

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 14, 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, Alderman Bukiewicz, Mayor Scaffidi, Commissioner Michalski, Commissioner Siepert and Commissioner Chandler. Commissioner Correll was excused. Also present were Doug Seymour Director of Community Development, Jerry Peterson City Administrator, City Attorney Larry Haskin, Peter Wagner Zoning Administrator and Assistant Fire Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the April 23, 2013 regular Plan Commission meeting. Commissioner Johnston 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.

Zoning Text Amendment – Create Section 17.0334 (Drexel Town Square Mixed Use Planned Development District)

Mr. Seymour explained to the Commission throughout the planning and development of Drexel Town Square the City and its development partners have focused on creating a unique hybrid town center development unlike anything currently in the City, or even the region. Drexel Town Square, being a truly mixed use development, will integrate different uses on the same parcel, and even within the same building. There is no single zoning category that would have effectively dealt with this.

The proposal is to create a zoning district unique to Drexel Town Square. The Drexel Town Square Mixed Use Planned Development District would act very similar to a PUD in that it would regulate the use and development of properties within its boundaries via a general development plan and set of conditions and restrictions specific to this district.

Alderman Bukiewicz commented this is a necessary step in the process and this is a fluid plan and all of the elements are planned to exist on the site.

Commissioner Dickmann commented the large format anchor retail can cover a wide area. Mr. Seymour explained if the actual proposal were different than the first generation proposal and does not fit the regulating plan it would have to come back to Plan Commission and Common Council for a public hearing.

Mayor Scaffidi clarified the plan coming forward was to approve the Meijer and go forward with the rest of the partners that they have talked about.

Commissioner Chandler questioned if Bay Shore was handled in the same fashion. Mr. Seymour stated he believed they had base zoning and a PUD. Commissioner Chandler questioned why they needed to create something new versus modifying what is existing and include information to accommodate city hall and the library. Mr. Seymour explained if they

didn't do it that way each of the subareas defined on the general development plan would have to have a base zoning with the permitted uses.

Commissioner Chandler questioned if there was an effect financially if they make this modification. Mr. Seymour explained the finances of the project are something that are separate from this action but the plan when implemented will result in \$160 – \$180 million in development and the taxes that go along with that. Commissioner Chandler questioned if it would affect how they can allocate or lend funds based on the change. Mr. Seymour stated the zoning change would not have any effect on that process.

Alderman Bukiewicz moved that the Plan Commission recommend to the Common Council that the Municipal Coe be amended to create Section 17.0334 establishing the Drexel Town Square Mixed Use Planned Development District after a public hearing.

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

**Rezone – 7929 S. Howell Avenue and 300 W. Drexel Avenue
Tax Key Nos.: 813-9023 and 813-9024**

Mr. Seymour explained to the Commission One West Drexel, LLC and the City of Oak Creek are requesting to rezone the properties at 7929 S. Howell Avenue and 300 W. Drexel Avenue from M-1, Manufacturing to Drexel Town Square Mixed Use Planned Development. The Drexel Town Square Mixed Use Planned Development zoning district is a base zoning district that is being created in recognition of the unique mix of uses and development types that are proposed for the Drexel Town Square development.

Development within this zoning district would be regulated by a general development plan as well as a set of conditions and restrictions contained in a regulating plan specific to the development. Given the complexities inherent in reviewing a development of this nature, the Plan Commission has the discretion to hold an initial review of the proposed rezoning. The Plan Commission may direct that staff advertise for a public hearing and that the item be held over to the next Plan Commission meeting for review and action on the rezoning request and general development plan and regulating plan document.

Mr. Jerry Franke, Wispark LLC, explained this was the start of the public review and approval process for this very complicated project. There will be lots of items that need to be discussed over time, however; there have been a lot of opportunities for public input up to this point.

The entity One West Drexel, LLC is a true public private partnership consisting of Wispark, LLC and the City of Oak Creek. This project is setup to have it be a true public private partnership that results in the best project given market conditions in the City of Oak Creek and that gets financial return whether it is through enhanced taxed based, through other revenues and things like that for the City of Oak Creek.

There is a lot going on at the site at this time but he stressed the work does not indicate that they expect the approval of the Plan Commission and of the City Council is a rubber stamp. They have to do the work at the site regardless of what use goes there so they decided to get the concrete out of there so people can see that this is going to be a real development. They expect the concrete work to be complete by the end of July.

How they envision using the site and the PUD guidelines is as follows: they have an eighty-five acre site that is larger than Mayfair and larger than Brookfield Square. It is hard for people to see how this all ties together without a plan. They cannot say in good faith that the building outlines are not going to change. Each of the components will come to the Plan Commission as a separate approval process. The PUD guidelines and the site plan as presented are meant to serve as a general framework. They will do everything they can to have the individual plans comply with that. The outlot areas to the north and to the east of the proposed large anchor area are just prototypical buildings of the typical restaurants and/or other commercial users that might be expected to locate in those areas. Flexibility is important but the most important thing will be to make sure that they stay true to the course of sustainability, pedestrian friendly as much as they can energy efficiency and stormwater management practices. All of those things will make this a twenty-first century real estate development project that the City of Oak Creek and all of the southern Metro Milwaukee area can be proud of.

The outlots and the large anchor retail is going to be what they would consider traditional suburban area. The retail business has changed dramatically since 2008 and continues to change. The number of stores that they need to fill the site has probably doubled if not tripled in that time period. Store footprints have gone from 35,000 square feet down to 15,000 square feet and they are looking at smaller.

Mr. Franke went on to explain the types of businesses they are pursuing for the different areas of the site and how the stormwater management for the site would work.

Alderman Michalski questioned if Mr. Franke thought there might be a change in the retail business size with the proposed tax on products purchased on the internet. Mr. Franke stated it would stop the hemorrhaging but not reverse the trend of internet shopping.

Mr. Seymour went on to explain the process and schedule with respect to Drexel Town Square. The Common Council adopted an amendment to the future land use map for the property to planned mixed use. At this time they made a recommendation to the Common Council to create a mixed use zoning district and as well they will consider a proposal to rezone the properties from M-1 Manufacturing to the new DTSMUPD and following the rezoning of the properties if accomplished through the Common Council then the Plan Commission will be charged with the review of detailed site and building plans for each phase of the development in accordance with the general development plan. A couple of responsibilities of the Plan Commission under this document are to interpret and ensure compliance with the general development plan and regulating plan.

An important concept to know regarding the PUD and this development is something called first generation development proposals versus second generation redevelopment plans. A first generation development proposal is that which the architects have drawn up and which you have seen in this presentation as well your plan document. Basically it is acknowledging that given the financial risk that is inherent in being the first generation developers here it is almost inferred that the first generation development proposal meets those guidelines and that there is a little bit more flexibility than say if someone comes five years down the road and wanted to do something that was slightly different. There would be a lot more stringent adherence to those design standards in that document.

The districts in the general development plan are the large format retail district where the Meijer is proposed, the perimeter commercial district where the more traditional suburban style outlots

would be located with the exception of the corner. Both the project partners and the City feel that there are real opportunities for some mixed use at that location. The mixed use district contains the main street residential as well as the residential above as well as a future site that may accommodate a medical office building. It will also contain some of the areas on the west side of what is being labeled as sixth street extended right now, acknowledging that some of that residential in that area may have some street level commercial uses. It also shows the area around the civic center and city hall as potential mixed use redevelopment areas although nothing to that extent is proposed. The residential districts are more of the pure residential multi-family and the park and environment preserve district, which is the enhanced wetland. That is the backbone of the general development plan upon which everything in the PUD will be looked at by the Plan Commission.

Mr. Matt Rinka project architect presented the design as it sits currently and explained some of the features of the residential and business areas.

Mayor Scaffidi questioned what would be included in each phase of the residential component. Mr. Rick Barrett explained buildings three, four and five would be part of phase one and they have added a few units to phase one. They are looking at 207 units in phase one and are vacillating between building one and building two being in phase two versus the other site which would be building six in front of city hall.

Mayor Scaffidi also questioned if there were any place in the town square main street for a real small retailer or restaurant. Mr. Williams anticipated creating spaces for users as small as 800 square feet.

Commissioner Siepert questioned how many phases were being planned for the complete development and also questioned if there was a time table for the development. Mr. Franke explained it was difficult to predict timing, but they felt they could get 60% of it done in the first three to five years. Commissioner Siepert questioned if they have broken it down. Mr. Franke explained the buildings in the first phase for the residential component and the retail and civic developments. He also stated conservatively it should be completed in ten to twelve years.

Commissioner Siepert questioned what would happen if they didn't fill all of the apartments in the first phase. Mr. Barrett stated that was not really an option. In phase one they have already been approached by multiple corporations that are interested in master leasing big portions of phase one to the tune of fifty to seventy-five units. Phase one is not where they are going to have a problem. They would be talking potentially about phase three, but he has a feeling they may be looking for additional space to do additional units because he thinks the market place with what they are creating is so unique that over time they are going to fill the units that they have.

Mr. Franke explained there is a considerable change going on in how we are going to live going forward. Traditionally it has been 60% owner occupied and even as high as 65% and the balance apartments. Given the nature of how people have to move quickly, given the reality that housing is not necessarily the best investment and all of the students that are graduation from college that are living at home will all be coming into the market place soon. All indications are that for the next five to ten years rental apartments will be the most dramatically increasing stock of housing. Commissioner Siepert questioned if these were all going to be rentals or if they would be condos and rentals. Mr. Barrett stated they were all being designed as rentals but the reality is whatever they build they always look at the potential to have a conversion at

some point. When you do a conversion you actually increase the value of what goes on the tax rolls.

Alderman Bukiewicz questioned if they would have to get the wetland area set in place before any development takes place. Mr. Franke explained the sediment pond will have to be established because they cannot discharge stormwater directly into the wetlands. The plan is to have the part that is not the rain gardens developed the initial infrastructure project. Alderman Bukiewicz questioned how often they would have to dredge the pond. Commissioner Johnston explained after the initial build out there is very little maintenance that you would have as far as sediment. There is very little maintenance on these ponds.

Commissioner Dickmann questioned what the other civic building was on the site plan. Mr. Seymour explained as part of the design of the library and city hall there has been several options in terms of how they deal with the issue of fleet parking. They have talked about underground parking; they have talked about surface parking. What the building shows is the potential for having a building similar to what they have right now for the housing of fleet vehicles. That is something that will be decided upon during the course of the Council and Plan Commission's deliberation on the plans for city hall and library.

Alderman Bukiewicz commented he was not a fan of the city garage and would rather see it go underground. If they are going to have underground at the residential area he would prefer to see it underground. They are going to have a jewel of a city hall and then they are going to put up a storage garage. He thought they could better use that area as retail. Mr. Seymour explained as it was envisioned that area was shown as mixed use and could be used as redevelopment.

Alderman Michalski questioned the glazed façade. Mr. Rinka explained glazing was a technical term for glass. Alderman Michalski questioned if there was a café on the site what would the area of the outdoor dining area be and how would you find that out. Mr. Seymour explained the actual architect's plans would prescribe the width of the area. The rights-of-way are already established as part of this and that what the general development establishes. The area between the building and the right-of-way and those quasi-public areas which serve as your outdoor dining areas are something that are interpreted by the first generation architect on how that addresses the street.

Commissioner Chandler questioned micro climate modifiers and what it would include. Mr. Rinka explained it was referring to gas or electric heaters that you might find under an awning.

Alderman Bukiewicz questioned if this item should be held over for a public hearing. Mr. Seymour explained this is a rezoning and typically what would happen is the Commission would make a recommendation to the Common Council to establish a PUD overlay, but this is rezoning it to a specific district. Certainly the Plan Commission can if it chooses to make the recommendation to the Common Council at this time. It was designed that it would not affect the public hearing date if the Commission wanted additional time to review the proposal and get their concerns addressed and bring it back for recommendation at the next Plan Commission meeting.

Commissioner Chandler questioned the signage and if they were specific to this development or if there were going to be changes to the existing sign code. Mr. Seymour explained the

standards presented are going to be specific to the Drexel Town Square Mixed Use Planned Development District.

Commissioner Dickmann recommended holding the item until the next meeting for further review.

Mayor Scaffidi directed the item held over to the next Plan Commission meeting.

Official Map Amendment – NE ¼ of Section 17

Mr. Seymour explained to the Commission the City was requesting an amendment to the officially mapped street pattern for lands west of Howell Avenue at its intersection with Susan Drive. Throughout the discussion on Drexel Town Square the access issues onto Howell Avenue and how the Wisconsin Department of Transportation is reviewing the plans and how that will play out. One of the issues that is yet to be resolved is the location of the public street access to Howell Avenue. The plan shows two alternates, the preferred alternate is shown on the first generation plan or alternate B which is shown on the map amendment lining up with Susan Drive south of the development which is not under the ownership of the City or its development partners. There has been considerable engineering and traffic impact analysis' done to indicate which will be the ultimate option being reviewed currently by the Wisconsin Department of Transportation. Should the alternate B come through the DOT process as the preferred alternative there would need to be a process in place for the City to acquire that as right-of-way. In order for the City to acquire that as right-of-way we need to official map a public street or officially mapped right-of-way within the parcel. This will not be the only public street as part of Drexel Town Square, but this is the only area that is outside of the City's control. We need to be able to set the stage for the possible acquisition of the right-of-way within the parcel and this official map amendment is the first step in doing so.

Commissioner Dickmann questioned if the DOT had the total power over which alternate is used and how much control does the City have in this situation. Mr. Seymour explained the City did have considerable input in terms of what was being proposed. They as the owners of that facility have the permitting authority over driveway openings and public street openings and signalization of Howell Avenue. The ultimate say with respect to what they will permit on their facility lies with the DOT.

Alderman Michalski questioned if alternate A was within the confines of Drexel Town Square. Mr. Seymour stated it was. Alderman Michalski questioned if they were forced to go to alternate B then would alternate A open up for some type of development. Mr. Seymour stated that was correct and also explained the Plan Commission approved the plans for a veterinary clinic on the east side of Howell Avenue. Alternate A recognizes the common access on the east side of Howell Avenue and does line up with that access. There would be some intersection details that would need to be worked out if that were selected.

Alderman Michalski questioned with alternate B the DOT would come up with ideas on how to keep traffic from going down Susan Drive. Mr. Seymour stated that was one of the issues that they would deal with as they design the alternate intersection whether it be at Susan Drive, which they do see as presenting some challenges in terms of opening the residential neighborhood to the east for commercial traffic. That is one of the reasons they have been looking at alternative A to minimize that activity. There are challenges to each of the

alternatives and is something that will have to be born out through the official map process and the public hearing that is required for it.

Alderman Bukiewicz questioned if the State was going to put in a left hand turn lane and lighted signals so they don't have the mess they have at Woodman's. He also questioned if making Susan a one lane street going west would be an option. Commissioner Johnston stated anything could be an option. Making it a one way street would be an option they could consider. He also stated there is a planned left turn lane off of Howell and reconfiguring Forest Hill with a left turn lane and an arrow.

Commissioner Dickmann moved that the Plan Commission recommend to the Common Council that the official map for the NE ¼ of Section 17 be amended as illustrated in Figure 1 after a public hearing.

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

Resolution of Necessity – Acquisition of Lands for Public Street Purposes (8051 S. Howell Avenue)

Part of 8051 S. Howell Avenue

Tax Key No.: 813-9021

Mr. Seymour explained to the Commission they were being asked to consider the City's planned purchase of right-of-way for a proposed public street within the property at 8051 S. Howell Avenue. Since this property is proposed for acquisition by the City for public purposes, the Plan Commission is required to make a recommendation on this proposal to the Common Council. The Plan Commission's recommendation is limited to the proposed use of the property, and how the acquisition would serve to implement the recommendations of the Comprehensive Plan. The planned acquisition for right-of-way only may have impacts on the value of the residual property.

The proposed use is consistent with the Comprehensive Land Use Plan for this area. It also supports the redevelopment plan for Redevelopment District No. 2 by providing public street access to the redevelopment area. The City's acquisition of this property would serve to implement the project plan for TIF District No. 11.

Commissioner Siepert questioned if they could not do alternate B because of the DOT why would they need to buy this property. Mr. Seymour explained at this point in time in the development process, given what is a considerable lag between when they expect to get that indication from the DOT, they can't afford to wait that time for the decision and they have to cover those bases.

City Attorney Larry Haskin explained the important point is timing. At this point they don't know what the DOT's decision is going to be. The traffic impact analysis has been submitted to them and we have had the opportunity to meet with the Director of the Southeast Region about this specific issue. We don't have an answer at this point and we think we need to cover both bases in the event that the DOT says no to alternate A then we need alternate B in order to have a Howell Avenue access to the site. We have made the message very clear to the DOT that the preferred option is alternate A and they understand that we are going through this process for the reasons stated. If there is a concern that there is an inconsistent message we have covered that with the DOT. They have also spoken to the owners of the property under alternate B and

they are aware that we are going through this process and they are aware of this meeting and they are aware that the Common Council will consider this at their next meeting. We fully expect to engage in negotiations with them on a voluntary transfer of property. We feel these steps are necessary to begin the process to begin the process in the event that we have to gain access to the Drexel Town Square through alternate B. There is an issue because of the fact that at the current time the access is according to certified survey maps that were done some years ago is limited to three points. One of which is where alternate B is depicted. There are some legal issues that revolve around whether or not that access can or cannot be eliminated. The bottom line is that we feel in order to protect the City's interest and the interests of this development that we need to proceed in this fashion at the present time.

Alderman Michalski questioned if the DOT agrees to plan A and we started the process of negotiating to acquire the parcel at plan B and we find out we don't need it do we have the ability to stop negotiating. Attorney Haskin stated it would depend upon where they were at in the process and this is something that they would discuss in detail with the Common Council.

Mayor Scaffidi stated if they did own it they could always sell it.

Attorney Haskin pointed out there is another issue at play and that was the need to provide quality access between the Woodman's property and the Drexel Town Square. They have had conversations with Woodman's and they are aware of this development. We have assured them that we are working to provide them quality access and right now that north/south leg is not quality access. This would allow the City to acquire the strip and make it an access point that is going to carry vehicular traffic in a reasonable manner to a traffic signal, so that there is safe ingress and egress for the shoppers at Woodman's that doesn't exist at this time.

Commissioner Chandler questioned if this would include the entire property. Attorney Haskin explained the resolution of necessity relates to the cross hatched area only but it would certainly allow them as part of the conversation to have discussions with the property owner about the entire parcel.

Alderman Bukiewicz commented to provide an access into Woodman's it would be essential and questioned if there would be any merit to have the two entrances with entering on the north and exiting only on the south. Attorney Haskin stated the indication they have had with DOT staff in meetings is that there is not a strong likelihood that they would allow both access points.

Commissioner Johnston pointed out the State has a project on Howell Avenue that would be removing the left turn movements from the Woodman's site at their three locations. This would allow them to connect to this development at a signalized intersection.

Alderman Bukiewicz moved that the Plan Commission recommend to the Common Council that they favorably consider the purchase of a portion of the property at 8051 S. Howell Avenue for right of way purposes, and adopt a resolution of necessity for the acquisition of said lands for public street purposes, temporary easements for grading, authorizing negotiation for such acquisition and authorizing eminent domain if necessary.

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

**Temporary Use – Outdoor Display of Merchandise (Granite & Marble by Design)
9041 S. 13th**

Tax Key No.: 877-9006

Mr. Wagner explained to the Commission the applicant was requesting to display granite slabs on the south end of the parking lot as a promotional sale from May 20, 2013 through October 20, 2013. The applicant has not stated how many slabs would be displayed and whether the slabs would be brought in at night or displayed 24 hours.

Mr. Tariq Shamali, 1431 W. Goldleaf, Milwaukee, explained he was requesting the display as a promotion. His building is far from the street and people are not able to see driving by. This has worked in the past and they do put it quit far from the street. As a safety concern it does not block any kind of traffic and it does bring more people in the door. The building does not have the proper space to put signage on the building so they have not been able to put signs up and this has helped them in the summer time.

Mayor Scaffidi questioned if the Fire Department had any concerns with getting vehicles in and around the area. Assistant Fire Chief Mike Kressuk stated he has been to the site before and where they are proposing displaying the slabs does not pose a great deal of problems for the Fire Department.

Commissioner Dickmann questioned what size the slabs were. Mr. Shamali stated they were about 10 feet wide and 5-6 feet high. They were proposing six "A" frames to display twelve slabs. They would be strapped down to keep them in place.

Alderman Michalski (speaking as Alderman for the District), stated he did not look at these any different than a lumber yard requesting to display different grades of plywood. He did not deny that the location off of 13th Street was a rough place for a business of this type. The slabs outside do not bring anything to the area and he expressed concern for how it would look on 13th Street. Aldi is located across the street and they have done a very nice job with their site. If this is allowed it should have a limited time frame and a limit on the number of slabs allowed to be displayed.

Alderman Bukiewicz stated this was a nice store on an out of the way location. They share the site with United Rentals and this business needs some form of advertising. He does not have a problem with the request; it is not in the line of site for traffic.

Alderman Michalski stated United has rules and regulations that they have to comply with and put their equipment away at night. The area is going to be a nice area and looks better without these out there. There are things that the Plan Commission agrees to and things like this that don't fit and I don't think this fits.

Mayor Scaffidi questioned how this is different from the company on Rawson Avenue with all the concrete steps displayed. Mr. Wagner stated this is a new business.

Aldermen Bukiewicz questioned Meyer Materials, they have swatches of brick and panels of different materials they sell out front and that's been there for years. Mayor Scaffidi commented the point is that we see some things that have been going on for decades.

Mr. Wagner has had code enforcement issues with United Rentals with displays of booms and trucks out in front along the parking lot and if this permit is approved he will wager that United Rentals will come in asking for display of their products out front. As stated in the past, parking

lots should be limited to its main purpose. We did approve the garden centers and when they were originally proposed staff recommended against at that time and over the years they proved to be okay. I want to show both sides, not to just be negative; there are some examples of where it works over a short period of time.

Mr. Seymour explained a lot of the examples were legal nonconforming uses or just nonconforming uses that the City did not have good records for and these types of problems kind of grew out of unregulated outdoor storage and display. If business owners were to come in and build a new building and request outdoor display of merchandise would the Plan Commission approve that request? It is not the City's responsibility to provide them the maximum amount of advertising for the business through public display of retail merchandise. We do what is reasonable and what makes sense for the neighborhood. This type of stuff is contagious and creates a difficult enforcement dilemma. It is important that we maintain some consistency in how we deal with the outdoor display of products.

Commissioner Chandler questioned if Mr. Shamali had another option if this was not approved. Mr. Shamali explained at this time they only have about two feet of space to put a sign on the building. Unless they talk to the owner of the building and build a new sign they don't have another option. They could move the slabs to be inside the fence to comply with the regulations that could be an option. He would rather be able to display the slabs for three months. Commissioner Chandler questioned which months he was requesting the display. Mr. Shamali stated between May 20 and October 20. Most likely they will not display after September. Commissioner Chandler questioned if they would be taking the slabs in every night or would they stay on display until they were purchased. Mr. Shamali explained they would have slabs on display at all times.

Commissioner Siepert questioned how they were going to secure the slabs on the property. Mr. Shamali explained they have "A" frames that are specifically designed for the slabs and they get strapped and locked down.

Commissioner Johnston reminded the Commission they approved Hannah Trailers display of trailers with the addition of some landscaping and suggested some landscaping for this proposal.

Commissioner Dickmann commented Hannah Trailers did put in a concrete slab and landscaping to make it look presentable and did not just put them out on the grass area. Commissioner Dickmann questioned the time frame of the promotional sale and felt this was just a long time for a promotional sale. Mr. Shamali stated he would take whatever time frame the Commission offered to promote the business.

Alderman Michalski commented the Commission had a discussion regarding temporary flags for fourteen days and now we are talking about a display of multiple units for months at a time.

Alderman Bukiewicz suggested a monument sign for the site. Mr. Wagner stated there was a pole sign on site and the addition of a monument sign was not allowed. Alderman Bukiewicz suggested working out an agreement with the owner for a granite monument sign in place of the pole sign.

Commissioner Chandler questioned how many slabs Mr. Shamali wanted to display. Mr. Shamali would like to be able to display twelve slabs on six "A" frames.

Commissioner Michalski moved that the plan not approve the temporary use permit for the outdoor display of granite merchandise at 9401 W. 13th Street.

Commissioner Dickmann seconds. Roll call: Dickmann; aye, Johnston; aye, Carrillo; aye, Bukiewicz; nay, Scaffidi; aye, Michalski; aye, Siepert; aye, Chandler; nay. The motion to deny carried.

Temporary Use- Blain's Farm & Fleet
501 W. Rawson Ave
Tax Key No.: 765-9046

Mr. Wagner explained the history of the temporary use of trailers. In 2010, Plan Commission approved the temporary use permit with the condition that the trailers would be stored either within the fenced in area or indoors when the business was closed. That condition was not followed. In 2012, the Plan Commission approved a temporary use permit to display six trailers on 6th Avenue with the understanding that it would be displayed 24/7 and secured.

Mayor Scaffidi stated we previously don't like outdoor displays but in the past we've allowed this applicant to have outdoor displays in two cases.

Mr. Wagner states this applicant has been recently approved for a garden center and this is an expansion of display of merchandise in their parking lot

Alderman Bukiewicz mentioned that in 2011, the applicant was remodeling and they did put it along 6th St. it is an industrial street and they kept it neat and clean and this is a seasonal item.

James Kneser, 501 W. Rawson Avenue states it is temporary and they did keep them along 6th Street. They are willing to bring them inside the gated area at 9 p.m. and bring them out again at 8 a.m. Six trailers is a reasonable amount to display.

Mayor Scaffidi questioned if the request is only six trailers and they are moving them inside the gated area every night. Mr. Kneser confirmed.

Commissioner Carrillo questioned if it can't be displayed outside, where it would be displayed.

Mr. Kneser stated that they would display them inside the gated area behind the building. Inside the building is a showcase with a sign attached to the trailer which is hitched up to a half of a truck. They've found success in doing this temporarily last year.

Alderman Bukiewicz motions that the Plan Commission approves the temporary use permit to allow outdoor display of six recreational trailers on the far west side in the parking lot along 6th Avenue with the conditions that they are removed to the gated area behind the building at closing time and brought out in the morning from May 15th through October 1st. The condition will include the revocation of the temporary use permit if the applicant does not comply with the removal condition.

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

Rezone & Planned Unit Development- Southfield Apartments Expansion II

6871, 6955, 6881, 6881R, 6933, 6939 S. 13th Street
Tax Key No.: 736-8010, 736-8011, 736-8999-002, 736-8999-003, 736-8007, & 783-8990-001

Mr. Wagner explained the applicant is requesting to be rezoned from Multi-Family Residential and Single Family Residential to a Multi Family PUD. Mr. Wagner questioned the ownership and contracts of all the parcels.

Mark Wimmer, president of Wimmer Communities, 5300 S. 108th, Hales Corners explained they own the properties of 6955 & 6871 S. 13th Street. They now currently own the property 6881 & 6881 R and are in contract to own 6939 & 6933 S. 13th Street. They are neither in contract nor ownership of 6903 S. 13th Street.

Mr. Wagner continues to explain that the existing Wimmer Communities is currently 18.76 acres; the expansion will add an extra 2.48 acres for a total of 21.24 acres. They will be proposing to add 56 additional units in seven, eight-family unit buildings. The Rm-1 zoning ordinance allows more than four dwelling units in a single building as part of the conditional use. This is the same zoning as the existing apartment. The purpose of the PUD is to enforce the rules and regulations as it expands and it relates to the setback, density, and stormwater management.

Mayor Scaffidi mentioned that some of the residents have some concerns about their property lines.

Mr. Wimmer stated the property at 6955 S. 13th Street was originally developed as Green Hill Village. Wimmer Communities acquired it in 1999 and did extensive renovations. Then in 2006, the northern parcel, 6871 S. 13th St., was acquired and gain the northern entry and tied into the street patterns to the existing property. What this did was leave the center gap between the original southern and northern entry. Across the street are a variety of entrances to industrial park and retail. When we did the northern property, we have attempted to acquire the assemblage of properties as what is stated. Our goal is to proceed with the acquisition of this assemblage but we intend of holding off the project. As some of you know that we have a large expansion of the Centennial Park project with 166 units that we are intending on starting next year.

So, the problem is the timing and availability of the property because they are on the market and obviously the benefit of incorporating all of this is by eliminating streetscapes and eliminating the drive access to 13th Street and investing in the right design as we are indicating here. We have a standing offer from the single family homeowner. We have indicated that we would honor the 50 foot setback if we would build within the next five years. We would not build the two buildings. It's a general plan of the development that we would be proceeding with. This kind of connection of corridors really serves both access and utility corridor. We keep all our parking off 13th Street, we put all of the buildings in front and parking screen. From the use standpoint, it makes total sense to consolidate. This homeowner says the timing is not right and it may take a little time for him to come to when he may want to move. We've offer 20% over fair market value from the city assessment. We understand and also think it's a win-win.

These parcels are all small about a ½ acre, other than the Karpfinger parcel. If they would be individually developed as single family or retail, they would need to have their own stormwater management facilities and vary design of modest type of improvement. By consolidating this with us, we are able to get all the driveways off 13th Street, put the buildings forward, and

create the streetscape that we are looking for. We would be really looking into doing that in a number of years. We are able to make the commitment to maintain the 50 foot setback for 5 years after which we would then ask to be allowed to construct 10 feet from the property lines and put in a stockade fence and build around that parcel until it becomes available. It makes sense long term from a master plan. We will put the agreement into the conditions to provide that kind of buffering around the property until it becomes available onto the market place

Commissioner Dickmann questioned the existing properties being a conditional use and will all of the properties be PUD. Mr. Wagner confirms that the all the properties will be PUD.

Alderman Bukiewicz motioned the Plan Commission recommend to the Common Council that the properties at 6871, 6955, 6881, 6881R, 6933 & 6939 S. 13th Street be rezoned from RM-1 CU Multi Family, Multi Family Residential Conditional Use and Rs-4, Single Family Residential to Rm-1 (PUD), Multi Family Planned Unit Development.

Commissioner Chandler questioned the difference in address between the report and the plan. Mr. Wimmer answered that we forgot to make changes on the plan. Mr. Wagner confirms that the addresses in the report are correct.

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

Plan Review- Aldi Inc.
9342 S. 13th St
Tax Key No.: 876-9995 & 876-9997-002

Mr. Wagner explained to the Commission the request for approval of the site, building, and landscaping plans for three additions totaling 106,107 square feet to the existing 499,391 square feet facility. The additions will consist of a dry good storage on the northwest corner, cold storage on the north side, and an office area southwest of the building.

The applicant hopes to start construction this summer, possibly in July. During construction, there will be a temporary haul road accessible from 13th Street to the construction site. Applicant will need to get approval from the county to create this access point and once completed, will return the area and berm back to its original condition. The greenspace will be reduced from 79% to 75%, which is well above the minimum 30% greenspace requirement in the zoning ordinance.

Each of the additions will be using different materials. The dry good storage will be precast concrete tip-up walls and will match the color of the existing building. There will also be windows included and will match the windows on the existing building. Three loading docks will be added facing the north. The cold storage will be all metal wall panels, not including any windows, and will be painted a beige color. The purpose of this type of panels is to be energy efficient and this type of panels will require a ¾ majority approval since it's not an acceptable exterior material. There will also be eight loading docks facing the east as well as fifteen additional trailer stalls. A proposal of trees and shrubs on the west and east side of the loading dock is included with this request. The office addition will match the brick and architectural style of the existing building.

The proposed additions meet all of the building height, setback and lot coverage requirements of the M-1, manufacturing zoning district.

Commissioner Chandler questioned the number of loading docks being added. Darrin Sealover, Oak Brook Terrace, Illinois, the dock space is an extension of the existing cold storage.. Dry storage addition is not near the existing dry storage loading docks doors. The addition is an overflow area. Commissioner Chandler questioned the eight loading docks is an addition to what is there currently. Mr. Sealover confirms.

Mayor Scaffidi questioned what is kept in the cold storage. Mr. Sealover answered perishable, frozen food, fresh fruits, and other similar food items.

Commissioner Dickmann questioned the landscaping plans approval by the Forestry departments. Mr. Wagner confirms the Forester has approved the plans and the applicant is looking into relocating five or six large trees on the site.

Commissioner Johnston questioned the temporary haul road and keeping as an emergency access road for emergency purposes. Mr. Sealover stated this is the first he is hearing of this and haven't considered that.

Brian McGee, Pittsburgh, Pennsylvania answered it was up to what the commission decides and Aldi's does not require it. Aldi's buildings have sprinkler system, safety drills and the building is not highly combustible. The reason we are returning the berm back to its original state is to give the area some sort of buffer for the back areas.

Alderman Bukiewicz questioned Assistant Fire Chief Kressuk about getting the emergency vehicles back there and turning around. He questioned about the use of ammonia in the refrigeration and how does that affect the fire department. A.C. Kressuk stated there had been discussion about the access roads for the addition and have come up with a solution for access to the structure. The secondary access was discussed briefly and it's looked at it as an additional means to cover a very large area and positioning a very large apparatus. Aldi has a very good safety record and have been very proactive with a solid emergency action plan and involved us in with the training and shut downs. The fire department is comfortable with the addition based on the past history.

Commissioner Dickmann complimented Aldi and has been used as an example in the past for how the Commission wants the large buildings to look in Oak Creek. It looks like Aldi had put in a lot of forethought into the plans.

Alderman Michalski motioned that the Plan Commission approves the site, building and landscaping plans for the Aldi addition at 9342 S. 13th Street, subject to the following conditions:

1. That all building and fire codes are met
2. That the final sit grading, drainage, and stormwater management plans are reviewed and approved by the Engineering Department prior to the issuance of building permits.

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

Commissioner Carrillo moved to adjourned at 8:32 p.m., Commissioner Chandler seconds. Roll call, all voted aye. The meeting was adjourned.

