

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JULY 26, 2016

Mayor Steve Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Alderman Bukiewicz, Alderman Guzikowski, Commissioner Correll, Commissioner Siefert and Commissioner Chandler. Commissioner Carrillo was excused. Also present: Kari Papelbon, Planner; Peter Wagner, Planner / Zoning Administrator; and Michael Kressuk, Assistant Fire Chief.

Minutes of the July 12, 2016 meeting

Commissioner Dickmann moved that the Plan Commission approve the minutes from the July 12, 2016 meeting. Commissioner Siefert seconded. On roll call: all voted aye, except Alderman Guzikowski, who abstained. Motion carried.

Plan Review

Black Bear Bottling Co.

9750R, 9770, 9856 and 9860 S. 20th St.

Tax Key Nos. 903-0021, 903-9041, 903-9014, 904-9994-003

Ms. Papelbon mentioned that after the Plan Commission packets were sent out, there was an update to the existing square footage of the building. It is actually 48,253 SF. She then provided an overview of the proposal.

Commissioner Chandler asked for more information on the temporary road. Eric Madisen, Madisen Maher Architects, 600 W. Virginia Street, Milwaukee, responded that the road needs to be built to City standards. Mr. Caruso (owner of Black Bear Bottling) wanted to take that road over as a private road, so they are extending it to the south property line of Black Bear to City standards. Right now there is a temporary cul-de-sac. Black Bear is now requesting a full 55' width diameter. Commissioner Johnston stated that the existing temporary 37.5' radius is for a residential development. A semi-truck/trailer cannot make that turn; therefore, it needed to be made bigger to accommodate truck traffic. Commissioner Johnston stated that the cul-de-sac will be eliminated once the road is extended further south.

Commissioner Johnston asked Asst. Chief Kressuk if he had any concerns about the use of grass pavers. Asst. Chief Kressuk referenced the Community Based Residential Facility on Mayhew Dr. The access road that was worked out was a contingency using an alternative type of paver (a natural grass product on top of a firm base.) It was his understanding in speaking with the architect that there were some concerns about the amount of green space versus paved material. They have allowed alternative methods in some previous projects to provide for an access road. The grass-type pavers are one of those that they have utilized in the past. The fire department is open and understands the requirements surrounding that so they would entertain any discussion related to that.

Commissioner Johnston asked if that had to be plowed and maintained in the winter. Asst. Chief Kressuk responded, yes.

Alderman Bukiewicz asked if an extra hydrant is needed. Asst. Chief Kressuk responded, potentially yes. The Oak Creek Water & Sewer Utility has their own coverage requirements. The Fire Department also has hydrant coverage requirements. He estimated that there would be several private hydrants added to that site.

Commissioner Siefert asked if the dumpster would stay the same. Ms. Papelbon responded that there is an existing masonry dumpster enclosure from the previous addition.

Alderman Bukiewicz moved that the Plan Commission approves the site and building plans submitted by Peter Caruso, Black Bear Bottling, for the properties at 9750R, 9770, 9856, and 9860 S. 20th St., with the following conditions:

1. That all revised plans (site, building, landscaping, lighting details, etc.) are submitted in digital and paper formats for review and approval by the Department of Community Development prior to the submission of building permit applications.
2. That all mechanical equipment and transformers (ground, building, and rooftop) are screened from view.
3. That all building and fire codes are met.
4. That wetland delineation information, stormwater, grading, and road extension plans are coordinated with and submitted for final approval to the Engineering Department prior to issuance of permits.
5. That final lighting plans indicating luminaire type, pole type, color, and height are submitted for final approval by the Electrical Inspector prior to the issuance of building permits.
6. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

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

Plan Review

Wired Properties

7940 S. 6th Street – B5

Tax Key No. 813-9054

Ms. Papelbon provided an overview of the proposal.

Blair Williams, Wired Properties, gave a presentation on the development of the proposed building as it relates to the first buildings, and the investment the developer and City have made on Main Street. The building is rectangular with a drive lane that wraps around down Drexel Ave., and then wraps around the property. It is something they anticipated as one of the potential outcomes when they were working through the PUD in the first place. He stated there is actually language in the PUD that talks about whether drive-throughs should be considered. It says that the northern edge of the sub-district in block B and the library book drop-off drive-thru is where they should be located. Mr. Williams stated that drive-throughs in and of themselves are not prescribed against in the PUD, and that they are contemplated in the PUD.

Mr. Williams stated that his message to the City is one on materials. He stated that he would prefer to bring the material samples to staff rather than the Plan Commission to determine if they have complied with the requirements. They would like to be in the ground in fall and delivering these buildings to retailers for their improvements during the first quarter of 2017. He would like to have these buildings open for business with the first farmer's market in the spring.

Mayor Scaffidi asked if Mr. Williams' understanding of the early language is that the outlying building did allow for a drive-thru. Mr. Williams passed out a revised drawing of the first generation development proposal that did go through the WisPark/Zilber/City process. Mayor Scaffidi asked staff planners if the Commission did grant this if there was any way to restrict it to a non-restaurant use. Ms. Papelbon responded that a drive-through is not distinguished in any way: a restaurant with a drive-through facility is listed as a conditional use in the mixed-use district. However, the text portion of the DTDMUPDD restricts drive-throughs in block B to buildings B-1 and B-2. If they are going to allow a drive-through for the B-5 building, they do have to have an amendment to the DTSMUPDD to allow that. The original PUD approval in 2013 did not show a building with a drive-through facility on the original map. Ms. Papelbon further stated that staff is making absolutely no opinion or recommendation as to the appropriateness of a drive-through. They are simply bringing to the attention of the Plan Commission that this is not allowed per the text in the DTSMUPDD.

Gerald Franke, WisPark, 301 W. Wisconsin Avenue, Milwaukee, WI, stated that it is important to distinguish between drive-through and drive-up. This is a drive-up window. When the drive-through for the Chick Fil-A was being discussed, Mr. Franke stated at that time that the only other drive-through that would occur would be on this property when they were questioned on other restaurants going forward. At that point, they thought it was going to be for a coffee vendor. He feels it is important that they get these buildings underway for the activity that they generate, but also for the additional parking that they create. Parking is readily becoming a concern for users such as Pizza Man and BelAir Cantina, therefore they need to get this component done on the development. Mr. Franke stated that the plan that Mr. Williams (a seasoned professional real estate developer) has come up with is more based in reality than that which is generated by a team on a conceptual basis led by a university professor.

Alderman Bukiewicz stated that when they did the first generation plan, they had no idea how this was going to play out and how it was going to be laid out. He stated that Mr. Williams made some very valid points. He stated that he would support this the way it lines up with the building. He feels it fits the landscape of it. Alderman Bukiewicz stated he would support this amendment.

Alderman Bukiewicz asked if the utilities would be coming up through a mechanical room with 600 amp service and a fire riser within that door where the tenant space is so they don't have to worry about screening on the outside. The way the building is set up, there is no backside to it. Mr. Williams stated that they worked with Ms. Papelbon to come up with a parapet wall solution for rooftop mounted units. They will have a mechanical room within the confines of the building. It should not require additional screening on the outside of the building. Matt Rinka, Rinka Chung Architecture, 756 N. Milwaukee Street, stated that they have designed a mechanical room within the building. It is nothing that will be seen from outside. They have increased the rooftop parapet height to conceal the rooftop units.

Commissioner Dickmann asked if there is any flexibility in the unit size. Mr. Williams responded that they are working through letters of intent for leases. Once those locations get locked in, it will leave them flexibility in the other spaces.

Commissioner Dickmann asked about the trash containers being located in the middle of the parking lot, as it could be problematic when the trucks come to empty the containers. Mr. Williams responded that these are going to be roll-away dumpsters. Where they have them located now

does allow a truck to make a relatively straight-forward in and out in a relatively short amount of time.

Mayor Scaffidi asked if this is just a matter of swapping a drive-up window from one building to the other building. Mr. Williams responded he believes that to be accurate. Because of the lack of curb cut entry into the B-1 and B-2 buildings, if they were to put a drive-through there, he feels it would degrade the overall value of the site plan. There was a B-4 building that was supposed to be on 6th Street. That was a small little 3,000-square foot building. That was going to be hard to develop because they would be building for one user and that is overly expensive. They thought it was important to create a harder edge along Drexel Avenue. The original plan showed a broad expanse of open parking along Drexel between the buildings at the corner of Drexel and Main Street and over at the corner of Drexel and 6th Street. They have done these two buildings turning the corner, thereby creating a hard edge all the way down Main Street with a courtyard environment on the corner. They then extended a longer building along Drexel Avenue. They traded the drive-thru from B-1 or B-2 over to the building at B-5 where they thought it was more appropriate.

Mr. Rinka stated that a lot of the PUD text was written by Graef, their partner of the master planning. He stated that there may have been a miscommunication because the graphics did show the drive-up window as a possibility. He does not remember promoting any type of drive-up along Main Street, because that would have been anti-pedestrian. He stated the way they had planned it is very consistent with the discussions he recalls during the design process.

Ms. Papelbon showed the original development proposal that was included in the adopted 2013 plan. A B-5 building is not shown with a drive-through. The text is the same as what is in the text now. There was an amendment in 2014 that changed the build-to zone for the hotel, but the text and the map did not change. There was also an extensive amendment process that was done in 2015. The text was not changed and there was no change to the use table. Staff is not making any kind of comment on the appropriateness; however, the text clearly states that drive-up and drive-through windows and drive-through lanes are allowed in the B-1 and B-2 buildings for this particular area. That is why the recommendation is for an amendment to the PUD if the Plan Commission feels it is appropriate to have a drive-up or drive-through window in this building.

Mayor Scaffidi stated that it makes more sense to have it in B-5.

Commissioner Correll stated that declaring it a drive-up rather than a drive-through is significant, and inquired how that could be stated in the PUD. Ms. Papelbon responded that it is stated in the PUD for the uses that are allowed that a restaurant with a drive-through facility is a conditional use. Financial institutions with a drive-through are not permitted. That is the way it is stated in the PUD. There is no distinction between a drive-through and drive-up window in the PUD. It is all considered in the same section. The use table is a little bit misleading because it does not specify the buildings for financial institutions, but the text itself does. Commissioner Correll asked if they have the ability to limit this to B-5, taking it away from B-1 and B-2. Ms. Papelbon responded that that is something that could be proposed as a text amendment. Mr. Williams stated that the original contemplation of a financial institution with a drive-through was a single-tenant building. That was a free-standing bank building with a drive-through, which often includes three or four lanes. Mr. Williams stated that they are comfortable with removing the drive-through/drive-up allowance for B-1 and B-2.

Commissioner Siepert stated he sees some major safety issues with this drive-up because there are doors exiting on the north side. People may utilize this drive-up to get into the building or pick something up from one of the other buildings.

Commissioner Siepert also stated that they don't know what the user of the drive-through is going to be. It could be a coffee vendor or a bank. That can vary for the traffic pattern. Commissioner Siepert stated that he is not in support of the drive-through because it is narrow, one lane and someone can get stuck in there. Mr. Williams responded that there is a sidewalk there. However, these doors will not be entries into these suites. This will be the locked door of the two retailers. If they were to walk out of this door, they will be on a sidewalk and a curb. They should expect that when they step off the curb, it is possible that traffic will be moving in front of them. That happens in urban environments almost everywhere. They do know who the tenant is now. It is a financial institution that will be signing a long-term lease with a lot of options. Commissioner Siepert stated that there are too many problems. Maybe the other tenants want a drive-through. Mr. Williams responded that they won't be able to have a drive-through because it will be dedicated to the one user. He stated that he does not support this.

Commissioner Chandler asked what the difference was between a drive-up and a drive-through. Dan Rosenfeld, Mid-America Real Estate, 648 N. Plankinton Ave., Milwaukee, WI, responded that the difference is a menu board or a reader board has a speaker in it and that is a drive-through. This is a drive-up with no introductory menu/speaker board.

Commissioner Chandler asked about dimensions of the drive-up. Mr. Rinka described the drive-up lane height and width dimensions and canopy material.

Alderman Guzikowski asked if the Fire Department had any issues with this drive-up lane and the space needs for an emergency. Asst. Chief Kressuk responded it is not a fire department access lane; therefore, it does not have to meet any fire department height or width requirements.

Mr. Williams described the building materials, and stated that they are going to remain extremely consistent with the palette that they have already established in the other buildings. He stated that one of the things that staff did note is that utility brick is not allowed. They believe that the use of utility brick here is important to establish a sense of scale between the panel system that they would be using, which is fundamental to tying together the different buildings and the material pallet that they are using. This panel and the utility brick have a scale that resonates with each other.

A brick sample was provided, which is very similar to what they used at the new Café Hollander in the Mequon Town Center. The stainless steel panel is the same product that was used at the new art museum addition downtown. Those are the two major materials on the building.

Mayor Scaffidi summarized that the applicant is asking the City to: 1) amend the drive-up window from one building to the other, and 2) allow utility brick to be used on the exterior. He then asked if there were any other requests.

Commissioner Johnston stated that they would have to have a clearance notation on the canopy of the drive-up.

Commissioner Johnston stated that, right now, the plan calls out cyclone light/short light to be used in the parking lot. In this section of 6th Street, the taller Gardco light is being used. Across

the street at Froedtert, they are also using the Gardco light. He asked if they were going to continue on with the Gardco or the short light for the Cyclone fixtures that they have in the residential area. It was stated that they would be using the shorter lights because that they felt the taller lights would look out of scale in that space. Commissioner Johnston asked whether the lights would be set up on median bases because they are going to be stationed outside the median areas in the parking lot. It was stated that the lights will still have the height restriction of 25 feet from grade. The Applicant stated that they shouldn't have any issue with that.

Mayor Scaffidi asked what the alternative is to not using utility brick. Ms. Papelbon responded that, per the PUD, face brick, finish grade materials are to be used. They would need to use a standard brick that is 4 inches thick to meet Code requirements. Mayor Scaffidi asked if this allowance has been made anywhere else in this development. Ms. Papelbon responded not to her knowledge. It was stated by the Applicant's representatives that it is the same quality brick as the modular brick, but is larger. Mayor Scaffidi asked if this was a brick thickness issue. Ms. Papelbon responded that the PUD calls for utility grade materials only being used on facades of the building not visible from publically accessible areas. They also have to make sure the brick is 4 inches thick. While it is going to be 4 inches thick, now they have to deal with the fact that the PUD states utility grade materials cannot be used on publically visible areas. Mr. Williams stated that the key thing is the issue of it being utility grade. This is the size of brick and not a grade of brick. Utility grade would be unfinished CMU. Ms. Papelbon stated they would need to clarify that on the plans.

Commissioner Chandler stated that there is an issue with the glazing. Ms. Papelbon responded that staff has worked with the architect on this. They just need to make sure that the elevation specifies panels that are going to be spandrel specifically versus the clear. They need to be able to identify one or the other.

Commissioner Chandler asked if deliveries will be made using the drive-up. Mr. Williams responded that deliveries will take place on the south side of the building.

Commissioner Chandler asked for clarification of the ATM location. Mr. Williams responded that it is innocuous in location, and they are using an area that they could not otherwise program for parking. Cars can pull in and out to use the ATM effectively.

Commissioner Chandler asked for clarification on the flow of traffic. Mr. Williams stated that the cars enter the drive-up lane by progressing north through the center of the site; then proceed west through the drive-up lane. They would come around the building where there is a clearly marked pedestrian crosswalk. Then they would progress to the east and then they turn to get out of the center.

Commissioner Chandler asked for clarification on the fabric covering over the windows. Mr. Williams responded that they show awnings on the drawings. They specify for the tenant what they can do, but they don't force them to do it or not do it.

Commissioner Chandler asked about bike racks. Mr. Williams stated he would work with staff to come up with the appropriate locations for bike parking.

Ms. Papelbon asked for clarification of the term "similar materials." Mr. Rinka stated that sometimes a particular type of brick might be discontinued, so they have to try to find another brick or a metal panel color. There are competing metal panel products out there, so the idea

isn't to say that this particular product is the only product they can use. Mr. Williams added that the plans call for burnished block or something similar. It is not a question of a specific burnished block being called out (which is premier white granite), and this is a burnished block product that is on the Main Street buildings now. They are interested in some flexibility to materials that are fundamentally similar. They are requesting to have the ability to get approval from staff for that type of substitution. Ms. Papelbon stated her concern at leaving it as "similar material" is that it could be interpreted to completely change the material, such as from brick to metal. Ms. Papelbon requested they change it from "or similar." Steve Morales, Rinka Chung Architecture, 756 N. Milwaukee St., Milwaukee, stated that the changes on the other buildings were brought back to the Plan Commission because the material changes were substantial. He stated they may have to look for alternate materials because sometimes the materials are not available, or the lead times are so extraneous because of the building market that it does not allow for the building to be finished. In those circumstances, other materials have to be sought out. He suggested language for the condition to read, "...these materials or similar so long as it maintains the same design intent." They will bring these materials to staff for approval if they want. They are not changing the look of the building by these changes. They are simply changing the material because of availability or other circumstances they may not have control over.

Alderman Bukiewicz moved that the Plan Commission approves the site and building plans submitted by Blair Williams, Wired Properties, for the property located at 7940 S. 6th St. with the following conditions:

1. That all building and fire codes are met.
2. That detailed plans for signage, including a building sign program, are reviewed and approved by the Plan Commission prior to submission of permit applications.
3. That final photometric and lighting plans indicating the approved luminaire type, pole type, color, and height for Drexel Town Square are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector, prior to the issuance of building permits.
4. That the proposed brick meets the 4-inch thickness requirement per Code.
5. That any proposed spandrel glass panels are clearly identified on revised plans submitted for final approval by the Director of Community Development. No more than 50% of the glazing requirement may be spandrel.
6. That the specified building materials as listed on the proposed plans and with the conditions above are approved. Minor material changes may be made by staff. Substantive changes to the specified building materials will require additional Plan Commission review.
7. That all mechanical equipment and transformers (ground, building, and rooftop) are screened from view.
8. That all of the elements in the proposal are constructed as presented and approved by the Plan Commission.
9. That all revised plans (site, building, landscaping, dumpster details, etc.) are submitted in digital and paper formats for review and approval by the Department of Community Development prior to the submission of building permit applications.
10. That plans addressing grading, drainage, and stormwater quality (including the use of stormwater best management practices) be approved by the City Engineer prior to the issuance of building permits.
11. That all water and sewer utility connections are coordinated with the Milwaukee Metropolitan Sewerage District and the Oak Creek Water & Sewer Utility.
12. That a revision to the DTSMUPDD to allow a drive-through/drive-up facility for the B5 building is approved prior to submission of building permit applications.

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

Plan Review

Wired Properties

7901 S. Main Street – B1

Tax Key No. 813-9055

Ms. Papelbon provided an overview of the proposal, and noted the landlord-installed versus the potential future build-out. The concern is that while they while the potential future build-out is being shown, it may not happen. The aesthetic and the treatment of the space works best with all of the elements combined. If everything is left to the tenants, and the tenants don't want to do it, this design will never happen. This is the one thing that staff has a concern about; having one thing built versus what was reviewed and approved by the Plan Commission.

Mayor Scaffidi asked if the original building concepts match identically with what is now being proposed all built out. Mr. Williams stated his concern that if it is built out for one use and another use moves in, what they have built may not be appropriate for that next user. The rendering is merely demonstrating what the design intent would be. A tenant would come to Wired Properties and ask for approval for what it is they want to do. This is merely establishing a baseline for everyone to understand the types of improvements that they would look for them to do.

Mr. Williams stated that the wood trellis connecting the two buildings will be built. The wood detail does wrap around and screens the top of the building and establishes a break in materials. They strongly feel they need to be responsive to their retailers. They don't have a user for that building yet. They would like for it to be a terrific restaurant. If it is not, they do not want to short-change their ability to find a strong retailer to go in there. Mr. Williams stated it is unlikely that their preferred outcome would be a heavily-concreted, non-landscaped environment.

Mayor Scaffidi stated that he understands that things can change and evolve. Everything that the Commission was shown originally has played out in a better, more visually appealing way.

Alderman Bukiewicz stated that it looks dynamite. He would definitely like a potential tenant to be steered in the direction as on the rendering. He asked that the applicant work with staff to install bicycle racks.

Commissioner Chandler stated that this building looks different than the B-5 building. Mr. Williams responded that these materials are consistent with other materials that are on Main Street. Building B-5 does not relate directly to B-1 and C-1 buildings, which are the Main Street buildings. This does interact directly with those buildings.

Ms. Papelbon stated that staff appreciates and understands the need to respond to tenants and their needs and wishes; however, the issue is presenting something that may actually never happen. That is why the recommendation is to include all of the elements as presented and not leave them all to tenant choice.

Mayor Scaffidi summarized that the applicant has agreed to the connection between the two buildings (pergola), green separation in the courtyard area, and pergola on the other side. He

stated he agrees with the Applicant that they shouldn't cover up the storefront if it is not a restaurant. Mr. Williams stated his recommendation is to pull all of the images from the application and approve the other one. They wanted to be more proactive in providing where they thought it might go. They understand they will have to come back to the Plan Commission.

Alderman Bukiewicz moved that the Plan Commission approves the site and building plans submitted by Blair Williams, Wired Properties, for the property located at 7901 S. Main St. with the following conditions:

1. That all building and fire codes are met.
2. That detailed plans for signage, including a building sign program, are reviewed and approved by the Plan Commission prior to submission of permit applications.
3. That final photometric and lighting plans indicating the approved luminaire type, pole type, color, and height for Drexel Town Square are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector, prior to the issuance of building permits.
4. That the proposed brick meets the 4-inch thickness requirement per Code.
5. That all proposed spandrel glass panels are clearly identified on revised plans (north façade of the multitenant building only). No more than 50% of the glazing requirement may be spandrel.
6. That the specified building materials as listed on the proposed plans and with the conditions above are approved. Any changes to the specified building materials will require additional Plan Commission review.
7. That all mechanical equipment and transformers (ground, building, and rooftop) are screened from view.
8. That all of the elements in the proposal specified as landlord-installed are constructed as presented and approved by the Plan Commission.
9. That all revised plans (site, building, landscaping, dumpster details, etc.) are submitted in digital and paper formats for review and approval by the Department of Community Development prior to the submission of building permit applications.
10. That plans addressing grading, drainage, and stormwater quality (including the use of stormwater best management practices) be approved by the City Engineer prior to the issuance of building permits.
11. That all water and sewer utility connections are coordinated with the Milwaukee Metropolitan Sewerage District and the Oak Creek Water & Sewer Utility.

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

Plan Review

Wired Properties

7902 S. Main Street – C1

Tax Key No. 813-9049

Ms. Papelbon provided an overview of the proposal, and stated that parking is shared with PetSmart and MattressFirm. For retail spaces, 3.5 to 5 parking stalls per 1,000 gross square feet of retail space is specified in the PUD. Based on the size of this building and the existing retail spaces for PetSmart and MattressFirm, they would need 96 to 136 parking stalls overall for the two buildings; 208 are shown. This is providing some much-needed parking stall capacity for Drexel Town Square as a whole. This is anticipated to provide some relief to the parking constraints that are becoming apparent in the area.

Alderman Bukiewicz referenced the doorways on the west side off of Main Street. They are showing two. He suggested adding them to Main Street as well. Mr. Williams agreed and said he would encourage it. It is more likely that the southern retailer would take advantage of that. Alderman Bukiewicz stated this is a great way to cap off the front of Drexel Avenue with these particular buildings.

Commissioner Johnston asked what type of lights they would be using. Mr. Williams stated he will work with staff to extend the lighting on that side.

Commissioner Correll asked if the sidewalk on the parking lot side could be extended to the sidewalk on Drexel Avenue. Mayor Scaffidi explained it was due to the grade elevation in the area.

Commissioner Dickmann moved that the Plan Commission approves the site and building plans submitted by Blair Williams, Wired Properties, for the property located at 7902 S. Main St. with the following conditions:

1. That all building and fire codes are met.
2. That detailed plans for signage, including a building sign program, are reviewed and approved by the Plan Commission prior to submission of permit applications.
3. That final photometric and lighting plans indicating the approved luminaire type, pole type, color, and height for Drexel Town Square are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector, prior to the issuance of building permits.
4. That any proposed spandrel glass panels are clearly identified on revised plans submitted for final approval by the Director of Community Development. No more than 50% of the glazing requirement may be spandrel.
5. That the specified building materials as listed on the proposed plans and with the conditions above are approved. Minor material changes may be made by staff. Substantive changes to the specified building materials will require additional Plan Commission review.
6. That all mechanical equipment and transformers (ground, building, and rooftop) are screened from view.
7. That all revised plans (site, building, landscaping, dumpster details, etc.) are submitted in digital and paper formats for review and approval by the Department of Community Development prior to the submission of building permit applications.
8. That plans addressing grading, drainage, and stormwater quality (including the use of stormwater best management practices) be approved by the City Engineer prior to the issuance of building permits.
9. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Sign Plan Review
Pizza Man
7878 S. Main Street
Tax Key No. 813-9050

Ms. Papelbon stated there was a last-minute change to the plans that were submitted in the Plan Commission packets. There were some staff comments that were taken into consideration with this revision. The number of blade signs and the location of the blade sign on the south elevation were amended. The middle blade sign that was proposed on the west elevation was removed per staff recommendation. The reason there is a comment in the staff report about the size of the sign is because with the wine bar portion of the sign off center, it does change the overall height of the sign. As mentioned with previous signs with the Main Street mixed-used buildings, they are limited to 15% of the wall height. That visually happens at the material change on the exterior of the building. As with the previous two sign packages that had been brought to the Plan Commission, staff is recommending that signs not be any taller than 25.2 inches, which would mean shrinking that wine bar portion down a little bit.

Commissioner Siepert asked how this fits into the standard signage that is throughout Drexel Town Square. He has not seen any blade signs in Drexel Town Square. Ms. Papelbon responded that these would be the first for Plan Commission approval. The landlord does not want to specify a specific blade sign design or whether or not the tenant has to put one up. It would be at the tenant's discretion for design and somewhat for placement. Commissioner Siepert asked if the City has a standard for blade signs. Ms. Papelbon responded that the standard is for size and number allowed per the PUD: one to two per entry façade and they can be no more than 36 inches x 36 inches.

Commissioner Correll stated he feels the sign package is unique and fits the concept. He stated his agreement with staff on the blade signs and with the amount of illumination on where they are at. He likes the signs, but does not agree with the spotlight illumination.

Alderman Bukiewicz stated the blade signs are a perfect fit for a complex called Forge and Flare. They are made of reclaimed wood. They are welded. They give the gritty, industrial look. He feels the lights fit perfectly on there. It carries through to what they created up at Water Street Brewery also. He thinks this is a very unique fit and high quality.

Ms. Papelbon stated that the signs that are similar on the Water Street Brewery building are not illuminated themselves. Alderman Bukiewicz stated he was referring to the feel of the old factory space. Staff agrees, but the blade signs are supposed to be secondary to the overall wall sign and proposed large blade sign. The external lamps take away from that secondary nature of the sign itself. The extra lamps being as large as they are and positioned as they are will be more of a detriment to the effectiveness of the signs.

Ryan Pliska, Rinka Chung Architecture, 756 N. Milwaukee Street, stated the intent of the blade signs was kind of a pedestrian feel. The lighting would be a slight accent. Also, the materials match the interior of the Pizza Man building. Bob Hacker, Bauer Sign, 2500 S. 170th, New Berlin, WI, stated that the lamps on the blade signs could be raised slightly so there wouldn't be any kind of visual hindrance to the face of it. They could be smaller as well. Mr. Rinka stated that since pedestrians will always be looking up at the sign, the lamps will not be impeding the view. Mr. Williams stated there are some benefits to having the blade signs lit. If you imagine leaving Main Street at night, you can read the signs on all of the retailers across the street, but on the side of the street that you're on, the only signs that you are able to see are blade signs. When these are illuminated and create a sense of environment down Main Street. The pedestrian will know instantaneously, if they are lit appropriately, which establishments are open and which are closed and what the retailers are. He does feel there is pedestrian value at night. Mayor Scaffidi stated he does not have a problem with these blade signs or the lighting attached to them.

Ms. Papelbon stated that she agrees with the Mayor in that that they should not be making everything look exactly the same. These were the images that were in the PUD for the flag sign examples. The intent was to have them moderately lit, but it was the lamp fixture that was giving staff pause and how that would work with the pedestrian realm, the existing lighting in the area and how it would work on the building itself. Staff does not have a problem with the signs being illuminated, but asked whether it could be illuminated in a way that might be more effective. Mayor Scaffidi stated that the Applicant is willing to make adaptations to it.

Commissioner Johnston asked about the height of the blade sign. Mr. Hacker stated it would conform to the PUD requirements.

Alderman Bukiewicz moved that the Plan Commission approves the sign plan submitted by Scott Lurie, Za Man 3, LLC for the Pizza Man commercial tenant portion of the property at 7978 S. Main St. with the following conditions:

1. That all wall signs, including logos, be reduced in height to a maximum of 25.2 inches.
2. That all revised plans be submitted for review and approval by the Department of Community Development prior to the submission of sign permit applications.
3. That a permit application for the sign is submitted to the Inspection Department.

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

**Conditional Use Permit Amendment
Laser Tag Pro
9000 & 9100 S. Nicholson Road
Tax Key Nos. 862-9991 & 872-9994-008**

Mr. Wagner provided an overview of the proposal.

Alderman Bukiewicz stated the hours of operation on Saturday going to 11:00 p.m. are a little late, being mindful of the residents.

Aaron Fischer, Laser Tag Pro, 4260 S. 76th Street, Greenfield, stated that their last session at their location Greenfield is usually 9:00 p.m. Occasionally there was an event that would go a little longer, but that wasn't very common. Commissioner Chandler asked how a late night session would impact the residents. Mr. Fischer responded that most of the activity happens indoors.

Commissioner Siefert asked if there was any age restriction. Mr. Fischer responded that they recommend ages 6 and up. Laser tag has traditionally been a 7 to 14 year-old market. Tactical laser tag will draw more of the adults and teenagers because of the fresh innovation in this industry.

Mayor Scaffidi asked if the Applicant had any objection to closing at 10:00 on Thursday, Friday and Saturday and at 6:00 p.m. on Sunday. Mr. Fischer responded that their closing time on Sundays is at 8:00 p.m. It is common to have birthday celebrations Saturdays and Sundays. He would prefer to have something like 8:00 p.m. on Sunday. The Applicant stated he is okay with 10:00. The session times are 7:00, 8:30 and 9:00. A session takes about an hour to an hour and 15 minutes, so it could go an hour and a half.

Mayor Scaffidi asked what the volume of people is at the Greenfield location. Mr. Fischer responded that most of their business is on the weekends. During the week, they have private party corporate events. This area will be a bit smaller than Greenfield. They want to do some outdoor activity, which would make it very unique. There is nothing in the Milwaukee area like this.

Mayor Scaffidi asked how the outdoor activity would be screened from the residents. Mr. Fischer responded that most of the area that they would use for an outdoor battlefield would be in the back portion of the property. There is a good amount of landscape between them and the residents. Most of the activity will take place in the middle section behind the two larger buildings. It is pretty far back and quite a bit of distance from the nearest house. Parking is away from the residents. The outdoor battlefield is back. They do not want it on the front.

Mayor Scaffidi asked how they plan to fix up what was an eyesore property. Mr. Fischer responded that they are family entertainment business. They want to be attractive to people. They want to make this different and unique like maybe something found in the Wisconsin Dells. They want to do some initial landscaping in the front by the parking lot, and some signage for the front of the building. There is not really a lot to change as far as the outdoor landscape in the back. The existing concrete works for them for use as a battlefield. WE Energies is renting there now and they would like to continue to rent. The applicant does not need all this space right away. As they need more space and want to build out the battlefield in the back, they could fill more space.

Commissioner Correll stated this a unique use and it is encouraging to have some activity in the area. He stated that being open later than 10 p.m. is unnecessary, but thinks it is a good idea to be open until 8:00 p.m. on Sundays.

Ron Grunde, 9160 Nicholson Road, stated he does not think this has a place close to a residential area. People that use those types of facilities want to be Army guys. If they are that interested, maybe they should join the Army and have the opportunity get shot at or shoot at someone else. He stated they had enough with the Green Man and he didn't think it could get any worse, but with this type of facility, they might see some problems with the types of people down there.

Mark Verhalen, 1200 E. Ryan Road, stated he spoke with the Applicant and he passed on information that the residents gave him. He asked if they wanted to get together and talk to the applicant. Most of them stated that he (Mr. Verhalen) could represent the bulk of the people in the neighborhood at the Plan Commission meeting. Mr. Verhalen stated that one of the main things he told the applicant is that the residents on Nicholson Road have been forced to put up with Bestway Bus for a long time. There was a terrible amount of traffic. Nicholson Road is a rural cross-section street. There are no sidewalks. The neighborhood is transitioning right now. There are a lot of younger people buying houses. There are a lot of young children on the road. So there are traffic concerns. Mr. Verhalen stated that most of the people that are on the street further to the south were concerned about traffic. Mr. Verhalen stated his concern about people playing battlefield type games outside near a residential neighborhood. He stated that maybe they could restrict the outdoor activities to the northern property and keep the southern property where it is adjacent to the houses vacant or maybe use it for parking. He does not feel it is fair to ask the neighbors to put up with people running around in their backyards until 9 or 10 at night every weekend.

Mayor Scaffidi stated that there is a property here that can be developed for a business that is family friendly with an applicant that is willing to invest in the City and move their business to the City. It is hard to find fault with that. Mayor Scaffidi stated they are always sensitive to residents and how things impact neighborhoods. To say that this is going to impact the backyards of a significant number of residents is pretty far-fetched, especially the northern parcel. Specifically, the indoor part will not interfere at all. Nicholson is a rural road, but is designed to handle traffic. This business will not be a huge traffic producer. He thinks this is a good use of an existing building. It is an interesting use that the City does not have and it makes sense.

Commissioner Johnston asked if there was any reason to leave the boat/RV trailer storage in there, or is it okay to strike that out? Mr. Fischer responded that besides having a boat that he might store there, some of the stuff they want to do that might fit the theme of an outdoor facility might involve some of these kinds of vehicles. Also, it is a lot of property and they are a young business and they don't have big-time investors, and they want to keep the property available. There is a lot of space that they might not use right away. If there is an opportunity to rent some storage to someone who wants to park a couple of boats in the back corner that is not affecting anyone, he does not feel any need to strike it out. He may lose out on an opportunity to rent off a 1/3 of their property for a time until they are ready to grow and expand.

Commissioner Johnston stated that the original approval for that was to include extensive landscaping that never happened. If that is something that he is looking at, that could change the amount of landscaping and site plan designs to keep that in there. He didn't know if that was something he wanted to leave in there or strike out.

Mr. Grunde stated that there is no municipal sewer to this property. If they are going to have a lot of people in there, that should be hooked up with sewer. Mr. Fischer stated that he spoke with staff and they did not see the sewer being an issue. Commissioner Johnston responded that at this point, they don't know what their loads are. They don't have someone there all day long with constant use of a sewer. They still have to evaluate their system and make sure it is sized appropriately for their uses, but it should be adequate for what is there. It survived Green Man.

Mr. Wagner stated that this is an opportunity for a conditional use for an indoor recreation facility. The uses that were out there caused concern about outdoor storage of materials and equipment. That is why there was a sunset date. On page 6 of the conditional use permit, conditions and restrictions, the section that was stricken out was that it was supposed to expire in ten years. This was approved in 2007. At the time the Commission approved the conditional use permit, it was only going to be allowed for a ten-year period. The idea was that the outdoor storage was going to go away. If the Commission decides to keep that in, they would have to make changes to section 12, and it will be reapproved for another ten years. However, does the City want to do another 10-year sunset from a code enforcement perspective? He is not in favor of sunset dates as history shows how often extensions are given. Instead of saying no, the decision is delayed. Mr. Wagner stated this is an opportunity to eliminate an outdoor storage facility at this time. If they want to run an indoor facility, the outdoor storage component can be eliminated. It is a residential neighborhood and he questions if the City wants to continue that type of use if there is going to be even more residential to the south. Mayor Scaffidi stated that argument makes a lot more sense. Mayor Scaffidi stated that if he is going to look at this as a business that is going to enhance what is there now, extending the outdoor storage is not a good use. If the applicant is going to do this, they should focus on what they want to do as their main business, which is the indoor facility. At some time, they may wish to revisit the outdoor activity component of their business. They have an opportunity to enhance the property and bring the City something they

don't have currently. Mr. Fischer asked if the items WE Energies is storing there would be eliminated. Mr. Wagner responded that they are set up with that tenant as a temporary use permit. They were given 11 or 12 months to stay there. They wanted an extension and asked for a new temporary use permit. The Plan Commission has been granting that use on a very limited term basis. If this applicant wanted to purchase the property and continue that relationship, it would have to come back before the Plan Commission. At this point, the City has not received any complaints regarding that operation. Even eliminating this from the conditional use permit wouldn't necessarily prevent the applicant from continuing that relationship with that tenant. However, they would have to come back on a yearly basis to apply for the temporary use permit. That provides the City with an opportunity to address any issues they have with the tenant's operation.

Commissioner Dickmann stated his concern about the manufacturing aspect of this proposal. Mr. Fischer responded that they have sold to over 25+ countries. They have over 200 clientele. A factory overseas does all of their main manufacturing. They have talked about bringing assembly over here where they have components shipped in from their factory. A lot of what they are building is swords, guns, shields and small electronics. The lasers are certified with the FDA as a class 1 laser, so they are very safe. They don't emit any visible light. The only visible light that comes out of their equipment is a color to represent what team is shooting. A lot of what they are manufacturing is software. They have an app. They have smaller electronics. Their manufacturing arm is their biggest venue. The arena is a big support to them because anytime someone wants to buy equipment from them, they can demonstrate what they do.

Commissioner Dickmann stated he can see using the outdoor area as a demonstration area, but not so much as a battlefield. Commissioner Dickmann stated he would like to see the manufacturing portion of the business take off.

Alderman Bukiewicz moved that the Plan Commission recommends to the Common Council to approve amendments to the conditions and restrictions as part of the conditional use permit allowing an indoor recreational facility on the properties at 9000 and 9100 S. Nicholson Road. Commissioner Siepert seconded.

Mr. Wagner asked for confirmation of the hours of operation. Mr. Wagner stated that Section 8, Maintenance and Operation, Subsection C will state that Saturdays will be from 11 a.m. to 10 p.m. and Sundays from 11 a.m. to 8 p.m.

Alderman Bukiewicz agreed with Mr. Wagner's language to the Plan Commission recommendation. Commissioner Siepert seconded.

Mr. Fischer asked what the hours of operation would be during the week. Mr. Wagner responded Thursday and Friday 4 p.m. to 10 p.m., Saturday 11 a.m. to 10 p.m., Sunday 11 a.m. to 8 p.m. Mr. Wagner stated that is what he took from the applicant's proposal. The manufacturing division was Monday through Friday from 8 a.m. to 6 p.m. What they supplied on their application is what Mr. Wagner worked from.

Joe McGeorge, Laser Tag Pro, 4260 S. 76th Street, Greenfield, stated that is what their regular business hours are. They have regularly-scheduled sessions. From time to time, they get corporate parties or scheduled private events during the week. It might be during their regular business hours.

Alderman Bukiewicz amended the hours of operation on the manufacturing from 8 a.m. to 6 p.m. Monday through Friday. Monday through Friday would be 10 a.m. to 10 p.m. for the family entertainment, Saturday 11 a.m. to 10 p.m. and Sunday 11 a.m. to 8 p.m. Commissioner Siepert seconded the amended motion. On roll call: all voted aye. Motion carried.

Zoning Text Amendment

Section 17.0317

Allow Outdoor Commercial Recreation as a Conditional Use in the M-1 Manufacturing District

Mr. Wagner provided an overview of the proposal.

Mayor Scaffidi stated that he is not enthusiastic about a drastic change to the M-1 district uses. He does not know if the impact of all of the uses has been researched. He feels that this is a quick reaction to a request from the Applicant and is concerned that the City is going too quickly change the outdoor uses. It seems too fast. Mr. Wagner stated that any time there is a conditional use, the Plan Commission can recommend to not approve a conditional use permit for a particular use citing circumstances. This is not being allowed as a permitted use, so the Commission and Council will always have oversight as to the suitability of the request at any particular location.

Commissioner Dickmann stated that he agrees with the Mayor and stated he would like to know more about what other communities are doing. Mayor Scaffidi stated the staff report needs to be a little more robust, and he does not have enough information to act on. Mr. Fischer stated that one of the initial things that drew him to the property was the ability for an indoor and outdoor facility.

Mr. McGeorge stated that the equipment they are using is very safe. They want to establish themselves with the indoor portion of the business, convert the buildings into their new headquarters and then move into that outdoor space to create an attraction that is really unique. Mayor Scaffidi stated that his is not against what the applicant is proposing. He just needs more information before he opens this up City-wide.

Mr. McGeorge stated that the outdoor part is really a large part of the Phase 2 plan. They have thoughts of putting up a new building out there and outdoor structures that would go along with the whole project.

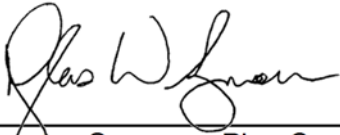
Mayor Scaffidi stated that he will provide some direction to staff on what he would like to see in terms of a more "fleshing out" of this subject. Mayor Scaffidi stated the applicant could come back in a month and revisit it.

Alderman Bukiewicz stated they need some more information on this, but he does not disagree with some of the early research Mr. Wagner did. He stated that Mr. Wagner is going down the right path. He feels this is something that definitely could work.

Decision held.

Commissioner Chandler moved to adjourn. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 9:21 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

8-9-16

Date