



PLAN COMMISSION

December 11, 2018

6:00 P.M.

Common Council Chambers

8040 S. 6TH Street
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chaucey Chandler
Patrick Correll
Chris Guzikowski
Brian Johnston
Gregory Loreck
Fred Siepert
Christine Hanna
Edward Ciechanowski – ex-officio
Doug Seymour – ex-officio

The City's Vision

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

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – November 27, 2018
4. Significant Common Council Actions
5. New Business
 - a. **CONDITIONS AND RESTRICTIONS** - Review Conditions and Restrictions for a request submitted by Dragan Radeta, M & M Truck Center (formerly M & M Towing), for a Conditional Use Permit for a automobile and truck engine and body repair, outdoor storage of vehicles and outdoor display of vehicles for sale, and semi-truck/trailer parking on the property at 9840 S. 27th St. (Tax Key No. 903-9030-000). Follow this item on Twitter **@OakCreekPC#OCPCM&M.**
 - b. **SIGN PLAN REVIEW** - Review a proposed sign plan submitted by Bill Rupp, La Cross Sign Group, on behalf of MACs for the MACs commercial tenant portion of the building at 120 W. Town Square Way (Tax Key No. 813-9045-000). Follow this item on Twitter **@OakCreekPC#OCPCMACs.**
 - c. **CONDITIONAL USE PERMIT** - Review a request submitted by Sam Dickman, Jr., Murphy Real Estate, LLC, for a Conditional Use Permit for a freight yard/freight terminal/trans-shipment depot and outdoor storage of vehicles and equipment on the property at 7221 S. 10th St. (Tax Key No. 764-9047-000). Follow this item on Twitter **@OakCreekPC#OCPCMurphy.**
 - d. **ZONING TEXT AMENDMENT** – Review proposed amendments to Sec. 17.0333(a) to allow restaurants without drive-through facilities as permitted uses in the OO, Mixed-Use Office Overlay District. Follow this item on Twitter **@OakCreekPC#OCPCTextAmend.**

Adjournment.

Dated this (day) of (month), 2018

Posted (date) (initials)

Public Notice

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

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

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

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

Minutes of the November 13, 2018 meeting

Commissioner Siepert moved to approve the minutes of the November 13, meeting. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT
M & M TOWING
9840 S. 27TH ST.
TAX KEY NO. 903-9030-000**

Planner Papelbon provided an overview for the request for a conditional use permit for a towing, full service truck maintenance and sales facility and outdoor storage of vehicles and equipment. (See staff report for details.)

Joseph Cincotta, attorney representing the applicant, 400 E. Wisconsin Avenue, Milwaukee, WI, stated that the overlay district no longer applies and it is still in shown. He just wanted to make sure that this is the case, and that the M-1 is what applies now. Mr. Cincotta listed some of the uses that are permitted in the M-1 District such as equipment rental, farm machinery and equipment manufacturing, lawn and garden equipment manufacturing and storage, machinery equipment sales and service, and truck sales and service. He stated that the conditional use that they see most applicable is the autobody repair conditional use. With that use, there will be trucks on site and some other materials. The permitted use is the sales, so he did not think they needed a conditional use to do that. He thinks they need a conditional use for body and engine repair and so that is fine that that is being recommended for approval as a conditional use. They will move forward and work with staff on those conditions.

Mr. Cincotta referenced page 2 of 5 of the packet. The first item of concern involved the mention of a dispatch office. He thinks that the use of the term "dispatch" may not be precise. It is not a dispatch operation. It is going to be an office that would manage incoming and outgoing customers for sales and repair. It is an office facility and not like a towing operation or some kind of truck terminal. So that is not an issue, but maybe the wrong choice of words.

Mr. Cincotta stated that the second comment from staff was that the narrative they provided stated that no equipment or vehicles would be allowed that are not registered, but then states that vehicles for sale would not be registered. He thinks there is a disconnect there, because vehicles being sold that are new are not registered yet. He doesn't think those would be registered. However, customer vehicles that are being repaired would be registered. The reason for the registration requirement is so that things are not lying around there, such as older vehicles that are not moving/operational. They will be getting business coming in and then going out. There is not long term storage of trucks, so that is why the registration issue is a way to make sure they only have operational vehicles on site.

Mr. Cincotta stated that the fourth issue pertains to future tenants. Previous discussions had focused on a classic car storage tenant that was maybe going to use the facility. That is gone elsewhere, so it is not happening right now. Going forward it will just be M&M Truck Center running the site. There are no tenants lined up right now. If they do have tenants, they will come back as requested if needed to get a conditional use or whatever permit they need.

Commissioner Hanna asked how the applicant will be disposing of oil and other hazardous fluids. Dragan Radeta, owner, M & M Towing, responded that they have an agreement with a local company that they purchase the oil from and they usually take waste oil to their facility.

Commissioner Siefert asked what they would be using for screening on the south property line. Mr. Radeta stated they would screen the south and west sides of the property as well. They will attach either plastic or board on board to the existing fence. It will be probably 6' high.

Commissioner Chandler asked a question about the outdoor storage. Planner Papelbon responded that outdoor storage was a clarification item between the old staff reports and what was presented for this meeting. There will be no outdoor storage on the property. The only thing that will be stored outside will be the trailers and the tractors that are going to be worked on and are part of active service for their customers. There is an outdoor display area for the sales of 5 or 6 vehicles that is behind the fence and on that corner of the property on the west. There is also a trash enclosure, however, there is no other outdoor storage that has been requested or allowed. It is just the tractor/trailers that are going worked on actively. Planner Papelbon clarified that if the vehicles are going to be on site for a specified period of time, that would become outdoor storage. This is more of a truck parking temporary storage situation.

Commissioner Chandler asked for more information on the services that will be provided. Mr. Radeta responded that it will be a truck repair/maintenance facility.

Commissioner Chandler stated that it sounds like there will be sales also and wanted to know what the link is between repairs and sales. Mr. Radeta responded that the sales and repair will be in a separate area on the property.

Commissioner Chandler asked about the required number of parking stalls. Planner Papelbon responded that there will be more parking stalls than will be used by employees of the facility. The reason the comment is in the conditional use permit is because of the nature of the building and warehouse aspect. There may be 20 to 30 employees there at one time, so this would actually address that issue, but a little bit more if they were to lease out the tenant space. Staff does not have any concerns about the number of parking stalls being proposed.

Alderman Guzikowski asked if the building is sprinklered for fire suppression. Mr. Radeta stated it is not. Asst. Fire Chief Kressuk stated that occupancy takes hold in that building, depending on the type of occupancy and nature of work, that through code dictates the need for some type of suppression system in the building. There are some challenges leading up to that structure and the Fire Department is aware that the applicant is working toward solving those. There was a meeting several months ago where the need for detection or suppression systems based on the use and occupancy type were a requirement in that structure. At that time, there was no hesitation or disagreement with that. Given the water situation and there are no formal plans for this structure makes it difficult to say the exact specifics of the type of system, but it is being worked on in that direction.

Commissioner Siepert asked if 1,000 gallons of oil will be stored inside. Mr. Radeta responded yes. Alderman Guzikowski clarified that it is oil they are going to use on new vehicles.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for automobile and truck engine and body repair, outdoor storage of vehicles and equipment, and semi-truck/trailer parking on the property at 9840 S. 27th St. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

PRESENTATION – ABENDSCHEIN PARK MASTER PLAN

Zoning Administrator/Planner Wagner explained that in 2017, the Common Council approved the strategic plan that identified the need to update the master plan for Abendschein Park as a key initiative and authorized staff to update the Abendschein Park Master Plan. In May of 2018, the Common Council approved a contract hiring a consultant, Stantec, to update the Abendschein Park Master Plan.

No action is required, as this is for informational purposes only. The Common Council will review this master plan at their December 4, 2018 meeting.

Sarah MacDonald, Stantec, gave an overview of the plan which included the process, timeline, site inventory and analysis, public engagement, concept alternatives and the final master plan.

Ms. MacDonald explained that this was a 5-phase process. They started with background, context and vision where it is established what was done in the past. They did a detailed analysis and programming assessment to understand what the specific amenities would be in the park. They worked with the public in this aspect to get public engagement.

The third phase is the draft of updated master plans. They reviewed three different alternatives and then defined that master plan into one design. Now they are moving into the report and documentation of the entire process. There were public engagement sessions in May through July, which included a public information meeting.

The site inventory analysis looked at both regional and site scale context. They looked at programs, parks and adjacent trails to try to optimize and connect the park system as a whole. They look at infrastructure, such as roads, trails, water hook ups and things along that line. The site is pretty constrained based on the creek, the floodplain, and the floodway. Since those areas cannot be built in, they are limited in what can be built.

Ms. MacDonald went on to describe the public engagement events Stantec put together to solicit the public's preferences, the surveys and a public open house where they previewed the three different concept alternatives.

The three concepts are:

Sports – team sports and recreation

Lifestyle – personal fitness and community

Health – restorative concept focusing on health, mind, body and environment

There was overwhelming public support for the Sports concept. Some of the amenities requested included:

1. New synthetic turf baseball field
2. Vertical element splash pad
3. Permanent structure beer garden
4. Keep existing baseball diamond
5. Pond lighting
6. Disc golf course
7. Children's agility course
8. Nature based playground
9. Teen/adult agility course
10. Exercise stations

One of the frequent concerns mentioned was the lack of a clearly marked entrance. The west entrance is a little bit challenging so it was proposed to widen it and make it safer. The east side will have some defined sense of entry into the park, as well as the Forest Hill entry to the south.

Ms. MacDonald described in more detail the amenities requested in the Sports concept.

Commissioner Siepert asked if the bike/skateboard area on the east side of the park will be tied in with this plan. Ms. MacDonald stated that it is already part of the park. Zoning Administrator/Planner Wagner responded that the proposed plan is to enhance it and actually replace it by making it larger and installing concrete ramps rather than the existing wooden ramps.

Zoning Administrator/Planner Wagner stated that they are working on identifying phases of work to be done due to economic reasons. Right now, staff is working with Ms. MacDonald to identify potential phases. The Parks, Recreation and Forestry Commission will review and make proposals for the Common Council to consider for future development.

Commissioner Siepert asked if the additional parking is going to include the existing park on the east side. Ms. MacDonald responded that they did not add any additional parking on that side because of the space constraints.

Commissioner Loreck stated that the top response for the online survey was a pool. He wanted to know if a pool or a splash pad is being proposed. Zoning Administrator/Planner Wagner responded that the model that people were referring to in the survey was Hoyt Park where there is a community building and a pool. Because there is so much floodplain, a lot of the eastern and northern end of the park is undevelopable. Ms. MacDonald put the pool where there would be enough parking to accommodate that facility. It pretty much eliminates the existing ball diamond and most of the disc golf course. The concern was that this was not really a viable location for a community pool. They are taking the information that they got from the public and putting it on the "wish list" for a potential new park features. Abendschein Park is just not a viable space. What is being proposed for Abendschein Park is a good sense of community gathering and improving the existing sport facility.

Commissioner Hanna asked if there will be an impact on wildlife as of a result of this development. Ms. MacDonald responded that that was not included in the study. However, the amount of new amenities is exclusive to the parking lot and the cluster just to the south of it that includes the splash pad, pavilion, and agility course. The rest of the park is going to remain largely natural, and they are actually encouraging wildlife by restoring the prairie there. Zoning Administrator/Planner Wagner added that the proposed pavilion area is just flat grass that gets

mowed for disc golf, so it is not as if they are taking down any natural habitat. On the east end where the skate park is, it already exists. To the south, there is a gazebo and an existing playground. Nothing has been done to reduce the woodland or any kind of natural areas as part of this proposal. That is something that they tried to balance. The initial sports proposal did reduce the natural area because it turned it from grass to artificial turf.

Arden Degner, 8540 S. Pennsylvania Ave., stated that in the past, parks were considered a leisure place, and voiced his concern that this plan seems to be too sports-centered. He feels that the sporting uses are going to be replacing the natural grass areas. He feels a park is supposed to be a place for families and young people to enjoy. This is a sports field paid for by the City with accommodations for food and a beer garden. He questioned what happened to Miller Park and if it will be phased out. This used to be the idea of a park is a few sports facilities. He also questioned how people that don't participate in sports fit in?

Alderman Guzikowski responded that there are many things that can be done at Abendschein that do not involve sports. The proposed plan is to enhance what is there. Zoning Administrator/Planner Wagner stated that they are not proposing adding any new sports fields as part of this master plan. Everything that is there will be enhanced, but there will be no new sports fields. The only thing that is being added is parking stalls and a beer garden (rental pavilion.) There are still three miles of trails that people can walk and 10-acre high-quality woods. Zoning Administrator/Planner Wagner stated that this park has a balance of active and passive recreation.

Commissioner Hanna asked how this will increase the maintenance costs. Zoning Administrator/Planner Wagner responded that the City's DPW department has hired a contractor that does cleanup for pavilions at the new Lake Vista Park. This same contractor would be used for this facility. There was talk of charging for admission to the splash pad; however, those programming details will need to be worked out.

Ms. MacDonald stated that the cost to build all of this currently would be about \$4 to \$5 million dollars. There are things that have not been vetted yet. There is a huge range in costs for playground equipment. Those kinds of details haven't been "fleshed" out quite yet, but the number that was provided is realistic, and can be used for capital improvement budgeting purposes.

Zoning Administrator/Planner Wagner stated that Abendschein Park has had three development phases since 2008 and each of them have been funded from park impact fees. There are pieces of the plan that can be implemented in the near future with the money collected so far.

Commissioner Chandler stated that based on the survey, it looks the activities were summer-based. She wanted to know if there are any activities identified for the winter. Ms. MacDonald responded that they did look for different alternatives. More of the ideas lended toward the programming side of things. There were discussions about potentially using the trails as cross country ski trails and maybe doing some ice sculpting. No additional infrastructure would have to be constructed for these types of activities. Ice skating is a bit more complicated because refrigeration is required and that costs a substantial sum of money.

Seeing as there were no more questions or comments, the meeting proceeded to the next item on the agenda.

**TEMPORARY USE PERMIT
HOUSE OF HARLEY DAVIDSON & ONE HEADLIGHT POWER SPORTS, LLC
9725 S. 13TH ST.
TAX KEY NO. 904-9011-001**

Zoning Administrator/Planner Wagner provided an overview of the request for a temporary use permit for the operation of a motorcycle safety course. (See staff report for details.)

Commissioner Siepert asked how many motorcycles they will have during one class. Tom Mills, House of Harley-Davidson, responded that there will be a total of 12 stored in the cargo container, but there will be 11 on the range if there is a full class.

Alderman Guzikowski stated that he (as alderman of this district) has received zero complaints during the operation of this course earlier this year.

Commissioner Siepert moved that the Plan Commission approves the Temporary Use permit for the operation of a motorcycle training course with the following conditions:

1. That operations can be conducted seven days a week between 7:00 a.m. and 8 p.m.
2. That signage is limited to two, 32 square-foot signs attached to the cargo container.
3. That the permit is valid between March 29, 2019 and November 4, 2019.

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

**CERTIFIED SURVEY MAP
OAK CREEK RAWSON INDUSTRIAL, LLC
c/o HSA COMMERCIAL REAL ESTATE
7001 & 7045 S. 6TH ST. AND 610 W. RAWSON AVE.
TAX KEY NOS. 734-9019-001, 734, 9001-002, 735-9990-000**

Planner Papelbon provided an overview of this certified survey map request. (See staff report for details.) Since the WI DNR provided a determination letter stating that the wetlands on the property were manmade, the condition requiring them to appear on the final CSM was suggested to be removed from the approval.

Commissioner Loreck moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Oak Creek Rawson Industrial, LLC, c/o HSA Commercial Real Estate, for the properties at 610 W. Rawson Ave., and 7001 & 7045 S. 6th St. be approved with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

**PLAN REVIEW
OAK CREEK RAWSON INDUSTRIAL, LLC
c/o HSA COMMERCIAL REAL ESTATE**

**7001 & 7045 S. 6TH ST. AND 610 W. RAWSON AVE.
TAX KEY NOS. 734-9019-001, 734, 9001-002, 735-9990-000**

Planner Papelbon provided an overview of the plan review request. (See staff report for details.) She explained that the Board of Zoning Appeals granted variances for the parking setback and overall greenspace on the property; therefore, Conditions 2 and 5 are no longer valid.

Commissioner Johnston stated that the overall height of this building is 38 feet to the top of the parapet. Planner Papelbon responded that the maximum height allowed in the M-1 district is 50 feet or 55 feet, so the height of this building is acceptable. Commissioner Johnston stated he does not have an issue with the building, but he wanted to point out that this is going to seem like a very large building on this corner, especially compared to what is there now.

Attorney Brian Randall, Davis Kuelthau, 111 E. Kilbourn Ave., Milwaukee, WI spoke on behalf of the applicant. Mr. Randall gave the following history of this site and where this project is at present day. It has been under separate ownership for most of its years until very recently when HSA bought it. Under that prior ownership, there were a variety of site activities that essentially polluted and contaminated the site. Through Common Council action, the City has created a tax incremental finance district to assist with the clean-up and redevelopment as is being proposed. The State of Wisconsin has a site assessment grant that they are actively working with on the Sigma team to investigate the site and ultimately remediate what is needed with what has been on that site for many years. HSA, prior to that, had to work through the lender, which was foreclosing on the site. That prior owner tried to make this a long process to get to where we are today.

There were several meetings with City staff as the test results were coming in. There was a Board of Zoning Appeals meeting last night, wherein variances were granted specific to the unique circumstances at this site; the heavy contamination and their approach to cap and remediate it with having the paved areas to really be a functional area for the employees and visitors to park as well as the truck loading.

There are no tenants yet for the building, but given the market and quality of the building, they are very excited to start with the construction. With this approval, the remediation of the site will be continuing. They look forward to opening this building as soon as possible in 2019.

Commissioner Siepert asked Mr. Randall if they have any idea what type of business will be going in there. Mr. Randall responded that they do not have that information yet. HSA does a very soft approach to marketing it. They have some good brokers, so with what is going on in the market with transportation and logistics, this is relatively close to the freeway. To begin with, they showed rail dock doors to begin with because they thought maybe there would be a demand for that and a tenant that might emerge. That would still be a costly add to do the spur line, so they have dropped that for the time being. It could be a one tenant building that could take the full 180,000 square feet and have some type of light assembly and manufacturing or logistics or a combination. They do recognize under the M-1 zoning, there may be tenants that require their own conditional use permit, so they will be prepared to go through that on an individual basis.

Commissioner Hanna voiced her concern about the close proximity of the driveway entrances to the intersection. Asst. Fire Chief Kressuk gave his perspective from the Fire Department's plan review perspective as well as a future neighbor of this facility. The main access point is 6th

Street for the Fire Department. They have been able to co-exist with Riteway and UPS. That road has three lanes; southbound on 6th St. to Rawson Ave., left-turn lane, and somewhat informally a middle lane and then a right-turn lane. He stated that it would be important for the City to anticipate or ensure that that traffic flow is well maintained and that the intersection is maintained and does allow for the appropriate disbursement of vehicles. Whatever can be done to that intersection to allow the Fire Department to proceed through it safely and efficiently would be appreciated. Commissioner Hanna stated that since this is a manufacturing district, this will result in the increase in truck traffic. Asst. Fire Chief Kressuk stated that with their experience with Riteway and UPS, the drivers are very good. There is that awareness that there is a Fire Department and there have not been significant issues. They just want to make sure that the intersection and roadway are designed for that in the future.

Commissioner Chandler asked how they incorporate that into the conditions of approval. Planner Papelbon responded that there is going to be an impact in traffic with the entrance regardless of whether or not there are two entrances in those exact locations. The issue is going to be one of maintenance and it is going to be on the City and County to maintain that intersection. Planner Papelbon mentioned that they already made the applicant aware that they need to be diligent with their tenants so that they understand the impacts that they have on that intersection. They need to be aware that there is a fire department in close proximity to this entrance. It is going to be on the three entities to make sure this intersection has traffic flow that is adequate. Commissioner Hanna suggested that they could also do a traffic analysis and adjust the signal timing based on the traffic analysis.

Commissioner Loreck moved that the Plan Commission approves the site and building plans submitted by Oak Creek Rawson Industrial, LLC, c/o HSA Commercial Real Estate, for the properties at 610 W. Rawson Ave., and 7001 & 7045 S. 6th St. with the following conditions:

1. That all relevant Code requirements are in effect.
2. ~~That all parking areas meet all required setbacks.~~

Planner Papelbon asked that conditions 2 and 5 be stricken from the motion. Commissioner Loreck so concurred and continued with his motion.

2. That the plans are revised to include locations for all mechanicals, transformers, and utilities (see Condition 5 below).
3. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view (see Condition 5 below).
4. That details for the final retaining wall design, including guard rails/fencing, are provided to the Department of Community Development prior to submission of building permit applications (see Condition 5 below).
5. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

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

SIGN PLAN REVIEW

CHARLES SCHWAB
7940 S. 6TH ST.
TAX KEY NO. 831-9054-000)

Zoning Administrator/Planner Wagner provided an overview of this sign plan review. (See staff report for details.)

Commissioner Chandler mentioned that the wall signs are not to be internally illuminated. But this sign will be internally illuminated. Zoning Administrator/Planner Wagner responded yes, but code states that eternally lit box sign are not allowed. In this case, channel letters are an acceptable design even if they are internally lit. The idea is to not have a big box that a sign just gets slid out and a new one replacing it when the tenant changes.

Commissioner Siepert moved that the Plan Commission approve the sign plan for Suite 105 located at 7940 s. 6th St. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:25 p.m.

ATTEST:

Douglas Seymour, Plan Commission Secretary

November 29, 2018
Date



Significant Common Council Actions

ITEM: 4

DATE: December 11, 2018

Summary of Significant Common Council Actions

December 4, 2018

1. **APPROVED** Resolution No. 12011-120418, approving a Certified Survey Map for Oak Creek Rawson Industrial, LLC c/o HSA Commercial Real Estate, for the properties at 610 W. Rawson Ave., and 7001 & 7045 S. 6th St.

A handwritten signature in cursive script that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP
Planner



PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions – Automobile and Truck Engine and Body Repair, Outdoor Storage of Vehicles and Outdoor Display of Vehicles for Sale, and Semi-truck/trailer Parking

Description: Review a request for a Conditional Use Permit for Automobile and Truck Engine and Body Repair, Outdoor Storage of Vehicles and Outdoor Display of Vehicles for Sale, and Semi-truck/trailer Parking.

Applicant(s): M & M Truck Center, Inc.

Address(es): 9840 S. 27th St.

Suggested Motion: That the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for automobile and truck engine and body repair, outdoor storage of vehicles and outdoor display of vehicles for sale, and semi-truck/trailer parking on the property at 9840 S. 27th St., after a public hearing.

Owner(s): RD Invest, Inc.

Tax Key(s): 903-9030-000

Lot Size(s): 4.177 ac

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

Overlay District(s): PUD

Wetlands: Yes No **Floodplain:** Yes No

Comprehensive Plan: Planned Industrial

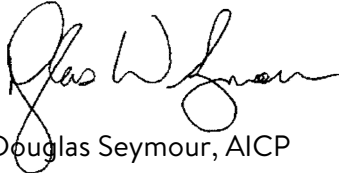
Background:

At the November 27, 2018 meeting, the Plan Commission recommended approval of a Conditional Use Permit for automobile and truck engine and body repair, outdoor storage of vehicles and outdoor display of vehicles for sale, and semi-truck/trailer parking on the property at 9840 S. 27th St. Staff has prepared draft

Conditions and Restrictions for the Commission's review. 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
Planner

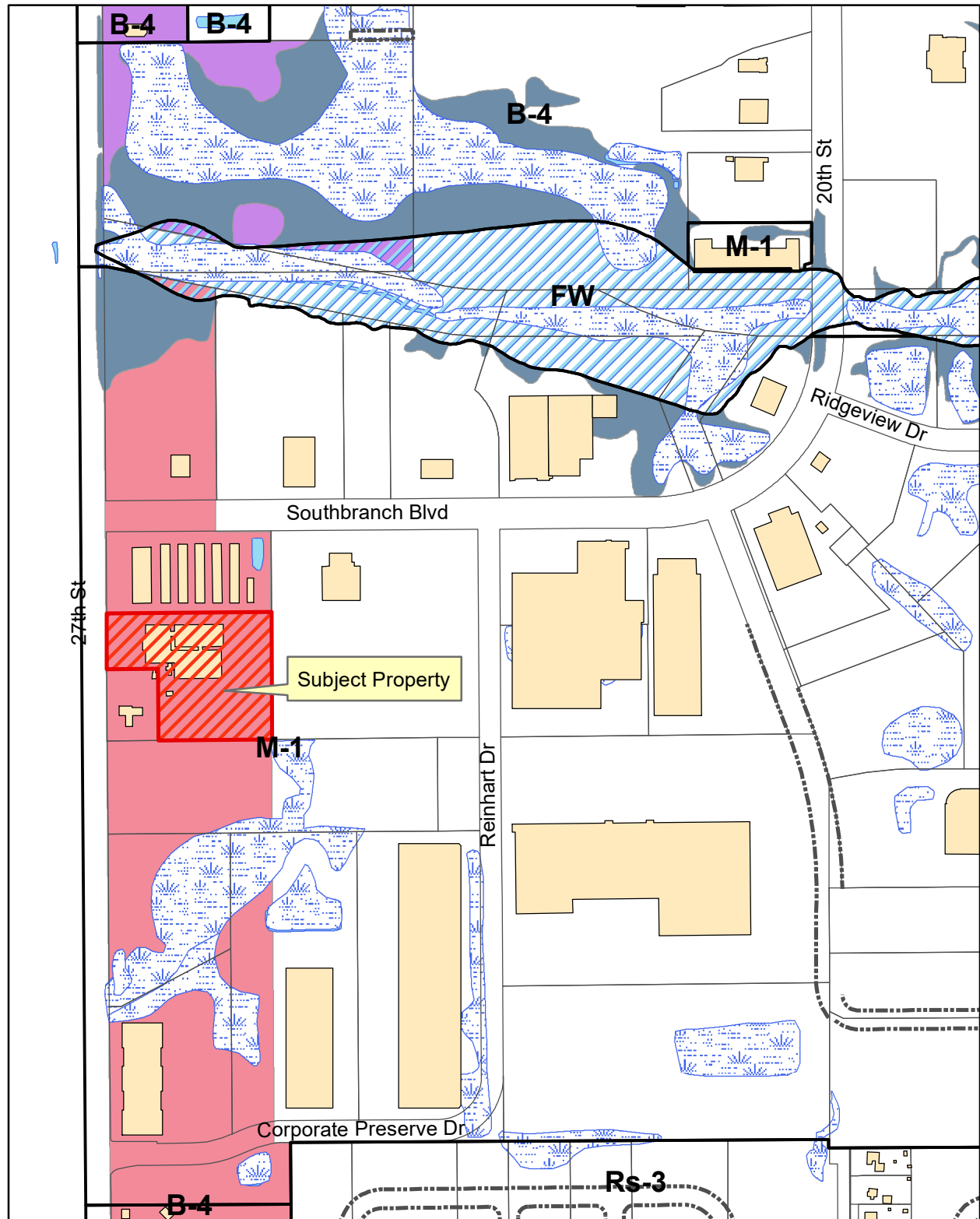
Attachments:

Location Map

Draft Conditions and Restrictions

Location Map

9840 S. 27th St.



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



Department of Community Development



Legend

- Officially Mapped Streets
- Subject Property
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

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

Applicant: M & M Truck Center	Approved by Plan Commission: TBD
Property Address: 9840 S. 27 th St.	Approved by Common Council: TBD
Tax Key Number(s): 903-9030-000	(Ord. TBD)
Conditional Use: Automobile & Truck Engine & Body Repair, Outdoor Storage of Vehicles, Outdoor Display of Vehicles for Sale, Semi-Truck/Trailer Parking	

1. LEGAL DESCRIPTION

CSM NO 7137 PARCEL 1 NW 1/4 SEC 30-5-22 (4.117 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 shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. 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
- 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 of employees
 - 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 outdoor display area(s)
- m) Location(s) of wetlands (field verified)
- n) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

2) **Landscape Plan**

- a) Screening plan, including parking lot / truck parking screening/berming
- b) 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**

- a) Contours (existing & proposed)
- b) Location(s) of storm sewer (existing and proposed)
- c) 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 landscaping plan must be submitted for review and approval by the Plan Commission prior to the issuance of a building or occupancy permit. Landscaping, in accordance with the approved plan must be in place prior to the issuance of an occupancy permit.
- F. 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.
- G. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. **SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS**

- A. Uses allowed on this property shall be limited to those allowed by the M-1, Manufacturing zoning district, the Southbranch Industrial Park Planned Unit Development, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. There shall be no parking or storage of vehicles, equipment, merchandise, parts, or supplies within designated public and employee parking areas. Outdoor storage shall be limited to the temporary parking of trucks and associated trailers actively being serviced, and shall be located within the fenced area in designated & striped stalls. There shall be no storage of unlicensed (except vehicles for sale) or non-operational (except those actively being serviced) vehicles. Storage of non-inventory vehicles for sale (e.g., those vehicles actively being serviced) shall not exceed sixty (60) days.
- C. One (1) outdoor display area for display of vehicles for sale shall be limited to the area designated on the site plan, and shall be located behind the fence.
- D. One (1) ground sign and one (1) wall sign shall be allowed in conformance with all Municipal Code requirements to serve the entire property. No other signs, flags, pennants, banners, or other advertising medium shall be allowed.
- E. All new parking and display areas shall be striped and landscaped in accordance with approved site plans and applicable Codes.
- F. Storage of flammable/hazardous materials shall be limited to one (1) 1,000-gallon (maximum) tank for new oil, and one (1) 1,000-gallon (maximum) tank for waste oil. Both tanks shall be stored inside the building in accordance with all Fire and Building Codes.
- G. Hours of operation shall be in accordance with the following:

	Monday – Friday	Saturday	Sunday
Office/Showroom (Sales & Leasing)	6:00 AM – 9:00 PM	6:00 AM – 7:00 PM	None
Service/Maintenance	6:00 AM – 11:00 PM	6:00 AM – 7:00 PM	Emergency only

- H. Any change to the occupancy of the site or building shall conform to all Building, Fire, and Municipal Code requirements (as amended).
- I. Solid waste collection and recycling shall be the responsibility of the owner.

J. 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 for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended) and these Conditions and Restrictions (see Section 3 above).

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code (as amended).

6. BUILDING AND PARKING SETBACKS*

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure(s)	40 ft	20 ft	20 ft
Accessory Structure(s)*	40 ft	20 ft	20 ft
Off-street Parking	30 ft	0 ft	0 ft

**No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards.*

7. TIME OF COMPLIANCE

The operator of the Conditional Use 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 approval shall expire within twelve (12) months after the date of adoption of the ordinance if building or occupancy permits have not been issued for this use.

8. DURATION OF CONDITIONAL USE PERMIT

Given the transitional nature of the 27th Street corridor, this conditional use permit is limited in duration to six (6) 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 10 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. REVOCATION

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 Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

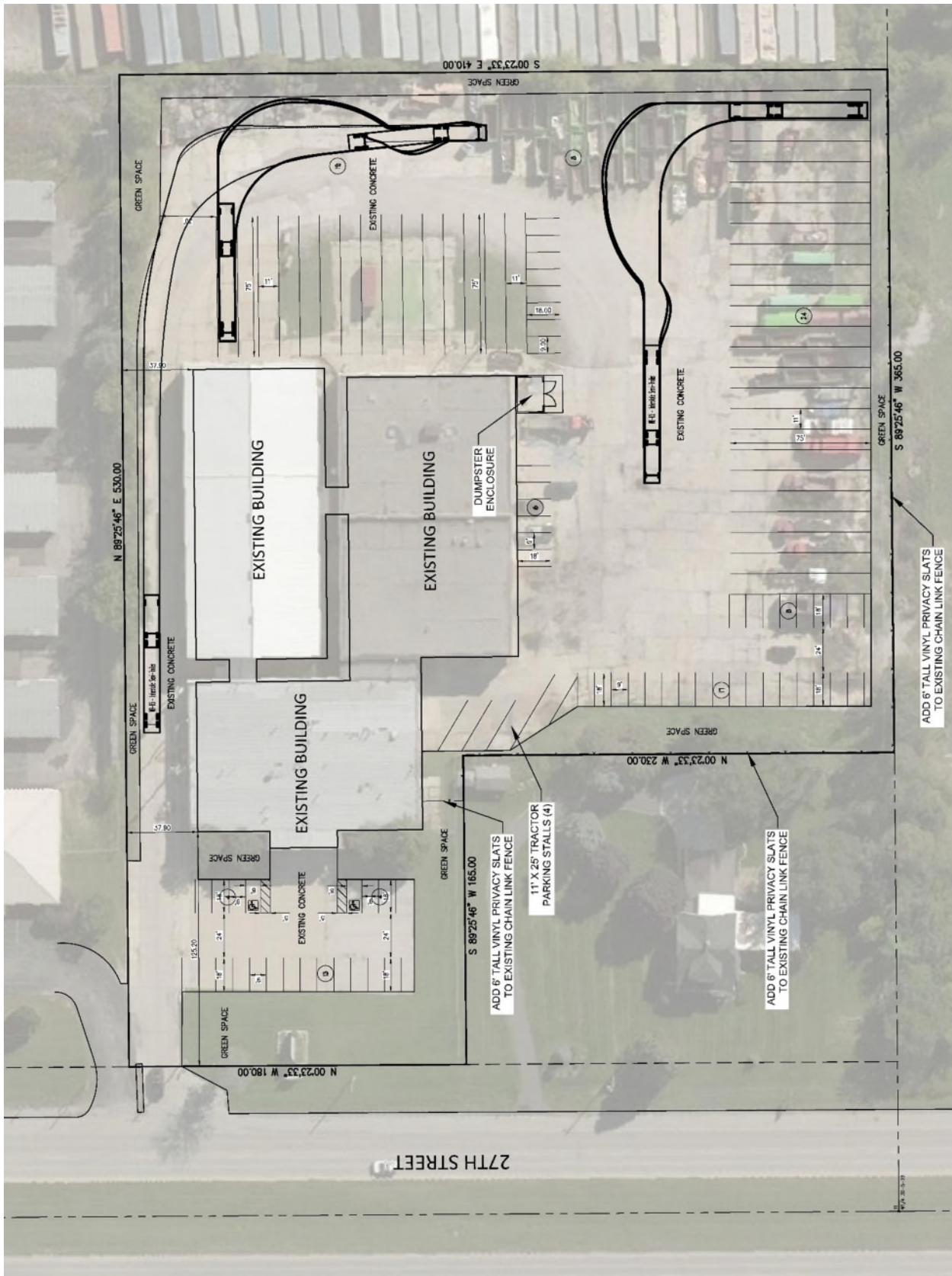
The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their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

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A CONT'D: CONCEPTUAL SITE PLAN (ENLARGED)





PLAN COMMISSION REPORT

Proposal: Sign Plan Review

Description: Review a proposed sign plan for MACS restaurant in Suite 500 located at 120 W Town Square Way.

Applicant(s): MACS (Bill Rupp)

Address(es): 120 W. Town Square Way

Suggested Motion: That the Plan Commission approve the sign plan for Suite 500 located at 120 W. Town Square Way.

Owner(s): EVCAP Oak Creek, LLC

Tax Key(s): 813-9045-000

Lot Size(s): 2.158 acres

Current Zoning District(s): DTSMUPDD

Overlay District(s): N/A

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Planned Mixed Use

Background: The applicant is proposing a sign plan for Suite 500 located at 120 W. Town Square Way. The applicant is requesting approval for two wall signs. One on the east elevation and one on the west elevation. Included with this report are illustrations of how both signs will look and where they are located on the building.

All signage within Drexel Town Square zoning district requires Plan Commission approval before submitting building permits.

Per Appendix B, Section B of the Plan, the following signs are allowed:

- One primary sign per entry façade per tenant.

- One to two flag signs per entry façade (max. size fabric = 10', max. size solid = 36" x 36").
- One eye-level sign/graphic per 12 linear feet of entry façade.
- Maximum height of primary signage = 15% of retail floor height.
- Tenants located along Drexel or Howell, an additional wall sign facing either street is permitted.

Per the approved master sign plan, tenants are permitted to install wall signs that are 36 inches tall and are limited in size to 1 square-foot per 1 linear foot of tenant frontage.

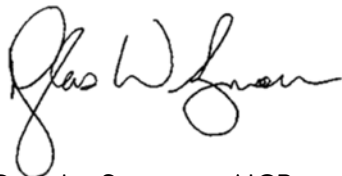
The applicant is proposing one illuminated wall sign on the east and west elevations of the building consisting of internally illuminated channel letters. The east elevation wall sign will be 28 inches tall x 218 inches wide and less than 5 inches in depth and have an overall size of 42 square feet. This is the maximum size sign as the tenant space is 42 feet wide. The west elevation wall sign will be 36 inches tall and 109" wide with a size of 27.25 square feet. All the proposed wall signs comply with DTSMUPDD and the approved master sign program.

The applicant is not proposing any eye-level signs at this time. Per the master sign plan, the applicant will be allowed to display 1 eye-level sign for every 12 linear feet of entrance façade that do not cover more than 10% of the clear glazing. No eye-level signs will be permitted on the east elevation of the building.

If approved, the applicant will install one wall sign on the east and west elevations of the building and not display more than 3 eye-level signs on entrance facades for Suite 500 located at 120 W. Town Square Way.

Options/Alternatives: If not approved, the applicant will not be able to install any signs for Suite 500 at 120 W. Town Square Way.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



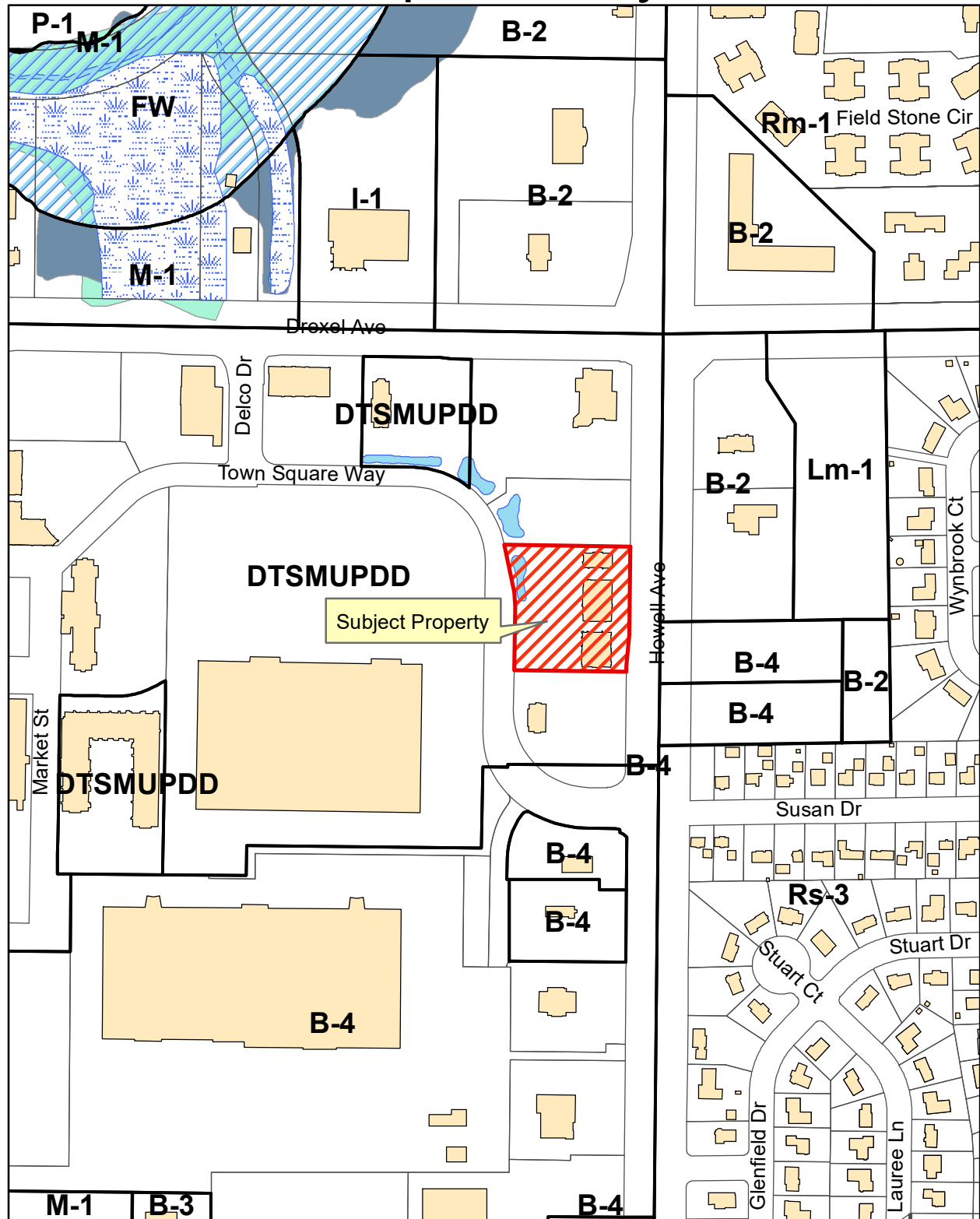
Peter Wagner, AICP
Zoning Administrator/Planner

Attachments:

Location Map
Sign Graphics

Location Map

120 W Town Square Way



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

Legend

- Officially Mapped Streets
- Subject Property
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

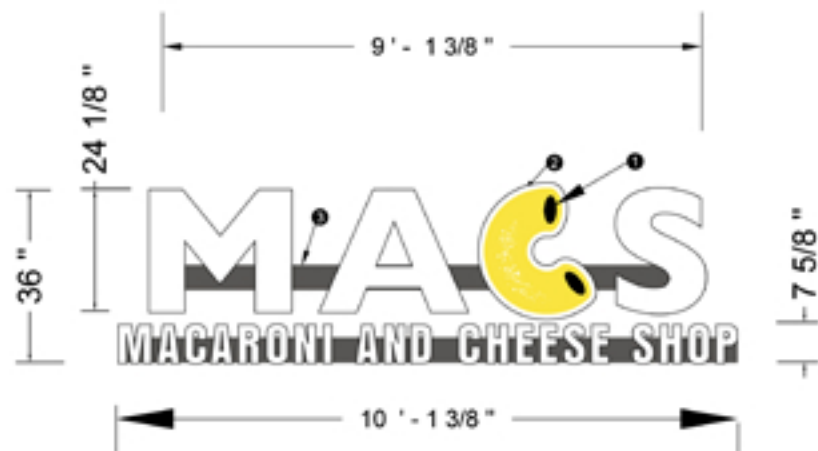
- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail



OAKCREEK
— WISCONSIN —

Department of Community Development

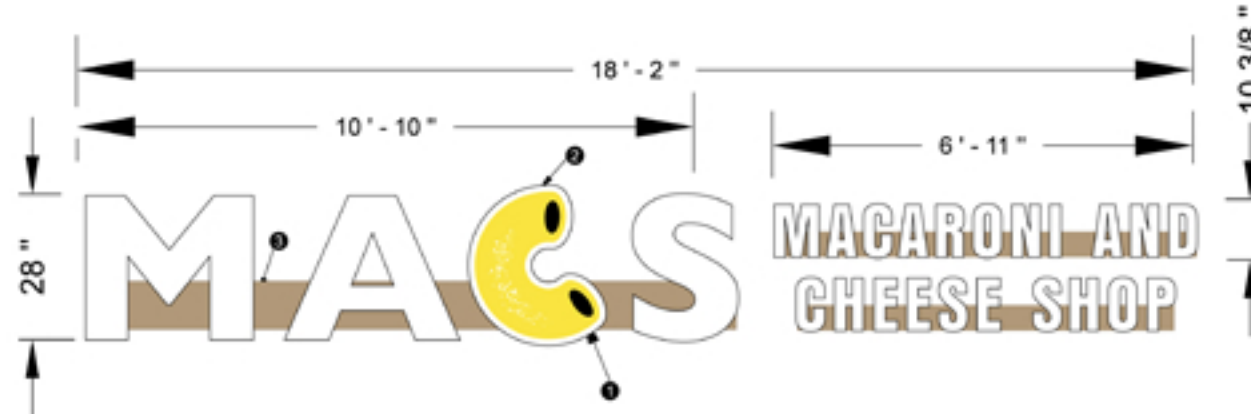




WEST ELEVATION.



11' - 6" CEILING HEIGHT.



EAST ELEVATION.



SPECIFICATION NOTES

- A** FRONT LIT CHANNEL LETTERS.
FACE: WHITE ACRYLIC.
NOODLE LOGO HAS BLACK AND YELLOW TRANSLUCENT VINYL.
TRIM: BLACK.
RETURNS: BLACK.
BRONZE.
ILLUMINATED WITH WHITE LEDS.
RACEWAY: NO MATCH BUILDING COLOR.
- B** FRONT LIT CHANNEL LETTERS.
FACE: WHITE ACRYLIC.
TRIM: BLACK.
RETURNS: BLACK.
BRONZE.
ILLUMINATED WITH WHITE LEDS.
RACEWAY: NO MATCH BUILDING COLOR.

Approved by: _____ Date: _____ Landlord: _____ Date: _____

This artwork is copyrighted and may not be otherwise used without permission. It is the property of La Crosse Sign Co., inc. and must be returned to them.



1450 Oak Forest Drive • Onalaska, WI 54650 • 608-781-1450
2242 Mustang Way • Madison, WI 53718 • 608-222-5353
2502 Melby Street • Eau Claire, WI 54703 • 715-835-6189

DESIGN

Drawing by: **MICHAEL V JOLIN**
Sign Type: **WALL SIGN.**
Date Created: **9/28/2018**
Last Modified: **11/19^o/2018**
Scale:

SALES

Job Name: **MacOakCre**
Job Address: **120 WEST TOWNE SQUARE WAY
OAK CREEK
WI, 53154**
Salesperson: **BILL RUPP**
Job Number: **#102356**

FILE

Revision Number:
Job File Location:

COLOR KEY

- 1 ■ BLACK TRANSLUCENT #230-22
- 2 ■ YELLOW TRANSLUCENT #230-015
- 3 □ TO MATCH BUILDING COLOR.

*COLORS ON SKETCH ARE ONLY A REPRESENTATION. ACTUAL COLOR OF FINISHED PRODUCT MAY DIFFER



PLAN COMMISSION REPORT

Proposal: Conditional Use Permit

Description: Review a request for a Conditional Use Permit for a freight yard/freight terminal/trans-shipment depot and outdoor storage of vehicles and equipment.

Applicant(s): Sam Dickman, Jr., Murphy Real Estate, LLC (on behalf of Taylor Made Express)

Address(es): 7221 S. 10th St.

Suggested Motion: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a freight yard/freight terminal/trans-shipment depot and outdoor storage of vehicles and equipment on the property at 7221 S. 10th St., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Commission’s review at the next meeting (January 8, 2019).

Owner(s): Murphy Real Estate, LLC.

Tax Key(s): 764-9047-000

Lot Size(s): 6.539 ac

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

Overlay District(s): PUD

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Planned Industrial

Background:

The Applicant, on behalf of Taylor Made Express (future tenant), is requesting recommendation of Conditional Use approval for a freight yard/freight terminal/trans-shipment depot and outdoor storage of vehicles and equipment on the property at 7221 S. 10th St. Freight yard/freight terminal/trans-shipment depot uses, and outdoor storage of vehicles and equipment are Conditional Uses in the M-1, Manufacturing district. Plan Commission review of the site modifications, including the landscaping plans for the expanded parking area, will occur at a later date.

Taylor Made Express is an expedited freight delivery company, operating 24/7. A majority of the delivery traffic occurs between 6:00 AM and 6:00 PM. The business has a total staff of 150 employees split amongst different shifts. Existing parking for employees and customers (60 stalls) is sited on both the north and south sides of the existing building. An additional 25 stalls are proposed on the western edge of the existing asphalt to accommodate the number of employees anticipated for the largest shift (75 between 7:00 AM and 5:00 PM). It is anticipated that 10 or fewer customers per day will visit the facility.

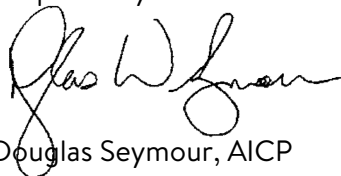
The expanded parking area on the west and south will provide 55 dedicated stalls for semi-trucks/trailers. All semi-truck/trailer parking and half of the employee & customer parking will be located behind security fencing. No outdoor storage, other than semi-truck/trailer parking, has been requested.

Per the submitted narrative, the expanded parking area on the south and west sides of the property would add 64,164 square feet of asphalt to the property, triggering the need for additional stormwater management. The proposed site plan indicates that the existing stormwater pond will be removed and a new pond created on the east side of the property.

Should the Plan Commission determine that the site is appropriate for a freight yard/freight terminal/transshipment depot with outdoor storage of vehicles and equipment, staff will prepare conditions and restrictions to be reviewed at the next meeting on January 8, 2019.

Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit requests. Should the requests 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. However, disapproval would likely result in the existing vacant condition of the building to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Planner

Attachments:

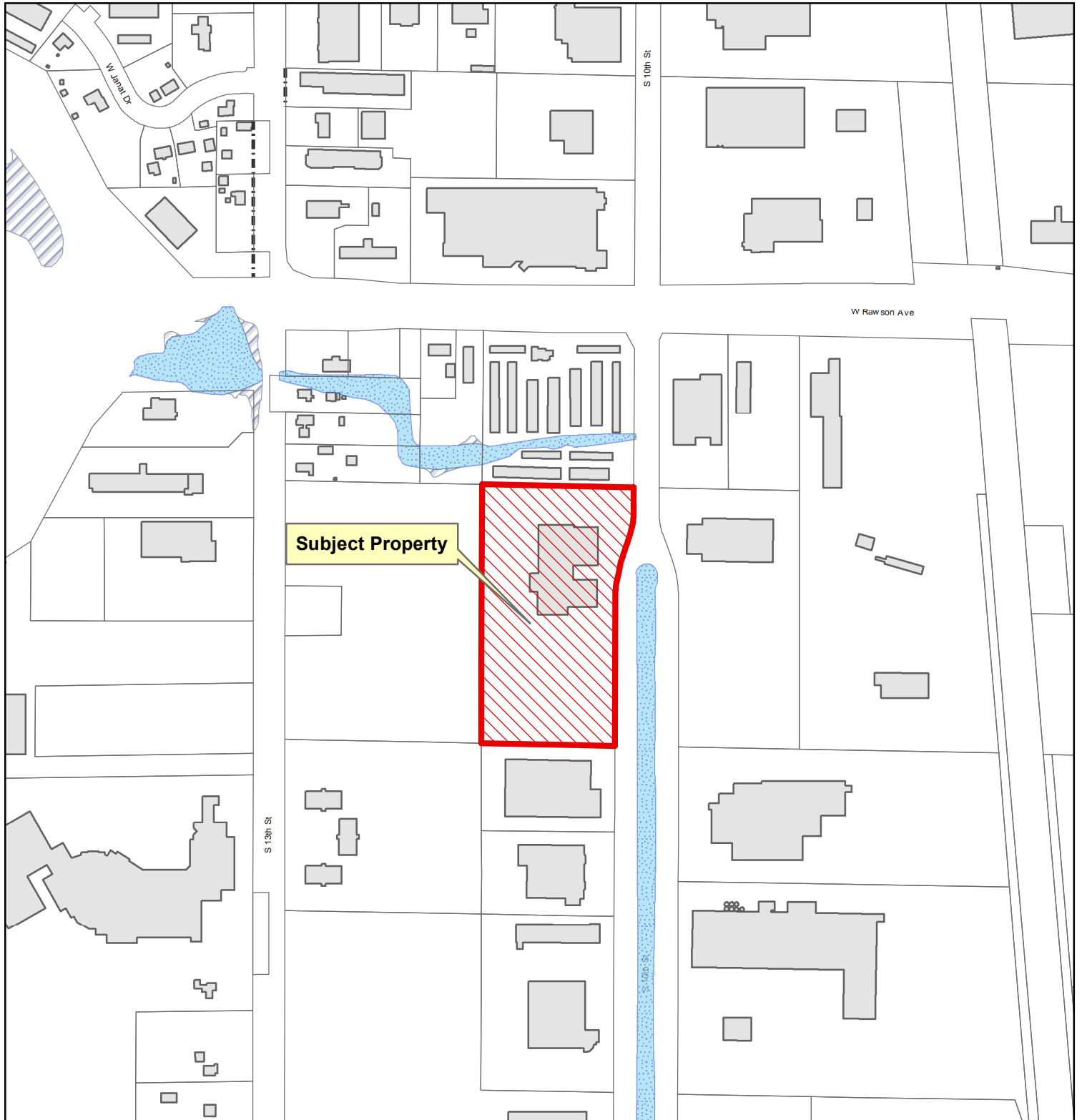
Location Map

Narrative

Plans (Alta Survey, Sheet C1.0)

Location Map

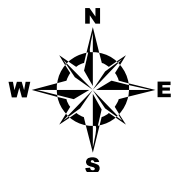
7221 S. 10th St.







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



Department of Community Development



Legend

-  7221 S. 10th St.
-  Floodplain (2008)
-  Floodway (2008)
-  Officially Mapped Streets

DESCRIPTION OF PROPOSAL FOR A NEW FENCED IN TRAILER PARKING LOT EXPANSION TO BE CONSTRUCTED FOR THE DICKMAN COMPANY AT 7221 SOUTH 10th STREET IN OAK CREEK

November 12, 2018

Domenico Ferrante of Briohn Design Group, LLC
Mike Byrne of Briohn Building Corporation
3885 N. Brookfield Road, Suite 200
Brookfield, Wisconsin 53045

SUBMITTED: On behalf of the current property owner and developer, Sam Dickman Jr. of Murphy Real Estate, LLC:

BRIOHN is submitting this "Description of Proposal" on behalf of MURPHY REAL ESTATE, LLC. Briohn Design Group LLC and Briohn Building Corp are acting as the representative applicant. Sam Dickman Jr. of Murphy Real Estate, LLC is the applicant. The City of Oak Creek Plan Commission Application is completed and included as part the Plan Commission application for Conditional Use approval and eventual site plan review package as well as support drawings as required by Oak Creek, which includes site plan, lighting plan with fixture cut sheets, utility plan, site grading plan, storm water management plan (as required) and detailed landscaping plan.

The Description of the Proposal and the Plan of Operation:

- **Description** – Murphy Real estate, LLC proposes to construct a 64,164 square asphalt paved trailer parking lot expansion on the south portion of the lot. The Murphy Real Estate, LLC is doing this on behalf Taylor Made Express.

- **Details of Proposal** – We propose to construct the trailer parking lot expansion with asphalt paving as identified on the civil drawings which is submitted to the City of Oak Creek Plan Commission as part our request for Conditional use approval. Taylor Made Express is an expedited freight delivery company. Under the M-1 manufacturing district zoning the use can be allowed under conditional use approval process.

- **Plan and Hours of Operation** – Delivery trucks leave in the morning and return late in the day. The trucks pick-up and deliver from one customer to another. A small percentage does need to be warehoused for short periods of time. While the business does operate 24 hours a day, most of the traffic is during the day from 6:00am to 6:00pm. There will be 50 trucks in/out with majority of the traffic around 6:30am and then later in the day as the trucks return. The

business has a total of 150 employees. These are family supporting jobs in both the office and in the delivery vehicles.

- **Frequency of Deliveries** – On a daily basis there will be delivery and pick-up truck traffic of approximately 50 trucks.

- **Number of Employees** – Approximately 150 people total. The total number of employees will be split on different shifts.

- **Outside Storage** – Taylor Made Express is not planning on any additional outside storage.

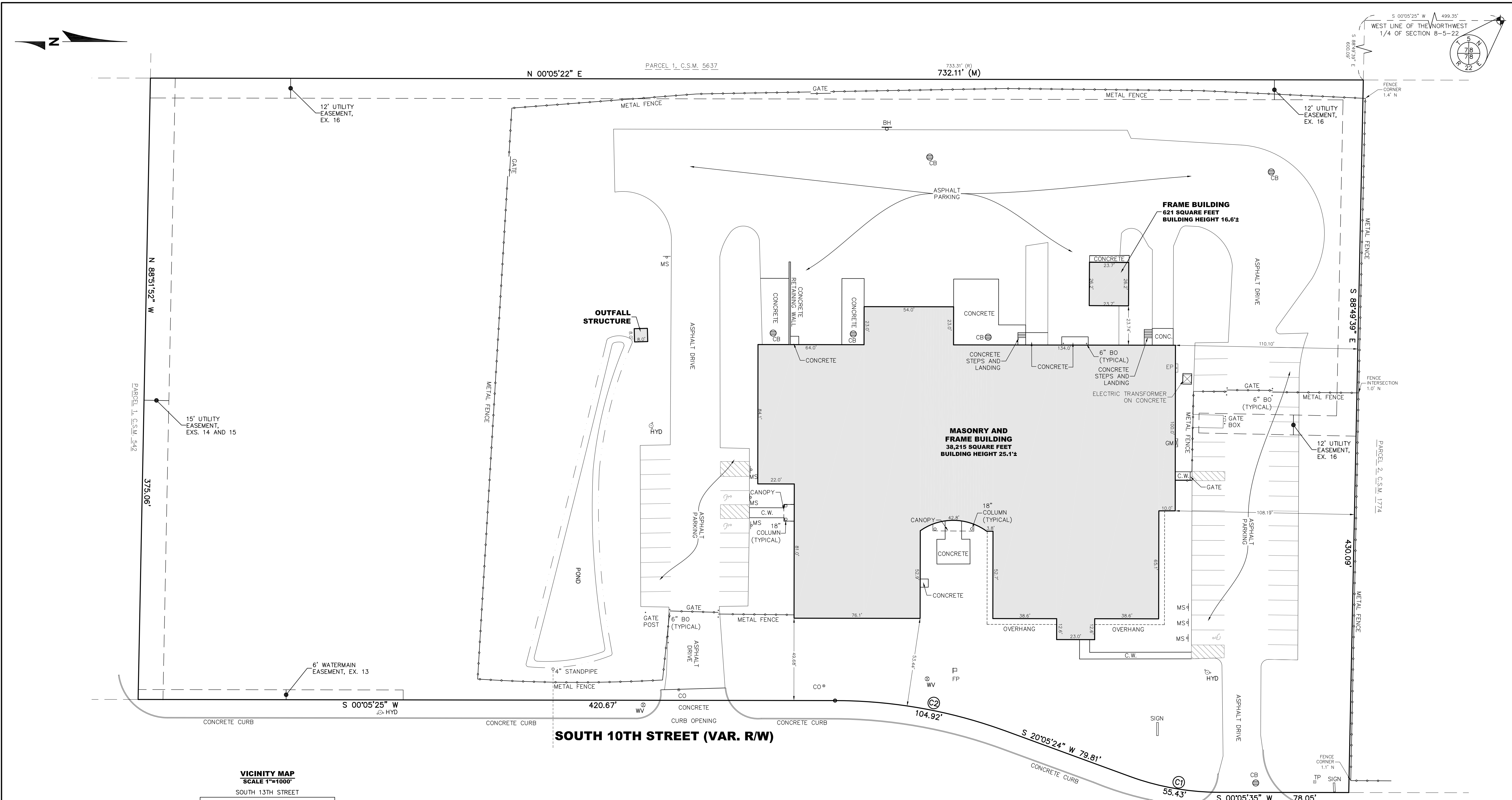
- **Number of Parking Stalls** – There are currently 60 car parking stalls for employees and customers. This quantity will be increased to 85 and will provide the necessary parking needs for Taylor Made Express' largest shift. During the largest daytime shift (7:00am – 5:00pm) Taylor Made Express will have about 75 employees. The number of potential visitors per day is expected be less than 10. The proposed 85 car parking is more than adequate for Taylor Made Express' needs.

We respectfully ask the City of Oak Creek, Plan Commission, Engineering, Fire Department and Building Inspection to review and evaluate our proposal including the submitted drawings and other support materials. We believe that the proposed new development will not only meet our tenant's needs and expectations but the City of Oak Creek as well. We look forward to your conditional use, site plan approval and our continued mutual success and appreciate the assistance provided and afforded by the City of Oak Creek in the approval process.

Please contact us if you have any questions or need additional information.

Sincerely,

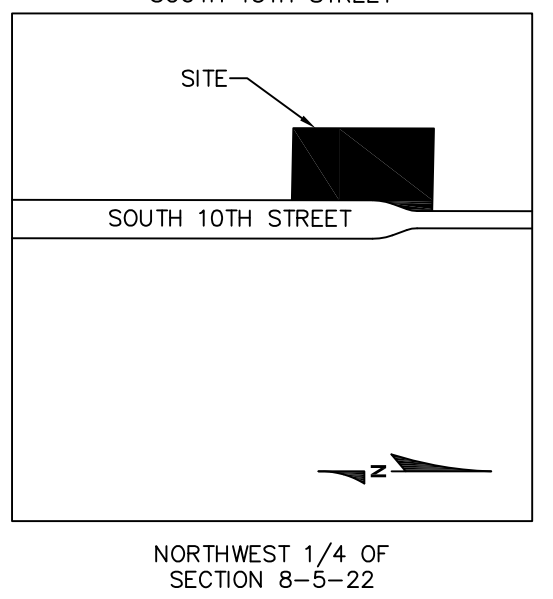
Domenico M. Ferrante AIA
Director of Architecture, Briohn Design Group LLC



LIS
 LAND INFORMATION SERVICES, INC.
 ENGINEERS, SURVEYORS & CONSULTANTS
 9160 W. STICKNEY AVENUE
 WAUWATOSA, WI 53229
 T 262.512.9000
 www.liswi.com

ALTA/ACSM LAND TITLE SURVEY
**7221 SOUTH
 10TH STREET**
 CITY OF OAK CREEK, WISCONSIN

VICINITY MAP
 SCALE 1"=1000'
 SOUTH 13TH STREET
 WEST RAMON AVENUE



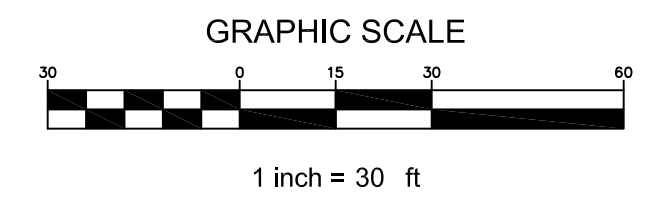
LEGAL DESCRIPTION:
 PARCEL 2 OF CERTIFIED SURVEY MAP NO. 5637, RECORDED ON JANUARY 9, 1992 ON REEL 2689, IMAGES 1079 TO 1082 INCLUSIVE, AS DOCUMENT NO. 6558094, BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWN 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

- GENERAL NOTES:**
- THE SUBJECT PROPERTY CONTAINS 284,634 SQUARE FEET, 6.534 ACRES NET CALCULATED AND 284,868 SQUARE FEET, 6.539 ACRES RECORDED.
 - THE SUBJECT PROPERTY IS ZONED M-1, MANUFACTURING, PER CITY OF OAK CREEK COMMUNITY DEVELOPMENT DEPARTMENT.
 - BUILDING SETBACKS PER CITY OF OAK CREEK WEBSITE:
 FRONT SETBACK - 40'
 SIDE SETBACK - 20'
 REAR SETBACK - 20'
 - MAXIMUM BUILDING HEIGHT PER CITY OF OAK CREEK WEBSITE IS 55'.
 - PART OF THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOOD PLAIN, AND PART OF THE SUBJECT PROPERTY LIES WITHIN ZONE B. AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE, OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD, PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 550279 0002 B, DATED SEPTEMBER 29, 1978.
 - BEARINGS ARE REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 8-5-22, WISCONSIN STATE PLANE COORDINATE SYSTEM GRID, SOUTH ZONE PER CERTIFIED SURVEY MAP NUMBER 5637.
 - SUBJECT PARCEL CONTAINS 56 REGULAR PARKING SPACES AND 3 HANDICAPPED PARKING SPACES.

- SCHEDULE B-II EXCEPTIONS:**
- EASEMENT, DOCUMENT NO. 4555330 - DOES NOT APPEAR TO AFFECT SUBJECT PROPERTY
 - WATERMAIN EASEMENT, DOCUMENT NO. 4357007 - AS SHOWN ON SURVEY
 - UTILITY EASEMENT, DOCUMENT NO. 5672334 - AS SHOWN ON SURVEY
 - EASEMENT AS SET FORTH ON CERTIFIED SURVEY MAP NO. 5637, DOCUMENT NO. 6558094 - AS SHOWN ON SURVEY
 - UTILITY EASEMENT, DOCUMENT NO. 6664860 - AS SHOWN ON SURVEY

CURVE TABLE

NO.	ARC	RADIUS	CHORD	CH. BEAR.
C1	55.43'	158.80'	55.15'	S 10°05'25" W
C2	104.92'	300.58'	104.39'	S 10°05'25" W



LEGEND

ABBREVIATIONS	SYMBOLS	LINE TYPES
AUTOMATIC SPRINKLER (AS)	AS	METAL FENCE
BASKETBALL HOOP (BH)	BH	WOOD FENCE
BENCHMARK (BM)	BM	GUARD RAIL
BOLLARD (BO)	BO	UNDERGROUND CABLE TV
BUSH, SHRUB, ETC.	BS	UNDERGROUND COMM.
CATCH BASIN ROUND (CB)	CB	COMBINATION SEWER
CATCH BASIN SQUARE (CS)	CS	UNDERGROUND ELECTRIC
CLEAN OUT (CO)	CO	UNDERGROUND FIBER OPTIC
CURB INLET (CI)	CI	GAS SERVICE
EVERGREEN TREE (EG)	EG	OVERHEAD UTILITY LINES
FIRE HYDRANT (HYD)	HYD	SANITARY SEWER
GUY WIRE (GW)	GW	STORM SEWER
HANDICAP	HP	UNDERGROUND TELEPHONE
IRON PIPE (I.P.)	IP	SANITARY FORCE MAIN
LIGHT POLE (LP)	LP	TREE LINE
MAIL BOX (MB)	MB	
MANHOLE (MH)	MH	
MONITORING WELL (MW)	MW	
SOIL BORING (SB)	SB	
TRAFFIC LIGHT (TL)	TL	
DECIDUOUS TREE (TR)	TR	
UTILITY MARKER	UM	
UTILITY METER	UM	
UTILITY PEDESTAL	UP	
UTILITY POLE (UP)	UP	
UTILITY VALVE	UV	
WATER WELL	WW	

DIGGERS HOTLINE
 CALL DIGGERS HOTLINE
 811 or 1-800-242-8111
 NEW AREA 226-1181
 MS STATUTE 192.07(5)(974)
 REQUIRES MIN. 3 WORK DAYS
 NOTICE BEFORE YOU EXCAVATE

TO OBTAIN LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN

UNDERGROUND SEWER AND UTILITY INFORMATION AS SHOWN ON THIS SURVEY ARE APPROXIMATE. THE ACCURACY AND LOCAL UTILITY COMPANIES. THE ACCURACY TO WHICH CAN NOT BE GUARANTEED OR CERTIFIED TO.

THE LOCATIONS OF EXISTING UTILITY INSTALLATIONS AS SHOWN ON THIS SURVEY ARE APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITY INSTALLATIONS WITHIN THE PROJECT AREA THAT ARE NOT SHOWN.

DRAWN BY: J.A.C.
 CHECKED BY: M.L.W.
 DATE: 07/17/18
 JOB NUMBER: S08099R0AL

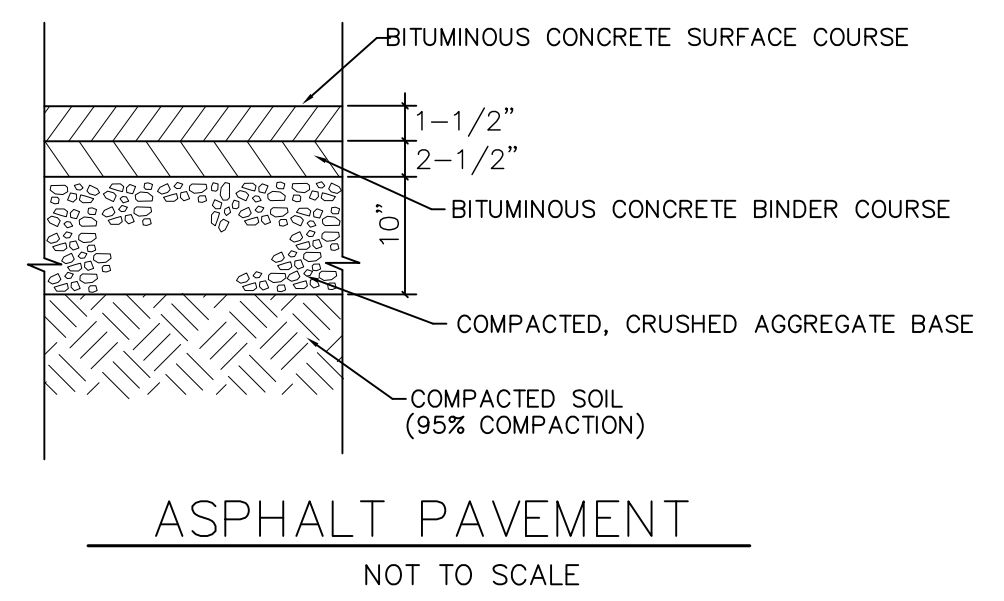
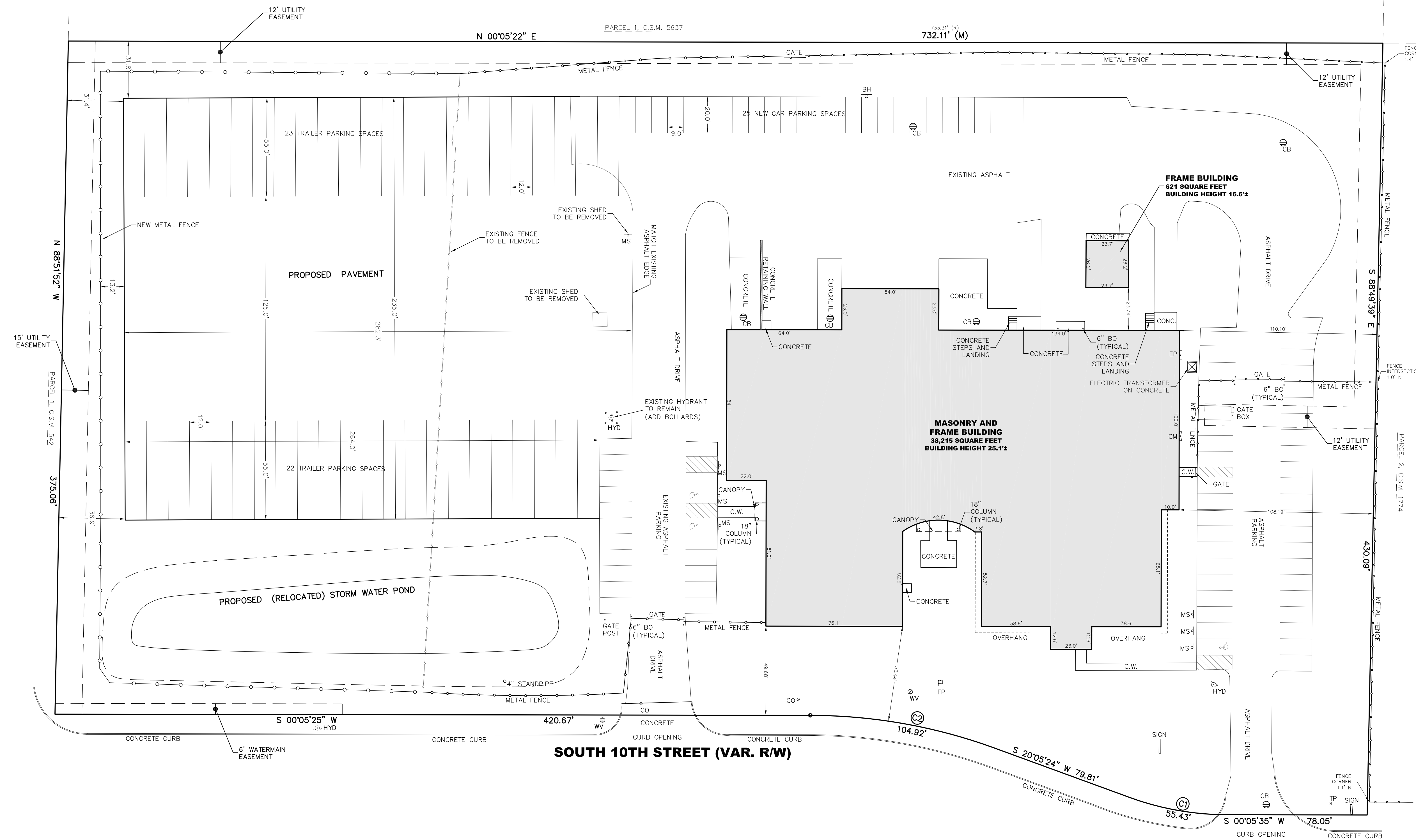
10TH STREET
 ALTA



7221 South 10th Street
OAK CREEK, WI

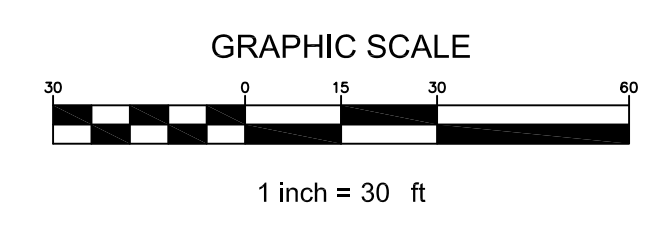
CJE NO.: 1843R0
 NOVEMBER 13, 2018

SITE PLAN C1.0
 SHEET 1 OF *



SITE PARKING
 EXISTING CAR PARKING = 60 SPACES
 PROPOSED CAR PARKING = 25 SPACES
 TOTAL CAR PARKING = 85 SPACES
 PROPOSED TRAILER PARKING = 45 SPACES

SITE AREA
 TOTAL PROPERTY AREA = 284,634 S.F. (6.534 ACRES)
 EXISTING BUILDING = 38,836 S.F.
 EXISTING PAVEMENT = 68,567 S.F.
 PROPOSED PAVEMENT = 64,164 S.F.
 TOTAL IMPERVIOUS SURFACE = 171,567 S.F. (3.939 ACRES)
 OPEN SPACE = 113,067 S.F. (2.596 ACRES) 39.7% *
 * NOTE M-1 ZONING REQUIRES 20% GREENSPACE.
 THIS SITE (POST DEVELOPMENT) WILL PROVIDE 39.7% GREEN SPACE.



DIGGERS HOTLINE
 TO OBTAIN LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN
 CALL DIGGERS HOTLINE
 811 or 1-800-248-8811
 MILW AREA 258-1181
 MS STATUTE 18.25(2)(b)1
 REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU DIG



PLAN COMMISSION REPORT

Proposal: Zoning Text Amendment – OO Mixed Use Office Overlay District - Permitting Restaurants without drive-through facilities.

Description: Review of a request to amend Section 17.0333(a) of the Municipal Code to allow for the permitted use of a restaurant without drive-through facilities.

Applicant(s): Josephine Adams

Address(es): N/A

Suggested Motion: That the Plan Commission recommends to the Common Council that Section 17.0333(a) of the Municipal Code be amended as presented, to allow restaurants without drive-through facilities as a permitted use in the OO, Mixed Use Office Overlay District, 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): N/A

Wetlands: Yes No **Floodplain:** Yes No

Comprehensive Plan: N/A

Background:

Josephine Adams is requesting Plan Commission and Common Council consideration of a proposed amendment to allow restaurants without drive-through facilities be a permitted use in the OO, Mixed Use Office Overlay District. Currently, the OO Overlay District does not permit or conditionally permit the operation of any restaurants.

The OO Overlay District was created as part of the South 27th Street Corridor Study. This study’s purpose was to ensure development along South 27th Street occurred in a consistent and coordinated manner. Furthermore, it was created to promote a diverse economic base providing jobs, goods & services for

residents. The OO Overlay District was intended to provide for office and professional uses while integrating a mix of retail and open space. The OO Overlay District is more restrictive than our commercial districts by allowing only eleven permitted uses and seven conditional uses.

Permitted Uses:

1. Administrative and public service offices.
2. Banks, savings and loan, and other financial institutions.
3. Business offices.
4. Insurance sales offices.
5. Interior decorators.
6. Law offices.
7. Licensed massage therapy and body work as certified by the State.
8. Medical and dental clinics.
9. Professional offices of an architect, engineer, landscape architect, lawyer, accountant, doctor, chiropractor, Christian science practitioner, dentist, optometrist, clergy or other similarly recognized profession.
10. Real estate and insurance sales offices.
11. Studios for photography, painting, music, sculpture, dance, pottery and jewelry.

Conditional Uses:

1. Drive-through financial institutions.
2. Group day care centers with outdoor activity areas.
3. Hotels (minimum three (3) stories).
4. Radio and television and receiving stations, and studios.
5. Utility substations, municipal wells, pumping stations, and towers provided that the use is not less than fifty (50) feet from any lot line.
6. Solar energy collectors erected as an accessory structure.
7. Religious Institutions.

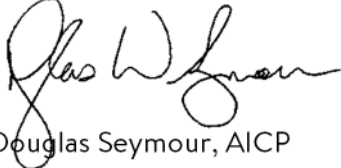
Staff has reviewed the district and determined that restaurants without a drive-through facility would be a compatible use within this district and should be included as a permitted use in the OO District. The proposed use would provide a diverse economic base, providing jobs, goods & services for resident as identified in the code section. Therefore staff proposes amending Section 17.0333(a) to include:

12. Restaurants without a drive-through facility

Should the Plan Commission agree with the proposed amendment to Section 17.03170(a), a motion recommending Council approval is provided above.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Zoning Text Amendment, recommend approval with changes, or that the Common Council not approve of the proposed amendment. Disapproval of the proposal may affect future proposals for OO developments within the City, up to and including loss of potential projects, and the existing conditions of undeveloped or underutilized parcels may remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:

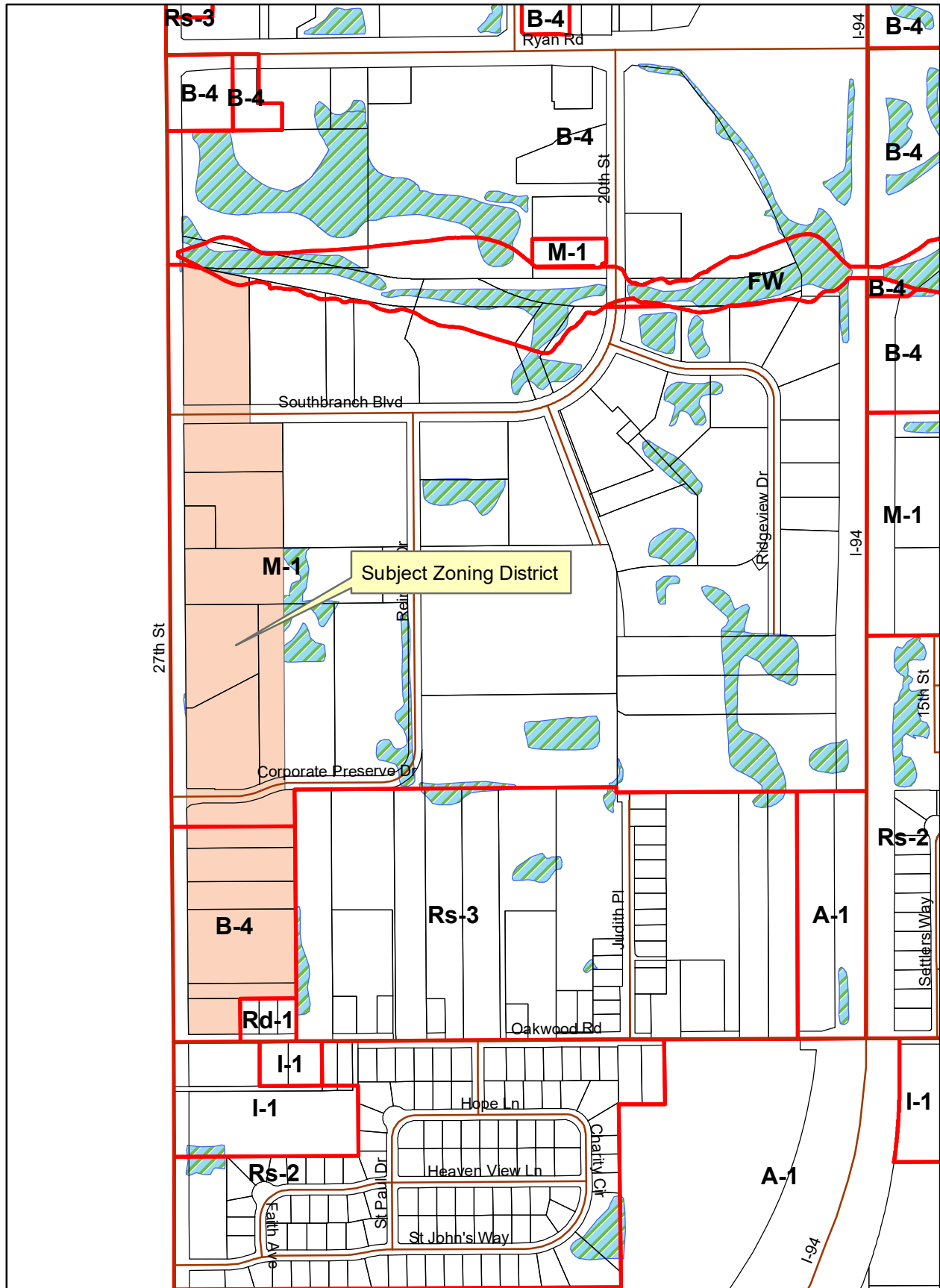


Peter Wagner, AICP
Zoning Administrator/Planner

Attachments:

Location Map
Section 17.0333

Location Map for OO District



Subject Zoning District



Legend

- OCGIS.GIS.Zoning_w_floodway
- OCGIS.GIS.Wetlands_Inventory
- OCGIS.GIS.PAR_MCAMLIS_TP_STK
- CODE1**
- OO

SEC. 17.0333 OO – MIXED-USE OFFICE OVERLAY DISTRICT

The purpose of the Mixed-Use Office Overlay District is to provide for office and professional uses along the 27th Street corridor while integrated a mix of retail and open space uses. The design standards of Section 17.0329 shall apply to the Mixed-Use Office Overlay District.

(a) Permitted Uses:

1. Administrative and public service offices.
2. Banks, savings and loan, and other financial institutions.
3. Business offices.
4. Insurance sales offices.
5. Interior decorators.
6. Law offices.
7. Licensed massage therapy and body work as certified by the State.
8. Medical and dental clinics.
9. Professional offices of an architect, engineer, landscape architect, lawyer, accountant, doctor, chiropractor, Christian science practitioner, dentist, optometrist, clergy or other similarly recognized profession.
10. Real estate and insurance sales offices.
11. Studios for photography, painting, music, sculpture, dance, pottery and jewelry.
- 12. Restaurants without drive-through facility**

(b) Permitted Accessory Uses:

1. Barber shops and beauty shops.
2. Group day care center without outdoor activity areas.
3. Drug Stores.
4. Educational Services.
5. Job training and related services.
6. Janitorial supplies and services.
7. Physical fitness centers.
8. Video production.
9. Garages used for storage of vehicles used in conjunction with the operation of the business.
10. Cafeterias, delicatessens, and restaurants accessory to and located within the same building as a permitted use.
11. Off-street parking and loading areas.
12. Ground-mounted and building-mounted earth station dish and terrestrial antennas.
13. Solar collectors attached to the principal structure.

(c) Conditional Uses:

1. Drive-through financial institutions.
2. Group day care centers with outdoor activity areas.
3. Hotels (minimum three (3) stories).
4. Radio and television and receiving stations, and studios.

5. Utility substations, municipal wells, pumping stations, and towers provided that the use is not less than fifty (50) feet from any lot line.
6. Solar energy collectors erected as an accessory structure.
7. Religious Institutions.

(d) **Lot Area and Width:** Lots shall have a minimum area of 40,000 square feet and shall be not less than 150 feet in width.

(e) **Building Height and Area:**

1. The principal building shall be at least two (2) stories in height with no maximum. No accessory building shall exceed seventeen (17) feet in height.
2. Special use approval shall be required for buildings greater than 40,000 square feet.
3. Retail and service establishments shall be less than 10,000 square feet in tenant area with interior access in office buildings.

(f) **Setback and Yards:**

1. There shall be a minimum front setback of fifty (50) feet from the right-of-way of all streets.
2. There shall be a side setback on each side of all principal buildings of not less than twenty (20) feet.
3. There shall be a rear setback of not less than thirty (30) feet.
4. Accessory buildings shall be located not less than five (5) feet from a side or rear lot line; except if it abuts a residential district, the setback provided shall be at least what the appropriate side or rear setback for a principal building would be in the adjoining residential district. However, in no case shall it be less than ten (10) feet.
5. There shall be a minimum wetland setback of fifty (50) feet.

(g) **Design Standards:**

1. Whenever possible, development shall be organized around open space that can provide natural stormwater retention, greenway trails, etc. However, coordinated developments may share common open space for stormwater detention, greenway trails, etc.
2. Provision of retail opportunities is encouraged to create a mixed-use environment. Developments are encouraged to incorporate well-designed open spaces for employee, customer, and community use.
3. Corner buildings shall be designed with additional height and/or architectural details to reinforce their location.
4. The incorporation of landscape, water features, and other design features are encouraged at intersections or along the development frontage to enhance the view of the structures from the street.
5. New developments shall include attractively designed, well-connected, streets with coordinated amenities.
6. The street layout shall be adapted to the topography, unique natural features, environmental constraints of the site, and peripheral open space areas. The street layout shall provide for open space views and surrounding vistas.

Ordinance 2346, A 6/21/05, Sec. 17.0333

Ordinance 2847, A 4/3/17, Sec. 17.0333(c)