

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, FEBRUARY 12, 2013

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Johnston, Commissioner Carrillo, Mayor Scaffidi, Commissioner Correll, Commissioner Siefert and Commissioner Chandler. Aldermen Bukiewicz and Michalski and Commissioner Dickmann were excused. Also present was Peter Wagner Zoning Administrator.

Commissioner Siefert moved to approve the minutes of the January 22, 2013 regular Plan Commission meeting. Commissioner Correll seconds. Roll call, all voted aye. The minutes were approved as submitted.

Significant Common Council Actions

There were no comments or concerns from the Commission.

Sign Appeal Hearing – Clean Energy
2031 W. Ryan Road
Tax Key No.: 903-9036

Mr. Wagner explained the applicant was requesting a variance from Municipal Code Section 17.0706(i)(3), which states that Gasoline and/or service stations may provide one ground or pole sign displaying the name of the station and the brand and price of gasoline sold. Clean Energy is a separate fuel station from the Pilot Travel Center providing liquid natural gas located in the interior of the property. Because of the poor visibility of the service station on the property, the applicant is requesting a total of eight wall signs be installed. Six of the signs will be affixed on the four sides of the fuel station canopy and one wall sign will be affixed to each of the two external fuel tanks.

Mayor Scaffidi opened the public hearing and made three calls for public comments or concerns. Hearing none, he closed the public hearing.

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Commissioner Johnston questioned what the benefit would be to having the signs on the south and west of the canopies. Mr. Ben Steckler explained it was a standard branding package for all Clean Energy fueling stations and if there was ever a change in the configuration of the site around them they would not need to come back and ask for additional signage at that time.

Commissioner Siefert questioned the color combination for the proposed signs. Mr. Steckler stated the standard branding is blue, green and white.

Commissioner Correll moved that the Plan Commission approve the Variance from Municipal Code Section 17.0706(i)(3), and allow Clean Energy located at 2031 W. Ryan Road to install a total of eight walls signs. Six of the signs will be affixed on the four sides of the fuel station canopy and one wall sign will be affixed to each of the two external fuel tanks.

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

Zoning Text Amendment – Temporary Sign Code

At the October 23, 2012 Plan Commission meeting, the Commission discussed the possibility of changing the temporary sign code to allow for “feather” flags as a permitted temporary sign. The discussion resulted in multiple options for changing the temporary sign code. Mr. Wagner explained staff has taken suggestions from the Plan Commission and created a code subsection that specifically states that feather and tear drop designed flag signs are permitted.

Mayor Scaffidi commented it was a good idea to charge a small fee to allow the flags because it would make them conscious of having the flags out there and would prevent unlimited numbers of the flags being put out if they were free.

Commissioner Chandler questioned if there were multiple business in one area that wanted to put up a flag, there could potentially be six flags flying at one time. Mr. Wagner stated that was a concern staff would have. The feather flags do stick out and there is the concern when you have a multi-tenant building that potentially, worst case scenario, there could be twenty flags for fifteen days. The chances are less if they have to pay to display the flags.

Commissioner Chandler also questioned why there wasn't a maximum distance from the building as part of the proposed amendment. Mr. Wagner explained no regulation creating a maximum distance from buildings was proposed because buildings vary in distance from the road, creating disadvantages for buildings far from the road.

Commissioner Carrillo questioned what the neighboring communities were requiring for temporary signs. Mr. Wagner explained Franklin did not have any regulations for temporary signs and some communities in Racine just don't allow temporary signs at all and the City's regulations would fall in the middle of those neighboring cities.

Commissioner Carrillo questioned how these new rules would play in the Drexel Town Center where there really is no grass space, just the sidewalk. Mr. Wagner explained they would have to keep it on their property and most likely in that type of design they would have to have an “A” frame.

Mayor Scaffidi questioned if we would be able to write into the use restrictions at Drexel Town Square that they could not use these types of signs. Commissioner Johnston stated they could add a deed restriction that they could not have these types of signs.

Commissioner Correll agreed they needed to figure out a way to avoid these types of signs at the Drexel Town Center, however they also need to figure out a way to be competitive with the other communities. We have a lot of space that isn't in our Town Center with a lot of commercial businesses that are going to feel even more of an advertising crunch or concern in the future. If they have them in Franklin we do have to be competitive to some degree. I like how the amendment was written.

Commissioner Correll also expressed concern for the strip mall businesses and the potential to have one business use all of the temporary signs for the mall. Example being Panera could go to one of the other businesses and have the other business get the permit in their name but put up a Panera sign. Since we don't regulate content of the sign it would be a way for businesses

to cheat. He questioned if it would be possible to add language to limit a business from doing that type of thing. Mr. Wagner stated they have not had that type of issue up to this point and there are only a few businesses that use the maximum allowable temporary signs per year.

Commissioner Siepert questioned if a business could put a feather flag on a permanent flag pole for example they could go above eight feet. Mr. Wagner stated technically they are not supposed to have the company flag on a flag pole because it is considered additional signage. Permanent flags on poles can be approved as part of a site plan.

Commissioner Carrillo supports the \$25.00 fee but would like staff to take a look at non-profits and the use of flags and waiving the fee in specific instances. Mr. Wagner explained the temporary signs that this code is addressing is when a business wants to advertise their business for more than a day. Non-profits are allowed temporary signs for 30 days prior to an event. If they would like to go with the feather flag at this point they would have to pay the \$25.00. They could add language that waives the fee or the non-profits have other options that would not cost them.

Commissioner Johnston commented he would prefer to go the other way and not allow the feather flags.

Commissioner Carrillo commented it would give the smaller places a different option and they are always professional looking and are more visible than the A-frame sign on a limited basis. She was in favor of tabling the item until all of the Commission was present for a vote.

Mayor Scaffidi put the item on hold.

Commissioner Carrillo moved to adjourn. Commissioner Siepert seconds. Roll call, all voted aye. The meeting was adjourned at 6:37 p.m.