studio

Business Tax Registration: 600-1029465110-05

Sales & Use Tax: 456-1029465110-06

Withholding Tax: 036-1029465110-04

Business Owner and Occupation:

Julia M. Ragalie, State of WI Licensed Tattoo Artist
(License/Credential Number: 3989-403).

Services Provided:

- 1.) Tattoo consultation and custom design services.
- 2.) Safe and sterile application of tattoo body art by an experienced tattoo artist.
- 3.) Instruction and education of client tattoo aftercare.
- 4.) Display and sale of artwork by local and international artists.
- 5.) Display and sale of tattoo aftercare products.
- 6.) Display and sale of promotional and retail merchandise (ie, apparel, stickers, etc)

Number of employees: 2

- (1) *Full-Time Tattoo Artist*: The business owner, Julia Ragalie (hereafter *Ragalie*). Ragalie will also operate the front desk and retail space when not performing tattooing services during tattoo business hours.
- (2) *Part-Time Receptionist and Retail Clerk* to greet clients, operate the front desk phone, and manage/stock the retail space.

Hours of Operation:

The Tattoo Studio will operate by *appointment only*.

- Ragalie will consistently schedule appointments on a daily basis between the hours of 9:00am and 6:00pm, *Monday-Saturday*.
- The Retail Business will be open on a daily basis between 12pm and 5pm *Monday-Friday***, staffed by a part-time employee.

**The Retail Business will also be open *outside* of these hours when Ragalie is not tattooing, and is available to operate the front desk.

Anticipated Customers:

Ragalie currently operates in a professional state-licensed tattoo shop in the Greater Milwaukee Area. She has an existing local client base of 500+ people. Ragalie has a successful online business presence with over 185k followers worldwide. This regularly brings in clients from multiple states, traveling to Wisconsin specifically to receive her tattoo services. These clients often seek lodging, dining and entertainment recommendations in the local community while they are visiting from out of state. Ragalie loves to promote and collaborate with other local businesses.

Mission Statement/Business Philosophy:

Ragalie has a degree and professional background in Art Therapy, and approaches her business with the concept that tattoos can be incredibly therapeutic for the people who get them. From expressing one's identity, to finding self-love and confidence, to reclaiming personal freedom, to memorial pieces, tattoos carry significant meaning for many. Regarding the tattoo process as a therapeutic experience contributes positively to the mental health and wellbeing of Ragalie's clients, as well as the greater community. As a female artist in a male-dominated industry, she strives to challenge negative stereotypes about the tattoo industry as a whole, as well as destigmatize tattoos themselves. Ragalie takes a trauma-informed approach to tattooing, and creates a unique, safe space for marginalized communities to feel comfortable and safe throughout every step of the process. She maintains a nonjudgmental, sensory-friendly environment tailored specifically to each client and their needs.

The name of the business, "Mostly Harmless Ink" is both a literary reference, and a representation of Ragalie's business philosophy- To make tattooing safe, approachable and accessible for everyone. Per the front page of her website: "Ink Therapy for All Bodies- Committed to tattooing people with care, and providing the most safe, non-judgmental tattoo environment possible".

Business Operations:

- Clients and customers enter, clients are checked in for tattoo consultations or tattooing services.
- Clients may fill out a digital waiver on the premises or before arrival, on their personal device.
- Customers may purchase art or merchandise at the Point of Sale system at the reception desk.
- Receptionist and Ragalie will answer phone calls and emails and make appointment bookings as necessary.
- Clients will view and approve their tattoo design, and the artist will make any necessary changes. Ragalie will size and stencil the design to the client's satisfaction, and will apply the stencil in a safe and sterile manner.
- Ragalie will create a sanitary setup for each tattoo service, and will conduct the tattoo services during the designated appointment times.

- Ragalie will educate the Client on proper aftercare, provide them with aftercare sheets, and clients will have an opportunity to purchase specialty aftercare products from the retail space.
- Client will pay for tattoo services at the Point of Sale at the retail reception desk.
- Ragalie will conduct a sanitary breakdown and cleansing of the station, disposing of sharps and used materials in accordance with state health and safety guidelines. All tattooing materials are disposable, and no Autoclave is necessary for sanitation of supplies.
- Ragalie will regularly clean and disinfect the entire tattoo procedure space, and will dispose of sharps bins as needed in accordance with State health guidelines.
- The retail space will include the display of International and local works of physical art in the form of paintings, drawings, and mixed media, which will be available for viewing and for sale at the Point of Sale.
- Ragalie and Receptionist will conduct inventory of all items available for purchase.
- Ragalie and Receptionist will conduct inventory of tattooing supplies, and re-order from suppliers as needed.
- Ragalie will manage accounting for the business and will track and report on income earned to the State and Federal revenue services.

Additional Resources (Optional For Consideration):

- **Artist's Website**, where more information about the artist, booking process, waiver process, client testimonials, portfolio of work, and FAQ (pertaining to the artist's current shop location) can be found.
<https://www.juliaragalietaattoos.com/>
- **Professional Reference-**
Jordanne Le Fae, Mentor, Owner and Artist of Weird Ink Society, St. Paul MN.
(651) 204-0600, faetattoos.com, faetattoos@gmail.com
- **Client Testimonials-**
 - "I have two flash tattoos from Julia and they are both amazing! I travel an hour to see her and honestly picture myself getting tattooed by her for the rest of my life. She has a way of making me feel very comfortable and at ease, and is a perfectionist so know I'm going to walk out with something I'm in love with. Highly recommend her to anyone." - Rachel B.
 - "Julia is the complete package! Not only is her artistry incredible, her professionalism and personality are unmatched. She is honest, non-judgemental, and supportive. Once you get tattooed by her, you will judge every other tattoo experience by the standard she sets." - Christy W.
 - "Julia is my favorite artist I've had the pleasure of working with, by FAR! Every piece I get, I love better than the last! She's also very accommodating for neurodivergent folks. 10/10 Would Recommend." - Keli G.
 - "Julia never disappoints! Not only do I have this amazing and beautiful piece of art on my body now but the experience of getting tattooed by her is the best I've

ever had. She makes you feel so comfortable and at ease which I greatly appreciate as someone with both past tattoo trauma and anxiety.”- Clarise S.

- "This tattoo experience was unlike any other. Julia was friendly and professional as well as making me feel safe and made the experience so much fun! Her artwork is beautiful and breathtaking and I personally cannot wait for the privilege to get another tattoo from her. I cannot sing her praises enough and will let anyone know about how wonderful of a person and artist she is. I can't go anywhere else for a tattoo ever again. Even if I do move to the east coast or elsewhere in the future, I will be making trips back for this artist and her beautiful impeccable work."- Maura F.

City of Oak Creek – Conditional Use Permit (CUP)
DRAFT Conditions and Restrictions

Applicant: Julie Ragalie, Mostly Harmless Ink	Approved by Plan Commission: TBD
Property Address(es): 8632 S. Market Pl.	Approved by Common Council: TBD
Tax Key Number(s): 823-0012-000	(Ord. TBD)
Conditional Use: Tattoo/Body Piercing/Body Art Studio	

1. LEGAL DESCRIPTION

THE MARKET PLACE CONDOMINIUM SW1/4 SEC 14-5-22 UNIT 8.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Conditional Use Permit shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall show and describe the following:

1) General Development Plan

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number & type(s) of dwellings
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of wetlands (field verified)
- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

2) Landscape Plan

- 1. Screening plan, including parking lot screening/berming
- 2. Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

3) Building Plan

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

4) Lighting Plan

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

5) Grading, Drainage and Stormwater Management Plan

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) Fire Protection

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
 - c) Materials of construction
 - d) Materials to be stored (interior & exterior)

C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building or occupancy permit.

D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.

- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the B-2, Community Business zoning district, the Marketplace PUD, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. One (1) tattoo, body piercing, body art studio is allowed on the property.
- C. There shall be no outdoor storage or display of merchandise.
- D. Hours of operation shall be between 9:00 AM and 6:00 PM.
- E. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- F. Solid waste collection and recycling shall be the responsibility of the owner.
- G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

Parking and access for this development shall be provided in accordance with the approved Marketplace PUD, plans, and Sections 17.0501 and 17.0503 of the Municipal Code (as amended).

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).
- B. All light sources shall be fully shielded full cutoff fixtures directed downward.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Setbacks shall conform to the approved Marketplace PUD, plans, and appropriate Sections of the Municipal Code (as amended).

7. TIME OF COMPLIANCE

The operator of the Conditional Use Permit shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use Permit approval shall expire twelve (12) months after the date of adoption of the ordinance if building permits have not been issued for this use. The applicant shall re-apply for Conditional Use Permit approval prior to recommencing work or construction.

8. DURATION OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to **three (3) years** from the date of issuance of the Conditional Use Permit. The owner may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCAATION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

The approval and execution of these Conditions and Restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these Conditions and Restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: CONCEPT FLOOR PLAN

(For illustrative purposes only – detailed plans in accordance with these Conditions and Restrictions and the City of Oak Creek Municipal Code may require approval by the Plan Commission)

AP BEASLEY
407.957.6902

MARKET PLACE
8632 S MARKET PLACE
OAK CREEK, WI 53154

**MOSTLY
HARMLESS
INK**

**PROPOSED
TI**

Date: 01.22.2023
Drawn By: Author
TI

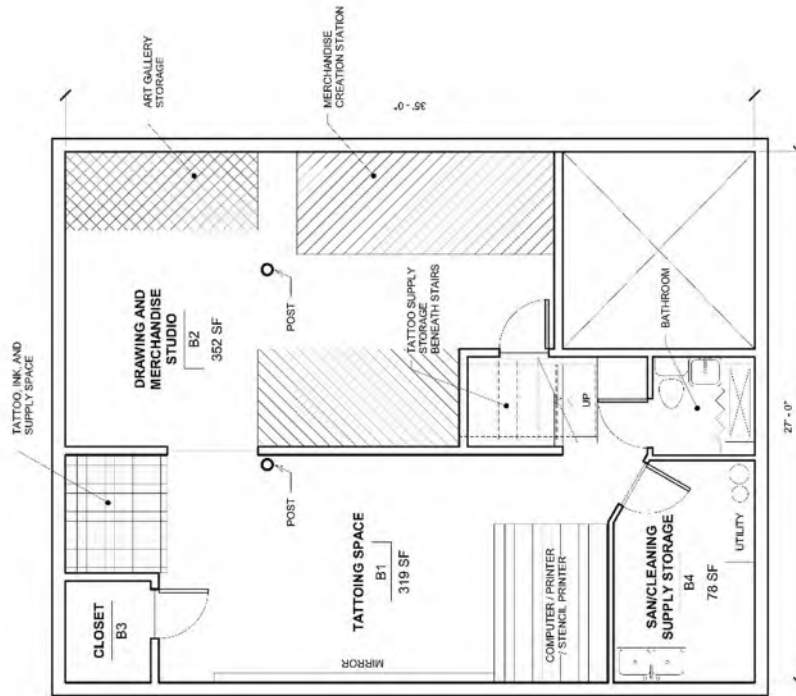
ROOM # USE DESCRIPTION / PROPOSED MODIFICATIONS

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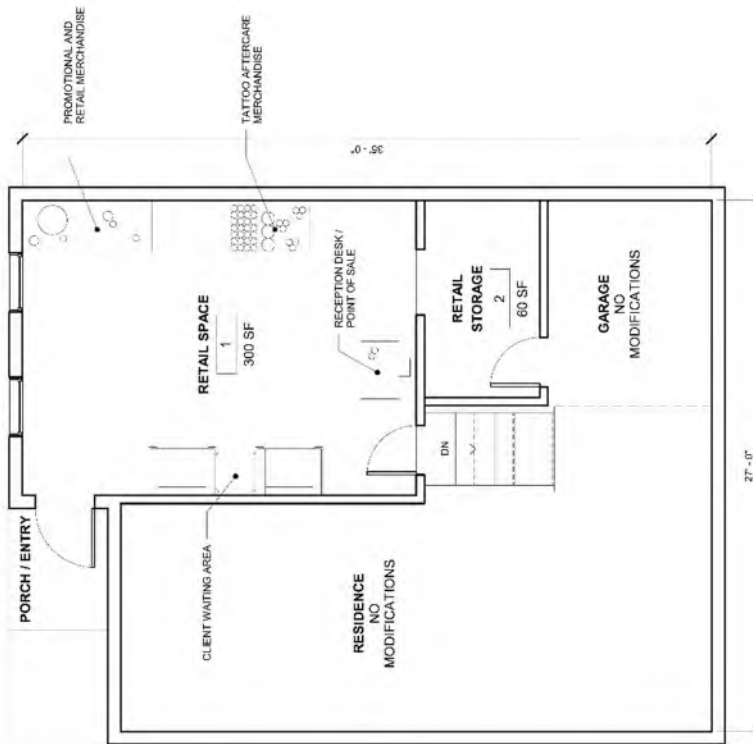
NOTE:
 ALL EXISTING BUILDING CONDITIONS ARE TO BE VERIFIED IN FIELD. BUILDING DIMENSIONS AND SQUARE FOOTAGES ARE APPROXIMATE.
 NO MODIFICATIONS ARE INTENDED TO BE MADE IN THE FIRST OR SECOND FLOOR RESIDENTIAL AREAS, INCLUDING THE GARAGE. THESE AREAS HAVE BEEN SPARINGLY DRAFTED. THESE DOCUMENTS ARE INTENDED TO REFLECT THE LOCATIONS MOST IMPACTED BY TENANCY OF MOSTLY HARMLESS INK.

EXHIBIT A: CONCEPT FLOOR PLAN (ENLARGED)

(For illustrative purposes only – detailed plans in accordance with these Conditions and Restrictions and the City of Oak Creek Municipal Code may require approval by the Plan Commission)



① BASEMENT FLOOR PLAN - PROPOSED
1/4" = 1'-0"



② GROUND FLOOR PLAN - PROPOSED
1/4" = 1'-0"



PLAN COMMISSION REPORT

Proposal: Rezone

Description: Review of a request to rezone the property at 140 E. Rawson Ave. from M-1, Manufacturing to B-4, General Business (NO CHANGE to approved Conditional Use Permits).

Applicant(s): Kristen Parks, St. John Properties

Address(es): 140 E. Rawson Ave. (1st Aldermanic District)

Suggested Motion: That the Plan Commission recommends to the Common Council that the property at 140 E. Rawson Ave. be rezoned from M-1, Manufacturing to B-4, General Business (NO CHANGE to approved Conditional Use Permits) after a public hearing.

Owner(s): EAST RAWSON AVE LLC

Tax Key(s): 733-9991-001

Lot Size(s): 13.496 ac

Current Zoning District(s): M-1, Manufacturing

Overlay District(s): CU

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Industrial

Background:

The Applicant is requesting recommendation of approval to rezone the property at 140 E. Rawson Ave. from M-1, Manufacturing to B-4, General Business (NO CHANGE to approved Conditional Use Permits). This request is directly related to the Zoning Text Amendment reviewed in the previous agenda item.

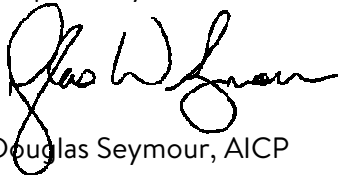
Plan Commissioners will recall that the property was included in a proposed amendment to the *Comprehensive Plan* to change the land use category from Industrial to Commercial late last year. As stated in the report for that review, staff had multiple conversations with the landowners regarding the zoning for

the property relative to use. It was suggested that the M-1, Manufacturing zoning district does not appear to be serving the needs of existing and interested tenants, evidenced by the number of Conditional Uses requested. Changing market trends pointed toward the need for flexible commercial space, and a commercial zoning district would allow for future tenant spaces to continue serving more commercial users (potentially) without the need for Conditional Use Permits.

Staff will continue to work with the Applicant on future tenant needs to ensure conformance with zoning requirements, including applicable Conditional Use Permit reviews. Should the Plan Commission determine that rezoning the property at 140 E. Rawson Ave. from M-1, Manufacturing to B-4, General Business (NO CHANGE to approved Conditional Use Permits) is appropriate, a motion recommending Council approval is provided above.

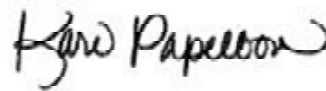
Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed rezone, or that the Common Council not approve of the proposed rezone. Disapproval would likely result in the existing conditions of the property, including the potential for multiple future Conditional Use Permits, to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

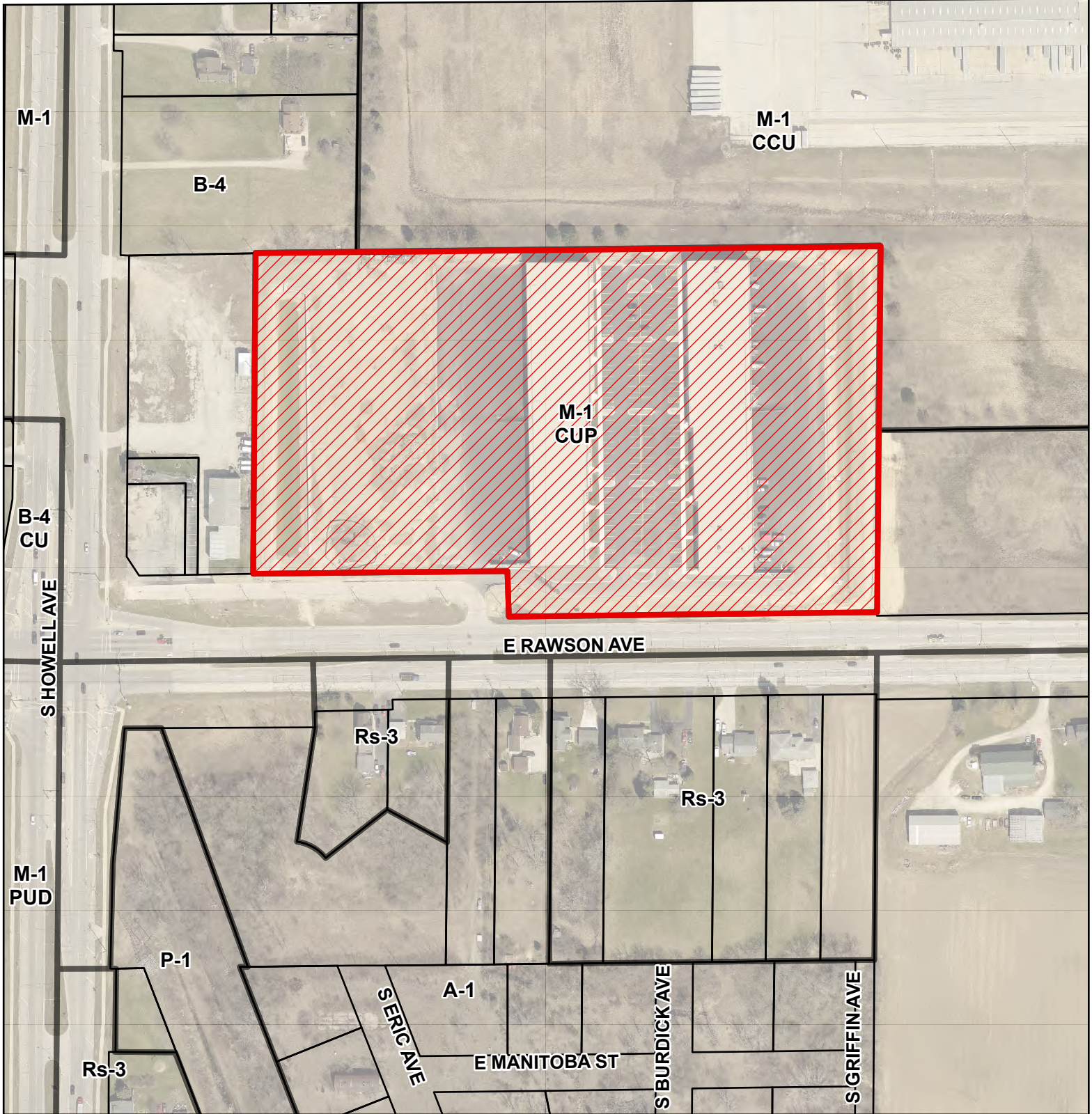
Location Map

Tenant Narrative (5 pages)

Floor Plans (2 pages)

LOCATION MAP

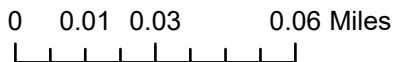
140 E. Rawson Ave.



This map is not a survey of the actual boundary of any property this map depicts.



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 140 E. Rawson Ave.



St John Properties, Inc.
2000 Pewaukee Road Ste A
Waukesha, WI 53188

Kristen Parks
262-765-9728 ©
262-369-0100 Office
262-369-9075 FAX
Email: kparks@sjpi.com

To: City of Oak Creek
City Development
8040 S 6th Street
Oak Creek, WI 5154

From: Kristen Parks

Date: January 25, 2023

Re: Tenant Narrative for Rezoning and Zoning Text Amendment
140 E. Rawson Ave
Oak Creek WI 53154

AST/LEARN DBA Wisconsin Early Autism Project, Suite 201-203

Office: 7,489 SF

Storage: 357 SF

The Wisconsin Early Autism Project (WEAP) is a division owned by AST/LEARN. WEAP operates throughout Wisconsin to provide behavioral treatment services to children with autism. These services are delivered in-home and at their Oak Creek location.

The Oak Creek location offers local families a facility where several clients can attend at the same time, providing children with autism a social opportunity, an integral aspect of the treatment service. Each child has an individual "Technician" who works with them on a 1:1 ratio.

This location includes an interior space to provide the required proper learning environment. The services offered at this location are evaluation, diagnosis, and center-based treatment. The space is broken up into different areas for each patient to use. Those are: Individual, distraction free learning rooms with high quality toys, group learning classrooms, a gymnasium, and a sensory room.

Unlimited Athletic Club, Suite 205-206

Office/Gym 5,640 SF

Unlimited Athletic Club is a Fitness/Wellness facility. They work to educate and coach their clients offering a comprehensive health system that brings an overall lifestyle to maintain a healthier inner self. Tenant provides personal training, group classes, and gym memberships. Unlimited Athletic Club, LLC does not store items or supplies inside or out.

DW Fence, Suite 207

Office: 643 SF

Storage: 2,177 SF

DW Fence offers a variety of fence products and installation services for both residential and commercial customers. They provide a variety of fence options such as vinyl, wood, cedar, galvanized, vinyl coated, and aluminum.

Their space consists of a customer showroom, office, and a storage area for fence panel assembly and storage. Fencing is made to order onsite.

ROM Technology Incorporated, Suite 207

Office: 628 SF

Storage: 2,192 SF

ROM Technologies Incorporated is a manufacturer of a patented lower extremity rehabilitation device company that has an office and storage/work area at this location. This company uses the space for assembly, repair, upgrading, cleaning, testing and delivery of their devices to patients homes.

The devices are sent to this location via full truckload shipments and broken down and assembled into individual units. They keep an inventory of spare parts for all repairs and calibrations that need to be made.

Laboratory Corporation of America Holdings, Suite 209-216

Office/Lab: 20,315 SF

Storage: 3,690 SF

LabCorp is a nationwide company that offers testing lab services to hospitals and doctors. Here they analyze the results of multiple tests such as: routine lab work, pediatric collections, employee wellness body measurement, testing for viruses, and illness, as well as drug and alcohol testing.

In the lab they have numerous rooms that are set up to analyze the individual tests and make evaluations. They have a small storage area for supplies that are needed on hand to perform daily lab work.

Medical Equipment Compliance Associates (MECA), Suite 301-304

Office: 5,469 SF

Storage: 4,401 SF

MECA tests, evaluates, and supplies documentation necessary to show international safety and efficiency compliance for medical and laboratory equipment. Their services offered are: Accredited Compliance Reports, CB Test Reports,

Page 2



Compliance Engineering Expertise, NRTL Certification Marks (through UL, Intertek, TUV-R, or MET), Electrical, Mechanical, Thermal, and Sound/Alarm Testing and Training for employees and those who would operate the equipment.

Their space consists of product testing areas, offices for their employees to manage their work, and a storage area that is for tools and equipment used to test and evaluate equipment.

Burke & Hare Co., Suite 305

Office: 734 SF

Warehouse: 2,086

Burke & Hare Co. manufactures, by hand, candles, and other scented products such as linen sprays, perfume oils and wax melts. They sell their products online via their website and wholesale to retail stores.

Their process includes pre/post-production of product - wicking jars and preparing them for pouring, cleaning, labeling, and packaging. After production online orders are shipped directly to customers or to retail stores nationwide.

Superior Air-Ground Ambulance Service of Wisconsin Inc, Suite 306-307

Office: 2,640 SF

Warehouse: 3,000 SF

Superior Air Ground Ambulance ("Superior") contracts with specific facilities for their ground ambulance division. They provide basic and advanced life support units along with critical care transport units to and from area hospitals, patients homes and long-term care facilities.

The building is specifically used to house their emergency vehicles, protecting them from environmental elements and added additional security. Staff consists of management and crew members which are assigned to an ambulance at the beginning of their shift. They perform routine safety checks, then leave the facility to deploy to a specific location and wait for assignment calls. The space has an office, crew lounge, classroom, and rest facilities as well as two (2) bathrooms. Due to the crew being stationed outside of the facility there are minimal daily operations at the location throughout the day.

They are not open to the public and do not treat patients at the facility. They do not perform vehicle maintenance at this facility.

Dog Paddle Suite 308

Office: 526 SF

Therapy Area: 2,294 SF

Dog Paddle is an indoor swimming pool for dogs. Clients bring their dogs to Dog Paddle for fun, fitness and for therapeutic reasons (arthritis, recovery from surgery, etc.). These are private 30-minute swim sessions for one dog at a time, appointments are required. After the session, the customer is allowed to use the dog wash to bathe and dry their dog. The pool is 13' by 25' and has a deck built around the entire pool with a staircase, they have a dog wash and drying room, waiting room and office.

Technical Transportation, Suite 310-312

Office: 4,224 SF

Storage: 4,776 SF

Technical Transportation, Inc. (TechTrans) is a domestic freight forwarder who specializes in high value products such as medical equipment. They not only help facilitate delivery of such products for their clients, but they also store their clients demo units onsite. Their clients sell Ultra-sound machines, diagnostic lab testing equipment, incubators, ophthalmology, and pathology equipment. This location's primary function is to provide customer service in an office setting with some storage for the demo equipment. Their client's field service representatives come to the facility to perform routine performance checks on the demo equipment to ensure the software is up to date and the machine is in good working condition for the next demonstration. Trans-Tech also provides various service-related tasks on their customer's demo equipment when needed. Truck traffic to and from this location is minimal as it is not a distribution facility.

TechTrans is not a distributor, they do not have drivers, and they do not own trucks or medical equipment.

Medical Support Services DBA We Rock the Spectrum Suite 313-314

Office: 2,186 SF

Therapy: 3,784 SF

We Rock the Spectrum a division of Medical Support Services is a play space where children can continue to work on developing their play skills and sensory regulation in a safe and nurturing environment. We Rock the Spectrum offers an inclusive philosophy; they believe all children can benefit from their uniquely designed sensory equipment that is specifically designed to aid children with or without sensory processing disorders. We Rock the Spectrum staffers and volunteer's aide children with special needs in growing beyond the expectations of doctors and therapists.

Often a therapist for a child with special needs will attend the gym with the children to observe and provide their therapy while using the equipment in the gym. This allows the therapist and child access to the fun and safe environment with added support of the staff and equipment which might not be present in other settings.

Medical Support Services DBA Tender Touch Therapy Suite 315-317

Office: 4,329 SF

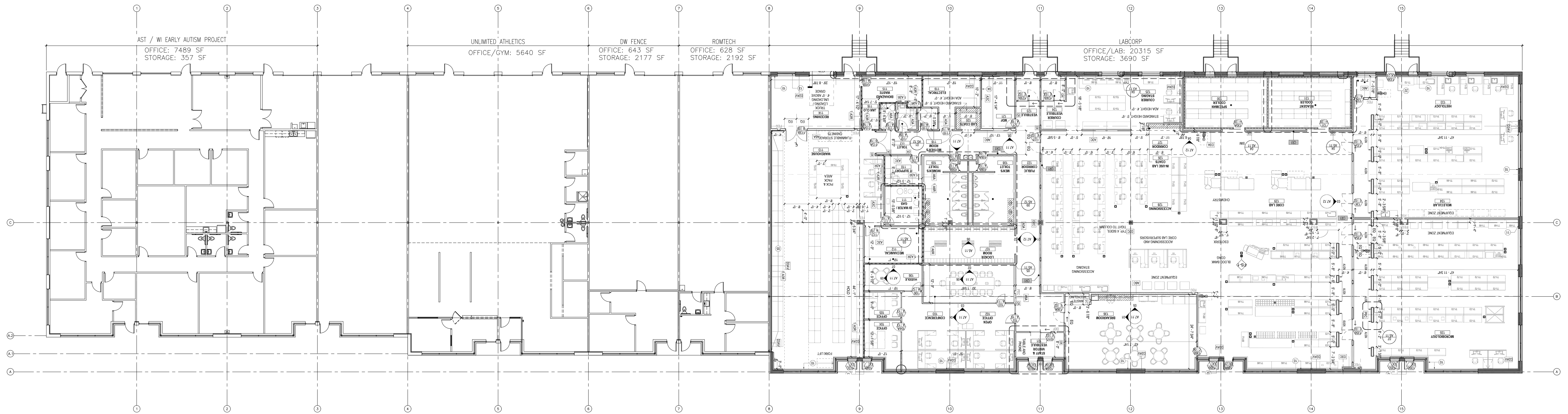
Therapy: 4,626 SF

Tender Touch Therapy a division of Medical Support Services provides clients and their families access to physical, occupational and speech therapy. They offer evaluations, consultations, and intervention to help their patients thrive and grow. Their facility offers specialized equipment for children and young adults that may not be available to the public outside of specialized therapy sessions or visits. Individuals that are no longer in therapy sessions, or individuals that are treated by other therapy offices in the community can come and use the equipment and facility to enhance their therapy. This space provides a tailored environment for children and young adults to participate in a setting suited to their needs and requirements for personal use or group events.

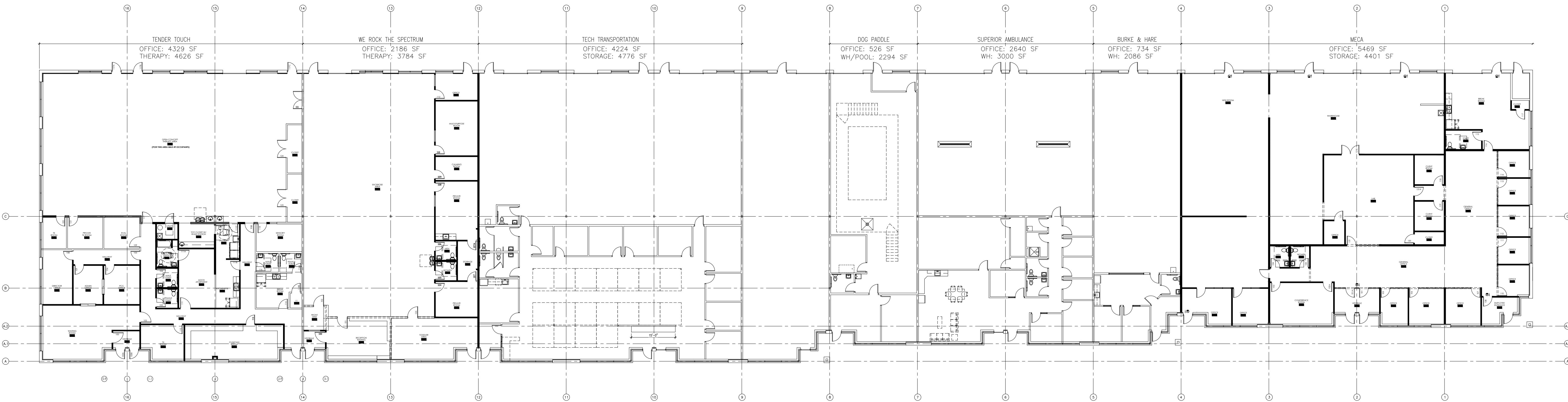
The space has a reception/waiting area, Front desk to support client and administrative tasks, toddler area, two private client rooms, calming room, multipurpose room, standalone specialized equipment area for larger kid or young adults, restrooms to accommodate 50 occupants including a high/low drinking fountain and large gym area with tall ceilings for specialized equipment.

Medical Support Services, Inc. has recently incorporated a 60' by 50' outdoor commercial recreation area to the services currently offered. The area is secured portion of the rear parking lot to provide space for outdoor activities and equipment for clients and staff to utilize. The equipment consists of traditional outdoor playground equipment, specialty equipment, and open areas for general outdoor activities and client services. The area allows clients the opportunity for treatment or services outside of the current indoor gym and treatment rooms.

140 E RAWSON - BUILDING B



140 E RAWSON - BUILDING C





PLAN COMMISSION REPORT

Proposal: Plan Review – Yoga Six

Description: Site and building plan review for a proposed building modification to change the clear glazing of the east windows to opaque with a graphic covering.

Applicant(s): Lance McTrusty, Bauer Sign & Light Company (on behalf of Yoga Six)

Address(es): 7978 S. Main St. (Tenant Address: 7966 S. Main St.; 2nd Aldermanic District)

Suggested Motion: Please see the staff report below for condition requirements when considering the following motion.

That the Plan Commission approves the site and building plans submitted by Lance McTrusty, Bauer Sign & Light Company, on behalf of Yoga Six, for exterior building modifications on the east elevation of the tenant space at 7966 S. Main St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the **(SPECIFY approved graphic type)** is approved.
3. That a maximum of **(SPECIFY approved area)** square feet **(OR dimension determined by the Plan Commission)** of the windows on the east elevation in the location depicted on the approved plan.
4. That the approved graphic is installed on the interior of the tenant space.
5. That all revised plans are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

Owner(s): DTS MIXED USE LLC/WESTBROOK MGMT

Tax Key(s): 813-9050-000

Lot Size(s): 1.547 ac

Current Zoning District(s): DTSMUPDD

Overlay District(s): N/A

Wetlands: Yes No

Floodplain: Yes No

Comprehensive Plan: Mixed Use

Background:

The Applicant is requesting Site and Building Plan approval for a proposed building modification on the property at 7978 S. Main St. Yoga Six, a yoga fitness studio, will be occupying the tenant space at 7966 S. Main St. (formerly the Barre District), and are requesting both the windows and door on the east elevation be covered by an opaque window graphic. No windows on the east would remain uncovered, with the possible exception of the transom windows.

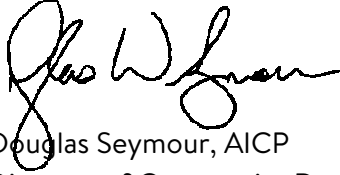
This property is subject to the DTSMPDD General Development Plan and Regulating Plan (GDPRP), which states that in addition to the required clear glazing zones, “glazing should also be maximized along facades adjacent to publicly-accessible areas that are away from street frontages, such as along private drives or rear or side parking areas.” Signs reviewed and approved for the previous tenant included the wall sign and the single 12” x 18” vinyl graphic on the west elevation. No opaque window coverings were approved for this space (previous tenants installed drapes/shades).

Review of the proposal to modify the clear glazing through the use of an opaque covering as a Site and Building Plan review rather than as a Sign Appeal is consistent with similar requests for Gigi’s Cupcakes and Bel Air Cantina in 2017, and with the proposal for Hand and Stone in the first agenda item. In each of the 2017 cases, the proposed opaque window coverings were requested to screen interior “back-of-house operations.” However, the difference in this request is the covering of the complete tenant space windows and door on the east facade. Although not signs, completely covering all windows and the door on the east elevation would not meet the spirit and intent of both the GDPRP, approvals for the building, existing Zoning Code restrictions, and the approved Tenant Sign Criteria.

Should the Plan Commission wish to approve the covering or a variation thereof, staff recommend that it be a relatively generic image with minimal color so as not to be construed as advertising or signage. The allowed graphic, including the maximum allowed square footage and requirement for installation on the interior of the tenant space, must be specified in any approval motion.

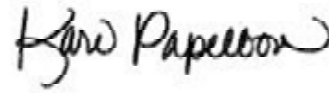
Options/Alternatives: The Plan Commission has the discretion to approve the plans as presented, approve with specified conditions, or disapprove the proposal. Should the request not be approved, Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

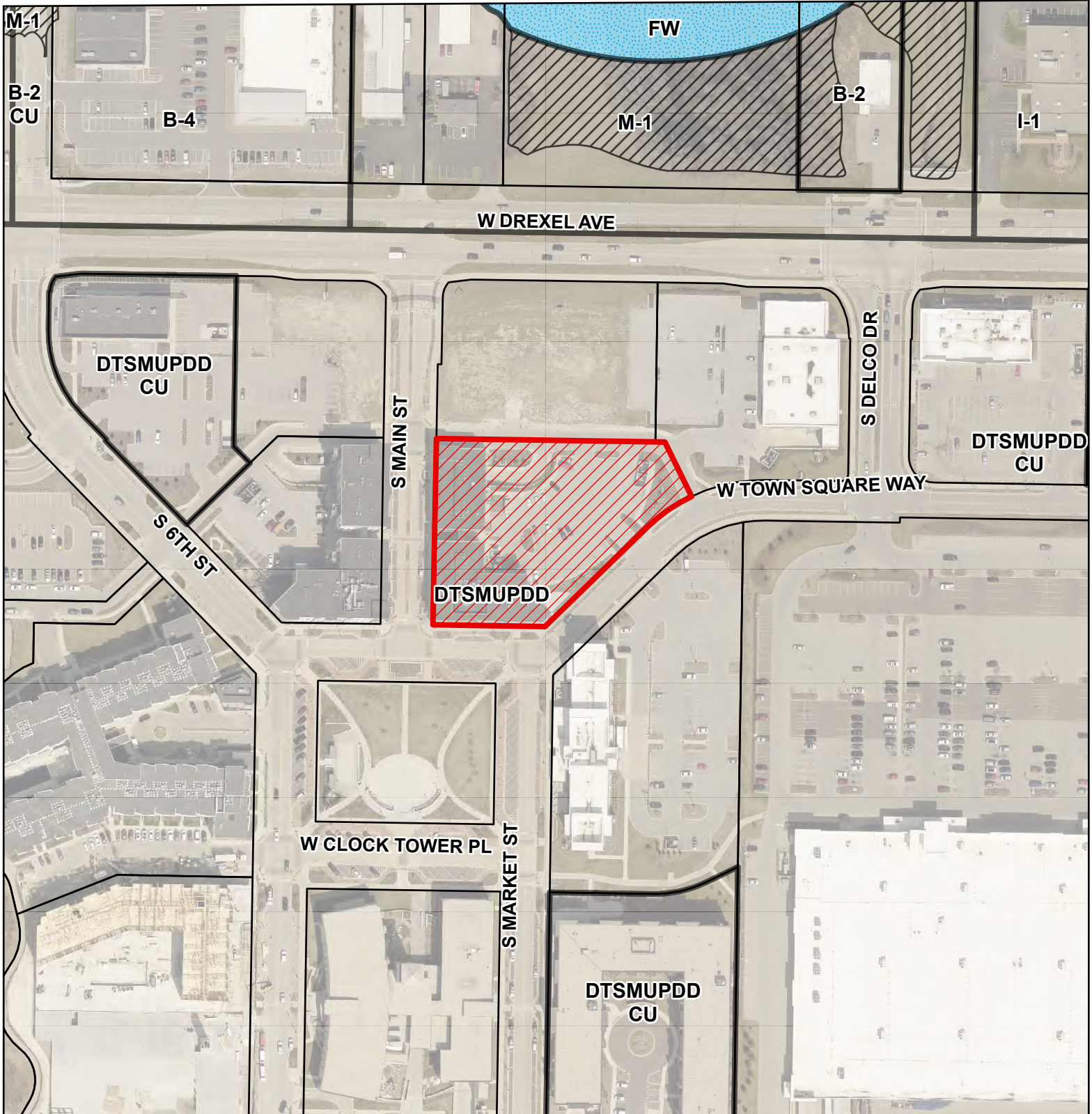
Attachments:

Location Map

Proposed Graphic Plans (2 pages)

LOCATION MAP

7978 S. Main St. (Tenant Address: 7956 S. Main St.)



This map is not a survey of the actual boundary of any property this map depicts.



Community Development

0 0.01 0.03 0.05 Miles



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Property



C76433

City/State Oak Creek, WI
Address 7966 S Main Street

Drawing Date 09-19-2022
Revision Date 09-26-2022
09-30-2022
10-04-2022
10-11-2022
11-14-2022
12-19-2022
12-20-2022
1-09-2023
1-11-2023
1-18-2023



GC INTERIOR SIGNAGE AND GRAPHICS REQUIREMENTS

WALL PREP FOR GRAPHICS

- Wall must be sanded smooth to contain NO texture or imperfections in the wall.
- If walls are sanded down to remove texture, the wall must be re-primed and re-painted
- All drywall dust must be removed (new construction only).
- All wallpaper must be removed if present.
- Wall will be painted with a fresh primer coat to all outside perimeter edges - do not cut short on painting to edges
- Wall will be painted with a latex based paint with with no less than a semi-gloss finish (full gloss finish preferred in almost all instances).
- DO NOT use paint and primer in one products.
- Paint must cure for a minimum of 7 days prior to graphics installation. Gassing and/or peeling of the graphic can occur otherwise.
- A "pull test" will be completed the day installation of the wall mural is scheduled. If the wall does not pass the "pull test", we will not proceed with graphics installation that day. The test is set in place to ensure the walls are properly prepped in order to accept graphics and avoid failure.

REVIEW ALL INFORMATION WITH
YOUR GENERAL CONTRACTOR

S6 Custom Permanent Window Graphics

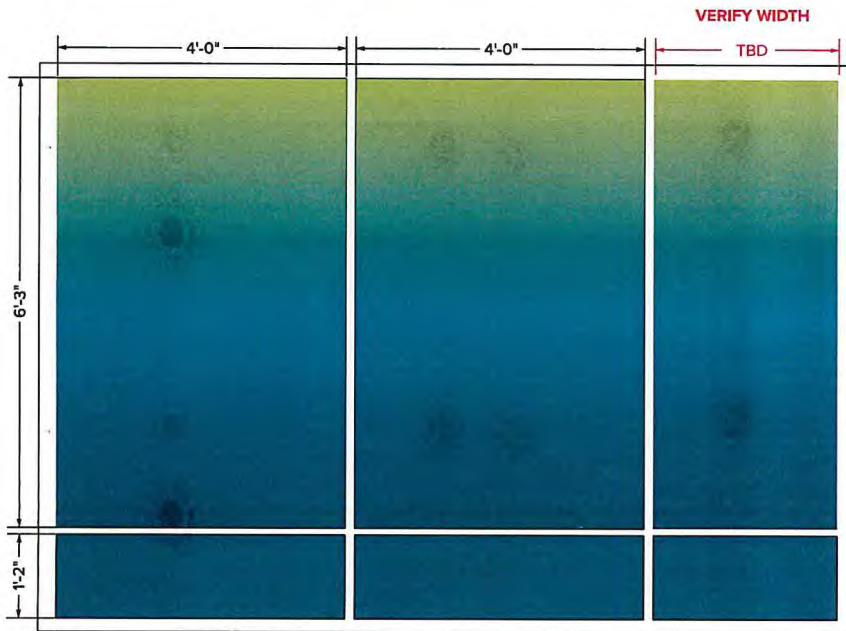
- Install new window graphics printed on 3M IJ8171 with UV laminate to first surface of glass.
- Bleed TBD

NOTE: Graphics to be provided in pieces per window pane.

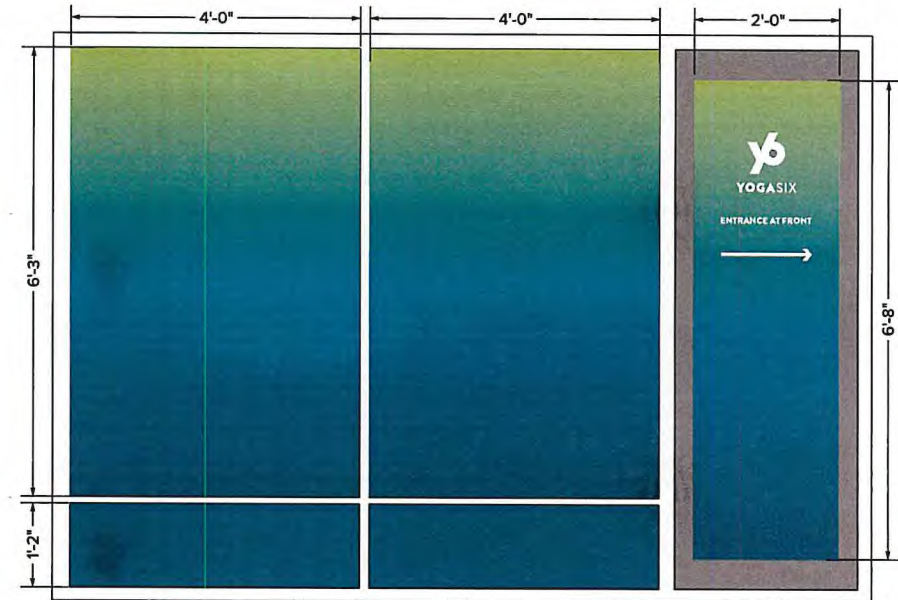
BEFORE



AFTER



Scale | 1:20



Drawing # **C76433-5**
 OE **157586**

Address: 7966 S Main Street
 City/ST: Oak Creek, WI

Date: 09-26-2022
 Designer: LT PM: KR

File Location: STND
 Drive/Clients/ CSTM X
 AS CR EN

Revisions:
 Updated white option to blue/green -LT- 10/4/22 X
 Revised graphics - RF - 12/19/22 X
 Changed color to gradient, removed S65 - RF - 12/20/2022 X
 Noted for 1st surface, 3M spec I JV 11.9.23 X
 Revised door to window - KB - 1/18/23 X

Underwriters Laboratories, Inc.
 Sign components to be in strict UL compliance.

All dimensions are imperial unless specified metric. Items are scaled as noted when printed on an 11x7 sheet.

