

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, SEPTEMBER 27, 2011

Mayor Bolender called the meeting to order at 7:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Commissioner Bukiewicz, Mayor Bolender, Commissioner Correll, Commissioner Nowak and Commissioner Chandler. Commissioner Michalski was excused. Also present were Jeff Fortin Planner and Peter Wagner Zoning Administrator.

Commissioner Michalski arrived at 7:25 p.m.

Commissioner Bukiewicz moved to approve the minutes of the September 13, 2011 regular Plan Commission meeting. Commissioner Correll seconds. Roll call, all voted aye with the exception of Commissioner Chandler who abstained. The minutes were approved as submitted.

Significant Common Council Actions

There were no additional comments or concerns from the Commission.

**Sign Appeal Hearing – Heartland Food Corporation (Burger King)
1250 W. Rawson Avenue
Tax Key No.: 735-9036**

Mr. Wagner explained the applicant was requesting a variance from Oak Creek Municipal Code. The variance pertains to Section 17.0706(i)(1), which states that single and two tenant office, retail, or manufacturing buildings shall be permitted one wall sign per tenant per street frontage. The applicant is proposing a total of eight wall signs. If a variance is granted, the variance would allow Burger King to display six additional wall signs, which would be located on the north, south and west elevations as illustrated.

Mayor Bolender opened the public hearing for comments.

Mr. Arden Degner, 8540 S. Pennsylvania Avenue, commented it seems it would be a variance to the type of access they have to the building. In the past monument signs were made to fit in with the community and he questions if more signs is the answer.

Mayor Bolender called three times for additional comments or concerns and hearing none closed the public hearing to the floor.

Sign Appeal – Heartland Food Corporation (Burger King)
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Commissioner Chandler requested clarification on the location of the eight signs. Mr. Wagner explained where each sign was proposed and which ones were to be illuminated.

Commissioner Dickmann pointed out this proposal does not address the pole sign which has three sectional signs and he believes the pole sign is key to the situation. Mr. Wagner explained the way the Code was written they were allowed to have one pole sign and one wall sign on each street side. Commissioner Dickmann commented he has never seen so many signs proposed for one building. He does want to see the building upgraded and feels a sign on the west side is a key sign but they don't need eight signs on the building.

Commissioner Correll commented it was not a standard corner building where they were blocked completely. He questioned what was allowed from a square footage standpoint. Mr. Wagner explained they would be above the 100 square foot limit.

Commissioner Bukiewicz commented the merchandising signs on the north side were no different than the signs businesses hang for sales. Mr. Wagner explained they were exterior signs not window signs so they are regulated by the Code.

Commissioner Bukiewicz commented he liked the "home of the whopper" signs and commented the building looks better as proposed. He questioned if the "have it your way" was going to be a raised letter illuminated sign. Mr. Prosiliakos explained it was a ¼" thick aluminum plate letters stud mounted to the wall.

Commissioner Nowak questioned if there was a reason to justify the request for the additional signs. Mr. Prosiliakos explained it was part of the nationwide branding image upgrade to the building and signage. The architecture was designed around the signage. Commissioner Nowak questioned if there was a possibility if they did not approve the requested signage they would close the store. Mr. Prosiliakos could not speak to that but this is what the store needs to increase its business.

Commissioner Carrillo commented she sees the signage as architectural elements of the building as well as the branding for the company. The sign design elements work well with the building.

Commissioner Chandler questioned if they would be upgrading the interior. Mr. Prosiliakos stated the interior would be upgraded in the second phase.

Commissioner Johnston questioned if the corporation has considered removing the pole sign and possibly putting in a monument sign as part of the upgrades. Mr. Prosiliakos stated it was not discussed. Commissioner Johnston questioned if they would be willing to get rid of the pole sign and put in a monument sign as part of a compromise for the additional signs. Commissioner Johnston questioned which signs they would be willing to sacrifice. Mr. Prosiliakos stated as the architect he did not look at the merchandising displays as signage but just merchandising displays. They may not be as important as the “home of the whopper” and “have it your way” signs.

Commissioner Bukiewicz commented the merchandising signs were no different than the movie signs on the Marcus theaters.

Commissioner Dickmann commented there are three signs on the south side currently and they would stay the same. There is no identification on the west side of the building and they want to add a button sign which would be logical. He is torn on the three signs on the north side and he does not see what they add to the building. He feels the five signs would be sufficient.

Commissioner Johnston commented they have gone both ways on the merchandising signs. He does not feel they are necessary for this building and that the five other signs are adequate. He would like to see something done with the pole sign.

Commissioner Bukiewicz moved that the Plan Commission approve a variance to Section 17.0706(i)(1), and allow a total of five walls signs be approved on the south and west elevations for Burger King located at 1250 W. Rawson Avenue.

Commissioner Dickmann seconds. Roll call, all voted aye. The motion to approve carries.

**Plan Review – Burger King
1250 w. Rawson Avenue
Tax Key No.: 735-9036**

Mr. Fortin explained to the Commission the applicant was requesting approval of a complete façade renovation of the Burger King restaurant located at 1250 W. Rawson Avenue. The changes include replacing the existing mansard roof with a standing seam metal roof, replacing the existing wood siding with EIFS, and creating a new entryway and drive through window.

Commissioner Chandler questioned the upgrades for the parking lot and the drive through. Mr. Prosiliakos explained in the parking lot they were upgrading for handicapped accessibility with parking spaces and sidewalks and an additional doorway.

Commissioner Bukiewicz moved that the Plan Commission approve the site, building and landscaping plans for a renovation to Burger King located at 1250 W. Rawson Avenue subject to all building and fire codes being met.

Commissioner Correll seconds. Roll call, all voted aye. The motion to approve carries.

Conditional Use Permit – Sheehy Enterprises
7155 S. 1st Street
Tax Key No.: 765-9036

This item was withdrawn by the applicant prior to the meeting.

Official Map Amendment - Southeast ¼ of Section 5 (S.K. Mehta)
200 W. Rawson Avenue & 6955 S. Howell Avenue

Mr. Fortin explained to the Plan Commission in October of 2009 the Plan Commission recommended that the Common Council amend the official map for the Southeast ¼ of Section 5 to remove a cul-de-sac that affects the properties at 200 W. Rawson Avenue and 6995 and 7001 S. Howell Avenue. However the resolution to remove the map was not approved by the Common Council. The applicant would like to amend the map because there are significant amounts of wetlands and floodplain along the entire length of the official map so it is unlikely that this road could ever be constructed under its current configuration so it makes no sense to have a road that cannot be constructed remain on the official map.

Commissioner Chandler questioned why the Common Council rejected this request the last time it was brought forward. Mr. Fortin explained the owners of one of the properties expressed concerns that they were being land locked. At the time the Council went along with that but that is not the case. At the time, they originally were going to develop the parcel in a different location. Now there are areas to allow for future access for the properties to the north if necessary.

Commissioner Dickmann moved that the Plan Commission recommends to the Common Council that the official map for the Southeast ¼ of Section 5 is amended as proposed, after a public hearing.

Commissioner Nowak seconds. Roll call, all voted aye. The motion to approve carries.

Commissioner Michalski moved to adjourn. Commissioner Correll seconds. Roll call, all voted aye. The meeting was adjourned at 7:44p.m.