



PLAN COMMISSION MEETING AGENDA

TUESDAY, October 28, 2014
AT 6:00 PM

-
- 1) ROLL CALL
 - 2) Minutes of the October 14, 2014 meeting
 - 3) Significant Common Council Actions
 - 4) NEW BUSINESS
 - a) CERTIFIED SURVEY MAP – Review a certified survey map submitted by Matthew Lyons, Azura, LLC, for the property at 8870 S. Mayhew Dr. (Tax Key Nos. multiple). Follow this item on Twitter **@OakCreekPC #OCPCAzuraCSM**
 - b) REZONE AND CONDITIONAL USE – Review a request submitted by Matthew Lyons, Azura, LLC, to rezone a portion of the property at 8870 S. Mayhew Dr. from B-4, Highway Business to RM-1, Multifamily Residential with a Conditional Use for a Community Based Residential Facility with a capacity of more than 15 residents (Tax Key Nos. multiple). Follow this item on Twitter **@OakCreekPC #OCPCAzuraCUP**
 - c) PLAN REVIEW - Review site and building plans submitted by Joe Ferguson, Cousins Subs, for façade modifications to the existing building located at 135 W. Rawson Ave. (Tax Key No. 765-9018). Follow this item on Twitter **@OakCreekPC#OCPC Cousins**
 - d) PLAN REVIEW - Review site and building plans submitted by Tracy Uthphall, Tracy Rae's, for an addition to the existing building located at 823 W. Oakwood Rd. (Tax Key No. 954-9994). Follow this item on Twitter **@OakCreekPC#OCPC TracyRae**
 - e) PC CONSULTATION – Initial discussion regarding potential reduction in parking setbacks to rights-of-way in the M-1, Manufacturing district.
 - 5) ADJOURN

PLEASE NOTE

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 South Howell Avenue, Oak Creek, Wisconsin 53154. There is the potential that a quorum of the Committee of the Whole will be present at this meeting. Copies of staff reports and other supporting documentation are available for review at the Department of Community Development, City Hall, 8640 South Howell Avenue during operating hours. (7:30 am-4 pm weekdays).

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, OCTOBER 14, 2014

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, Alderman Guzikowski, Commissioner Correll and Commissioner Chandler. Commissioner Siepert was excused. Also present: Pete Wagner, Zoning Administrator/Planner and Kari Papelbon, Planner.

Commissioner Dickmann moved to approve the minutes of the September 23, 2014 meeting. Commissioner Johnston seconded. Roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Alderman Guzikowski, and Commissioner Chandler voted aye. Alderman Bukiewicz, Mayor Scaffidi, and Commissioner Correll abstained. Motion carried.

Commissioner Johnston moved to approve the minutes of the September 30, 2014 meeting. Commissioner Correll seconded. Commissioner Dickmann, Commissioner Johnston, Alderman Bukiewicz, Mayor Scaffidi, Alderman Guzikowski, Commissioner Correll and Commissioner Chandler voted aye. Commissioner Carrillo abstained. Motion carried.

Significant Common Council Actions

There were no comments or concerns from the Commission.

Plan Review

**Wisconsin Granite Depot
6720 S. 27th Street
Tax Key No. 737-9038**

Steve Sharpe, Architect for the project, stated that he felt he addressed all of the concerns from the previous Plan Commission meetings.

Ms. Papelbon stated that based on the minutes and motion from the September 9, 2014 meeting, the missing items are the rendering of the proposed addition as viewed from the Menards parking lot, and the detailed/enhanced landscape plans for the eastern portion of the property.

Mr. Sharpe stated that his notes from the last meeting reflect that the purpose for providing a rendering of the building was for the benefit of the homeowners in attendance that wanted to see what the building was going to look like, the same as the Plan Commission members because the architectural two-dimensional drawings are vague of texture and color. Mr. Sharpe stated he provided a colored rendering that he had prepared of the building as viewed from the neighbor's property. He also stated he was advised to meet with the owners to discuss the amount of landscaping. He stated the rendering is a depiction of existing landscaping from photos he took. They used Google to verify the locations and the heights and they put them on the rendering.

Mr. Sharpe stated he was asked to prepare an enhanced landscape plan with the suggestion to meet with the homeowners to see what they would want to have for enhanced landscaping. He stated he asked the homeowners at the end of the last meeting if they would have a time that he could come over, stand in their backyard because he stated a lot about being able to see the flags at Menard's and the skyline. He asked for a date to meet with the homeowners and said that their response was that they didn't want more landscaping and they were not going to meet with Mr. Sharpe. Mr. Sharpe went to their property on his own and asked permission to stand in their yard and took photographs of the landscaping and came up with the rendering displayed. Mr. Sharpe stated that he was never under the impression that they had to have a rendering from Menards view because Menards does not have concerns about the addition.

Ms. Papelbon stated that what has been received has been most of what was requested, but it was specified in the motion that they did get a rendering as viewed from Menards. Ms. Papelbon stated the enhanced landscape plan for the eastern side has always been something that has always been in the minutes for the meetings as things that are of concern to the Plan Commission. Other concerns seemed to be addressed. Ms. Papelbon stated other concerns have been addressed. There are details for a dumpster enclosure, which include a masonry wall about 4' high and will also screen the depressed loading dock. There is a gate on that that was requested at the last meeting by the Plan Commission. There has been a note added to the plans about removing the fencing on all sides, but Plan Commission has requested removal on the east and south side, but didn't make any mention of the north. Ms. Papelbon stated they also now have details for the building materials, which are the same as the existing building. Staff feels it is up to the Plan Commission whether or not they are satisfied with the submissions that have been proposed.

Mr. Wagner added that the reason for the southern elevation of Menards was because there was a lot of discussion about the fencing on the south side of the property. Right now there is wind screen. The question was if there was going to be a large building with no outdoor storage, was there a need for that fencing and the screening to be there. What would that building look like if the fencing were removed and you could see that addition? That is where the debate was and the Commission wanted to see what that would look like. There was a lot of confusion as to how that south side of the building would look. Mr. Sharpe stated he remembered talking about the fence and the fabric being wavy and not taut and they decided to take it off. He stated he was directed to remove all fencing on the north, east and south and they are removing it all. Mr. Wagner stated they requested that that be reflected on a site plan. Mr. Sharpe stated yes.

Alderman Bukiewicz stated that he was the one who put in the request for the drawings. He thought it would help the Plan Commission get a better look but also the residents. He stated that he remembers nine items that needed to be worked out and they resolved four and five were still in question; that being the dumpster and fences.

Bob Gibbons, 6711 S. 26th Street, stated at the last meeting there was an agreement to leave the wood fencing along the north side. Mayor Scaffidi stated the Plan Commission was in agreement with this. He stated he does not want to see a 25' brick wall. He would rather have at least a little wood fence if approval of this addition goes through rather than just all block bricks there. Fencing on the north was supposedly going to stay.

Commissioner Dickmann stated that the Plan Commission had never seen this rendering and he wanted to know how the neighbors felt about what this side of the building looked like. Up to that point there was a drawing with a couple of windows in it, but they weren't sure. If the neighbor would like to have the wood fence stay as the Plan Commission said it should, and if it helps break up the wall, he is all for that.

Commissioner Correll stated that he agreed with Mr. Gibbons that the wood fence was to stay. Commissioner Correll asked if any more features were requested on this side of the building to break it up. Ms. Papelbon responded that the previously approved addition is adding on a portion of the additional wall area. There is an additional 80'. The architectural standards state that if you are putting up a wall that is in excess of 100' in length, it must be broken up by modulation, color, materials variations or windows. There are a few windows proposed on the north side. There is banding that will break it up a little bit. If the landscaping in the rendering is close to what will happen on site, that will also help break up that façade.

Commissioner Correll stated that they originally approved an addition and now they added 80', so this wall is greater than 100'. He questioned if the applicant has done enough with the building. Ms. Papelbon stated there is an existing privacy wall on the north side which according to the plans is 60' in length. They would be adding a total of 100' that you could see beyond the length of that wall. Commissioner Correll stated that since this is abutting a residential area, he would be looking for more architecturally.

Ms. Papelbon stated if the wood fence on the north side is going to remain, that will block the addition somewhat from the residential. Mr. Sharpe stated he did not have a problem leaving the wood fence and it should stay there.

Mr. Sharpe stated he took photographs from Mr. Gibbons' property looking to the west and all the existing landscaping to show that it somewhat resembles the rendering. Banding is on the building. He stated that if the neighbors want more windows on the building, they will put more windows on the building. Right now, the building matches the existing building.

Commissioner Johnston clarified that the gate that runs to the building on the north side was to be removed so the Fire Department has access. Mr. Sharpe agreed.

Alderman Bukiewicz stated his concern for the neighbors. This property transitions the business zone to a residential neighborhood. The first addition was acceptable. However, the second addition obstructs the view of the neighbors.

Mr. Gibbons stated that there wasn't always a building there. When they moved in, the land was residential and it got changed. He stated he was against the second building addition. Mayor Scaffidi asked if the addition is preferable to the outside storage currently there. Mr. Gibbons responded that the outdoor storage does not bother him because of the wooden screening fence. Cheryl Gibbons stated that she does not want the building there at all.

Mr. Sharpe stated that since the last meeting he has made the addition smaller, rotated the loading docks to facilitate both their needs and the Fire Department's needs, and are putting in a new hydrant on the southeast corner of the property.

Commissioner Chandler asked why the loading dock was now being shown on an angle. Mr. Sharpe stated they had approximately 20' of paving on the south end of the building for firefighting apparatus to maneuver around there so he rotated it.

Alderman Bukiewicz motioned that the that Plan Commission approve the site and building plans submitted by Pasa Ece, Wisconsin Granite Depot, for the property located at 6720 S. 27th St.

1. That a minimum of 30% open space as defined in Section 17.1009(a)(21) is maintained on the property.
2. That a minimum of fifty-eight (58) parking stalls are maintained on the property.
3. That landscaping plans are submitted for review and approval by the Department of Community Development prior to issuance of permits.
4. That all building and fire codes, including required emergency vehicle turnarounds, are met. Any substantive changes to the plans will require additional Plan Commission review.
5. That the north wooden fence will remain.

Commissioner Carillo seconded. On roll call: Commissioner Dickmann, Commissioner Carillo, Alderman Bukiewicz voted aye. Commissioner Johnston, Mayor Scaffidi, Alderman Guzikowski, Commissioner Correll, and Commissioner Chandler voted no. Motion failed.

Temporary Use – Outdoor Storage

James Watson
9833 S. 15th Avenue
Tax Key No. 910-9978

James Watson, 6101 S. Pennsylvania Avenue, Cudahy, Wisconsin, stated he wished to continue his temporary storage of building materials. The previous temporary use expired. In that time, he had a

wetland delineation done. They did have staff show them where to put the blocks where they are located now prior to the delineation in 2012. They submitted their building plans, but ran into issues with the WisDNR and Army Corps of Engineers needing a crossing to put the building on the site. That will take 30 to 90 days. In order for him to move the block to an area where it is stored higher, he would need to grade it flat and remove trees.

Commissioner Johnston asked what has caused the delay in the last two years. Mrs. Watson responded they have been working on getting wetland delineation done, and have had contractor problems.

Mayor Scaffidi asked what the City could do so that they do not have to move the materials immediately to give them a reasonable time to get this done. Mr. Wagner stated that in the report he recommended 30 days from date of approval, but that the Plan Commission could extend that to 60 or 90 days or until the Army Corps of Engineers and WisDNR approvals.

Commissioner Johnston stated that if this is approved there should be a grading plan.

Commissioner Correll suggested a date in early spring of 2015 (April 1) for the extension.

Ms. Papelbon clarified that the concern with the floodplain issue is that there is storage of materials that are not anchored or sheltered. The concern is for any properties that might be damaged by those materials in the event of a flood event. Mr. Watson stated they own the adjacent land to the north and west (36 acres).

Mr. Watson stated he needs permission for removal of trees and to flatten out the area to put the materials in there.

Alderman Bukiewicz motioned that the Plan Commission approve the temporary use permit allowing for the storage of bricks and concrete blocks on the property at 9833 S. 15th Avenue, subject to the following conditions:

1. Before filling or grading activity may take place, that a grading plan be submitted and approved by the Engineering Department.
2. That the blocks are stored in an orderly manner.
3. That the blocks are stored outside of the wetlands and floodplain areas and any blocks located within the floodplain or wetland be moved by April 15, 2015.
4. That the temporary use shall expire on October 15, 2015.

Commissioner Dickmann seconded. On roll call: Commissioner Dickmann, Commissioner Carillo, Alderman Bukiewicz, Mayor Scaffidi, Alderman Guzikowski, Commissioner Correll, and Commissioner Chandler voted aye. Commissioner Johnston voted no. Motion carried.

Certified Survey Map
Steve Mark
324 E. Forest Hill Avenue
Tax Key No. 814-9011

The applicant was not in attendance. Mayor Scaffidi held this item until the next Plan Commission meeting.

Certified Survey Map
Steve Mark
400 E. Lily Drive
Tax Key No. 814-0256

The applicant was not in attendance. Mayor Scaffidi held this item until the next Plan Commission meeting.

Preliminary Plat
Oakfield Village Addition #2
324 E. Forest Hill Avenue, 400 E. Lily Drive
Tax Key Nos. 814-9011 and 814-0256

The applicant was not in attendance. Mayor Scaffidi held this item until the next Plan Commission meeting.

Right-of-way Vacation
One West Drexel, LLC
Northwest ¼ of Northeast ¼ of Section 17

Commissioner Chandler asked why there was a reduction from 85' to 82'. Ms. Papelbon responded that there was a change to the configuration of the road.

Alderman Bukiewicz motioned that Plan Commission recommends to the Common Council that the unimproved right-of-way of a portion of the Northwest ¼ of the Northeast ¼ of Section 17 (east side of South 6th Street at 331 W. Drexel Ave.) be vacated after a public hearing. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

Certified Survey Map
One West Drexel, LLC
331 W. Drexel Avenue
Tax Key No. 813-9031-000

Commissioner Chandler asked why the lots were being divided. Jerry Franke, One West Drexel, LLC responded that the lots are being subdivided based upon Blair Williams from Wired Properties proposed use of the properties and an unnamed entity for the lot furthest to the east.

Commissioner Johnston stated a condition should be added that all gas and electric easements are shown on the certified survey map as a technical correction.

Alderman Bukiewicz motioned that Plan Commission recommends to the Common Council that the certified survey map submitted by Jerold Franke, One West Drexel, LLC, for the property at 331 W. Drexel Ave. be approved with the following conditions:

1. That all technical corrections are made prior to recording.
2. That storm sewer, water, and sanitary sewer easements are updated on the map prior to recording.
3. That all gas and electrical easements are also specified and recorded.

Commissioner Dickmann seconded. On roll call: All voted aye. Motion carried.

**Certified Survey Map
One West Drexel, LLC
331 W. Drexel Avenue
Tax Key No. 813-9031-000**

Commissioner Johnston asked if this includes the ROW vacation that was just approved at this meeting, and does the CSM have to include that technical correction. Ms. Papelbon stated that this is going to be recorded prior to that vacation process completed. Mr. Franke stated that an affidavit of correction would then be filed with the ROW vacation.

Alderman Bukiewicz motioned that Plan Commission recommends to the Common Council that the certified survey map submitted by Jerold Franke, One West Drexel, LLC, for the property at 331 W. Drexel Ave. be approved with the following conditions:

1. That all technical corrections are made prior to recording.
2. That storm sewer, water, and sanitary sewer easements are updated on the map prior to recording.
3. That all gas and electrical easements are also specified and recorded.

Commissioner Johnston seconded. On roll call: All voted aye. Motion carried.

**Certified Survey Map
One West Drexel, LLC
7941 S. Howell Avenue
Tax Key No. 813-9030-000**

Alderman Bukiewicz motioned that the Plan Commission recommends to the Common Council that the certified survey map submitted by Jerold Franke, One West Drexel, LLC, for the property at 7941 S. Howell Ave. be approved with the following conditions:

1. That all technical corrections are made prior to recording.
2. That storm sewer easements and bioswale easements are updated on the map prior to recording.
3. That all gas and electrical easements are also specified and recorded.

Commissioner Correll seconded. On roll call: All voted aye. Motion carried.

**Certified Survey Map
One West Drexel, LLC
7941 S. Howell Avenue
Tax Key No. 813-9030-000**

Commissioner Dickmann motioned that the Plan Commission recommends to the Common Council that the certified survey map submitted by Jerold Franke, One West Drexel, LLC, for the property at 7941 S. Howell Ave. be approved with the following conditions:

1. That all technical corrections are made prior to recording.
2. That storm sewer easements and bioswale easements are updated on the map prior to recording.
3. That all gas and electrical easements are also specified and recorded.

Commissioner Johnston seconded. On roll call: All voted aye. Motion carried.

Commissioner Carillo motioned to adjourn. Alderman Guzikowski seconded. On roll call: All voted aye. The meeting was adjourned at 6:58 p.m.



Significant Common Council Actions

ITEM: 3

DATE: Oct. 28, 2014

Summary of Significant Common Council Actions

Approval of Resolution No. 11547-102114 and 11548-102114 approving CSM's for the property at 331 W. Drexel Avenue.

A handwritten signature in black ink that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP
Planner



Plan Commission Report

ITEM: 4a
DATE: October 28, 2014

PROJECT: Certified Survey Map – Matthew Lyons, Azura, LLC

ADDRESS: 8870 S. Mayhew Dr.

TAX KEY NO: Multiple (860-1001 to 860-1208)

STAFF RECOMMENDATION: That Plan Commission recommends to the Common Council that the certified survey map submitted by Matthew Lyons, Azura, LLC, for the property at 8870 S. Mayhew Dr. be approved with the condition that all technical corrections are made prior to recording.

Ownership: 8870 Mayhew Drive, LLC, c/o Keystone Development, 420 S. Koeller St., Oshkosh, WI 54902

Size: Lot 1 = 2.571 acres; Lot 2 = 3.109 acres (following division)

Existing Zoning: B-4, Highway Business

Adjacent Zoning: North – B-3, Office and Professional Business
East – Rm-1 (PUD), Multifamily Residential
South – I-1, Institutional; B-4 (PUD), Highway Business; Rm-1 (PUD), Multifamily Residential
West – B-4, Highway Business; B-4 (CU), Highway Business; B-4 (PUD), Highway Business

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: None.

Official Map: N/A.

Commentary: The Applicant is requesting approval of a Certified Survey Map to divide the 5.68-acre parcel at 8870 S. Mayhew Dr. into two lots. Lot 2 will retain the existing professional office condo building. No changes to the existing building are proposed, and required setbacks will be maintained or exceeded. An application is also on the agenda for this evening to rezone the part of the property that will be Lot 1 from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use in anticipation of constructing a Community-Based Residential Facility (CBRF). The Plan Commission will review this rezone and Conditional Use request in the next agenda item.

Staff has reviewed this request, and concerns were raised regarding easements, and water and sewer infrastructure. These concerns were provided to the Applicant, and will be incorporated into the CSM as technical corrections prior to recording.

Prepared by:

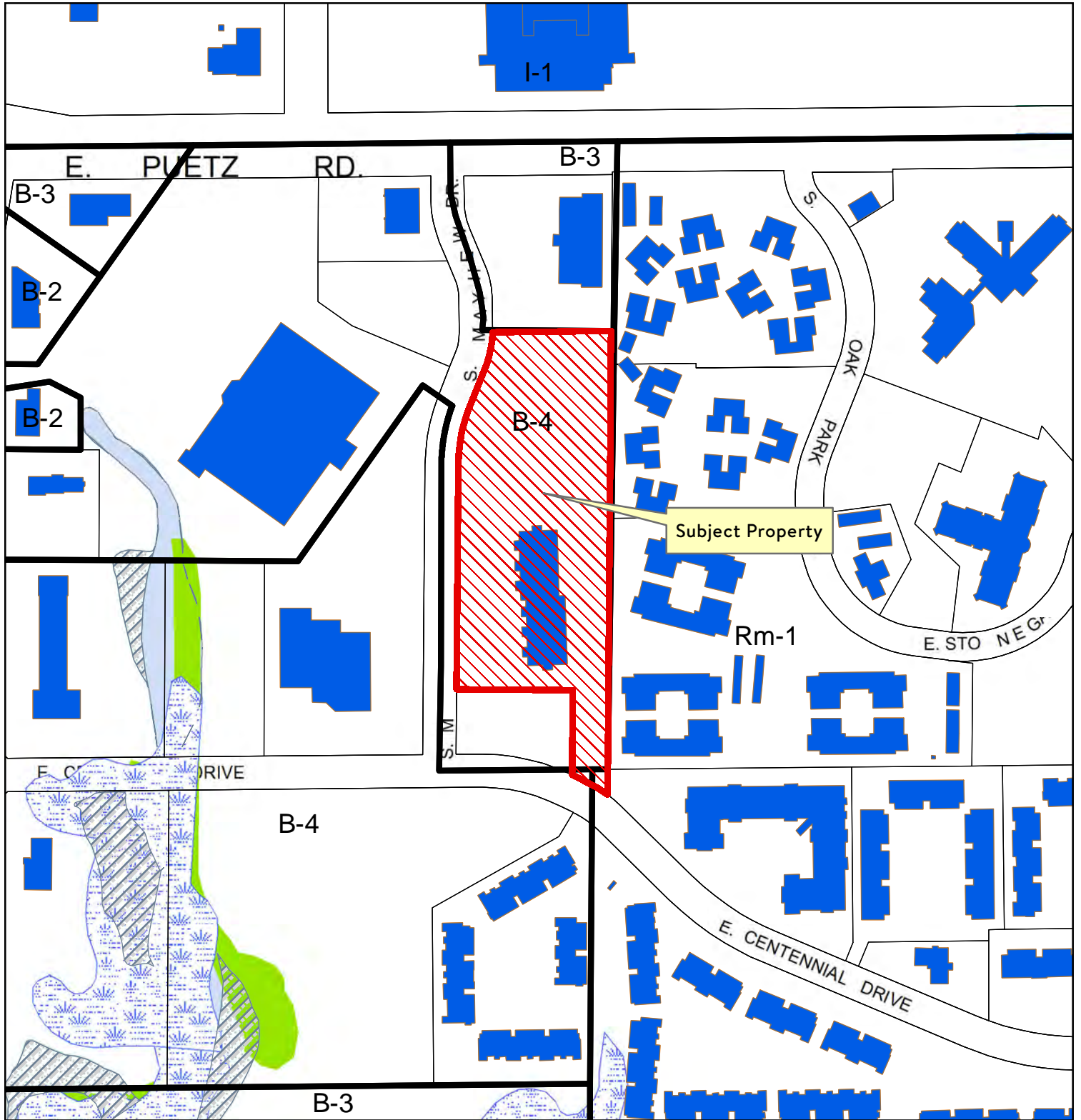
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

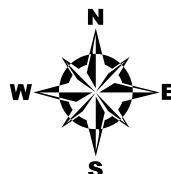
Douglas Seymour, AICP
Director of Community Development










Location Map

8870 S. Mayhew Dr.



This map is not a survey of the actual boundary of any property this map depicts.



Legend	
	8870 S. Mayhew Dr.
	Wetland
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)

CERTIFIED SURVEY MAP NO. _____

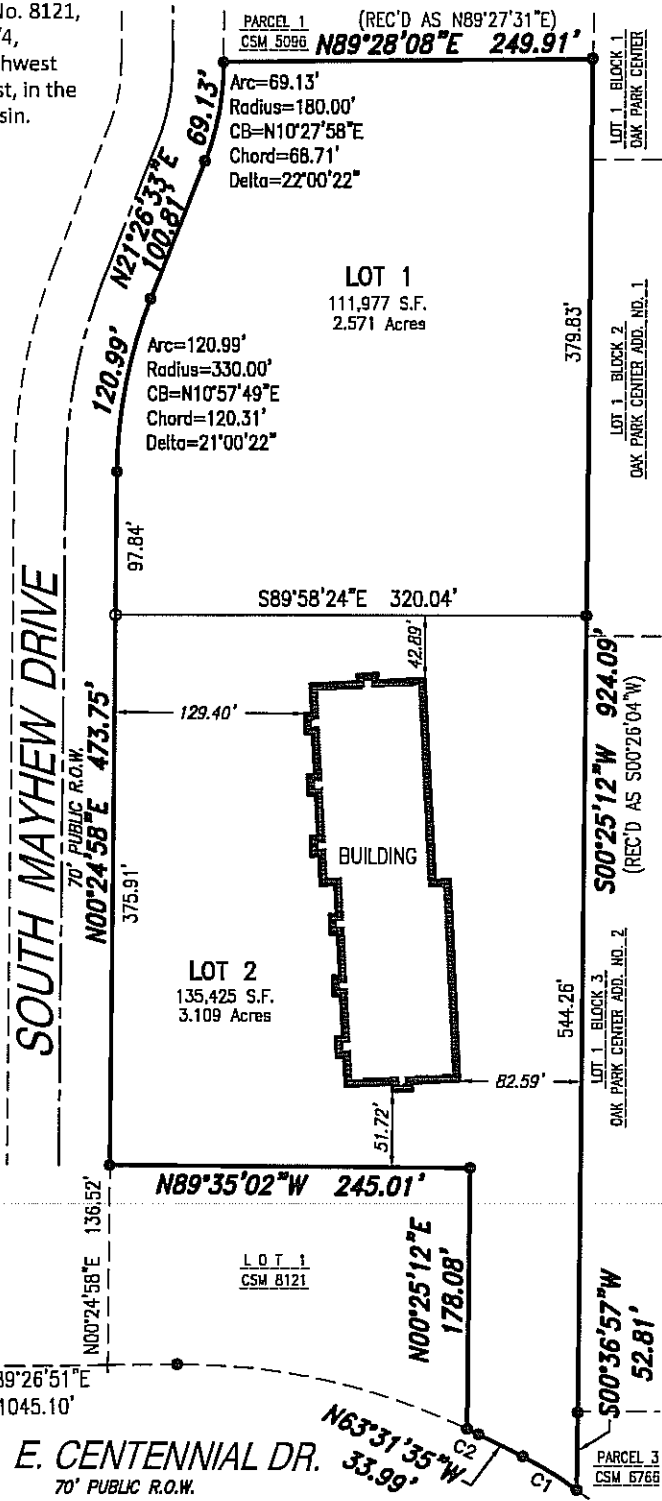
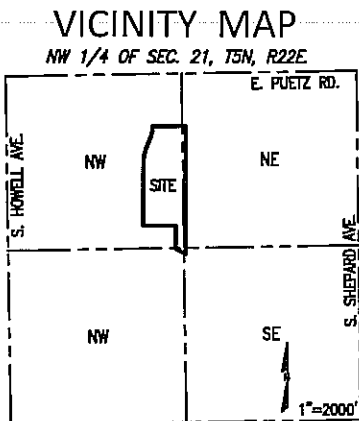
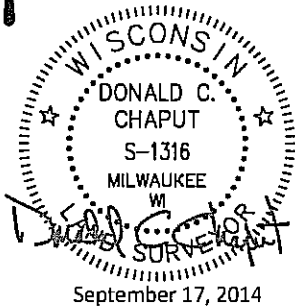
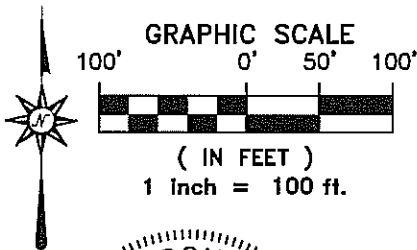
A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- Indicates set 1" iron pipe, 18" in length, 1.68 lbs. per lineal foot.
- Indicates found 1" iron pipe.

Bearings are referenced to grid North of the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the West line of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, bears N 00°20'37" E.

Owner (Lot 1):
Mayhew Development LLC, A WI LLC
13890 Bishops Dr. #120
Brookfield, WI

Owner: (Lot 2):
Mayhew Professional Center
Condominium Association



CURVE	ARC	RADIUS	DELTA	C. BEARING	C. LENGTH
C1	43.01'	254.17'	9°41'45"	N58°16'38"W	42.96'
C2	8.41'	445.65'	1°04'52"	N63°50'17"W	8.41'

CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

Drawing No. 1818-tjn
SHEET 1 OF 4 SHEETS

This instrument was drafted by Donald C. Chaput
Registered Land Surveyor S-1316

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

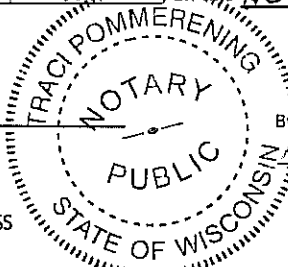
As to Lot 1, Mayhew Development LLC, A WI LLC, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said Association caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of the City of Oak Creek.

Mayhew Development LLC, A WI LLC, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF, Mayhew Development LLC, A WI LLC, has caused these presents to be signed by the hand of Andrew Dumke, member, on this 26 day of Sept., 2014.

In the presence of:

Tom Pong
(Witness)



BY Andrew Dumke, member

STATE OF WISCONSIN)

MILWAUKEE COUNTY)

Personally came before me this 26 day of September, 2014, Andrew Dumke, member of Mayhew Development LLC, A WI LLC, to be known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Tom Pong
Notary Public
State of Wisconsin
My commission expires. 7/17/17
My commission is permanent.

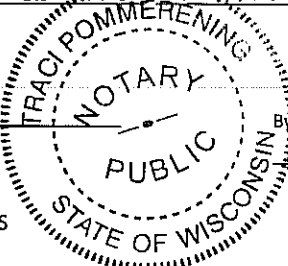
As to Lot 2, Mayhew Professional Center Condominium Association, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of the City of Oak Creek.

Mayhew Professional Center Condominium Association, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF, Mayhew Professional Center Condominium Association, has caused these presents to be signed by the hand of Andrew Dumke, member, on this 26 day of September, 2014.

In the presence of:

Tom Pong
(Witness)



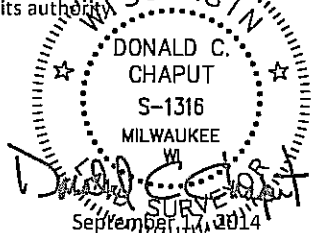
BY Andrew Dumke, member

STATE OF WISCONSIN)

MILWAUKEE COUNTY)

Personally came before me this 26 day of September, 2014, Andrew Dumke, member of Mayhew Professional Center Condominium Association, to be known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Tom Pong
Notary Public
State of Wisconsin
My commission expires. 7/17/17
My commission is permanent.



This instrument was drafted by Donald C. Chaput
Registered Land Surveyor S-1316

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

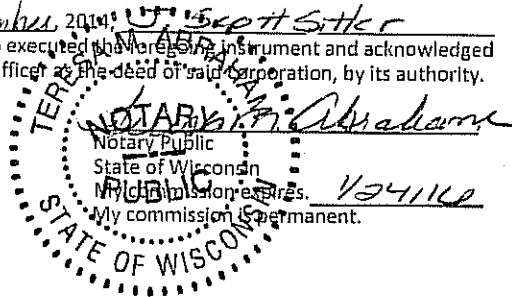
CONSENT OF CORPORATE MORTGAGEE

As to Lot 1, Choice Bank, N.A., mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping the land described on this map and does hereby consent to the above certificate of Mayhew Development LLC, A WI LLC, OWNER.

By [Signature] Its
Name: J. SCOTT SITTER
Title: PRESIDENT / CEO

STATE OF WISCONSIN)
 :SS
Winneshong COUNTY)

Personally came before me this 20th day of September, 2014, J. Scott Sitter
of Choice Bank, to be known as the person who executed the foregoing instrument and acknowledged
that he executed the foregoing instrument as such officer of said corporation, by its authority.



CITY OF OAK CREEK COMMON COUNCIL APPROVAL

This Certified Survey Map, located in the City of Oak Creek, Milwaukee County, Wisconsin, is hereby approved by Resolution No. _____ on this _____ day of _____, 20____.

_____, Mayor

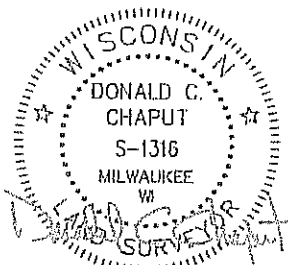
_____, City Clerk

PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission for the City of Oak Creek, Milwaukee County, Wisconsin on this _____ day of _____, 20____.

_____, Mayor

_____, City Clerk



September 17, 2014

This instrument was drafted by Donald C. Chaput
Registered Land Surveyor 5-1316

Drawing No. 1818-tjn
SHEET 4 OF 4 SHEETS

ALTA/ACSM LAND TITLE SURVEY

CLIENT

Pinpoint Engineering Group - Aurora Living

SITE ADDRESS

8370 S. Mayhew Drive, City of Oak Creek, Milwaukee County, Wisconsin.

LEGAL DESCRIPTION

To be known as:

A part of Lot 2 of Certified Survey Map No. 8121, recorded as Document No. 9423394, located on part of the Northeast 1/4, Northwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 8 North, Range 12 East, City of Oak Creek, Milwaukee County, Wisconsin, described as follows:
Beginning at an iron pipe stake found marking the Northeast corner of said Lot 2; thence N67°30'24"W 120.04 feet to the Eastern right of way line of Mayhew Road; thence along said road N27°13'47"E 87.24 feet; thence continuing along said road S29°59' feet along the arc of a curve to the left having a radius of 110.00 feet and a chord which bears N127°17'47"E 110.00 feet; thence continuing along said road S29°59' feet along the arc of a curve to the left having a radius of 110.00 feet and a chord which bears N127°17'47"E 110.00 feet to the Northeast corner of said Lot 2; thence N27°30'24"W 219.81 feet to the point of beginning. Containing 111,974 sq. ft. or 2.57 Acres of land more or less.

BASIS OF BEARINGS

Bearings are referenced to the East line of Certified Survey No. 8121, which is assumed to bear South 00°25'12" West.

TITLE COMMITMENT

The survey was prepared based on First American Title Insurance Company Commitment No. HCS-48335-AMD, effective date of July 20, 2014 which lists the following encumbrances and/or restrictions from schedule B:

1. 2, 3, 10, 17, 25 & 26 as visible evidence shown, if any.
11. Ten (10) feet MEPIC Easement and a 20-foot drainage easement as contained on Certified Survey Map No. 6744. Does not affect this location.
12. Restrictions as contained on Certified Survey Map No. 6744. Does not affect this location.
13. Utility Easement recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on February 12, 1982, as Document No. 1232284. See not a restriction by location.
14. Terms, Conditions, Rest covenants and/or Provisions relating to the use and maintenance of Exclusive Easement recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on May 23, 1984, as Document No. 812245. Affects this location, if any.
15. Easement of Easement of Way contained in Warranty Deed recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on October 12, 1994, as Document No. 7124264. Affects this location, if any.
16. Development Agreement recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on November 18, 1995, as Document No. 6453423. Does not affect this location.
17. Declaration of Restrictions recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on November 18, 1995, as Document No. 6453424. Does not affect this location.
18. Development Agreement Central Park Apartments recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on May 24, 2003, as Document No. 7518423. Does not affect this location.
19. Shared Pool/Drainage Easement Agreement recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on October 22, 2003, as Document No. 8468254. Does not affect this location.
20. Easement as contained on Certified Survey Map No. 8121. Affects this location.
21. Development Agreement by and between Mayhew Development, LLC and City of Oak Creek, dated November 2, 2006, filed December 4, 2006, and recorded as Document No. 9347826. Affects this location.
22. Storm Water Management Practices Maintenance Agreement by and between Mayhew Development, LLC and City of Oak Creek, dated November 21, 2006, filed December 29, 2006, and recorded as Document No. 9348082. Affects this location.
23. Distribution Agreement by and between Mayhew Development, LLC and Wisconsin Electric Power Company, a Wisconsin corporation doing business as Wisconsin Electric Power, Inc. d/b/a WEPC, a Wisconsin corporation, dated July 21, 2007, and recorded as Document No. 9466577. Does not affect this location.

TITLE COMMITMENT CONT.

24. Access, Easement and Stormwater Drainage Easement by Mayhew Development LLC, a Wisconsin limited liability company, dated December 18, 2008, filed January 14, 2009, and recorded as Document No. 9468415. Affects this location.

25. Condominium Declaration by Mayhew Development, LLC, dated December 22, 2008, filed January 14, 2009, and recorded as Document No. 9468416. Affects this location.

First Amendment to Condominium Declaration dated October 2, 2011, and recorded as Document No. 10169744.

Assignment of Declarant's Rights, recorded March 4, 2013 as Document No. 1232287.

Assignment and Assumption of Declarant's Rights, recorded October 21, 2013 as Document No. 1232570.

26. Mayhew Professional Center Condominium Plat, filed January 11, 2009, and recorded as Document No. 9444411. Affects this location.

PARKING SPACES

There are no parking spaces marked on this site.

FLOOD NOTE

According to the Flood Insurance Rate Map of the County of Milwaukee, Community Panel No. 55079C0164C, effective date of September 26, 2006, this site falls in Zone X (Area determined to be outside the 1% annual chance floodplain).

MUNICIPAL ZONING

Site is zoned: B-4 (Highway Business District)

Front setback: 15 feet Side setback: 15 feet Rear setback: 25 feet Maximum building height: 50 feet

LAND AREA

The Land Area of the subject property is 111,977 square feet or 2.571 acres.

TO: 8370 Mayhew Drive, LLC
Aurora, LLC
First American Title Insurance Company

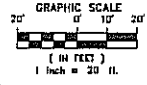
This is to certify that this map or plan and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and ACSM, and includes items 1, 2, 3, 4, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Table A thereof. The field work was completed on September 1, 2014.

Date of Map: September 17, 2014
Revised: September 22, 2014

Daniel C. Grotz
Daniel C. Grotz
Registered Land Surveyor
Registration Number S-1316



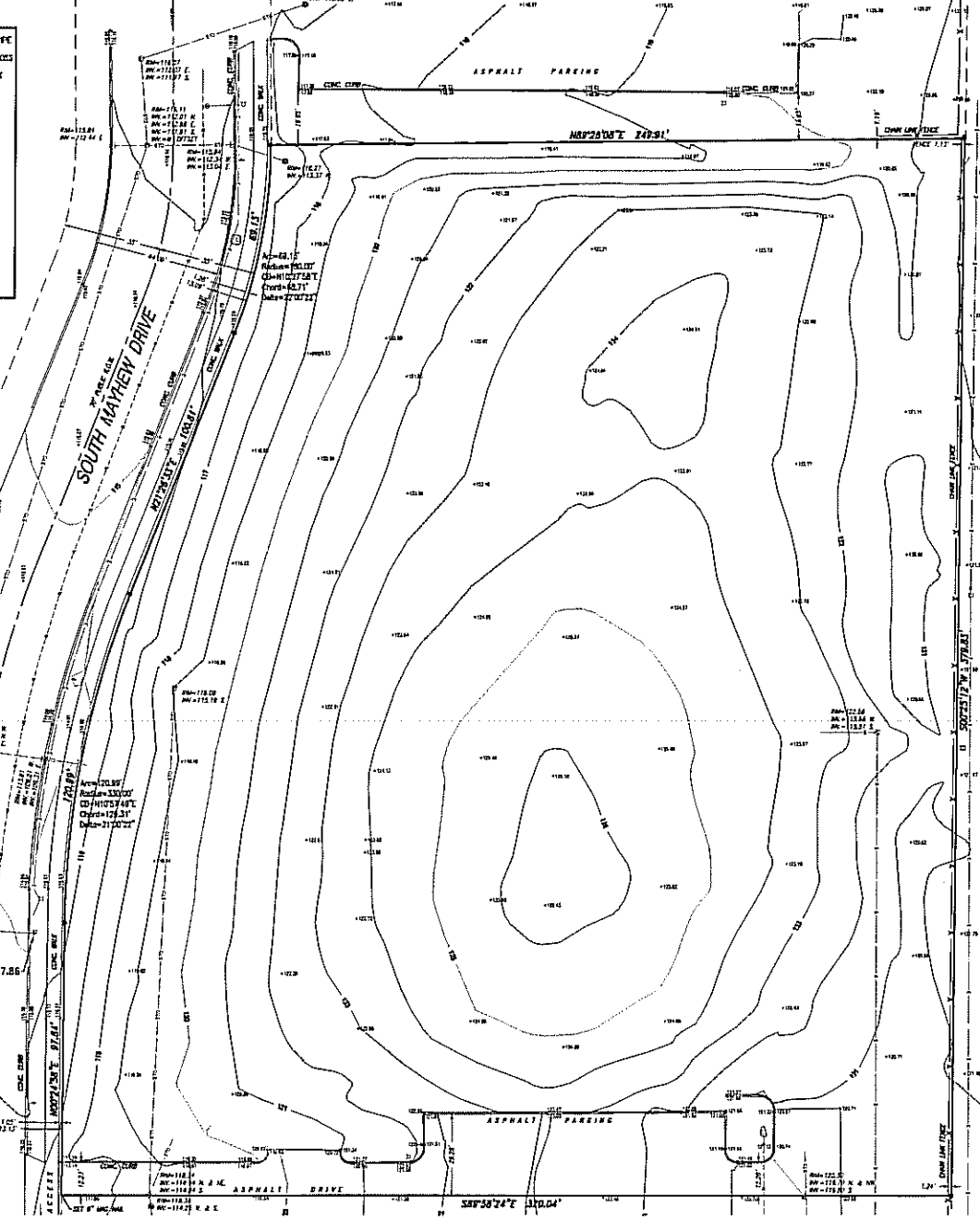
VICINITY MAP



CHAPEL LAND SURVEYS, INC.
214 W. HIGHLAND AVENUE
MILWAUKEE, WI 53224
414-221-9158
www.chapelandsurveys.com Drawing No. 1812-14

LEGEND

- INDICATES FOUND 1" IRON PIPE
- INDICATES SET 1" IRON PIPE
- ⊕ INDICATES FOUND CHISEL POINT
- ⊕ SANITARY MANHOLE
- ⊕ SANITARY CLEANOUT OR VENT
- ⊕ ULS MANHOLE
- ⊕ LAMPING MANHOLE
- ⊕ STORM MANHOLE
- ⊕ (HOLE FOUND)
- ⊕ (HOLE SQUARE)
- ⊕ STORM SEWER END SECTION
- ⊕ GAS VALVE
- ⊕ GAS METER
- ⊕ WATER VALVE
- ⊕ HYDRANT
- ⊕ WATER MANHOLE
- ⊕ WATER SERVICE CURB STOP
- ⊕ LIGHT POLE
- ⊕ SPOT/ROAD LIGHT
- ⊕ ELECTRIC PEDestal
- ⊕ ELECTRIC METEIN
- ⊕ TELEPHONE PEDestal
- ⊕ TELEPHONE SEWER
- ⊕ STORM SEWER
- ⊕ MANHOLE
- ⊕ MANHOLE SET MAN
- ⊕ BARRERED ELECTRIC
- ⊕ FENCE





Plan Commission Report

ITEM: 4b

DATE: October 28, 2014

PROJECT: Rezone and Conditional Use – Matthew Lyons, Azura, LLC

ADDRESS: 8870 S. Mayhew Dr.

TAX KEY NOs: Multiple (860-1001 to 860-1208)

STAFF RECOMMENDATION: That Plan Commission recommends to the Common Council that the property at 8870 S. Mayhew Dr. be rezoned from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use for a Community-Based Residential Facility with a capacity for more than 15 persons, after a public hearing.

Ownership: 8870 Mayhew Drive, LLC, c/o Keystone Development, 420 S. Koeller St., Oshkosh, WI 54902

Size: 2.571 acres

Existing Zoning: B-4, Highway Business

Adjacent Zoning: North – B-3, Office and Professional Business
East – Rm-1 (PUD), Multifamily Residential
South – I-1, Institutional; B-4 (PUD), Highway Business; Rm-1 (PUD), Multifamily Residential
West – B-4, Highway Business; B-4 (CU), Highway Business; B-4 (PUD), Highway Business

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: None.

Official Map: N/A.

Commentary: The Applicant is requesting that the proposed Lot 1 at 8870 S. Mayhew Dr. following the CSM discussed in the previous agenda item, be rezoned from B-4, Highway Business to Rm-1, Multifamily Residential in anticipation of constructing a Community-Based Residential Facility (CBRF).

Originally, the approved plan for this property included two professional office buildings to be constructed in phases. However, only Phase I was completed. Since the existing professional office condo building was constructed, this area has seen little business development. An application to rezone this property for a 3-story apartment building with underground parking was withdrawn late last year.

According to the Comprehensive Plan, this area has been identified for Planned Mixed Use. A CBRF near existing businesses and apartments would achieve this goal. The proposal calls for the development of two-phase, 60-unit (66-bed), memory care assisted living facility to serve the population with Alzheimer's and dementia. Phase I will consist of 40 units (44 beds) in a 28,000 square-foot building; Phase II will consist of an additional 20-unit (22-bed), 9,000 square-foot building.

As mentioned in the report for the CSM affecting this property, there are concerns that have been raised regarding easements and water and sewer infrastructure. While these issues do not necessarily directly impact this rezoning and conditional use request, they must be resolved prior to submission of an application for site, building, and landscaping plan review. Staff recommends that the Applicant continue to work with the Water and Sewer Utility on infrastructure plans.

Finally, there are several requests that the Plan Commission must issue a decision for as part of this Conditional Use application.

1. Whether the requested increase in density for senior housing is appropriate. As stated in the proposal, a majority of the residents will be 65+ due to the typical onset of Alzheimer's/dementia. Section 17.0311(c)(3) states as part of the allowable conditional uses in the Rm-1, Multifamily district: "Housing for the elderly provided that the density of such housing shall not exceed twenty-seven (27) units per acre and shall meet the minimum per unit building area specified" in Sections 17.0311(d) and (g).
2. Whether a CBRF may be allowed within 2,500 feet of an existing CBRF.
3. Whether a reduction in the minimum number of parking stalls is appropriate. The proposal is to construct 42 parking stalls for employees and residents. As many of the residents will not or cannot drive, the proposal is to construct the equivalent of 1 space per 3 residents (22 stalls) and 18 spaces for the peak staff shift (18 stalls). Staff has recommended that the Applicant pursue shared future parking with the existing professional office condo building to the south, and to identify a potential future parking area on the site plan.

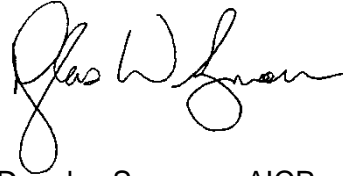
Staff recommends approval of the proposal, including the specific requests enumerated above, subject to conditions and restrictions that will be prepared for the November 11 Plan Commission meeting.

Prepared by:



Kari Papellbon, CFM, AICP
Planner

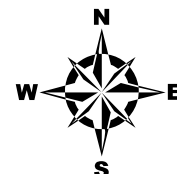
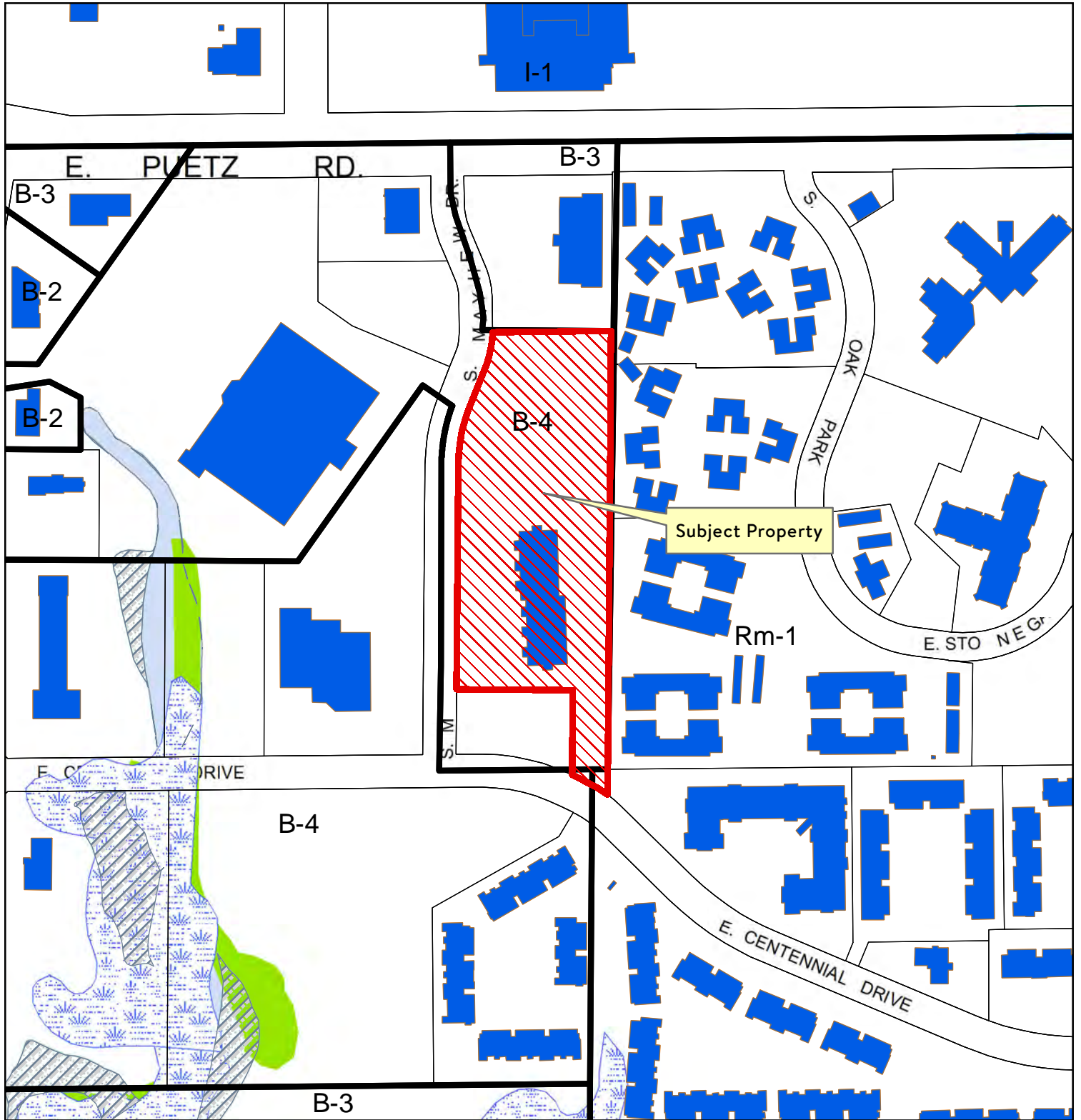
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

8870 S. Mayhew Dr.



This map is not a survey of the actual boundary of any property this map depicts.

Legend	
	8870 S. Mayhew Dr.
	Wetland
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)



September 29, 2014

RE: Proposal Description - Azura Memory Care of Oak Creek

About Azura

Azura Memory Care was founded in 2009 with the mission to “transform the culture of care”. Since then, Azura has become a trusted provider of innovative memory care services and programs. From homelike settings to transformational programming, our memory care communities provide a safe and nurturing place for those with Alzheimer’s disease and dementia. Azura Memory Care has a team of quality of life specialists who have developed a holistic programming plan for each community. We call our programming MOSAIC, which is an acronym for Memory care professionals Offering Support through Advances and Innovation in Care.

Azura currently operates 13 Community Based Residential Facilities (“CBRF”) in Wisconsin with a capacity of 231 residents, all of which are focused specifically on serving those with Alzheimer’s and dementia (Memory Care Community). Azura employs 261 people through the operation of these CBRFs.

Through the operation of existing Memory Care Communities in addition to extensive research, Azura has developed a prototype design concept that will help optimize the care for those with Alzheimer’s and dementia. The proposed development in Oak Creek will be a flagship community for Azura and will be one of the first implementations of this exciting new design.

Proposal Description

Azura is currently under contract to purchase a portion of a parcel of land located at 8870 South Mayhew Drive. The parcel is 5.680 acres and consists of a 2.571 acre area of vacant land (Subject Parcel) and a 3.109 acre area that includes an office/retail condominium building. Enclosed in this application package is a Certified Survey Map that will formally divide the parcel into two separate parcels and the Subject Parcel will be removed from the existing condo plat.

Azura is proposing to develop a 2-phased, 60-unit (66-bed) memory care assisted living community on the Subject Parcel. The first phase will consist of 40 units (44 beds) and a future second phase will consist of an additional 20 units (22 beds). The planned development will increase the ability of the community to serve its population with Alzheimer’s/Dementia which is currently underserved.

Relationship to the Comprehensive Plan

The Comprehensive Plan for the City of Oak Creek, as adopted by the Common Council on April 1, 2002, indicates the Planned Land Use for the Subject Parcel to be Planned Mixed Use. The Planned Mixed Use category allows for a mix of institutional, business, office, transportation, and/or residential uses. The subject parcel is also immediately adjacent to an area that is planned as Mixed Residential per the Comprehensive Plan. A zoning change from B-4 to RM-1 for the proposed infill development appears to be in line with the intent of the Comprehensive Plan and the character of the surrounding area in both use and scale.

Zoning/Use

The Subject Parcel is currently zoned B-4 (Highway Business District). Azura is requesting a zoning change for the Subject Parcel to RM-1 (Residential Multi-Family) and a Conditional Use Permit to allow for community living / elderly housing.



The proposed development, a memory care assisted living community, will be licensed as a Community Based Residential Facility through the state of Wisconsin. The average age of Azura residents is 81 years, and only 11 of 261 potential residents (4.2%) are under the age of 62 years. It appears that the proposed use would be appropriate for both "licensed community and other living arrangements" and "housing for the elderly", both of which are considered Conditional Uses as stated in Section 17.0311(c)(2) of the Zoning Code.

Density

The proposed development will include 40 units with a capacity for 44 residents in phase I and an additional 20 units (22 residents) in phase II for a total of 60 units with a total capacity of 66 residents when both phases are completed. Below are the expected densities per phase for the proposed development:

Phase I:	15.56 units/acre
Phase II:	<u>7.78 units/acre</u>
Total:	23.34 units/acre

The "housing for the elderly" conditional use allows for a density of up to 27 units per acre. Although the proposed development may qualify as a "licensed community and other living arrangements" and/or "housing for the elderly", it is requested that the density allowed for "housing for the elderly" be applied to the proposed development.

Azura of Oak Creek will have a smaller impact on the community than a typical elderly housing apartment community. Azura provides care specifically for residents that are living with Alzheimer's and other forms of dementia. The typical resident at an Azura Memory Care community, due to the symptoms of dementia, does not drive and will have minimal use of the community's public resources.

The requested density will allow Azura to provide a much needed service to the community of Oak Creek. The typical incidence of Alzheimer's/dementia in the United States is 13% of the age-65+ population (as published in 2012 Alzheimer's Disease Facts and Figures). Based on market analysis, the current availability for care for those with Alzheimer's/dementia does not meet the current anticipated need. Additionally, it is projected that the age 65+ demographic in Oak Creek and the surrounding area will grow by 15.5% over the next 5 years indicating a significant need for additional memory care within the community.

Floor Area Ratio

The anticipated gross floor area of the proposed project is approximately 28,000 square feet for Phase I and approximately 37,000 square feet for Phases I and II combined. This indicates a Floor Area Ratio of 25% for phase I and 33% for phases I and II, combined. The floor area ratio is based on the parcel size of 111,976 square foot or 2.57 acres.

Parking Ratio

Section 17.0403(j) indicates that in the case of uses not specified in this section, the number of required spaces is specified as the general standard for the use class or the number of spaces specified for similar use shall apply. Within Residential Uses, housing for the elderly indicates a requirement of 1 space per dwelling unit. However, the specified use that is most similar to the proposed memory care assisted living community is "nursing homes" (Institutional and Related Uses).

In a typical elderly housing development, residents will drive and have their own vehicles and staffing will be minimal. However, in the proposed development, residents will not be able to drive and staffing will be at a ratio of approximately 1 staff per 5 residents. The functional parking requirement of the proposed development



is much more in line with a nursing home than an elderly housing development. The “nursing home” use requires 1 space per 3 patient beds plus 1 space per employee at peak shift. Based on the most similar classification of “nursing home”, 42 spaces have been planned. This equates to the required 1 space per 3 residents (22 spaces) plus 1 space per staff at peak shift (18 spaces).

Impervious Surface Area Ratio

The total estimated impervious surface area of the conceptual site plan is 63,065 square feet. This results in an Impervious Surface Area Ratio of 56% based on the 111,976 square foot site. This calculation is based on the anticipated parking configuration and includes the sidewalk and patio areas that are contemplated in the concept landscape plan.

Economic Development

While Azura’s mission is to maximize the level of care for those with Alzheimer’s and other forms of dementia, we are a for-profit company and anticipate generating a positive economic impact to the city of Oak Creek in two measurable ways.

First, the proposed development will increase the utilization of the land and will increase land-use tax in addition to local business taxes, as applicable. These taxes will increase revenue for the city as the vacant parcel is currently taxed at a minimal level.

Second, Azura currently employs 261 people in the state of Wisconsin and have capacity for 231 residents indicating a ratio of approximately 1 employee per resident. This high ratio is due to the 24/7 nature of the care that we provide. The proposed development is anticipated to generate approximately 65 jobs associated with the operation of the proposed development.

Operation

Azura Memory Care at Oak Creek will obtain licensing through the state of Wisconsin as a Class C non-ambulatory (CNA), Community Based Residential Facility (CBRF). The CBRF will be operated as a memory care assisted living community for those living with Alzheimer’s and other forms of dementia.

Upon stabilization of both phases of development, the community will serve up to 66 residents and will be staffed 24 hours per day. The total anticipated staffing for this community is approximately 70 to 75. The community will have three daily shifts with an anticipated peak shift of 18 employees.

Summary of Requests:

- 1. Zoning change from B-4 to RM-1*
- 2. Conditional Use Permit to allow for CBRF that will be operated as memory care assisted living*
- 3. Density of 27 units/acre in line with allowable density under “elderly housing” conditional use within RM-1 zone*
- 4. Parking ratio calculation based on most-similar use of “nursing home” under institutional use which requires 1 space per 3 patient beds and 1 space per employee at peak shift.*

PROJECT SUMMARY:

Zoning- RM-1
 Total Site Area- 2.57AC (111,976 sf)
 Total Building Area- 36,537 sf
 Floor Area Ratio- 0.33

Total Parking and Walks- 26,528 sf
 Total Impervious Area- 63,065 sf

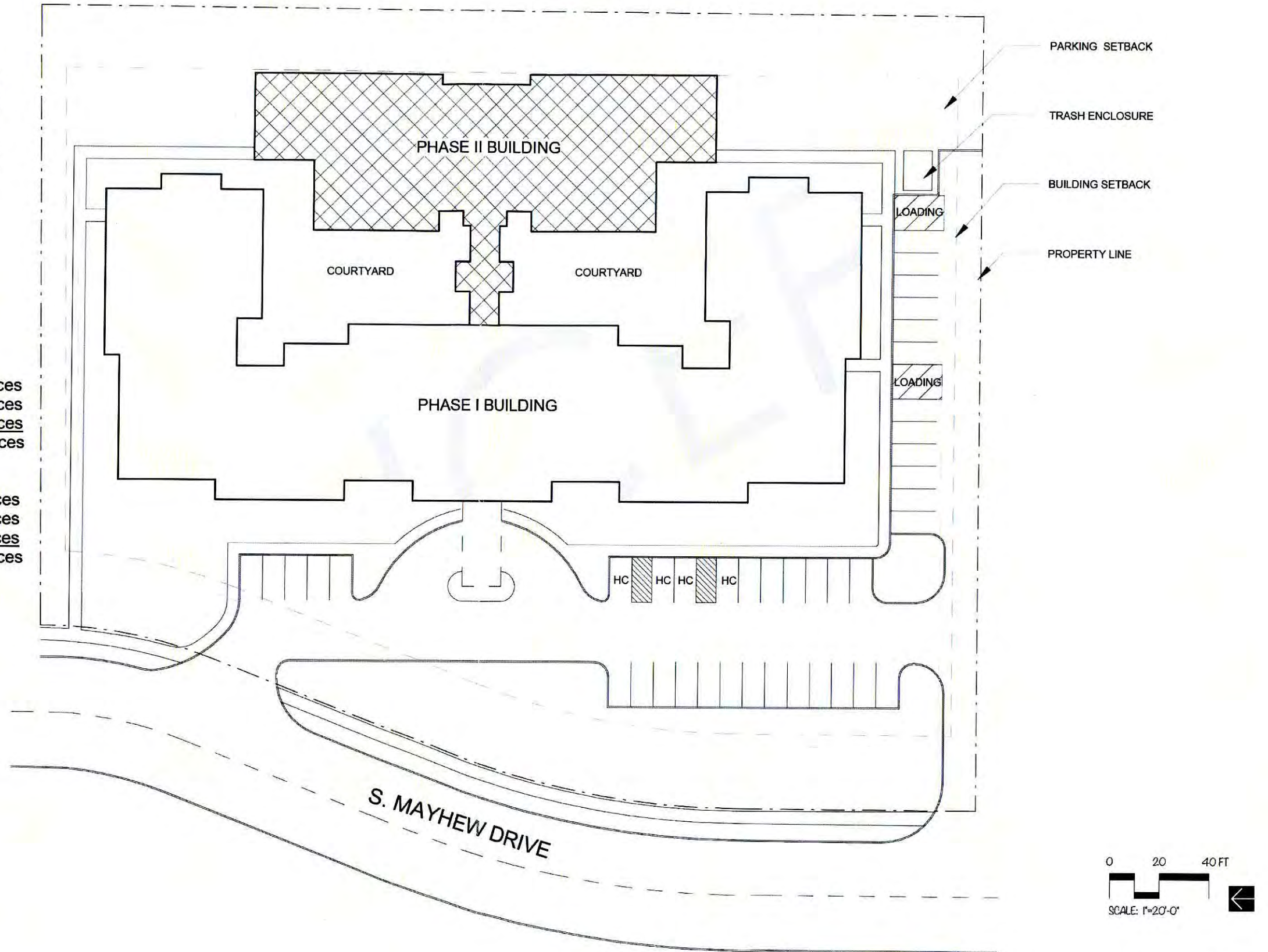
Resident Rooms-
 Phase I- 40 Units
 Phase II- 20 Units
 Density- 23.35 DU-AC

Parking-
 Req'd:
 1 per 3 residents: 22 Spaces
 1 per Staff- (Peak shift): 18 Spaces
 Loading: 2 Spaces
 Total Parking Req'd: 42 Spaces

Provided:
 Standard: 36 Spaces
 HC: 4 Spaces
 Loading: 2 Spaces
 Total Parking Provided: 42 Spaces

Setbacks-
 Building Setbacks:
 ROW: 30 ft
 Side: 10 ft
 Rear: 25 ft

Parking Setbacks:
 ROW: 25 ft
 Side: 15 ft
 Rear: 15 ft



AZURA OAK CREEK

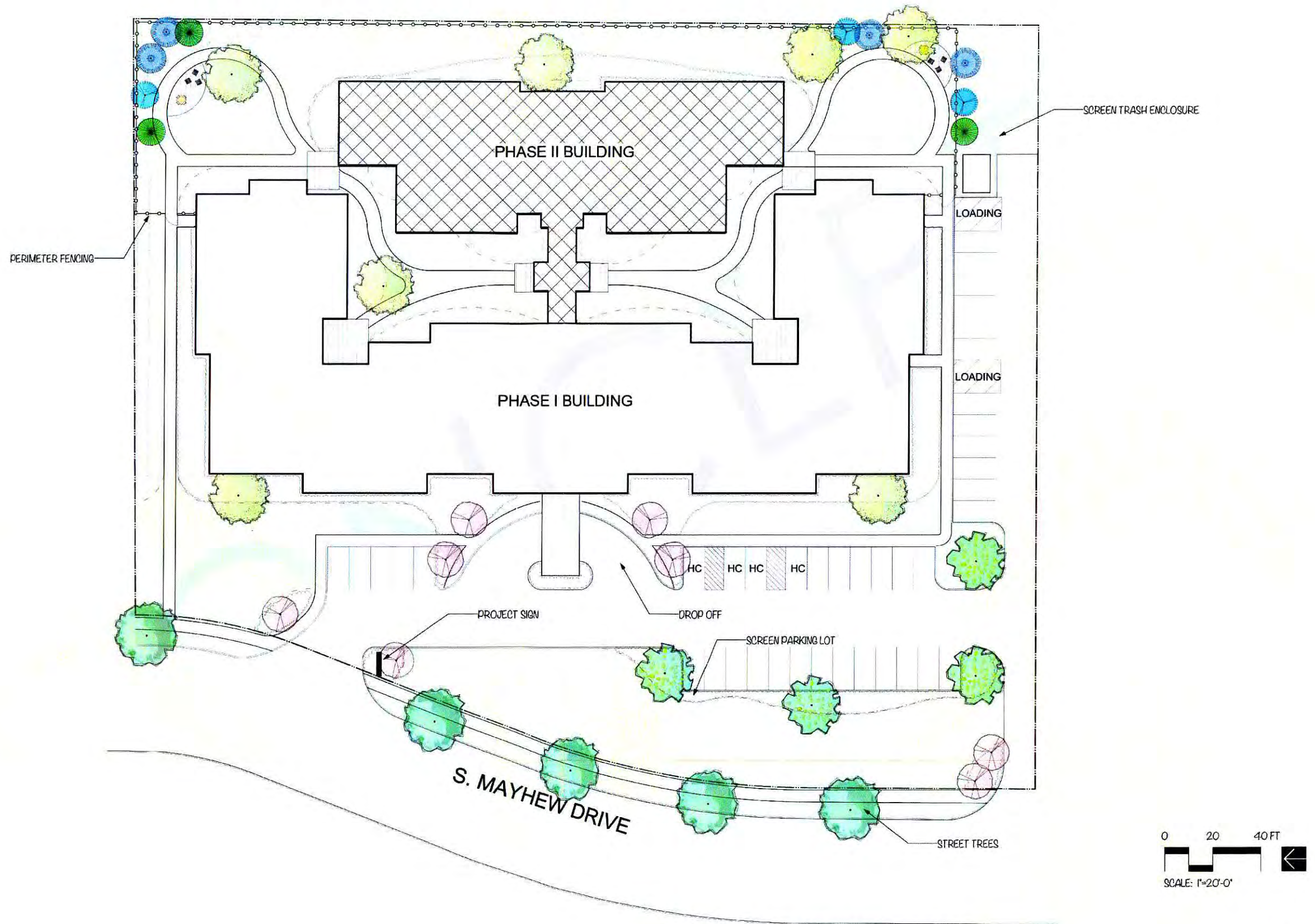
AZURA

PROPOSED PLAN

September 30, 2014

Studio Architecture
 1350 Pine Street, Suite 1
 Boulder, CO 80302

STUDIO
 thestudioarchitecture.com 866.529.9130



AZURA OAK CREEK

AZURA

CONCEPT LANDSCAPE PLAN

September 30, 2014

Studio Architecture
1350 Pine Street, Suite 1
Boulder, CO 80302

STUDIO
the studio architecture
866.529.9130



Plan Commission Report

ITEM: 4c
DATE: October 28, 2014

PROJECT: Plan Review – Joe Ferguson, Cousin’s Subs

ADDRESS: 135 W. Rawson Ave.

TAX KEY NO: 765-9018

STAFF RECOMMENDATION: That Plan Commission approves the site and building plans submitted by Joe Ferguson, Cousin’s Subs, for the property at 135 W. Rawson Ave., subject to the following conditions:

1. That all rooftop mechanicals and equipment are screened.
2. That all building and fire codes are met.

Ownership: Specprop, LLC, N83 W13400 Leon Rd., Menomonee Falls, WI 53051

Size: 1.825 acres

Existing Zoning: M-1 (PUD), Manufacturing

Adjacent Zoning: North – B-4, Highway Business; B-4 (CU), Highway Business
East – M-1 (PUD), Manufacturing; A-1, Limited Agricultural
South – M-1 (PUD), Manufacturing
West – M-1 (PUD), Manufacturing

Comprehensive Plan: Planned Business.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: Cousin’s Subs is requesting approval of façade modifications to the existing building at 135 W. Rawson Ave. Interior renovations have been completed as part of a company rebranding, and proposed exterior alterations will coincide with the rebranding concept. There are no additions proposed at this time.

Two renovations will affect the entire building: a new standing seam roof with new fascia and gutters, and the existing brick will be painted off-white. All rooftop mechanicals and equipment must be screened. Changes on the north elevation include a decorative entry comprised of gray corrugated metal panels, EIFS, metal coping/cap, and a round sign (not part of this review). A similar treatment will be done to the drive-through window on the east elevation. Corrugated metal and EIFS advertising cabinets will be added to both the east and west elevations; however, the number of signs proposed will require a sign appeal hearing. The Applicant is aware of this requirement and will go through that process at a later date. Until such time additional signage is approved, the cabinets may be used for decorative purposes only (no advertising or signage).

Lastly, the existing screening/fencing at the south end of the building and the dumpster enclosure will be replaced with corrugated metal panels to match the decorative elements on the rest of the building.

Prepared by:

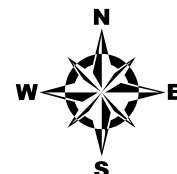
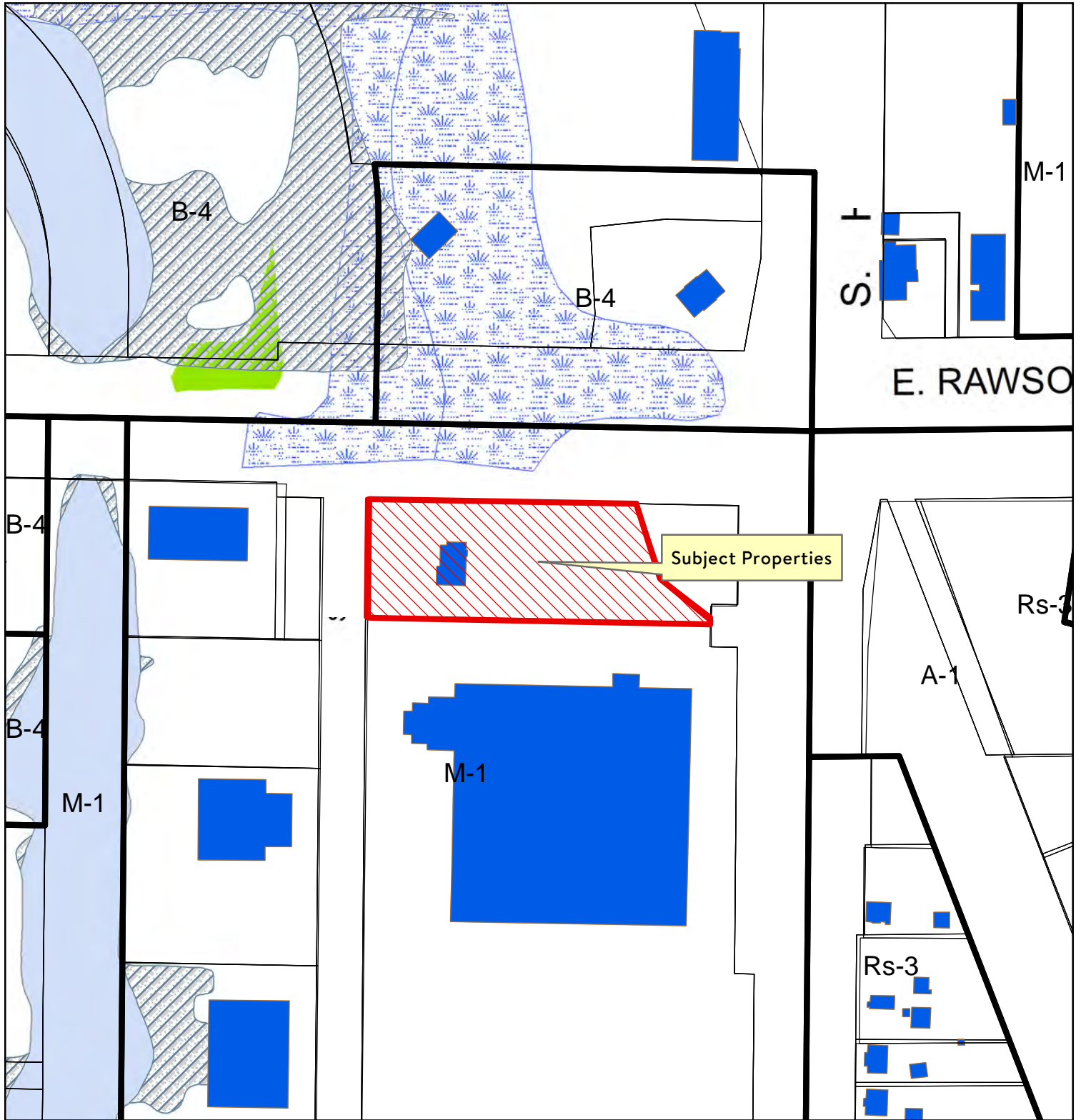
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

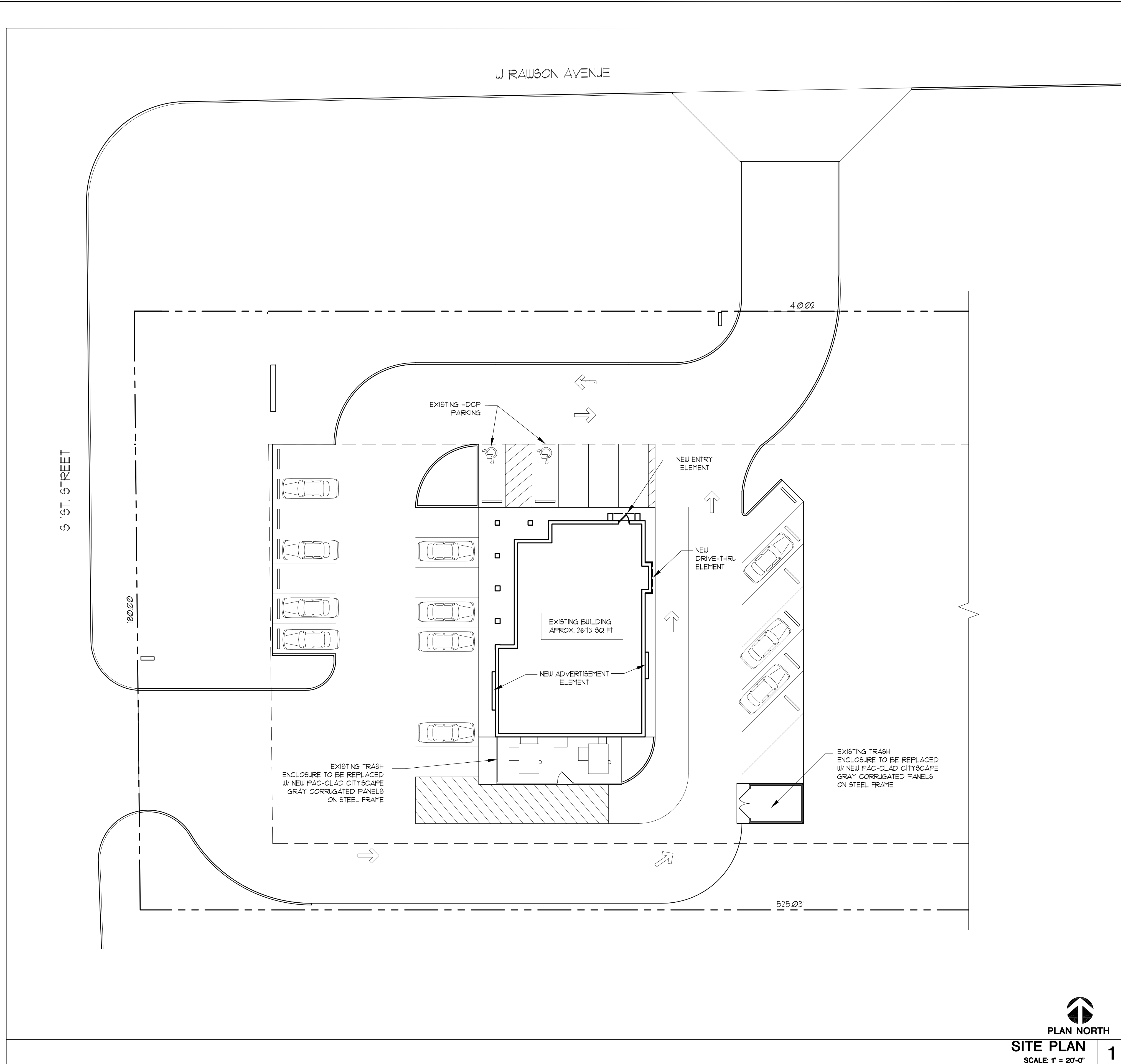
Location Map

135 W. Rawson Ave.



This map is not a survey of the actual boundary of any property this map depicts.

Legend	
	135 W. Rawson Ave.
	Wetland
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)



EXISTING SITE INFORMATION:

- EXISTING SITE PLAN BASED ON SURVEYOR'S INFORMATION PROVIDED BY OWNER. VERIFY ALL EXISTING SITE CONDITIONS.
- COORDINATE WITH GENERAL CONTRACTOR FOR EXISTING ITEMS TO BE REMOVED/ RELOCATED FOR NEW CONSTRUCTION.

SITE PLAN NOTES:

- DIMS TO THE PROPERTY LINE ARE TAKEN PERPENDICULAR AND PARALLEL UNLESS OTHERWISE NOTED.
- BUILDING ALIGNED TO LOT BOUNDARY OF MAJOR STREET. SEE CIVIL DWGS. FOR DIMENSIONS.
- VERIFY ALL PUBLIC & PRIVATE UTILITY LOCATIONS AND SIZE (ELECTRICAL, GAS METER, SANITARY LATERAL, WATER LATERAL, ETC.) WITH THE OWNER & GENERAL CONTRACTOR PRIOR TO INSTALLATION. ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE PRESENCE OR LACK THERE OF ANY UTILITIES.
- UTILITIES TO STRUCTURE FROM EXISTING LATERALS IN PUBLIC RIGHT OF WAY, GENERAL CONTRACTOR TO VERIFY LOCATION AND SIZE OF EXISTING UTILITIES W/ LOCAL MUNICIPALITY.
- ANY SEDIMENT REACHING THE STREET DURING CONSTRUCTION SHALL BE CLEANED-UP IMMEDIATELY.

SITE INFORMATION

APPLICABLE CODES
 BUILDING CODE: WI COMMERCIAL BUILDING CODE ADOPTION OF THE INTERNATIONAL CODES SUBJECT TO THE MODIFICATION SPECIFIED BY WI DEPARTMENT OF SAFETY & PROFESSIONAL SERVICES, CHAPTER 361-366
 ZONING CODE: CITY OF OAK CREEK

BUILDING CRITERIA

BUILDING AREA:	2613 SF.
OCCUPANCY:	ASSEMBLY (A2)
CONSTRUCTION CLASS:	VB
SPRINKLER SYSTEM:	NONE
RELATIVE HAZARD:	ORDINARY (MODERATE)

ZONING CRITERIA

OVERALL LOT AREA:	81911 SF. / 1.8713 ACRES
BUILDING:	26132.0 SF 32.8%
ASPHALT/CONC:	23895.60 SF 29.26%

TOTAL IMPERVIOUS: 26528.00 SF

BUILDING SETBACKS

	REQUIRED	ACTUAL
W. RAWSON AVENUE:	40'-0"	62'-11"
NEIGHBORING PARCEL:	20'-0"	52'-0"
S. 1ST STREET:	40'-0"	107'-3"
BUILDING HEIGHT:		18'-9"

PARKING

STALL SIZE:	9'-0" x 19'-0"
aisle width:	24'-0"
PARKING:	25
ACCESSIBLE PARKING:	2
TOTAL PARKING PROVIDED (INCLUDES ADA):	27



SITE PLAN
SCALE: 1" = 20'-0"

SITE PLAN NOTES AND INFORMATION

FULL SIZE PRINT = 24" x 36" SHEET

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REV. #	REV. DATE	DESCRIPTION	REV. BY:
03/20/14		PLAN COMMISSION SUBMITTAL	B.K.

Tenant Buildout For:
Cousins Submarines, Inc.
 135 West Rawson Ave.
 Oak Creek, WI 53154

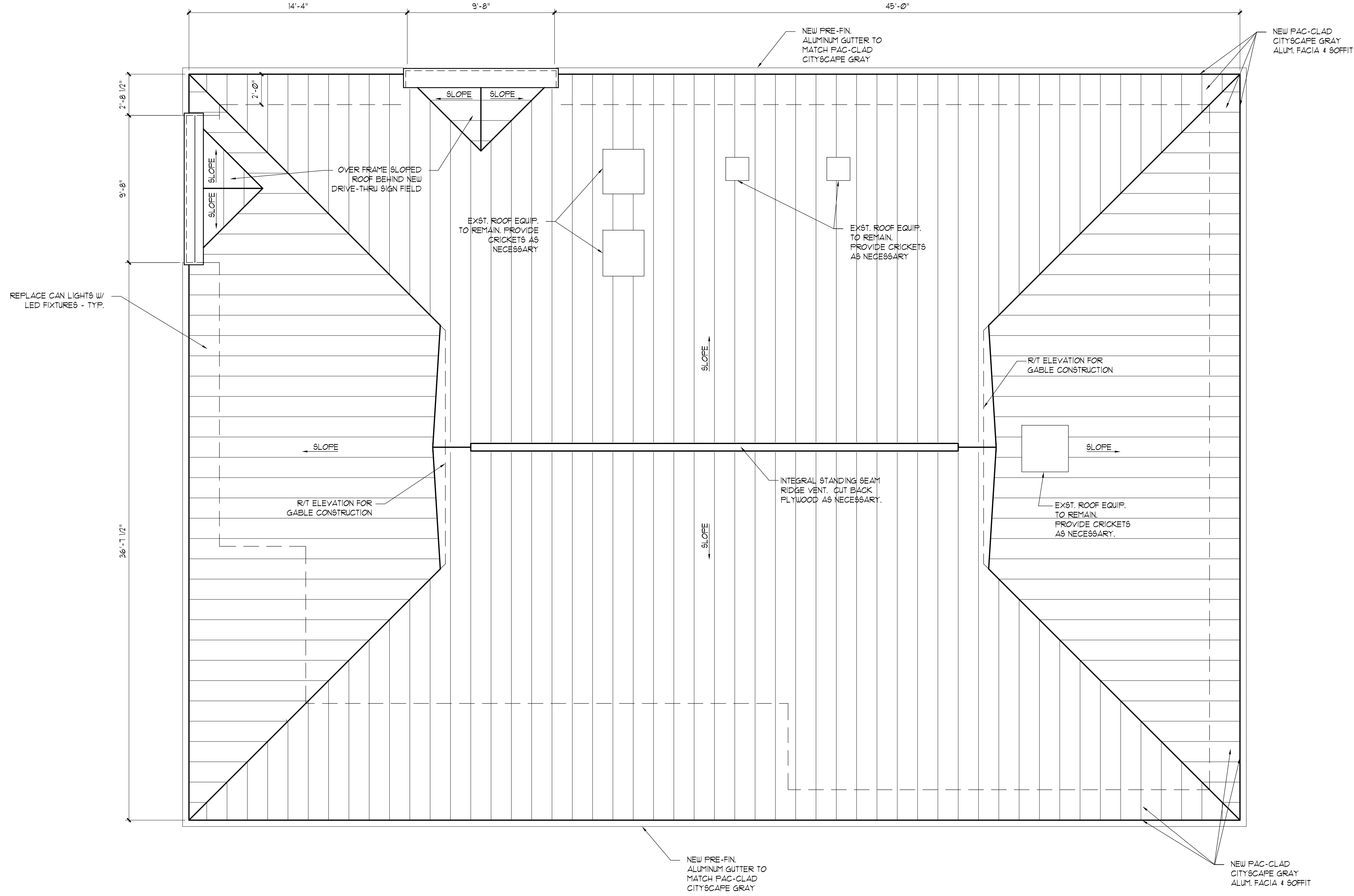
PERSPECTIVE DESIGN, INC.
 11625 W. North Avenue
 Wauwatosa, WI 53226
 Tel (414) 302-1780 Fax (414) 302-1781

Drawing Title:
SITE PLAN & NOTES

Date: 9.30.14
Scale: NOTED
Drawn: DNG
Job: -
Sheet: SP1.1

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PLAN NORTH
ROOF PLAN
1/4" = 1'-0"

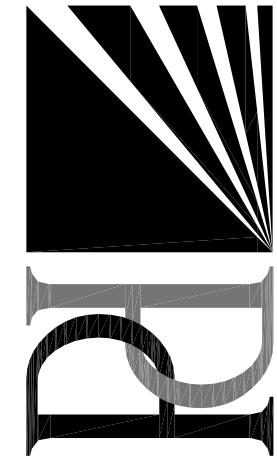
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FULL SIZE PRINT = 24" x 36" SHEET

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Date:	9.30.14
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Job:	-
Sheet:	A13

Drawing Title:
ROOF PLAN



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Tenant Buildout For:
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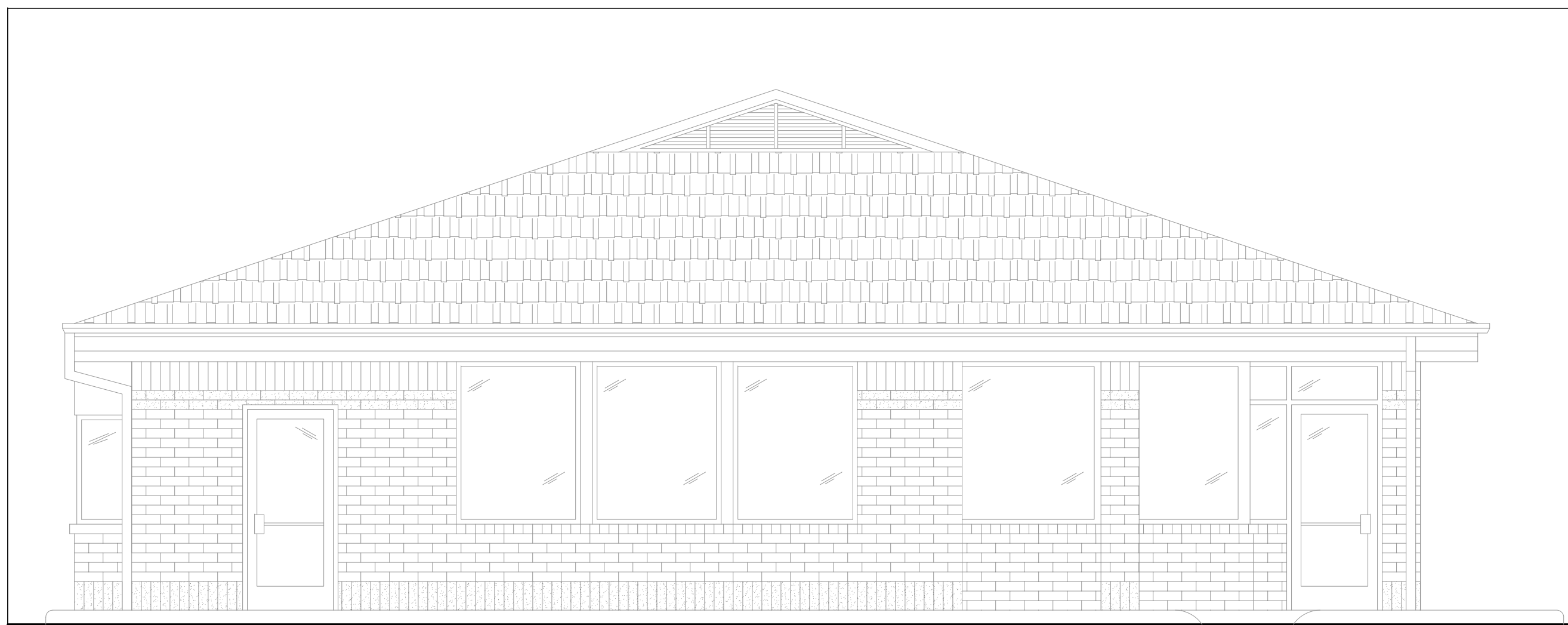
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03/20/14		PLAN COMMISSION SUBMITTAL	B.K

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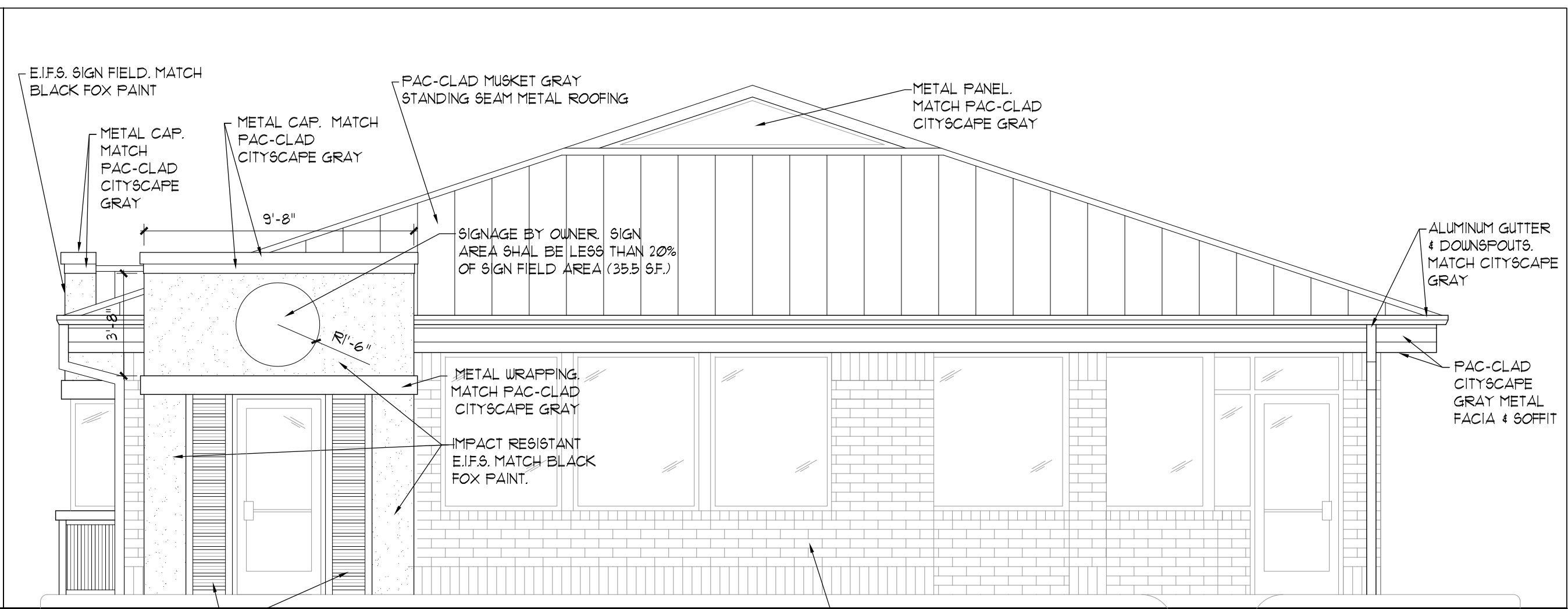
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PLOT DATE: 9/30/2014

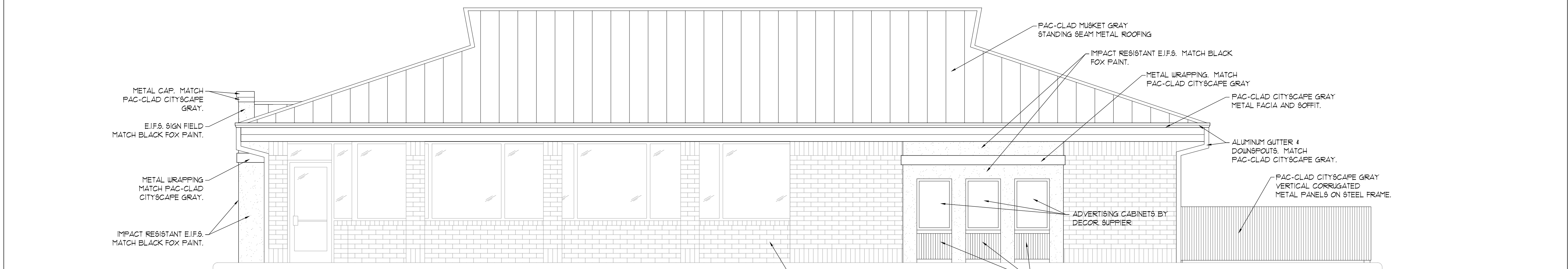
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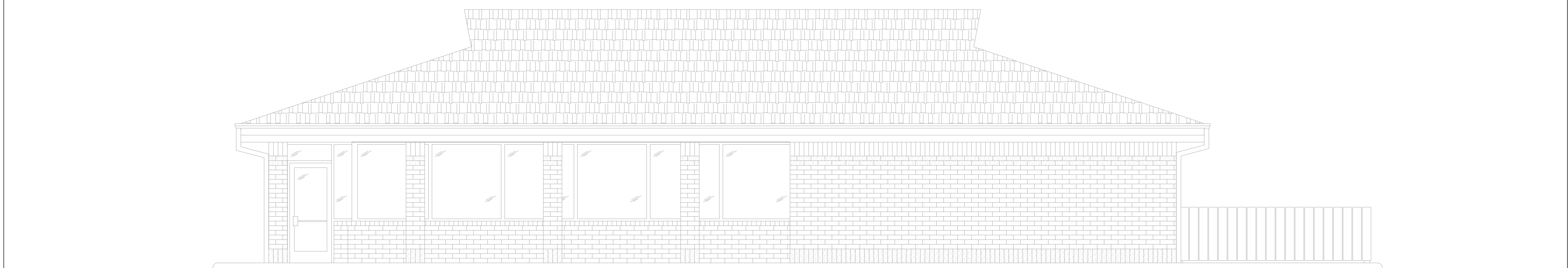
EXISTING NORTH ELEVATION
1/4" = 1'-0" **4**



PROPOSED NORTH ELEVATION
1/4" = 1'-0" **3**



PROPOSED WEST ELEVATION
1/4" = 1'-0" **2**



EXISTING WEST ELEVATION
1/4" = 1'-0" **1**

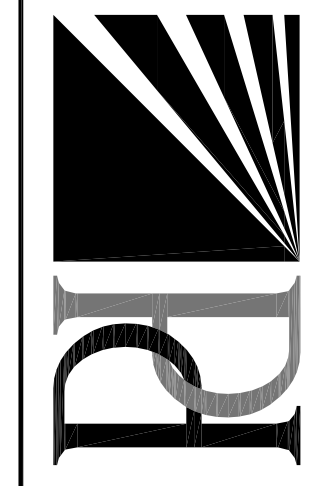
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Tenant Buildout For:
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 135 West Rawson Ave.
 Oak Creek, WI 53154

PERSPECTIVE DESIGN, INC.
 11525 W. North Avenue
 Wauwatosa, WI 53226
 Tel: (414) 302-1780 Fax: (414) 302-1781



Drawing Title:
EXTERIOR ELEVATIONS

Date:	9.30.14
Scale:	NOTED
Drawn:	DNG
Job:	
Sheet:	

A2.1

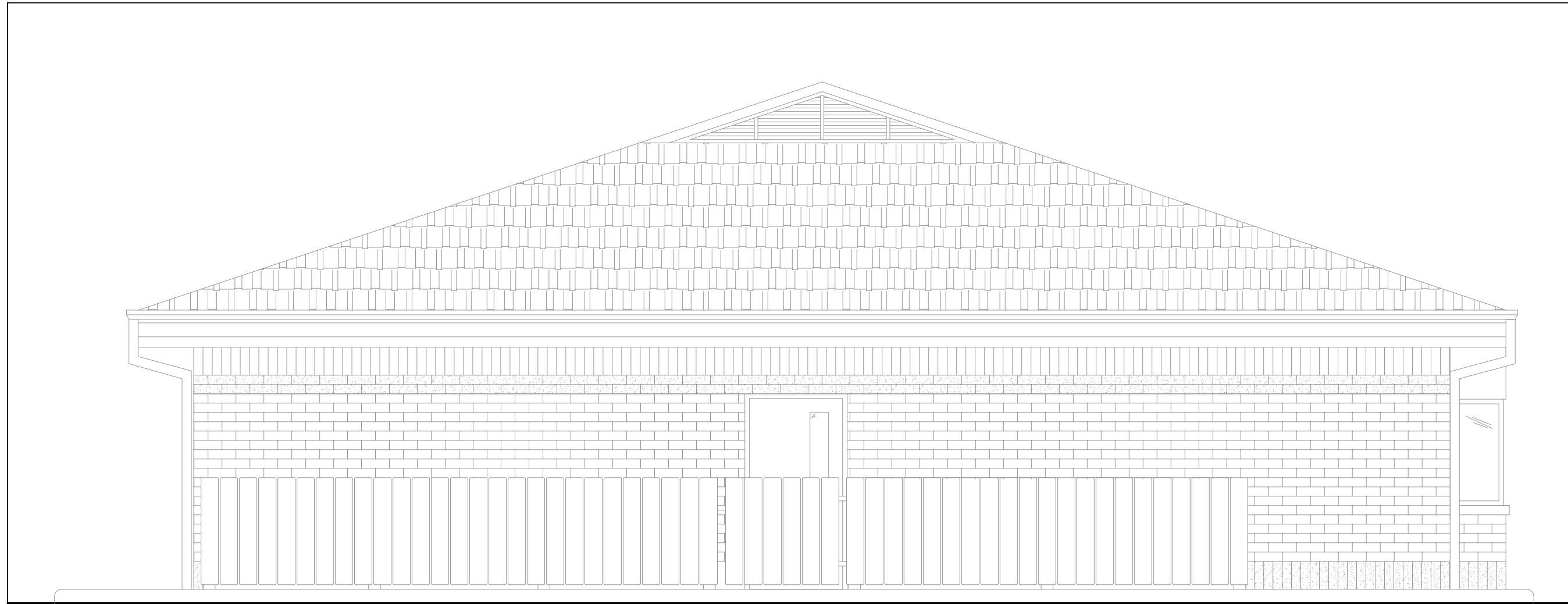
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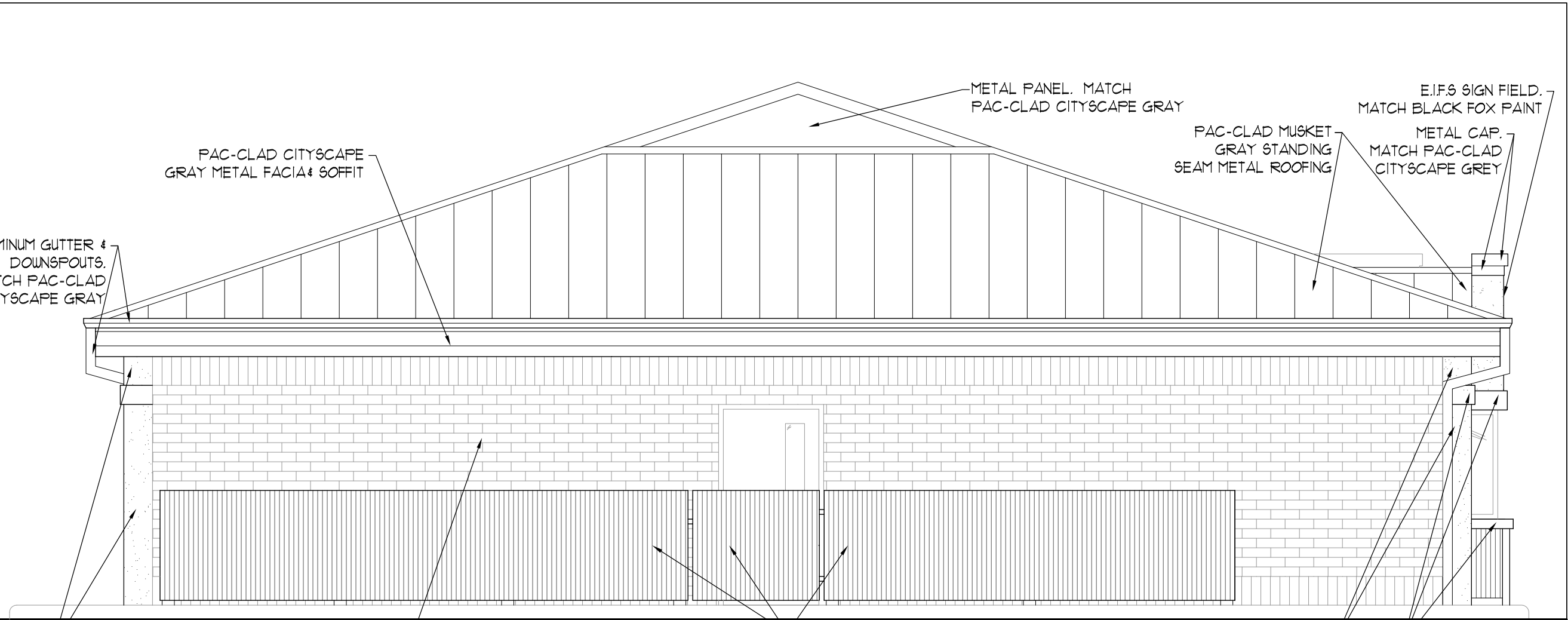
NOT FOR CONSTRUCTION

PLOT DATE: 9/30/2014

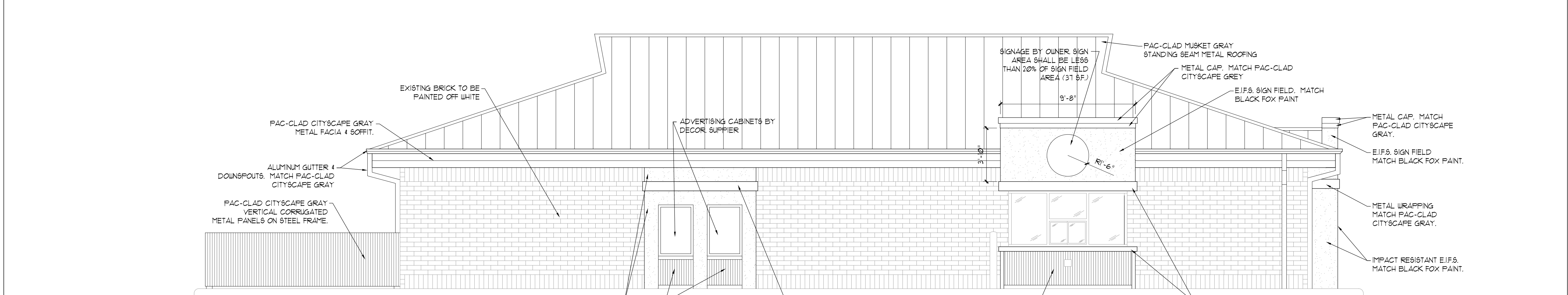
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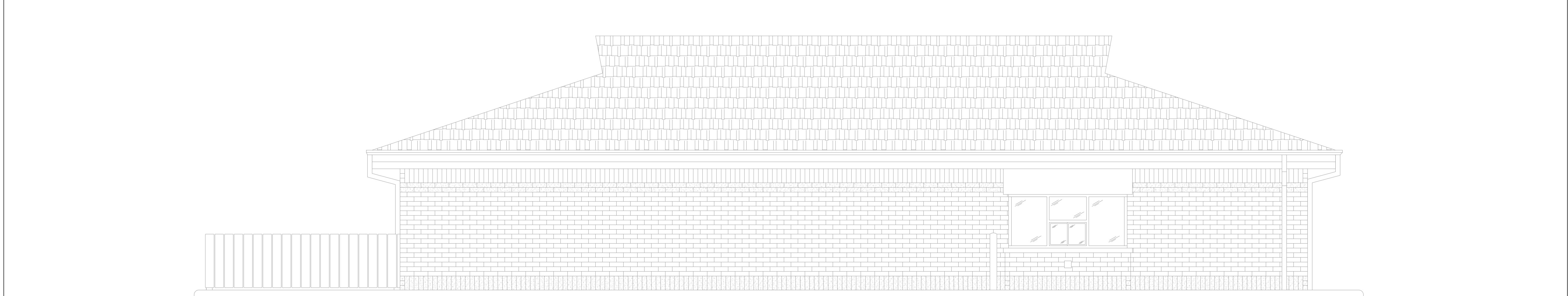
EXISTING SOUTH ELEVATION
1/4" = 1'-0" **4**



PROPOSED SOUTH ELEVATION
1/4" = 1'-0" **3**



PROPOSED EAST ELEVATION
1/4" = 1'-0" **2**



EXISTING EAST ELEVATION
1/4" = 1'-0" **1**

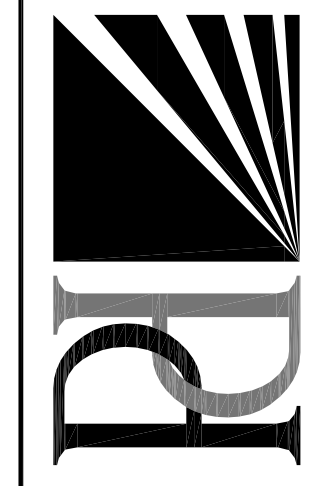
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REV. #	REV. DATE	DESCRIPTION	REV. BY:
09/30/14		PLAN COMMISSION SUBMITTAL	EJK

Tenant Buildout For:
Cousins Submarines, Inc.
135 West Rawson Ave.
Oak Creek, WI 53154

PERSPECTIVE DESIGN, INC.
11525 W. North Avenue
Wauwatosa, WI 53226
Tel: (414) 302-1780 Fax: (414) 302-1781



Drawing Title:
EXTERIOR ELEVATIONS

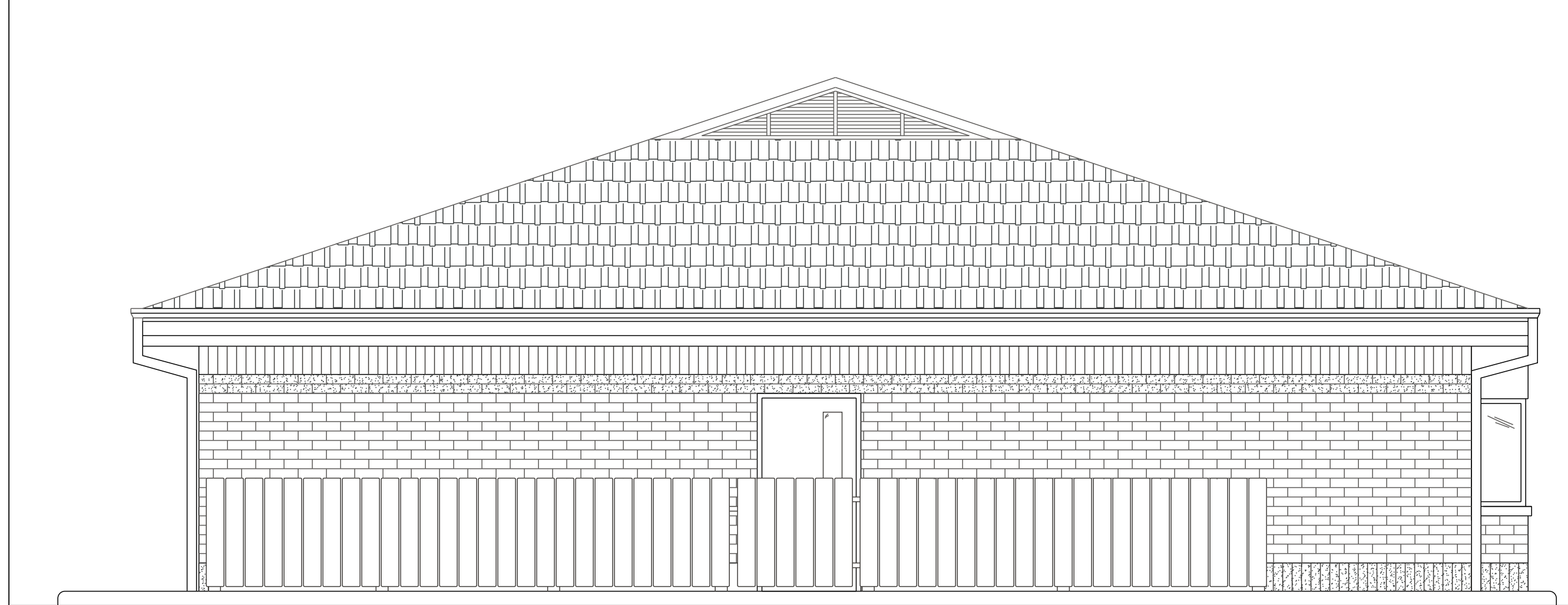
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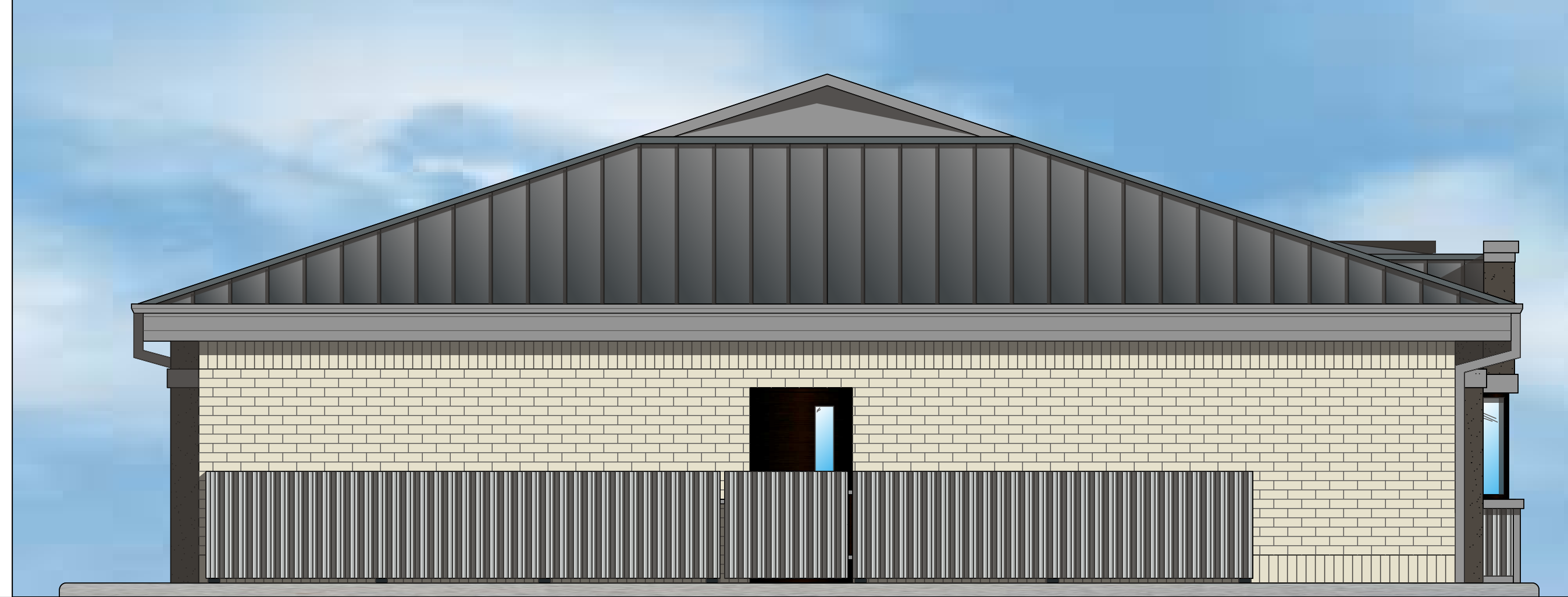
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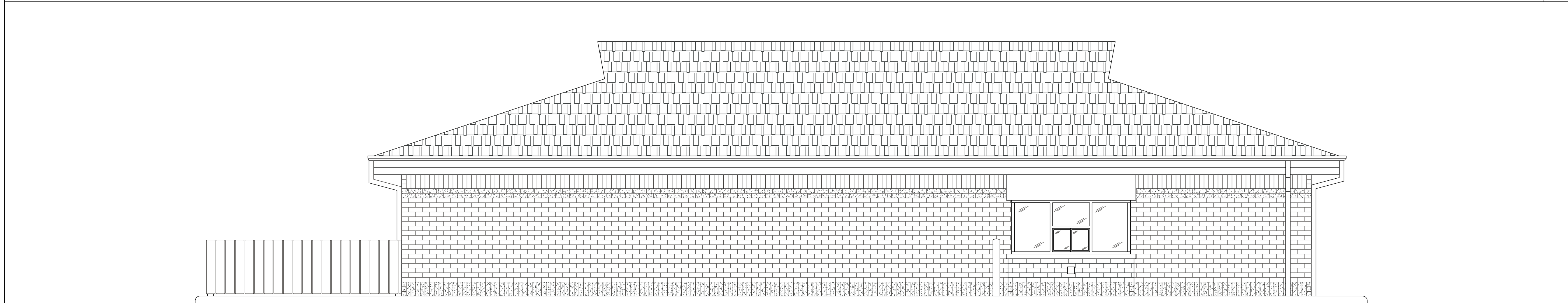
EXISTING SOUTH ELEVATION
1/4" = 1'-0" 4



PROPOSED SOUTH ELEVATION
1/4" = 1'-0" 3



PROPOSED EAST ELEVATION
1/4" = 1'-0" 2



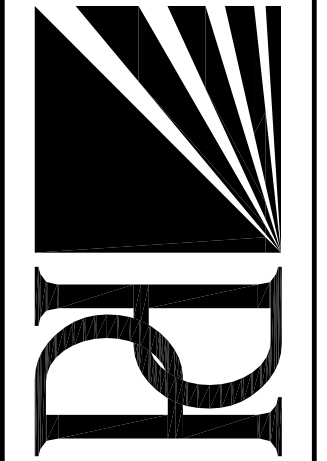
EXISTING EAST ELEVATION
1/4" = 1'-0" 1

FULL SIZE PRINT = 24" x 36" SHEET

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Date: 9.30.14
Scale: NOTED
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Drawing Title:
RENDERINGS



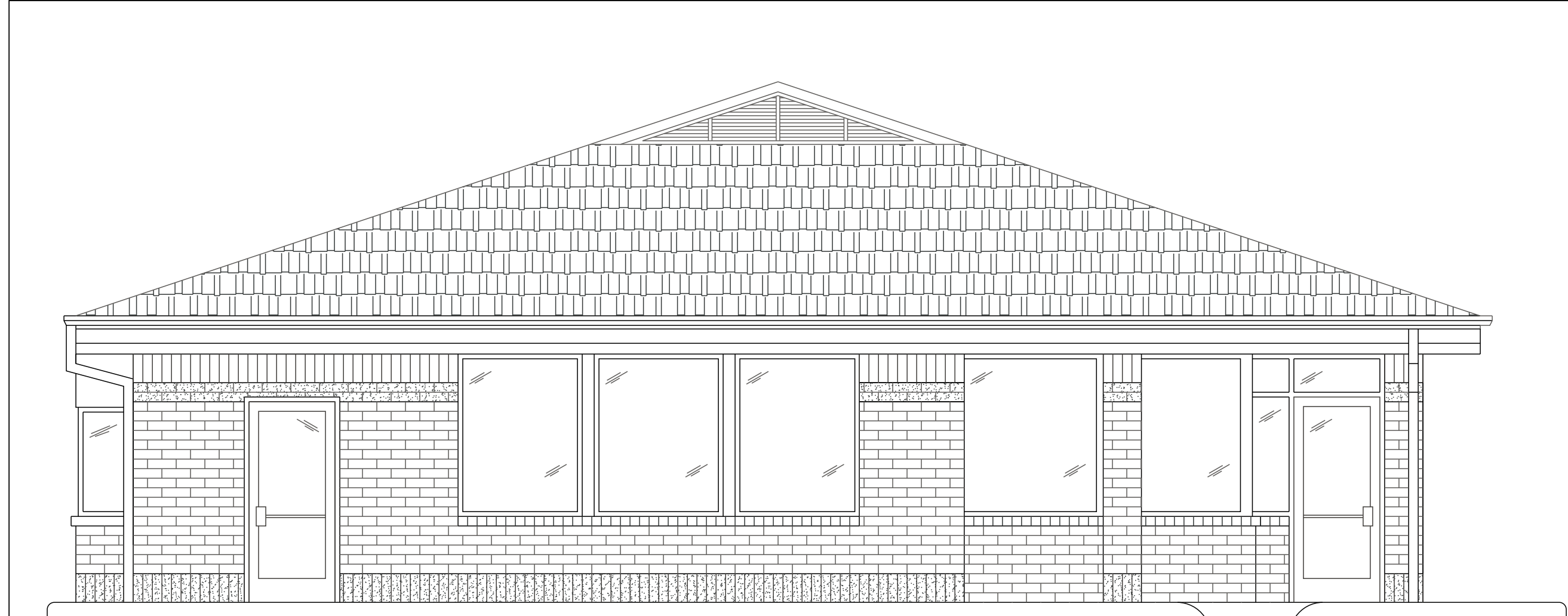
PERSPECTIVE
DESIGN, INC.
11525 W. North Avenue
Wauwatosa, WI 53226
Tel: (414) 302-1780 Fax: (414) 302-1781

Tenant Buildout For:
Cousins Submarines, Inc.
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Oak Creek, WI 53154

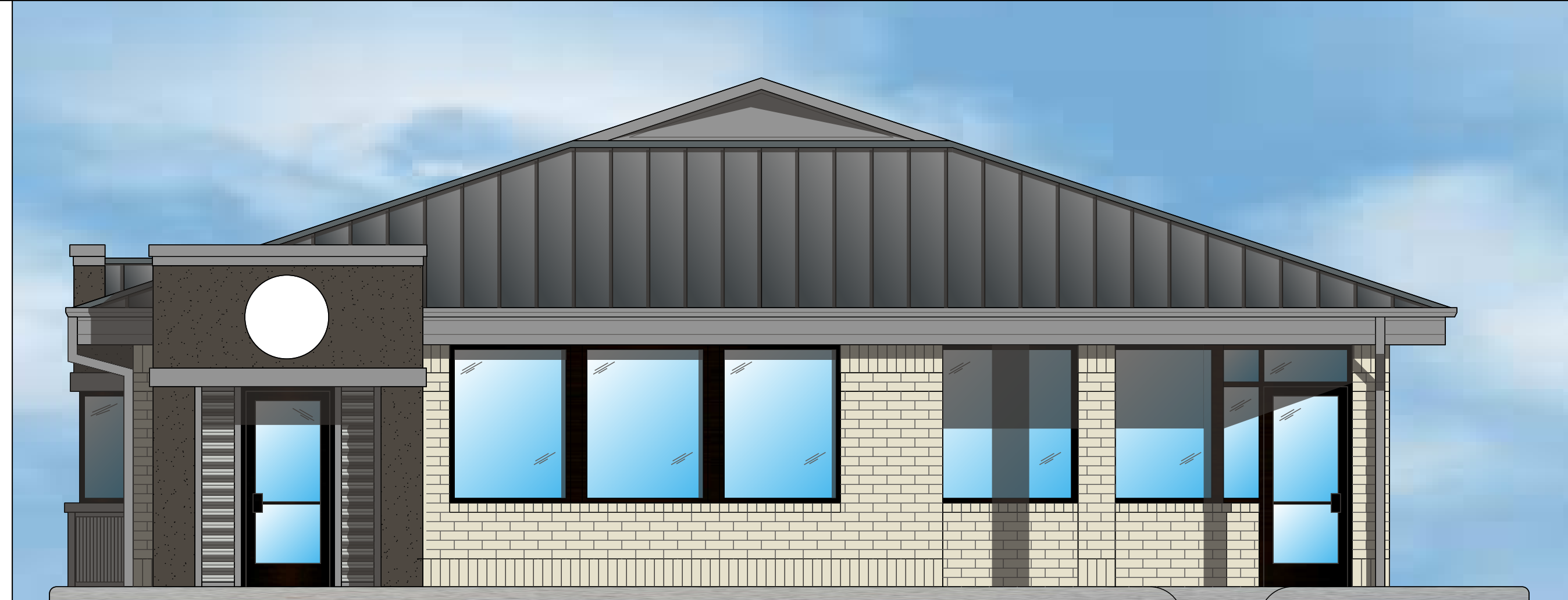
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09/30/14		PLAN COMMISSION SUBMITTAL	BJK

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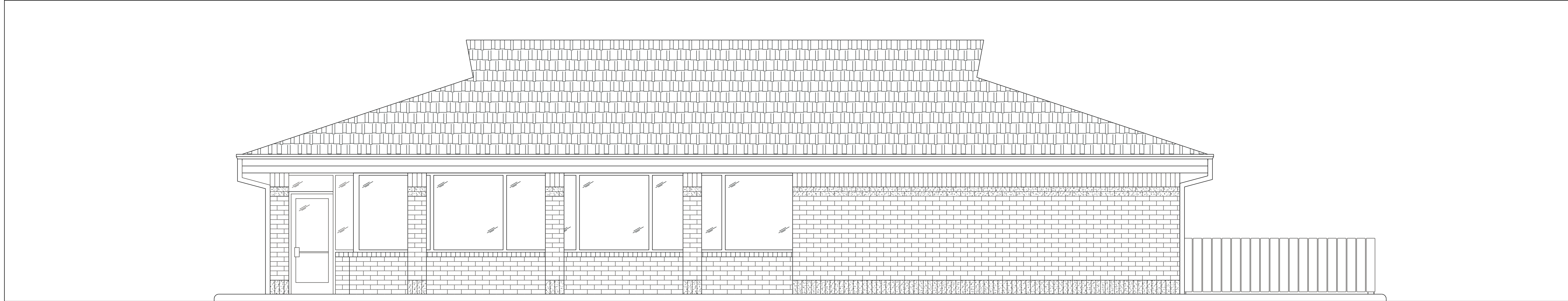
EXISTING NORTH ELEVATION
1/4" = 1'-0" 4



PROPOSED NORTH ELEVATION
1/4" = 1'-0" 3



PROPOSED WEST ELEVATION
1/4" = 1'-0" 2



EXISTING WEST ELEVATION
1/4" = 1'-0" 1

FULL SIZE PRINT = 24" x 36" SHEET

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Drawing Title:
RENDERINGS

Date: 9.30.14

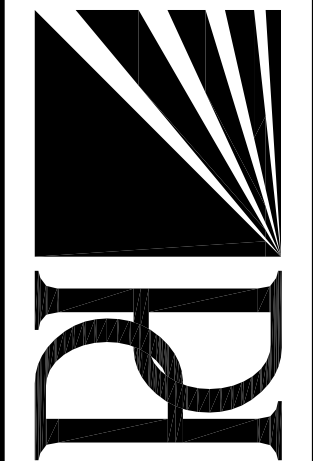
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Drawn: DNG

Job:

Sheet:
R2.1

THIS BOX IS 1/2" x 1/2"



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Wauwatosa, WI 53226
Tel: (414) 302-1780 Fax: (414) 302-1781

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Cousins Submarines, Inc.
135 West Rawson Ave.
Oak Creek, WI 53154

Project

REV. # 09/30/14

DESCRIPTION
PLAN COMMISSION SUBMITTAL

REV. BY: BJK

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Plan Commission Report

ITEM: 4d
DATE: October 28, 2014

PROJECT: Plan Review – Tracy Utphall, Tracy Rae's

ADDRESS: 823 W. Oakwood Rd.

TAX KEY NO: 954-9994

STAFF RECOMMENDATION: That Plan Commission approves the site and building plans submitted by Tracy Utphall, Tracy Rae's, for the property at 823 W. Oakwood Rd., subject to the following conditions:

1. That all rooftop mechanicals and equipment are screened.
2. That all building and fire codes are met.

Ownership: Shawn and Tracy Utphall, 3248 Shortridge Dr., Racine, WI 53402

Size: 0.678 acres

Existing Zoning: B-2, Community Business

Adjacent Zoning: North – B-2, Community Business; FW, Floodway
East – B-2, Community Business
South – Rs-3, Single Family Residential
West – Rs-3, Single Family Residential

Comprehensive Plan: Neighborhood Business.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting approval of a proposed 31' x 24' (774 square feet) single-story addition onto the rear of the existing building at 823 W. Oakwood Rd. The addition would include kitchen space and an expansion of the dining space for Tracy Rae's restaurant. All setback requirements are fulfilled in the proposed location, which is on an existing concrete pad. No additional impervious surface is proposed.

Aluminum siding will be used to match the existing building. Siding is not listed as an approved primary building material for commercial buildings, and thus the use of this material on the addition requires a ¾ majority approval of the Plan Commission. Flat roofs are also not permitted in commercial districts; however, the addition will not be part of the primary roofline. Staff supports these requests as the siding will match the existing building, and the addition may only be seen on the east elevation by vehicles traveling west on Oakwood Road.

Although the lot does not currently meet the 30% open space requirement, the addition will not reduce the existing amount of open space. No additional landscaping is proposed due to the concrete pad; however, staff suggests that the Applicant incorporate container plants along the perimeter of the addition.

Prepared by:

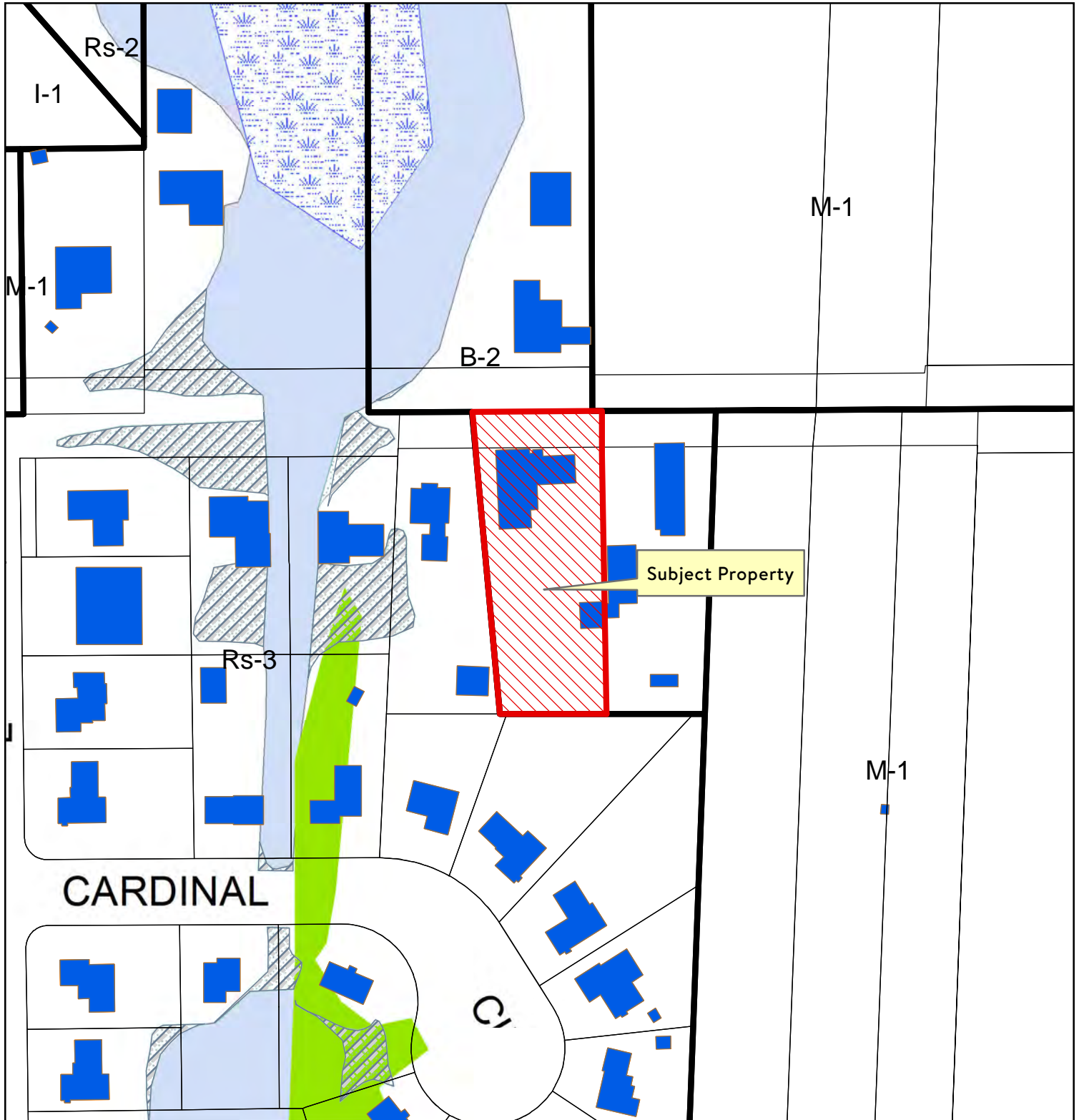
Kari Papelbon, CFM, AICP
Planner

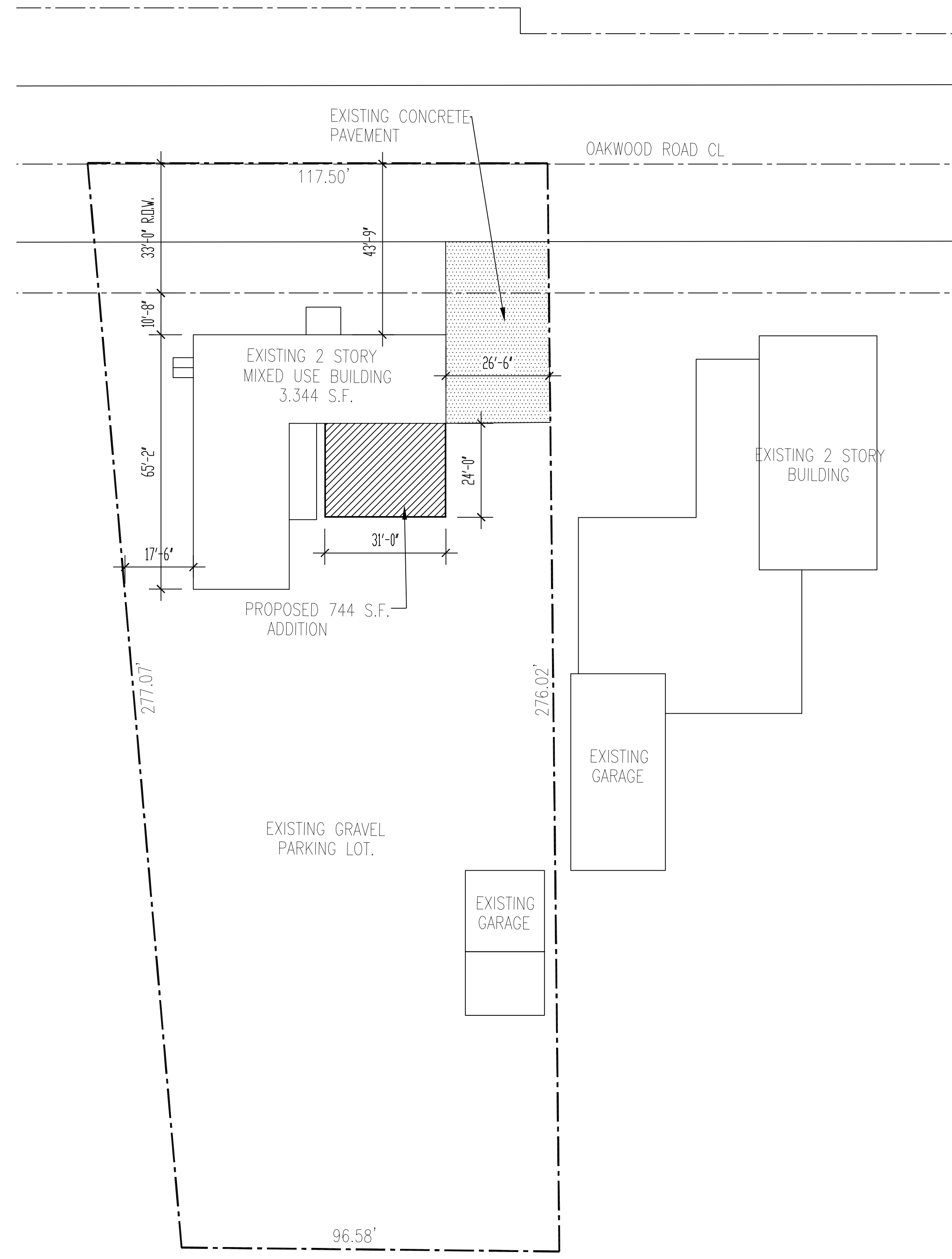
Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

823 W. Oakwood Rd.

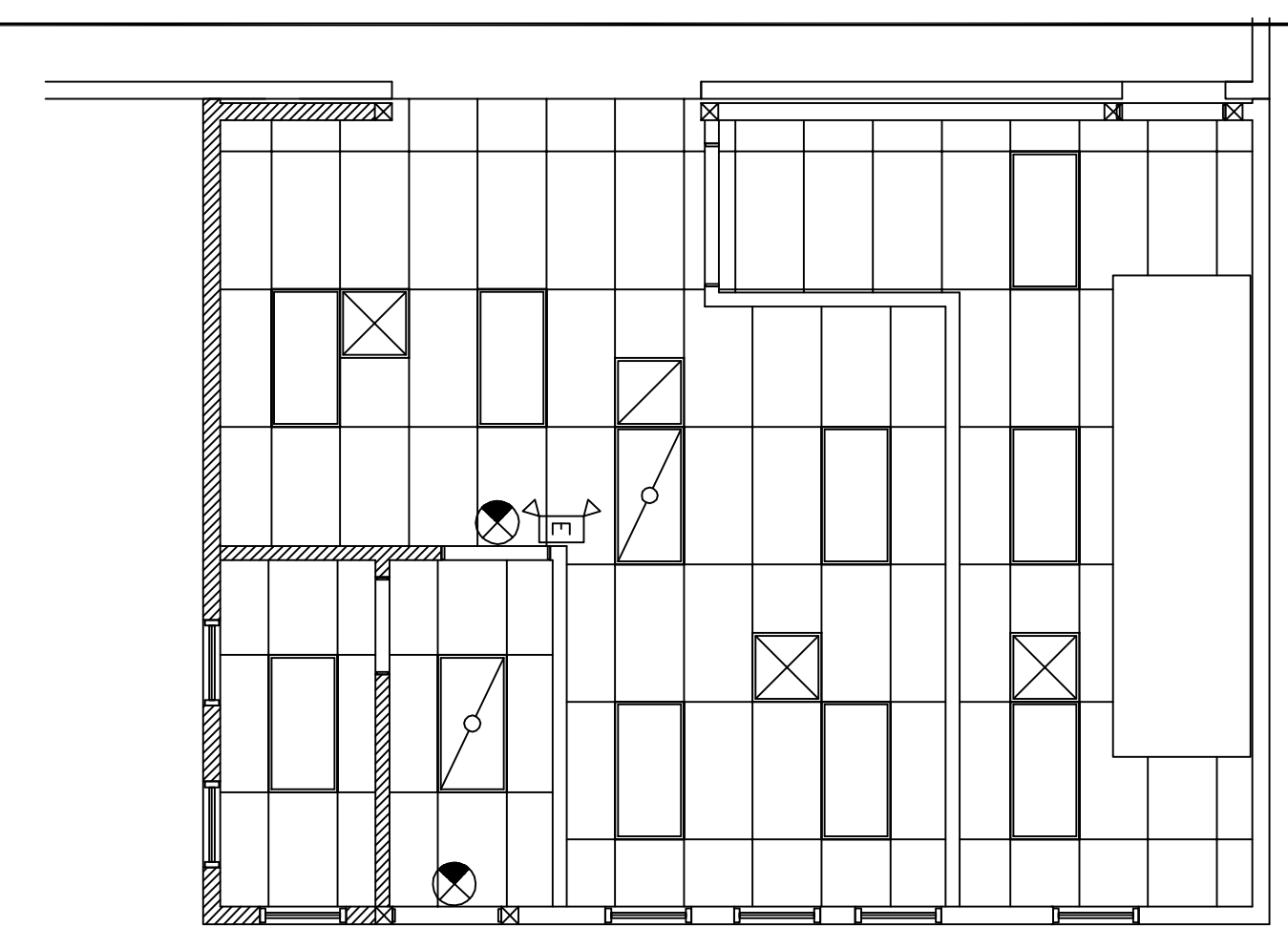




1 SITE PLAN
1" = 20'-0"

REFLECTED CEILING LEGEND
SEE ELECTRICAL PLANS FOR FIXTURE TYPE

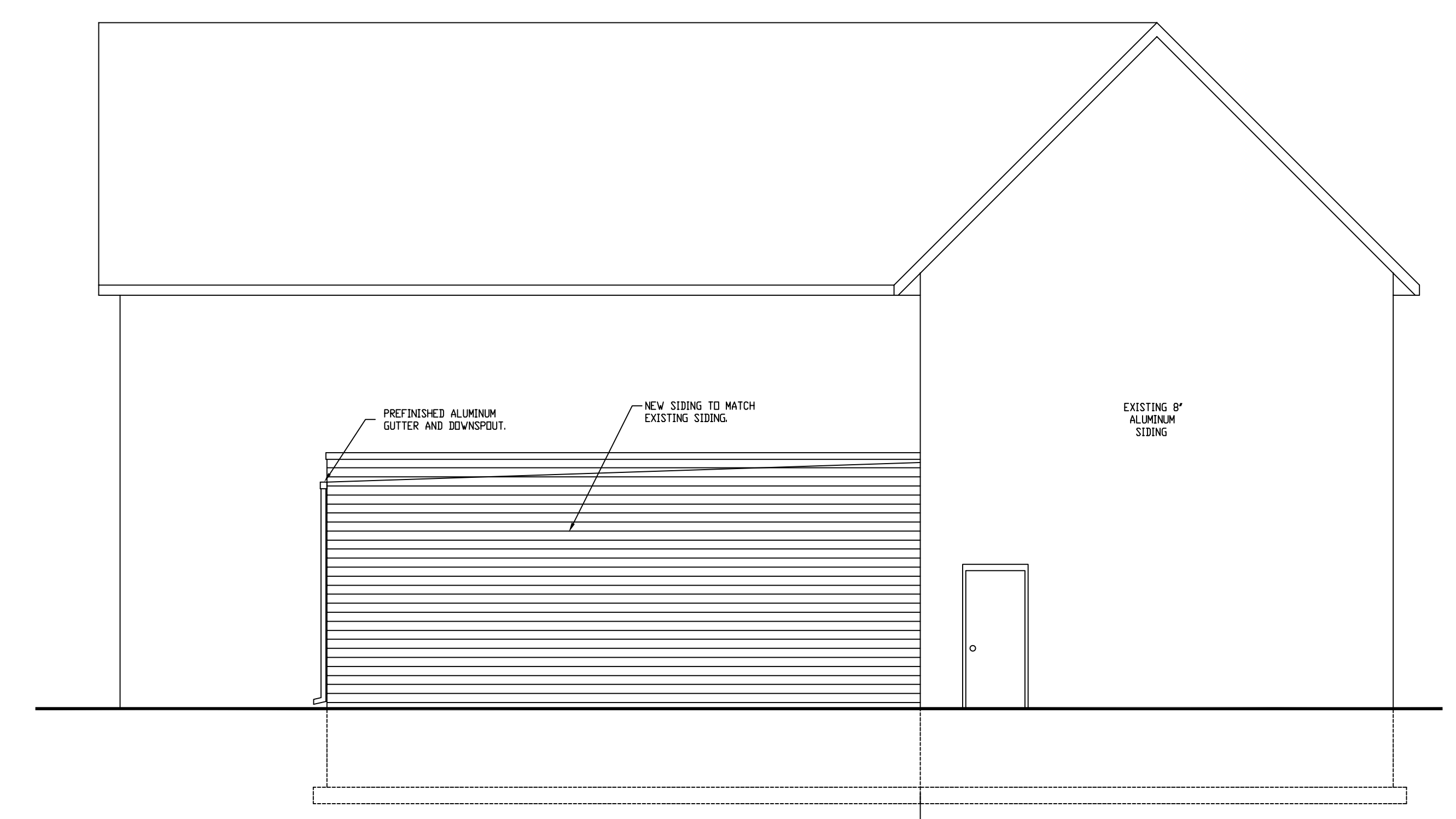
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	2x4 NIGHT LIGHT ON EMERGENCY BATTERY BACK UP
	DIFFUSER SUPPLY
	DIFFUSER RETURN
	EMERGENCY LIGHTING BATTERY BACK-UP
	EMERGENCY EXIT LIGHT
	INTERIOR RECESSED CAN LIGHTS DIMMABLE SELECTION BY ELECTRICIAN TO BE APPROVED BY DESIGNER



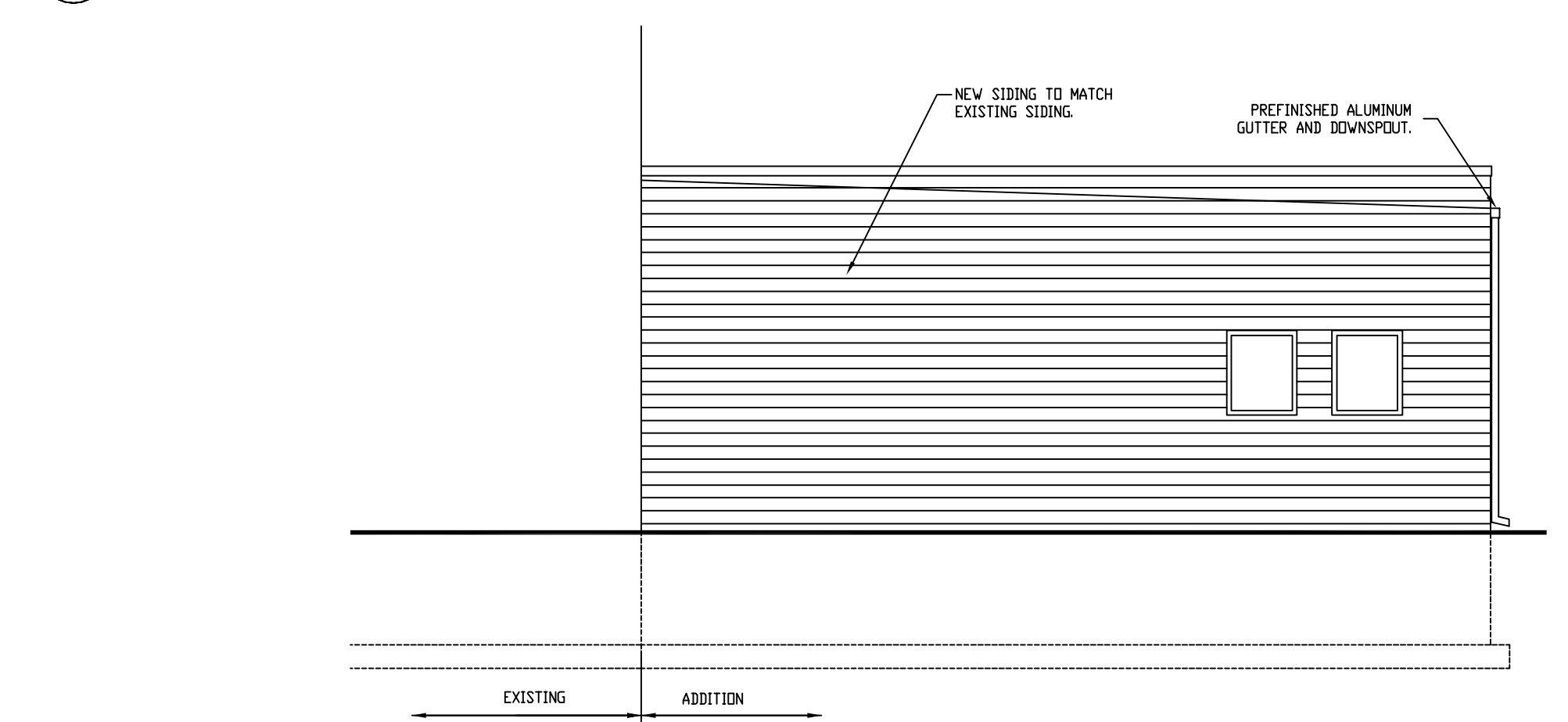
3 CEILING PLAN
1/8" = 1'-0"



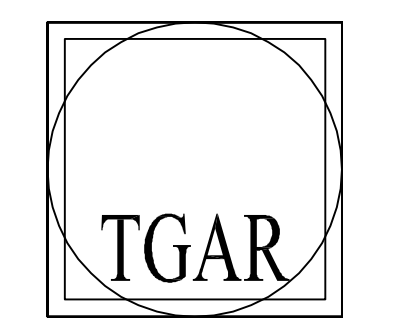
2 REAR ELEVATION
3/16" = 1'-0"



3 EAST ELEVATION
3/16" = 1'-0"



4 WEST ELEVATION
3/16" = 1'-0"



TGAR GROUP, Inc.
ARCHITECTURE * ENGINEERING * CONSTRUCTION
DESIGN BUILD
1213 Fifty-Fifth Street
Kenosha, Wisconsin 53140
Ph: (262) 652-2417
Fax: (262) 652-2435

NO.	DESCRIPTION	DATE
01	COMMENTS	

NORINE'S KITCHEN ADDITION
823 West Oakland Road
Oak Creek, WI 53143

PRINCIPAL IN CHARGE:
DESIGNED BY:
DRAWN BY:
CHECKED BY: AGG
APPROVED: DATE: 09-24-14
SHEET DESCRIPTION

PLANS, EQUIPMENT SCHEDULE

SCALE: 3/16" = 1'-0"
PROJECT NO.: 26007
SHEET NO.: A1.0



Plan Commission Report

ITEM: 4e

DATE: October 28, 2014

PROJECT: Plan Commission Consultation - Text Amendment – Section 17.0403(e)

STAFF RECOMMENDATION: None at this time – initial discussion.

Commentary: There have been several discussions with businesses recently regarding parking setbacks in the M-1, Manufacturing district. Currently, the Code requires a 40-foot setback from all rights-of-way for parking lots. For some existing lots, this may cause issues that require creative design or alternative solutions. One such example is the acquisition of an adjacent parcel by Black Bear Bottling on 20th Street. However, there are some lots that will not be located adjacent to available land for purchase and cannot be reconfigured to accommodate a 40-foot setback to rights-of-way. The only relief in such a case is to obtain a variance from the Board of Zoning Appeals, which requires an Applicant to prove a hardship based on strict criteria.

Staff believes that there is a suitable solution to the problem: reduce the parking setback requirement to rights-of-way from 40 feet to 30 feet. Plan Commissioners will recall that OakView Business Park requested a parking lot setback reduction in January of this year. Part of the rationale for reducing the setback to rights-of-way in that case was that it allowed for more flexibility of development within the development while preserving sufficient areas for landscaping and easements. Staff explained at that time that perhaps this would become a new Code standard throughout the M-1, Manufacturing district.

This initial presentation is to discuss the option to reduce the parking lot setback requirement prior to a formal proposal.

Prepared by:

Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development