

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 23, 2013

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, , Mayor Scaffidi, Commissioner Michalski, Commissioner Correll, Commissioner Siefert and Commissioner Chandler. Alderman Bukiewicz was excused. Also present were Doug Seymour Director of Community Development, Peter Wagner Zoning Administrator and Assistant Fire Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the April 9, 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 – Trattoria di Carlo
8469 S. Howell Avenue
Tax Key No.: 828-9029

Mr. Wagner explained the applicant was seeking a variance from Municipal Code Section 17.0706(d), which states that ground signs in all business and manufacturing districts shall not exceed eight (8) feet in height and 100 square feet in area on one side or 200 square feet on two sides.

The proposed sign will add on an electronic message board that increases the height of the existing sign height by 14 inches resulting in a monument sign that is 9 feet 2 inches tall which exceeds the 8-foot height limit.

If granted the variance would allow Trattoria di Carlo to erect a 52 square-foot monument sign with a height of 9-feet 2 inches.

Mayor Scaffidi made the first call for public comment.

Mr. Dennis Spankowski, Burli Sign Co., explained they would like to take the woodwork off and remove the open sign and raise the sign 14” with and electronic message center. Most of the height of the sign is in the base and the brick work. When the woodwork is removed it really comes to about 8 square inches in volume they would be adding to the sign.

Mayor Scaffidi made a second call for public comment.

Mr. Arden Degner, 8540 S. Pennsylvania Avenue, commented he recalled this coming before the Commission when a permit was requested for expansion. He recalled the question of the sign and what they wanted to do at that time. He questioned the current height of the sign. Mr. Wagner stated it was 8 feet in height.

Mayor Scaffidi made a third and final call for public comment and then closed the public hearing.

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Commissioner Chandler questioned why they were requesting the addition to the sign. Mr. Spankowski explained both of the existing signs were relatively small and they can't get enough on site marketing for the center. They feel by adding an electronic message center to advertise the specials would be advantageous to both businesses rather than going with a larger sign. Commissioner Chandler questioned if the message center would be used by both businesses. Mr. Spankowski stated it was for both businesses.

Mayor Scaffidi questioned if the base was counted as part of the sign. Mr. Wagner stated it was from grade to the height of the sign.

Commissioner Siepert suggested they lower the base 14" and then they will be able to meet the requirements without any problem. Mayor Scaffidi commented that would involve cost for the business. Commissioner Siepert commented they were going to be modifying the sign anyways and this way they would meet the standard and they wouldn't have a problem and they can keep the integrity of the sign. Mr. Spankowski expressed concern for lowering the sign with snow drifts and the sign not being visible if it was lowered.

Mayor Scaffidi commented the sign was hard to see coming down the street.

Commissioner Correll appreciated the points of why they wanted to market the business but expressed concern with eliminating the base as part of the sign is they would have bases all over the city that were two feet high with an eight foot sign. They would be setting a precedent, the base has to be the consideration, it is there and that is how it was originally built. He agrees that while there may be cost involved, not taking that into consideration is not practical moving forward based on the City's requirements. He questioned if the main purpose of the digital sign was to go to the digital board. Mr. Spankowski stated that was correct.

Mayor Scaffidi commented the consideration here was if they removed the top piece and added the digital part it would reduce the cost of what could be a very expensive sign change.

Commissioner Dickmann reminded the Commission di Carlo's was before the Commission two years ago and wanted to add a second monument sign and were denied and then they combined the two businesses into one sign. There has already been a change in the sign. When the original sign was installed there was no vision store. He does not feel this is that big of a deal. He is not concerned about the size of the base unless they are a new sign.

Commissioner Johnston questioned how they planned on displaying the address. Mr. Spankowski explained they were going to paint the cabinet black. He questioned if it was possible to add the address to the base of the sign. Mr. Wagner stated it could be on the base or the cabinet. Mr. Spankowski stated they would add a decorative material and put the address on the base. Commissioner Johnston questioned if the sign would add enhancement to the overall character of the neighborhood. In his opinion it would not be meeting those requirements of a variance.

Alderman Michalski commented the proposed changes would improve the sign because it is starting deteriorate on the top and a replacement would enhance the sign. The total sign area is only going to be 52 square feet when he could have a total of 100 square feet. He does not have a problem with the request.

Commissioner Correll questioned what the public benefit would be in allowing the change. In his opinion it does not meet the variance requirements for benefit. Adding a reader board sign on a small sign and whether or not that is confusing or helpful is debatable.

Mayor Scaffidi pointed out the current sign is hard to see and this proposal would benefit the public because it would attract attention to di Carlo's. It would help people locate di Carlos that don't live in the area.

Commissioner Carrillo commented the top part would not draw any attention to the bottom sign advertising di Carlos. She questioned if the idea was to not use the existing open sign. Mr. Spankowski stated the open sign would be removed.

Alderman Michalski commented he believed there was a public benefit. The benefit may be small but at least a person will know when they are coming upon a building that they have dinner.

Mayor Scaffidi commented given the small amount of space they are requesting for the variance and given the benefit that he feels it is going to add to the business and to the neighborhood he thinks it makes sense.

Commissioner Chandler questioned what the benefit would be to the business to add this reader board to the top. Mr. Spankowski stated a picture was worth a thousand words and the sign would help di Carlos and the Family Vision as well. Commissioner Chandler questioned if they had considered changing the entire sign. Mr. Spankowski stated they see no need to change the entire sign. By adding the reader board they can accomplish a lot more things than having a 100 square foot sign. The sign is relatively small for that location and the square footage that they have at this location.

Alderman Michalski moved that the Plan Commission approve the request for variance from Municipal Code Section 17.0706(d) and allow Trattoria di Carlo located at 8469 S. Howell Avenue to construct a monument sign with a height of 9-feet 2-inches and the address must also be displayed.

Commissioner Dickmann seconds. Roll call, Dickmann; aye, Johnston; nay, Carrillo; nay, Scaffidi; aye, Michalski; aye; Correll; nay, Siepert; nay, Chandler; nay. The motion to approve fails.

Temporary Use – Stein Gardens and Gifts – Kohl's Parking Lot
9035 S. Howell Avenue
Tax Key No.: 859-9035

Mr. Wagner explained to the Commission the applicant was requesting a temporary use permit that would allow them to operate a temporary garden center, Stein Just Plants seasonal flower mart, in the Kohl's parking lot at 9035 S. Howell Avenue.

The garden center would be located in in the southeast corner of the parking lot using approximately 16 parking spaces. The garden center will consist of one tent, multiple metal racks of garden products, small shed and other garden supplies. The garden center will be enclosed by a wood picket fence to provide a barrier between traffic and customers. The water will be supplied by a private fire hydrant similar to what was done in 2012. Staff received no complaints about the 2012 operation.

Commissioner Correll questioned if there was a way that a business or group that has met all of the requirements in the past could avoid having to return to the Commission every year. Mr. Wagner explained there was a conditional use permit path that would run with the land. If that was approved a business that may not do such a nice job could come in one year and there would not be anything we could do to regulate that business. He has not received any complaints from businesses having to go through the temporary use approval.

Alderman Michalski questioned how they were going to provide power to the site. Mr. Bryan Linstroth stated it would be run by a Honda generator, the same as they have done in the past.

Commissioner Correll moved that the Plan Commission approve the temporary use permit for the temporary garden center at 9035 S. Howell Avenue, subject to the following conditions:

1. That all building and fire codes are met.
2. That the temporary use shall expire on July 8, 2013.

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

Temporary Use – Blain’s Farm and Fleet Outdoor Garden Center
501 W. Rawson Avenue
Tax Key No.: 765-9046

Mr. Wagner explained to the Commission the applicant was requesting a temporary use permit that would allow them to operate a temporary garden center in their parking lot at 501 W. Rawson Avenue.

The garden center would be located at the eastern side of the parking lot using 68 parking spaces. The garden center will consist of one tent, one aluminum structure with a cloth shade, multiple metal racks of garden products, trees and shrubs, and other garden supplies. The garden center will be enclosed by a split rail fence supported with concrete blocks to provide a barrier between traffic and customers.

Commissioner Dickmann moved that the Plan Commission approve the temporary use permit for the temporary garden center for Blain’s Farm and Fleet at 501 W. Rawson Avenue, subject to the following conditions:

1. That all building and fire codes are met.
2. That the temporary use shall expire on July 8, 2013.

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

Plan Review – Milwaukee Area Technical College (MATC) Accessory Building
6665 S. Howell Avenue
Tax Key No.: 718-9961-002

Mr. Wagner explained to the Commission MATC was requesting to construct at 1,044 square-foot storage building on their property at 6665 S. Howell Avenue. The storage building will be located on the west side of the building. They will remove 1,000 square feet of lawn and add 32 square feet of hard surface to the site. The building will be designed so the stormwater will drain onto the existing lawn area.

The proposed building does not meet the architectural standards since it will be clad with vinyl siding. The Plan Commission has the ability to approve the use of other materials by approving the building plan with a $\frac{3}{4}$ majority vote.

Commissioner Correll questioned if the existing shed would be staying or if this building was replacing the existing structure. Mr. Wagner stated this would be an additional building.

Commissioner Chandler questioned where the other accessory building was located. Mr. Vega stated the other structure is just to the east. Commissioner Chandler questioned what the facility was going to be used for. Mr. Vega stated they were in the process of remodeling their welding facility and it was determined they needed a storage facility for safety and space needs.

Commissioner Siepert questioned if any work would be performed inside the shed. Mr. Vega stated it was strictly for storage and that is why it has limited electrical.

Commissioner Chandler questioned if the shed was going to be covering a walkway. Mr. Vega explained they would be removing the existing curb and then creating a new hard surface that would be pitched appropriately for access to both overhead doors.

Mayor Scaffidi questioned if there was any concern the accessory structure would detract from the building. Mr. Vega explained it was tucked back in a courtyard that would not be easily seen and it would match the existing accessory building.

Commissioner Correll moved that the Plan Commission approve the site and building plans for a 1,044 square foot accessory structure for MATC at 6665 S. Howell Avenue, subject to all building codes being met.

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

Plan Review – Oak Creek Veterinary Care
8000 S. Howell Avenue
Tax Key No.: 814-9047

Mr. Wagner explained to the Commission the applicant was requesting approval of site, building, and landscaping plans for a proposed animal hospital and veterinary clinic on the property at 8000 S. Howell Avenue. At the November 13, 2012, meeting the Plan Commission recommended the Common Council approve a conditional use permit that would allow an animal hospital and veterinary clinic on the property. The Council held a public hearing and approved the conditional use at the December 18, 2012, meeting.

The proposed business is a full-service small animal veterinary care facility. It will be strictly a medical service facility and not offer day care, grooming, or boarding services. The hours of operation will be Monday through Thursday 7:30 a.m. – 6 p.m., Friday, 7:30 a.m. - 5 p.m., Saturday 7:30am-1 p.m. and closed on Sundays.

The proposed one-story building is approximately 6,039 square feet in area and will be finished primarily with medium/dark brown brick with silver metallic architectural panes as an architectural feature that highlights the architectural façade and provides a contrast in materials and colors of the brick and windows. Aluminum trim and sunshade louvers will also be incorporated into the building. There will be a matching brick dumpster enclosure on the east end of the building. The aluminum composite panels make up approximately 30% of the visible perimeter which exceeds the 25% maximum of non-masonry and glass materials as outlined in the conditions and restrictions.

Commissioner Correll commented he was surprised the building didn't meet the 75% rule and felt it was a nice looking building.

Commissioner Siepert questioned what material was being used for the dumpster enclosure. Mr. Wagner stated it would be the same medium brown brick that was used on the rest of the building.

Commissioner Chandler questioned what mechanicals would be on the roof. Mr. Tom Stelling, Stelling and Associates Architects, stated it would be rooftop HVAC units. It will be screened basically by its position on the roof. They are trying to keep things off the ground if possible. They understand the building would be seen on all sides in the future with the request for cross access through the site.

Commissioner Dickmann questioned the status of the cross access easement Mr. Seymour explained they were working with the property owners in the area to consolidate access to Howell Avenue and this is an opportunity they can use to provide better access and take some of the unnecessary trips off of Howell Avenue. Ultimately there will likely be a signal at this location.

Commissioner Johnston questioned why the curb and gutter was being dropped off of the back side of the parking. Mr. Stelling explained on the back side of the parking they have some expansion space and the water all runs in that direction. They have added curbs to create the future match for the access so they don't have to go back in the parking lot in the future and do all that work. Commissioner Johnston informed them the building will have to be connected to the stormsewer. Mr. Stelling was aware and stated it would be connected.

Alderman Michalski requested to see material samples for the building. He thought it looked like a nice building but questioned if it would be considered compatible with the Drexel Town Square vision. Mr. Seymour explained architecture is a very subjective thing and given the major investment that is being made in Drexel Town Square the architect and the owner have taken some significant strides to make a very attractive building. All though we don't have specific architectural plans for the buildings in Drexel Town Square he believes the look of this is very consistent with the type of image they are trying to project not only for Drexel Town Square but the entirety of Oak Creek.

Commissioner Correll moved that the Plan Commission approves the site, building, and landscaping plans, subject to the following conditions:

1. That all building and fires codes are met.
2. That the final site grading, drainage, and stormwater management plans are reviewed and approved by the Engineering Department prior to the issuance of building permits.
3. That the lighting plan is reviewed and approved by the Electrical Inspector prior to the issuance of building permits.
4. That the final landscaping plan is reviewed and approved by the city forester and Department of Community Development prior to the issuance of building permits.

Alderman Michalski seconds. Roll call, all voted aye. The motion to approve carries.

Zoning Text Amendment – M-1, Manufacturing District Conditional Use

Mr. Wagner explained to the Commission Black Diamond Firearms Academy LLC has requested a zoning text amendment to allow for the operation of an indoor firing range, firearms and firearm accessories sales, and training facility as a conditional use in the M-1 manufacturing District.

Commissioner Chandler questioned where the M-1 zoning was located within the City. Mr. Wagner explained it was mainly in the industrial parks within the City and would have to meet a 1,000 foot residential district buffer.

Commissioner Chandler questioned why the M-1 was the focus area. Mr. Wagner explained the applicant owns property in the M-1 district that they would like to utilize for this use. The activity is more consistent with the types of uses that are generally permitted in manufacturing zoning districts.

Alderman Michalski questioned if the Police Chief had any problems with the proposed text amendment. Mayor Scaffidi stated the Police Chief did not have any concerns. Alderman Michalski questioned what types of firearms and accessories would be sold at these businesses. Deb Teglia, 6925 S. 6th Street, explained the types of firearms and accessories they would be selling at the proposed firing range.

Alderman Michalski questioned if the site was close to the little league field. Ms. Teglia stated it was not.

Commissioner Correll moved that the Plan Commission recommends to the Common Council that Section 17.0317(c)(38) be created to allow for an indoor firing range, firearms and accessory sales and training operations for firearms and self-defense not within 1,000 feet of a residential district as a conditional use in the M-1, Manufacturing District, after a public hearing.

Commissioner Siefert seconds. Roll call, all voted aye. Motion to approve carries.

Certified Survey Map – City of Oak Creek/One West Drexel, LLC 7929 S. Howell Avenue & 300 W. Drexel Avenue Tax Key Nos.: 813-9023 & 813-9024

Mr. Wagner explained to the Commission in August of 2012, Certified Survey Map 8468 was adopted creating one lot and one outlot for 7929 S. Howell Avenue. The map was done for conveyance purposes. The preliminary development concept for Drexel Town Square illustrated several access points and the details of access were not yet finalized. Now the

access to the development has been finalized and the City of Oak Creek and One West Drexel, LLC are requesting approval of a CSM that would split the property at 7929 S. Howell Avenue and outlot 300 W. Drexel Avenue into four parcels. Lots 1, 3 and 4 would be retained by One West Drexel, LLC and Lot 2 will be owned by the City and will be the site of the future civic center portion of the Drexel Town Square mixed-use development.

Commissioner Johnston requested the floodplains and wetlands be shown on the map. He would also like to see the note "for conveyance purposes only" removed. Mr. Wagner stated that would be taken care of on the final CSM.

Commissioner Correll moved that the Plan Commission recommends to the Common Council that the certified survey map for 7929 S. Howell Avenue and 300 W. Drexel Avenue be approved subject to all technical corrections being made prior to recording.

Alderman Michalski seconds. Roll call, all voted aye. The motion to approve carries.

Commissioner Carrillo moved to adjourn. Commissioner Correll seconds. Roll call, all voted aye. The meeting was adjourned at 6:56 p.m.