

MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, OCTOBER 8, 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, Alderman Michalski, Commissioner Siefert and Commissioner Chandler. Commissioner Correll was excused. Also present were Peter Wagner, Planner/Zoning Administrator, Kari Papelbon, Planner, Doug Seymour, Director of Community Development and Assistant Fire Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the September 24, 2013 regular Plan Commission meeting. Commissioner Johnston seconds. Roll call, all voted aye. The minutes were approved as submitted.

**Significant Common council Actions**

Council approved a resolution approving a certified survey map for the properties of 819, 901 819 R. E. Drexel Avenue.

**Plan Review**

**American Legion – 9327 S. Shepard Avenue**

**Tax Key No. 874-9999**

Ms. Papelbon explained the applicant intends to add a 460 square-foot covered patio/porch onto the northeastern side of the building. The existing wind break enclosure will be removed; however, the door to the building will remain. Siding to match the existing building will be used for the north wall of the porch. Staff recommends that the Plan Commission approve the site and buildings plans for the property located at 9327 S. Shepard Avenue with the condition that all buildings and fire codes are met.

Greg Hajek, 7582 S. Manor Avenue, explained that it is a patio with tables.

Assistant Fire Chief Kressuk stated that they have reviewed the plans and no need for fire protection.

Alderman Michalski questioned if their liquor license allowed for outdoor alcohol consumption. Mayor Scaffidi stated that would be a question for the City Clerk's office. Ms. Papelbon stated that we recommend that the applicant follow-up with their license.

Alderman Bukiewicz motioned that the Plan Commission approve the site and building plans for the property at 9327 S. Shepard Avenue with the condition that all building and fire codes are met. Commissioner Siefert seconds. All voted aye. Motion approved.

**Conditions and Restrictions**

**Wisconsin Granite Depot - 6720 S. 27<sup>th</sup> Street**

**Tax Key No. 737-9038**

Ms. Papelbon explained that staff has prepared conditions and restrictions for review. She referred to a plan that showed where the tile will be stored, and explained that the commissioners approved the 6-foot tall fence with the condition that prevented the height of the outdoor storage from going above the fence. Within the conditions and restrictions we would like to clarify that the height of the materials will not extend above 6 feet and the reason for that is because since the fence has to be pulled back to meet the buffering requirements. Ms.

Papelbon went through the conditions and restrictions.

Commissioner Dickmann stated that the way it is written it says, “this will hold the conditional permit until the building permit is issued,” but it takes how many months to add to it--three or four months to add to this building--so in the meantime he would be in violation with all the material out there. Should we be adding something more to the effect, the “occupancy permit” rather than the “building permit,” because we have a time factor that he would be in violation.

Commissioner Johnston stated that along with Commissioner Dickmann’s comment that No. 15 would also be included with No. 12. It would be an occupancy permit not a building permit. He also asked if we would like to include anything on page 3 of 7, (H), the screening of outdoor storage that would direct what we allowed for the fence as far as opacity of the fence and materials of the fence. It’s already been approved, but does it need to be reiterated in the C & R’s? Ms. Papelbon stated that it can be added.

Commissioner Chandler asked about No. 11 – Time of Compliance. She asked if the two-month time period was to be compliant with the materials and to add the fence? Ms. Papelbon stated that’s to come into compliance with the approvals that have already been granted. When we spoke at the last meeting the fence was being installed and there were some conditions placed on that. This also gives the applicant two months to come into compliance with the opacity of the fence and the height of the storage of the materials.

Commissioner Dickmann moved that the Plan Commission recommend to the Common Council to adopt the conditions and restrictions as presented with the changes in No. 12 and 15 to read as occupancy permit as part of the conditional use permit allowing for outdoor storage of granite and tile products located at 6720 S. 27<sup>th</sup> Street after a public hearing.

Alderman Bukiewicz seconds. All aye. Motion approved.

### **Plan Review**

#### **Meijer – Part of 7929 S. Howell Avenue**

#### **Tax Key No. part of 813-9013**

Ms. Papelbon explained that this is a review of site, building, landscaping and lighting plans for a proposed Meijer store and fuel center in the Drexel Town Square Mixed Use Planned Development District. The review of these site and building plans are governed by the general development plan and regulating plan for the Drexel Town Square Mixed Use Planned Development.

Commissioner Chandler asked what the precedent was regarding approvals, whether it was the jurisdiction of the Director of Community Development or the Plan Commission. Mr. Seymour stated that the Plan Commission has in the past deferred specific approval of landscaping plans to the Director of Community Development upon conference with the City Forester, as well as detailed lighting plans with the Electrical Inspector. The Plan Commission has the option to review, and if you have specific issues with respect to either the landscaping or lighting plans and wish to have the details of that, to come back before the Plan Commission. If you are okay with the concepts as expressed in the plans that you see before you and feel comfortable in deferring the details to staff, which has been in the past and has worked out quite well, the option is yours.

Commissioner Johnston stated that Engineering would like to add a No. 7, that all plans addressing sanitary sewer and water main be approved by the utility engineer.

Ron Pritzlaff, Utility Engineer, he stated that he reviewed the plans and would like to add a technical correction.

1. A 4" water service which will enter from the west side of the building would be no problem; however, they are going to be fed from two different directions - one feed from the east and one feed from the west. In that case, with two feeds and a private loop in between, we would like to require that vaulted check valves be put in on private property so that we can avoid having private water enter our public system.
2. The sewer stub that is on the east side of the building be eliminated.

Commissioner Chandler asked why the recommendation for the three-foot brick or stone wall. Mr. Seymour explained that after several discussions with staff, the City wanted to make a strong design statement at the entrance to not only Meijer but to Drexel Town Square. As part of the language to the regulating plan (DTSMUPDD), it does call for a landscaping zone in a mixed building and landscaping zone, and part of that language calls for the use of architectural feature such as garden walls and landscaping to distinguish those street edges. Since the street edge is not being held by a building, staff felt it was appropriate to have a mixed landscaping and structural garden wall to frame the entrances to Drexel Town Square along the street. We continue to work with the applicants to come up a detailed plan that does that.

Emily Bernahl, GreenbergFarrow Architecture, stated that they are reviewing and possibly integrating the wall feature into this area.

Alderman Bukiewicz asked stated he would rather see something natural and asked if that was going to be at every entrance. Mr. Seymour stated that this was not a wall or landscaping, but it is an integrated wall with landscaping and the issue of maintaining landscaping over time was a concern to staff. Staff is comfortable in our requirement and our recommendation to you to maintain that as a garden wall. Alderman Bukiewicz asked about recommendation No. 6 requiring the canopy be wrapped in stone, not brick. He would prefer brick. Mr. Seymour stated that this is the collective preferences of staff, who felt that stone was more aesthetic. Although they both meet our requirements, either would look very nice regardless if it is stone or brick. If that is the preference of the Plan Commission, staff has no problem with the brick.

Commissioner Siepert stated that he is not comfortable with the location of the fuel center at the entrance into Drexel Town Square, and would prefer that it was located somewhere else.

Commissioner Johnston stated that there might be some confusion on the stone; his understanding it would match what the columns are on the building, so that would be a tie to the building with the same material.

Commissioner Michalski inquired about the sconces, and stated that they were not included in the packet. Mr. Seymour stated that they are on the elevation drawings, and we thank Meijer for considering that - it adds a lot to the building and we are looking for all the buildings in Drexel Town Square to incorporate some of the architectural lighting features. Alderman Bukiewicz asked about the lighting shining down on a brick wall - can we go with ground lights and shoot up and accent the landscaping? Mr. Seymour stated that staff prefers it on the wall.

Commissioner Carrillo stated that we have no final signage plans, and when looking at that sconce, asked if there could be lit signage above that. She encouraged staff to bring signage to the Plan Commission for approval. Ms. Papelbon stated that we have preliminary sign plans.

Commissioner Johnston discussed hiding the utilities around the rear of the fuel station and the main building - we want to make sure that the utilities for the gas and electric meter are going to be on the back side of the building and we want to make sure that they are shielded. Mr. Seymour stated that the applicant is very aware of staff's expectations with respect to screening of the utilities of that fueling center and main building.

Commissioner Dickmann asked about recommendation No. 1 regarding landscaping and that it refers to the brick wall - would the landscaping plan also cover what you indicated, especially the back of the convenience store, and should language be added? Mr. Seymour stated that it could be added as part of the recommendation. Commissioner Dickmann stated that he would like to see language added as part of the recommendation.

Commissioner Chandler referred to page 4, a request for seasonal outdoor display. She asked what actually is part of the display in front of the gas station. Brain Randall, Friebert, Finerty & St. John, representing Meijer, stated that Meijer typically displays things like window washer fluid, firewood in a bundle, pallets of salt. What they try and do is keep it in a 4' x 4' configuration. He stated that Meijer will own the site as a privately held company, they will operate the fuel center with pride and a clean operation, and if the Commission would grant it, the opportunity to have those outdoor displays seasonal merchandise. Commissioner Chandler stated that the recommendation is just the ice chest and propane exchange - it does not include anything else. Ms. Papelbon explained that the staff recommendation would be no outdoor display of merchandise with the exception of the outdoor ice chest, which would be on the east side, and the propane exchange, which would be on the north side.

Commissioner Carrillo asked about the drive-thru and if staff had any concerns about it. Mr. Seymour stated that it is a convenience for the customer and not designed for the car. It's sensitively-designed that it will not adversely impact any pedestrian activity, and staff does not have any concerns.

Commissioner Bukiewicz asked about parking lot lights. Mr. Seymour stated that as part of the PUD that is something staff will be looking at and we do not have that spec developed. Commissioner Bukiewicz commented on the outdoor storage and that we would not treat Meijer any different than we do with any other fueling station. Mr. Seymour stated that you have the opportunity, given the regulations, to spell out exactly what you are allowing for outdoor storage. Having pallets of mulch or deicer certainly is not consistent with the message you want to send at the entrance to Drexel Town Square, especially if the orientation of the fueling center is to the public street.

Commissioner Chandler referred to page 5, Glazing, and that it is noted that there is some glazing for the fuel station. Ms. Papelbon stated that the 17% is with respect to the northern perspective of the Meijer main store only. The convenience store has different percentages for each side of the store.

Commissioner Johnston added that he would not allow the outdoor storage except the ice chest and propane exchange. Mr. Seymour stated there is no staff recommendation because it is not allowed by the PUD.

Commissioner Bukiewicz moved to approve the site and building plans for the Meijer development at 7929 S. Howell Avenue subject to the following conditions:

1. That detailed landscaping plans illustrating a combination of a 3 ft. tall curved brick or stone garden wall with landscaping or a detailed landscape plan consisting of a berm at the Howell Avenue entrance, and appropriate landscape screening of the utilities for both the main store and convenience store, be approved by the Director of Community Development, upon recommendation of the City Forester.
2. That detailed lighting plans, illustrating fully recessed fixtures for the fueling center canopy, be approved by the Director of Community Development, upon recommendation of the Electrical Inspector, prior to the issuance of building permits.
3. That all applicable building and fire codes are met.
4. That plans addressing stormwater quality, including the use of stormwater best management practices, be approved by the City Engineer prior to the issuance of building permits.
5. That detailed plans for signage be approved by the Director of Community Development and the Plan Commission prior to the issuance of building permits.
6. That the pillars supporting the fuel center canopy be wrapped in brick.
7. That all sanitary sewer and water connections be approved by the Water and Sewer Utility.

Commissioner Michalski seconds. Roll call, all voted aye, motion approved.

Commissioner Carrillo motioned to adjourn. Commissioner Siefert seconds. Roll call, all voted aye, meeting adjourned at 7:19 p.m.