



PLAN COMMISSION MEETING AGENDA

**TUESDAY, November 22, 2016
AT 6:00 PM**

- 1) ROLL CALL
- 2) Minutes of the November 8, 2016 meeting
- 3) Significant Common Council Actions
- 4) NEW BUSINESS
 - a) **CONDITIONAL USE PERMIT** - Review a request submitted by Mike Yungerman, Opus Development Company, LLC, for a Conditional Use Permit allowing a freight terminal on the property at 500 W. Opus Dr. (Tax Key No. 924-9012-000). Follow this item on Twitter **@OakCreekPC#OCPCOpus**.
 - b) **ZONING TEXT AMENDMENT** – Review a proposed amendment to Section 17.0315 to allow self-storage facilities as Conditional Uses in the B-4, Highway Business district. Follow this item on Twitter **@OakCreekPC#OCPCTextAmend**.
 - c) **CERTIFIED SURVEY MAP** - Review a certified survey map submitted by Jerry Franke, Wispark, LLC, for the property at 300 W. Oakview Parkway (Tax Key No. 955-1031-000). Follow this item on Twitter **@OakCreekPC#OCPCOakviewCSM**.
 - d) **PLAN REVIEW** – Review site, building, landscaping, and lighting plans submitted by Chris McGuire, Kwik Trip, Inc., for site and building modifications at 2040 W. Ryan Rd. (Tax Key No. 878-9003-004). Follow this item on Twitter **@OakCreekPC#OCPCKwikTrip**.
 - e) **CONDITIONAL USE PERMIT AMENDMENT** - Review a request submitted by Shawn McKibben, Oak Park Place, for an amendment to the Time of Compliance section of the existing conditional use permit affecting the property at 1980 W. Rawson Ave. (Tax Key No. 736-8995-001). Follow this item on Twitter **@OakCreekPC#OCPCOakParkPI**.
 - f) **PLAN REVIEW** – Review site and building plans submitted by DG27th, LLC, for exterior modifications to the existing building at 8645 S. Howell Ave. (Tax Key No. 828-9001-000). Follow this item on Twitter **@OakCreekPC#OCPCDG27**.

- g) SIGN PLAN REVIEW – Review a proposed sign plan submitted by DG27th, LLC, for the multitenant building at 8645 S. Howell Ave. (Tax Key No. 828-9001-000). Follow this item on Twitter **@OakCreekPC#OCPCDG27Sign**.

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 766-7000, or in writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, 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 Oak Creek City Hall, 8040 South 6th Street, during operating hours (7:30 am-4 pm weekdays).

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 8, 2016

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

Minutes of the October 25, 2016 meeting

Commissioner Dickmann moved that the Plan Commission approve the minutes from the October 25, 2016 meeting. Commissioner Bukiewicz seconded. On roll call: all voted aye, except Commissioner Siefert, who abstained as he was not present at the October 25, 2016 meeting. Motion carried.

**PUBLIC HEARING
SIGN APPEAL
GIGI'S CUPCAKES
330 W. TOWN SQUARE WAY
TAX KEY NO. 813-9050**

Zoning Administrator/Planner Pete Wagner read the public hearing notice and opened the hearing.

Mayor Scaffidi made first, second, third, and final calls for public comment. Seeing none, the public hearing was closed.

**SIGN APPEAL
GIGI'S CUPCAKES
330 W. TOWN SQUARE WAY
TAX KEY NO. 813-9050**

Zoning Administrator/Planner Pete Wagner provided an overview of the proposal for one wall sign on the south elevation, which is a non-entry façade.

Commissioner Dickmann asked if the only real variance was the sign on the non-entry. Mr. Wagner responded that at the October meeting, they looked at the other signs that they had as required by the Drexel Town Square zoning district. If this variance were granted, they will have a total of four wall signs: two blade signs over the entry façade on the corner and then a wall sign on the north side. Now they are looking for that extra sign on the south side which faces the town square.

Commissioner Correll stated that the corner buildings want visibility from both sides, so this is pretty much a given.

Commissioner Chandler asked if the first three signs meet the requirements. Mr. Wagner responded yes. Commissioner Chandler asked for more information on the need for the fourth sign. Christina Haase, 330 W. Town Square way responded they are looking for the fourth sign because that is the most visible side of the building. It faces the town square. The two wall signs are exactly the same and the two blade signs are exactly the same.

Commissioner Bukiewicz read four conditions to be taken into consideration before granting a sign variance. The variance violated none of those conditions.

Commissioner Correll moved that the Commission approve a variance from Section 17.0334, part of the General Development Plan and Regulating Plan, which states that wall signs are only permitted on entry facades. If granted, the variance would allow the applicant to install a 31.5 square-foot wall sign on the south elevation of the tenant space located at 330 W. Town Square Way. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
THE WATERS SENIOR LIVING MANAGEMENT, LLC
8000 S. MARKET ST.
TAX KEY NO. 813-9065

Planner Kari Papelbon provided an overview of the proposal for a 4-story senior independent living and memory care development.

Asst. Fire Chief Kressuk stated that one of the initial concerns of the Fire Department was the design of the drive-in and the circular drive in front of the structure. The initial concern was if they could get a fire apparatus through there effectively. They have been in contact with the developers. They have run calculations based on larger trucks to determine what the turning radii are. At this time, the Fire Department does not have concerns that they won't be able to work out a solution with them (developers).

Commissioner Dickmann asked if the Fire Department has any concerns with the limited access to the memory care unit because it is set off on the side. Asst. Fire Chief Kressuk responded that what they find with the emergency medical response is that there is one dedicated entrance to a variety of facilities, which allows access to the entire structure. They do have a number of assisted care facilities in the City, and they do find that there are separations that from the exterior would seem to be a bit challenging, but they tend to work those out with a common access point and then routing with staff through the building.

Commissioner Siepert asked if additional fire hydrants needed to be added. Asst. Fire Chief Kressuk responded that Drexel Town Square has been challenging to the Fire Department (not necessarily in a negative way), but as a brand new development with limited existing water supply. The water supply is new in there. The Fire Department has been working with every developer to make sure they meet the coverage requirements for the hydrants. The Fire Department will work with this developer on their site plan and underground design to make sure there is adequate coverage.

Commissioner Bukiewicz asked about the dumpster and the generator locations. Ms. Papelbon responded that the dumpster will be stored in the underground garage and will only be brought up once a week to be emptied. The applicant stated that the generator will also be underground.

Commissioner Dickmann stated that the plans show a café on the first floor. Brian Schack, The Waters Senior Living, 412 Clover Lane, Golden Valley, MN, stated that the café/restaurant and pub are designed to serve our residents, but they are also open to the public.

Commissioner Johnston stated that when they work with the hotel group to the north, they will need easements to connect that sidewalk to that public path.

Commissioner Dickmann asked about transportation services. Mr. Schack responded that each of the existing communities have vans or a larger shuttle depending on the size of the community.

Doug Seymour, Director of Community Development, stated that he has had the opportunity to visit two or three of their facilities in the Twin Cities. He stated that the facilities were very well-run and were very attractive. He got a really good sense that this was a quality operation, quality group. With the plans that they have brought before the Plan Commission, you can tell that they are really committed to this community. Mr. Seymour is happy to have them here and that they will be great neighbors for the Civic Center.

Commissioner Chandler asked where the entrances to the building are proposed. Mr. Schack stated there are four ways to access the community, and described the entrances.

Alderman Guzikowski stated his concern about having enough parking. Mr. Schack stated that about 50% of the residents park at the community. It seems like this is a comfortable number that will work for them. At some point when the facility is fully operable, hopefully they will have 30 to 40 employees. However, at the most they will have 20 on site. He will go back and talk to the VP of construction to extend the underground parking further.

Commissioner Bukiewicz moved that that the Plan Commission approves the site and building plans submitted by The Waters Senior Living, for the property located at 8000 S. Market St. with the following conditions:

1. That all building and fire codes are met.
2. That copies of any agreement regarding shared landscaping, snow storage, etc. with Meijer, and any easements for connections to the public pedestrian path, are provided to the Department of Community Development prior to issuance of building permits.
3. That the dumpster(s)/trash receptacle(s) be located within the garage except for trash pickup days. Once empty, the dumpster(s)/trash receptacle(s) must be returned to the garage.
4. That any proposed signs are reviewed and approved by the Plan Commission prior to submission of permit applications.
5. 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.
6. That all revised plans (site, building, landscaping, 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.
7. That the exterior brick veneer meets the minimum 4-inch thick requirement per Code.
8. That all mechanical equipment and transformers (ground, building, and rooftop) are screened from view.
9. 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.
10. 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.

PLAN REVIEW
AURORA HEALTH CARE
9444 & 9454 S. HOWELL AVE.

200 & 228 E. RYAN RD.

TAX KEY NO. 874-9995, 874-9000-001, 874-9994-001, 874-9993-001

Planner Kari Papelbon provided an overview of the proposal to expand the parking for the Aurora Health Care facility.

Commissioner Chandler asked for more information regarding the signage. Russ Legg, 2180 Hall Road, Town of Erin, stated they don't have exact details right now. They have a standard sign that they use with Aurora, and they are working with Poblocki Signs right now to finish up the details on that. That will be submitted as a separate item before the Plan Commission. Ms. Papelbon stated that if a variance is required for this sign, they would come back. If they meet the Code, they would just need permits. Directional signs are limited in terms of height and size. The locations appear to be outside of required vision triangles. The two main monument signs are also limited by height, square footage and location. Those are the details that will be worked out with the applicant once they finalize their plans.

Commissioner Chandler asked that with access to Howell and Ryan, what would change. Tom Oleneczek, 255 N. 21st St., responded they are working with the DOT. There are two existing access points on Howell Ave. The DOT has asked that those two access points go away. The new access point shown on Howell north of this would be the new one. On Ryan Rd., there is an existing access point, which is in essentially the taper lane of Ryan Road and the DOT has requested that that be relocated. So it shifts it 100 to 150 feet to the east.

Commissioner Dickmann asked if there is any landscaping proposed to screen the parking. Ms. Papelbon responded that they do show some screening along Howell Avenue. There are some trees and bushes that have been proposed. They do have a chart that shows the species, but staff is looking for more details so that they can adequately determine whether or not the proposed landscaping meets Code.

Commissioner Bukiewicz asked about the stormwater plan going forward as they are adding a lot of impervious surface to this. Commissioner Johnston responded that they will have to do a new stormwater management plan for the facility, and incorporate all their new pavement into a stormwater plan.

Commissioner Bukiewicz asked about hydrant issues. Asst. Fire Chief Kressuk responded that they have been very flexible with the Fire Department. They are aware of the existing structure and that the Code requirements that will come into play. There was one particular hydrant that came into question with this. They have worked with the applicant and feel they have a solution to that issue.

Commissioner Carrillo asked what was in existence between the homes that are on that path and what will it change to. Ms. Papelbon responded that the landscape plan might be the best way to address this question. There is already a fence that provides some privacy and some separation between the existing residences to the north and the property. There is a required buffer area, which is why the setback is shown. What is being proposed is a six-foot-high wood fence to be facing the existing residences to the north, but there will also be some landscaping. That landscaping is on either side of the fence.

Commissioner Dickmann moved that the that the Plan Commission approves the site plans submitted by Russell Legg, Aurora Health Care, for the properties at 200 & 228 E. Ryan Rd. and 9444 & 9454 S. Howell Ave., with the following conditions:

1. That all building and fire codes are met.

2. That the applicant provide all required reviews and approvals from the Wisconsin Department of Transportation for the proposed access drives to the Department of Community Development and the Engineering Department prior to submission of permit applications.
3. That all mechanical equipment (ground, building, and rooftop) is screened from view.
4. That all proposed sign plans are revised to meet all requirements of Sections 17.0706, 17.0711, and 17.0714.
5. That all revised plans (site, landscaping, signage, 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.
6. That final lighting plans indicating luminaire type, pole type, color, and height are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector prior to submission of building permit applications.
7. That stormwater and grading plans are submitted for final approval by the Engineering Department prior to issuance of permits.
8. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

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

**PRELIMINARY PLAT
CARROLLVILLE CROSSINGS ADD'N. NO. 1
MICHAEL KAEREK, KAEREK HOMES
8781 S. 5TH AVE.
TAX KEY NO. 865-0114**

Planner Kari Papelbon provided an overview of the proposal for a subdivision of 8 new residential lots with two existing Outlots, one of which is reserved for parkland and the other of which is currently developed with stormwater infrastructure for the subdivision.

Commissioner Chandler asked for feedback on the request to install or replace the laterals. Mike Kaerek, Kaerek Homes, 11600 W. Lincoln Avenue, West Allis, WI, responded that originally this was going to be a multi-family property (up to 40 units). Back during the recession (2008), he was going to build condos at this location. The neighbors in the subdivision requested that they go back to single family homes. So they knew laterals had to go in and that will not be an issue.

Commissioner Bukiewicz asked about the water retention pond. Mr. Kaerek stated they are going to help fix it up.

Commissioner Correll moved that the Plan Commission approves the Preliminary Plat for the Carrollville Crossing Add'n. No. 1 submitted by Michael Kaerek, Kaerek Homes, for the property at 8781 S. 5th Ave., with the condition that all staff and Utility comments are incorporated as required. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW
A-1 SERVICES, INC.
7373 S. 6TH ST.
TAX KEY NO. 764-9031**

Zoning Administrator/Planner Pete Wagner provided an overview of the proposal for an addition to the west side of the existing building.

Commissioner Chandler asked what the purpose was for the addition. Jerry Martinez, 207 63rd Dr., Union Grove, responded business growth.

Commissioner Chandler asked about the outdoor storage. Mr. Martinez stated that they were not storing anything outside, so this will be more than adequate.

Commissioner Chandler asked about the screening of the dumpster. Mr. Martinez stated that they will be screening the dumpster.

Commissioner Siepert moved that the Plan Commission approves the building plans submitted by A-1 Services Inc. for the property at 7373 S. 6th St., with the conditions:

1. That all building and fire codes are met.
2. That all garbage dumpsters be screened from the public right-of-way.
3. Temporary outdoor storage of equipment and vehicles is prohibited.

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

**PLAN REVIEW
NEIL BORKAN
ARBOR RESTAURANT (TACO BELL)
8261 S. HOWELL AVE.
TAX KEY NO. 813-9017-001**

Planner Kari Papelbon provided an overview of the proposal for exterior modifications to the existing Taco Bell building.

Mario Valentini, MRV Architects, stated that this location has recently been purchased by the Arbor Restaurant Group. As part of the franchise agreement for the purchase, they are required to make a remodel of the inside and outside. The outside of the building is trying to mimic some of the detail of the new prototype that Taco Bell has nationally.

Commissioner Bukiewicz asked how the LED lighting would be used. Mr. Valentini responded that the LED lighting will be installed around the rust wall behind the logo bell on the side and the top, but the light bulbs themselves will not be visible.

Commissioner Dickmann asked how Condition #2 regarding the LED strip lighting could be reworded. Ms. Papelbon suggested that they strike Condition #2, and include in the revised plans that lighting is submitted for staff approval.

Ms. Papelbon asked for the Plan Commission's opinion on whether or not the area inside the tower should be EIFS. Commissioner Bukiewicz stated it does help break it up. Commissioner Correll stated there is enough brick in the building that he doesn't have a problem with this at all.

Commissioner Bukiewicz moved that the Plan Commission approves the building plans submitted by Neil Borkan, Arbor Restaurant Group, for the property at 8261 S. Howell Ave., with the following conditions:

1. That all building and fire codes are met.
2. That all mechanical equipment (ground, building, and rooftop) is screened from view.
3. That permits and approvals be obtained for all proposed new and replacement signs.
4. That all revised plans (site, building, signage, lighting, 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.

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

CANCELLATION OF MEETING

Planner Kari Papelbon explained that staff never scheduled a meeting for December 27, but an approval by the Plan Commission to cancel the meeting would confirm and solidify that schedule.

Commissioner Correll moved that the Plan Commission cancel the December 27, 2016 meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:27 p.m.

ATTEST:

Douglas Seymour, Plan Commission Secretary

11/9/16

Date

Summary of Significant Common Council Actions

1. **APPROVED** Ordinance No. 2829, creating Sections 17.0317(c)(40) and 17.0317(f)(5) and amending Section 17.1402 of the Municipal Code to allow for outdoor commercial recreation facilities as conditional uses in the M-1, Manufacturing District.
2. **APPROVED** a *motion* to authorize staff to take preliminary steps to create tax increment financing district No. 13 for the Lake Vista neighborhood.
3. **APPROVED** *Resolution* No. 11767-111516, pledging funding for local share of 2016-2020 Transportation Alternatives Program grant for an extension to the Oak Leaf Trail and directing staff to work with Milwaukee County to provide for necessary easements.



Kari Papelbon, CFM, AICP
Planner



Plan Commission Report

ITEM: 4a

DATE: November 22, 2016

PROJECT: Conditional Use – Mike Yungerman, Opus Development Company, LLC

ADDRESS: 500 W. Opus Dr.

TAX KEY NO: 924-9012-000

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a freight terminal, with two (2) underground fuel storage tanks in excess of 5,000 gallons and outdoor storage of dolly equipment as accessory uses, at 500 W. Opus Dr. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission’s review at the next meeting (Oct. 11, 2016).

Ownership: Opus North Corporation, 10350 Bren Rd. West MS 630, Minnetonka, MN 55343

Size: 50.863 acres

Existing Zoning: M-1, Manufacturing

Adjacent Zoning: North – M-1, Manufacturing
East – M-1, Manufacturing; Rs-3, Single Family Residential
South – I-1, Institutional; Rs-3, Single Family Residential; M-1 (PUD), Manufacturing; P-1, Park District
West – M-1, Manufacturing

Comprehensive Plan: Planned Industrial.

Wetlands: Yes, see attached maps.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting recommendation of Conditional Use approval for a freight terminal with two (2) 20,000-gallon underground fuel tanks at 500 W. Opus Dr. Freight terminal and trucking facilities are Conditional Uses in the M-1 zoning district. Fuel tanks in excess of 5,000 gallons also require Conditional Use approval as accessory to the primary Conditional Use (for the freight terminal). The Planned Land Use Map in the Comprehensive Plan has identified this property, as well as the surrounding area, as Planned Industrial.

The proposal is for a two-phase development. Phase I will include an estimated 105,901 square feet of dock areas, approximately 8,181 square feet of office space, a 9,760 square-foot maintenance building, a guard shack, and a fueling station. Future build-out will add approximately 27,600 square feet of dock areas, and approximately 8,426 square feet to the maintenance building. Security fencing will be provided around the property, with guard shacks at each entrance gate.

Operations will be on a 24/7 schedule, with three (3) shifts per day. Due to overlapping shifts, 264 employee parking stalls are proposed for Phase I. Parking for visitors (6), trailers (314), vans (176), and tractors (114) are provided in Phase I. Phase II will expand parking for employees, vans, and tractors. Storage for 109 dollies in Phase I (expanded to 155 in Phase II) is also proposed. Parking requirements for manufacturing, processing, and fabrication operations are one (1) stall per employee during the shift with the most employees. Approximately 315 employees are anticipated at full build-out of the property.

Included in the Plan Commission report packet is a preliminary site plan and estimated arrival/departure times for vehicles (equipment and employee). While site, building, landscaping, lighting, and related approvals will occur at a later date, Plan Commissioners should be aware of a few items:

- There are several wetlands on the property. A wetland delineation, including any DNR-required buffers, will be required prior to submission of plans for review.
- The preliminary site plan may need modifications to meet required setbacks, buffer areas, and landscaping.
- Due to the proximity of residential properties to the immediate south and southwest, staff recommends that the applicant incorporate significant vegetative buffers and decorative screening into the site plans. Staff also recommends consideration of reduced lighting (mounting height and fixture type) and limited noise during nighttime and early morning operations.
- All architectural standards will need to be met for this conditional use.

Comments received from the Oak Creek Water and Sewer Utility indicate that an agreement for water services was signed in 2007. Therefore, the water main loop needs to be completed between Opus Drive and Oakwood Road.

The adopted Comprehensive Plan identifies this area as “Planned Industrial”. The plan defines “Planned Industrial” as follows:

This category includes high-quality indoor manufacturing, assembly and storage uses with generous landscaping, high quality building design, and limited signage. All development in Planned Industrial districts should comply with detailed site, building, signage, and landscaping design standards described in Section Nine of this document. The City’s M-1 district is appropriate for these areas. If a Business Park zoning district is established, as recommended above, that zoning district should also be considered for Planned Industrial areas. Planned Industrial districts are proposed in and around the Northbranch Industrial Park and in the Southwest Mixed Use District, generally between 27th Street, Howell Avenue, Ryan Road, and the County line. This planning district is mapped over older industrial areas to suggest that future expansion and redevelopment should meet the same high development standards as new development. In places where Planned Industrial districts abut residential neighborhoods, the City should require various techniques to screen and buffer uses to prevent use conflicts.

A traffic impact analysis was performed for this proposed conditional use. The results of that TIA indicated needs for future off site transportation improvements. If this conditional use were to be approved, the conditions and restrictions should reflect a requirement for a development agreement that requires the developer to fund and construct all of the on and off site improvements required by the TIA. Likewise, the developer should be responsible for any outstanding development requirements remaining from the development of the initial Oakwood Crossing Business Park.

The Bikeway Plan, which is part of the City’s adopted Park and Open Space Plan illustrates a trail connection through this property. Like the Oakview Business Park, this development should be required to provide easements for, if not fund the construction of the trail segment through this property.

This site, although not part of the Oakview Business Park, is within Tax Incremental District No. 8.

The proposed use of this property for a freight terminal is not unlike similar businesses in the City’s industrial parks that utilize trucks for distribution of their products. The difference is in the scope and scale of the proposed use. There will be impacts on the local transportation network, most notably the State highways (Howell Avenue and Ryan Road). There will also likely be impacts (light and sound) upon adjacent

neighborhoods, although those impacts will be mitigated (to the north) by distance (over 1000 feet) and (to the south) vegetative cover.

With the above in mind while staff would prefer to see this site developed in a manner that is less impactful and more consistent with the City's newer business parks (in terms of aesthetics, outdoor storage and trailer parking) it is nonetheless of the opinion that those impacts are manageable through the conditional use permit and recommends approval of the proposal, subject to conditions and restrictions that will be prepared for the October 11th Plan Commission meeting.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

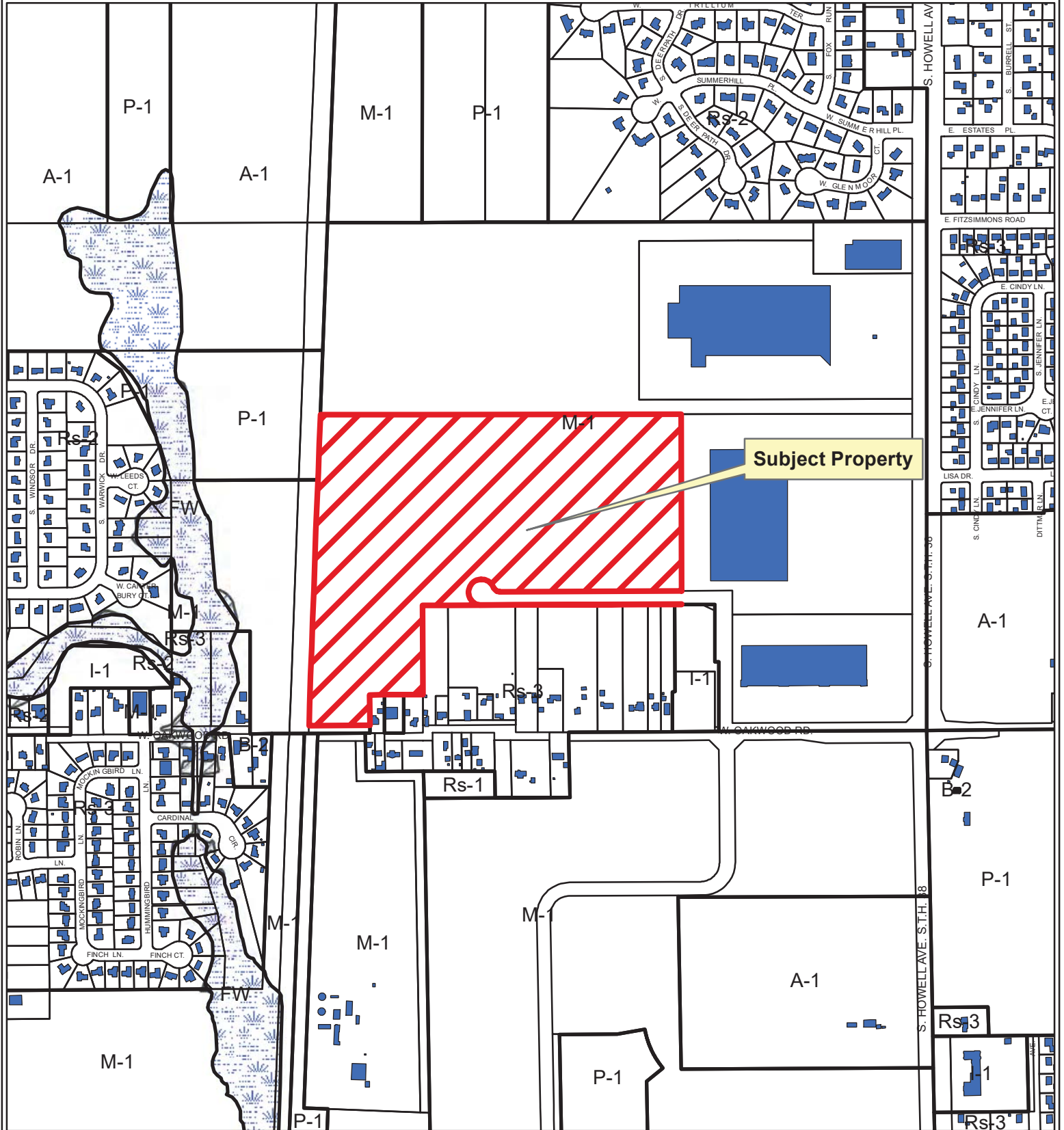
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map




500 W. Opus Dr.



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



Legend

-  500 W. Opus Dr.
-  Floodway
-  Floodfringe

DESCRIPTION OF PROPOSAL

Proposed Freight Terminal

500 Opus Drive

Oak Creek, WI

The project consists of the construction of a commercial truck and dock terminal with related office space, shop and fueling facilities, vehicles and business support operations. A preliminary site plan is included as Exhibit 1. Please note all square footage (sf) and numbers are estimates at this time.

Phase 1 of the project will include approximately 105,901 sf of dock areas, 8,181 sf of office, a 9,760 sf maintenance building, a guard shack and a fueling station. At full build out the facilities will add approximately 27,600 sf of dock areas to the main building and 8,426 sf to the maintenance building. The facility is to be constructed on a 48.65 acre site located at 500 Opus Drive. The proposed site is currently vacant. The floor area ratio for the proposed layout is 7.2% and the impervious surface ratio is 69.3% at full build out.

A trash compactor will be provided at the main building and dumpsters will be provided at the shop building. Screening will be provided as required. As mentioned previously a fueling station will also be located on site with two 20,000 gallon underground storage tanks.

This is a secure facility with a chain link fence around the perimeter. There will be a guard shack at the entrance with gates at both the yard entrance and the employee parking lots.

The facility will operate twenty four hours per day, seven days a week with three shifts per day. Based on shift overlap, 264 employee parking spaces will be provided for Phase I. An additional 66 parking stalls will be added with Phase II addition. Six visitor parking stalls are also provided. The facility is a freight terminal and parking for 314 trailers, 176 vans, 114 tractors and dolly storage for 109 is included in Phase I and will be revised to 299 trailers, 233 vans, 160 tractors and 155 dolly storage spaces in Phase II. Attachment A provides an estimate of the arrivals and departures from the site on a daily basis.

ATTACHMENT A

Estimated

MKE Equipment Arrival and Departure Times

	City Departures	City Arrivals	Road Departures	Road Arrivals	Total
0001 - 0100					0
0100 - 0200					0
0200 - 0300					0
0300 - 0400	1				1
0400 - 0500					0
0500 - 0600					0
0600 - 0700	16			2	18
0700 - 0800	31			12	43
0800 - 0900	48			11	59
0900 - 1000	15			2	17
1000 - 1100	3	2			5
1100 - 1200	1	3			4
1200 - 1300	7	9			16
1300 - 1400	12	9			21
1400 - 1500	9	15			24
1500 - 1600	8	34			42
1600 - 1700	8	44			52
1700 - 1800	5	36			41
1800 - 1900		10			10
1900 - 2000		1	2		3
2000 - 2100		1	12		13
2100 - 2200			11		11
2200 - 2300			2		2
2300 - 2400					0
	164	164	27	27	382

Estimated

MKE Employee arrival and departure times

	Arrive	Leave	Total
0001 - 0100			0
0100 - 0200	6		6
0200 - 0300	6		6
0300 - 0400	8		8
0400 - 0500	8		8
0500 - 0600		1	1
0600 - 0700	5	14	19
0700 - 0800	7	6	13
0800 - 0900	17	26	43
0900 - 1000	23	4	27
1000 - 1100			0
1100 - 1200	6	3	9
1200 - 1300	4		4
1300 - 1400	3	5	8
1400 - 1500			0
1500 - 1600	5	2	7
1600 - 1700	20	13	33
1700 - 1800	6	22	28
1800 - 1900	1	11	12
1900 - 2000	2	19	21
2000 - 2100	12	18	30
2100 - 2200	11	2	13
2200 - 2300	2	5	7
2300 - 2400		1	1
	152	152	304



THE OPUS GROUP
ARCHITECTS
CONTRACTORS
DEVELOPERS

July 9, 2007

Mike Sullivan
Oak Creek Water and Sewer Utility
170 W. Drexel Ave.
Oak Creek, WI 53154

Re: Opus Drive and Watermain Extensions

Dear Mr. Sullivan,

We are planning to extend Opus Drive to the west side of the property, at Oakwood Crossings, yet this year. Assistant Fire Chief Krudop is requiring an emergency access road and you are requiring the watermain to be extended from Opus Drive to Oakwood Road. Due to the numerous layout possibilities of the next building we will be phasing the construction of the emergency access. The second phase would include both the extension of the access road and watermain from Opus Drive to Oakwood Road. This would allow for every option and keep the watermain and the access road along the same route.

We understand the second phase would need to be completed prior to the issuance of the final Certificate of Occupancy for the next building. Once the layout of the access road is determined by the site layout and planning commission review, the watermain layout may be relocated or shifted to follow. In that case the watermain between Opus Drive and Oakwood Road would then be resubmitted to the Water Utility for review and comments.

If you have any questions or need further information please contact me directly at (414) 266-8245.

Sincerely,

Opus North Corporation


Benjamin Baeten

OPUS NORTH CORPORATION
A member of The Opus Group
Three Honey Creek Corporate Center
115 South 84th Street, Suite 111
Milwaukee, WI 53214
Phone: 414 266 9191
Fax: 414 266 9192
www.opuscorp.com



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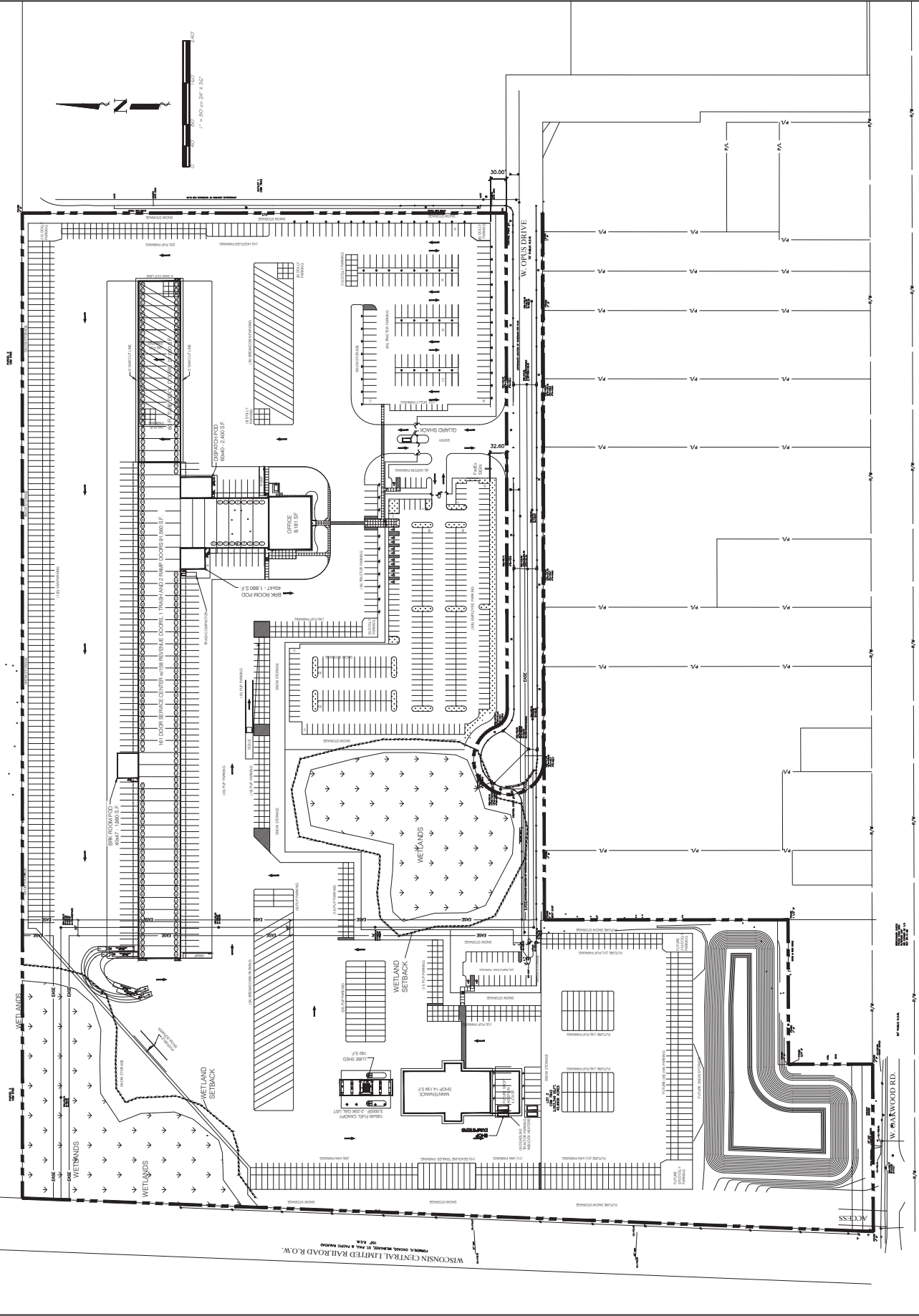
Wabash National dollies are manufactured in a dedicated, ISO 9001:2008 registered facility by a team of experienced craftsmen. If you're looking for long-lasting equipment you can depend on, turn to Wabash National.



**500 OPUS DRIVE
 FREIGHT TERMINAL**

DATE:	
REVISION:	
SPECIFICATION PLAN	
JOB NUMBER:	Project Number
DESIGNED BY:	DSG
DRAWN BY:	DRW
CHECKED BY:	CHK
DRAWN:	11.16.16
SHEET NO.	

XCI.1



WISCONSIN CENTRAL LIMITED RAILROAD R.O.W.
 100' R/W

W. PINEWOOD RD.
 100' R/W

ACCESS

PROJECT: Zoning Text Amendment – Kelly Gallacher, Self Storage Ventures, LLC

STAFF RECOMMENDATION: The Plan Commission NOT recommend to the Common Council that Municipal Code Section 17.0315 be amended to allow self-storage facilities as Conditional Uses in the B-4, Highway Business district. That the Plan Commission directs staff to research and present options for the creation of a new commercial or manufacturing zoning district.

BACKGROUND: Kelly Gallacher, Self Storage Ventures, LLC, is requesting that the Municipal Code be amended to allow “self-service storage facilities” as Conditional Uses in the B-4, Highway Business District. Staff has conducted research related to the request and offers the following summary for the Plan Commission’s consideration.

Existing Code

Currently, storage is addressed in several ways within the Zoning Code. Since the type of storage under consideration is limited to the operation of a business offering storage services, one can reasonably exclude residential, institutional and park, and agricultural districts from this discussion. That leaves business districts (B-1, Local Business; B-2, Community Business; B-3, Office and Professional Business; B-4, Highway Business; and B-6, Interchange Regional Retail District) and the M-1, Manufacturing District open for consideration. Below are the purpose statements for each district.

- *B-1, Local Business District.* The B-1 Local Business District is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of the local neighborhood, and for which the character, appearance, and operation are compatible with the character of the surrounding area.
- *B-2, Community Business District.* The B-2 Community Business District is intended to provide for the orderly and attractive grouping at appropriate locations of businesses offering a wider range of retail products and services than are provided in B-1 Local Business Districts. The character, appearance, and operation of any business in the district should be compatible with any surrounding areas.
- *B-3, Office & Professional Business District.* The B-3 Office and Professional Business District is intended to provide for individual or groups of buildings limited to office, professional, and special service uses where the office use would be compatible with other adjacent uses.
- *B-4, Highway Business District.* The B-4 Highway Business District is intended to provide for the orderly and attractive grouping at appropriate locations along federal, state and county highway routes of those businesses and customer services which are logically related to and dependent upon highway traffic or which are specifically designed to serve the need of such traffic.
- *B-6, Interchange Regional Retail District.* The B-6 Interchange Regional Retail District is intended to provide for the orderly and attractive grouping of high-intensity retail, commercial and mixed uses along the federal interstate highway system. Areas that may be designated as part of the B-6 district shall be limited to contiguous premises that abut the federal interstate highway system, and at least one (1) premises shall include a Destination Retail building with a gross floor area of 250,000 square feet or more.
- *M-1, Manufacturing District.* The M-1 Manufacturing District is intended to provide for manufacturing, industrial, and related uses of a limited nature and size which, on the basis of

actual physical and operational characteristics, would not be detrimental to the surrounding area or to the City as a whole by reason of smoke, noise, dust, odor, traffic, physical appearance, or other similar factors.

Within the business districts, garages are allowed as permitted accessory uses “for storage of vehicles used in conjunction with the operation of the business.” None of the business districts, except for the B-6, Interchange Regional Retail District, permits outdoor storage. Only the B-4, Highway Business District allows “equipment rental with only inside storage facilities” as permitted uses, and contractor’s offices/shops (without outdoor storage of any kind) as Conditional Uses.

Conversely, the M-1, Manufacturing District allows storage of materials produced or used in the production of items onsite as Permitted Uses. It is within this district that storage is most widely allowed, and includes moving and storage services, storage of vehicles and equipment, and self-service storage facilities (mini-warehouse) as Conditional Uses. General warehousing is allowed as a Permitted Use in the M-1 District. Warehousing and mini-warehousing appear in Section 17.0403(j)(5) for parking requirements for manufacturing and related uses.

Existing District Locations

Included in the packet for this agenda item are several maps that identify the locations of all base zoning districts, all business districts, the manufacturing district, and the B-4 and M-1 districts. Plan Commissioners will notice that the M-1 district locations are highly concentrated in and adjacent to existing industrial/business parks (WE Energies is at the southeast corner of the City). The B-4 district locations are more dispersed, but clusters can clearly be seen along 27th Street, Howell Ave., and Rawson Ave. Smaller clusters exist along College Ave. and Chicago Ave. Note that none of the maps show overlay districts or the floodplain districts.

Approximately 501 parcels are partially or wholly within the B-4 district, and approximately 408 parcels are partially or wholly within the M-1 district. It should be noted that while the district lines cross these parcels, the zoning districts may not apply due to the area of the parcel affected. For example, a parcel that is mostly located in a residential district but has a B-4 district boundary cross a small corner would not then be allowed to develop with retail businesses.

Comparison to Nearby Municipalities

As is often asked by the Plan Commission when reviewing zoning text amendments, staff questioned how other cities addressed self-storage and/or mini-warehousing. While there is no “one-size-fits-all” solution, it is beneficial to take these approaches into consideration.

Franklin

Franklin’s approach may be the most unique of those researched. To begin, Franklin has created seven (7) business districts within the City in addition to City Civic Center, Village Business, Business Park, and two (2) Manufacturing Districts. However, “retail self storage primarily climate controlled (with related accessory ambient temperature structural units)” is only allowed as a special use in the B-5 and A-1 Districts. General warehousing and storage or refrigerated warehousing are limited to the manufacturing districts or as part of a Planned Development District (PDD). Staff located the City of Franklin zoning map online and determined that the B-5 district exists in only two locations—on Lovers Lane just east of Scepter Drive (one parcel) and off of the Lovers Lane Service Road just north of Rawson Ave. (three parcels). Other districts, including manufacturing districts, are dispersed throughout the City.

St. Francis

On the opposite end of the zoning spectrum is St. Francis. Of the 10 zoning districts in the City, only two are business districts and two are manufacturing districts. The Zoning Code allows indoor mini warehouse as a special use in both manufacturing districts, but not in the business districts. Other indoor storage (i.e., cold storage) is considered a special use in the M-1 district only. Both manufacturing districts are clustered close to rail lines, and mostly on the west to central part of the City.

Cudahy

Similar to St. Francis, Cudahy allows self-storage facilities/mini-warehouses in the M-1 and M-2 districts as Conditional Uses. They are not allowed in any of the 5 business districts. However, the City has historically been heavily manufacturing-based, leading to a large area between I-94 and Packard Ave. and between Layton Ave. and College Ave. zoned M-1 or M-2.

Greenfield

Although Greenfield has five (5) commercial zoning districts, an Office and Professional Services District, a Business Park District, and a Light Manufacturing District (M-1), all allowed warehousing and storage facilities are considered special uses only in the Light Manufacturing District.

Wauwatosa

Residential storage warehouses within Wauwatosa are permitted uses in the M-1 and M-2 zoning districts.

Waukesha

Unlike the cities discussed thus far, Waukesha allows self-storage facilities in their B-5 Community Business District as a Conditional Use, and in their M-1 Light Manufacturing District as a permitted use. Both districts are scattered throughout the City.

Muskego

Muskego's approach is very similar to Waukesha's, allowing self-storage facilities in both the B-2 Local Service Center District as a Conditional Use and the BP-3 Business Park District as a permitted use. Specific lot size and open space requirements are also attached to the District.

Proposal

At the heart of the proposal is the contention that modern self-storage facilities provide more of a retail experience for their customers at locations near existing retail and service-based businesses. Since the B-4 district is intended to provide for businesses and customer services to meet the needs of highway traffic, according to the proposal, self-service facilities should be allowed.

As was mentioned in the staff report for the Comprehensive Plan Amendment proposal for the properties on the southeast corner of Howell and College in May, traditional self-storage facilities - like several in Oak Creek - have been low-slung metal buildings with exterior garage doors that are often painted in different colors. While the proposal states that "the highest caliber self-storage operators are now offering attractively-designed facilities typically including a multi-story building, both temperature controlled and non-temperature controlled units, and in convenient neighborhood and regional locations that are complementary with other commercial and retail uses," it also points out that "not all operators may be willing or able to meet the reasonably appropriate design and operational standards for siting in neighborhood locations that are complementary

with other commercial and retail uses.” The proposal offers that the City could address these design and operational issues by classifying self-storage facilities Conditional Uses in the B-4 district. Further, the proposal recommends certain minimum criteria, in addition to existing district requirements:

1. The facility has at least one (1) multi-story, temperature controlled building no smaller than 30,000 gross square feet and no larger than 60,000 gross square feet,
2. That no building is more than 36 feet in height,
3. That no side of any building that faces residential property shall have individual units that are accessed directly from the exterior of the building,
4. That no outdoor storage of any kind will be permitted on the site, and
5. Customer access shall be restricted to the hours of 6:00 a.m. to 10:00 p.m.

Analysis

Plan Commissioners will recall that the option to allow self-storage facilities in the B-4 zoning district was mentioned during the Comprehensive Plan Amendment review for the College & Howell site. Staff expressed reservations in the staff report for that review about the ultimate development of that corner considering its identification in the Comprehensive Plan as a major entryway to a major corridor. The Commission did not support amending the zoning district; rather, the Commission determined that an amendment to the Comprehensive Plan and rezoning to M-1 for the College & Howell site was preferable because it limited the impact to that specific corner and development rather than impacting the entire City.

The potential effect of the proposal to allow self-storage facilities in the B-4 zoning district in addition to the M-1 zoning district is not inconsequential. Staff noted in the section above that more than 800 parcels in the City are located in either the B-4 or M-1 zoning district. Approving this proposed change would more than double the number of sites that could develop with self-storage. Where this added capacity is concentrated is another staff concern – along 27th Street from College Avenue to Oakwood Road, in pockets scattered along Rawson Avenue, and along Howell Avenue between College Avenue and Ryan Road. Conflicts with adjacent uses could be controlled or mitigated through the Conditional Use process; however, numerous conflicts in these areas can immediately be identified from a preliminary review of the existing zoning and uses in these areas, causing staffs concerns to remain. For example, across from the former City Hall and Library site (now the expanded high school), and immediately south of Drexel Town Square. Would self-storage be appropriate in these locations? If not, what criteria would the Plan Commission use to make that determination? If self-storage is to be treated the same way as a clothing store or health club, should there be additional considerations besides hours of operation, residential buffers, and outdoor storage? Would the Plan Commission allow storage within existing multitenant commercial buildings (such as the Oak Creek Centre building)? Should criteria for those decisions be different than for new construction? These and many more questions must be addressed.

Staff also researched how the Comprehensive Plan categorizes storage facilities. As the Plan Commission is aware, the State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objectives, goals, and policies contained within the Comprehensive Plan. Within the Comprehensive Plan are several land use categories that identify appropriate locations for commercial and industrial/manufacturing development (see attached for full category descriptions).

- *Planned Office.* The boundary of this category crosses 13 parcels currently zoned B-4.
- *Neighborhood Business.* The boundary of this category crosses 10 parcels currently zoned B-4.
- *Planned Business.* The boundary of this category crosses 162 parcels currently zoned B-4.
- *Planned Industrial.* The boundary of this category crosses 22 parcels currently zoned B-4.

- *General Industrial.* The boundary of this category crosses 0 parcels currently zoned B-4.
- *Planned Mixed Use.* The boundary of this category crosses 265 parcels currently zoned B-4.
- *Air Transportation.* The boundary of this category crosses 0 parcels currently zoned B-4.

Based on the existing descriptions of the land use categories listed above, it appears that storage facilities are most appropriately sited in areas identified for Planned Industrial, General Industrial, and Air Transportation. Only 22 parcels currently zoned B-4 are located in these areas. As demonstrated during the review of the proposal at College and Howell Avenues, the Comprehensive Plan does not always complement existing or proposed zoning districts or proposed uses. Therefore it is entirely probable that even if self-storage facilities were to be allowed in the B-4 zoning district, amendments to the Comprehensive Plan would have to occur first. Questions that the Plan Commission might consider include whether changes to the Comprehensive Plan would occur prior to every Conditional Use Permit request, and whether the Plan Commission would propose that the land use categories in the Comprehensive Plan be altered. The latter scenario would likely require public input meetings and a hearing.

Conclusions and Recommendations

The concerns raised by staff during the review of the Comprehensive Plan Amendment for the Howell Avenue and College Avenue project are elevated with the current proposal to allow self-storage facilities within the B-4 zoning district. No longer are the concerns limited to one area that has been identified in the Comprehensive Plan as a major entryway to a major corridor. On the contrary, the proposal affects multiple entryways, community corridors, and many more neighborhoods – a concern that ultimately led the Plan Commission to determine that amending the B-4 district was not appropriate in May.

Finally, staff would like to take this opportunity to update and clarify the following statement from the May staff report:

It has been demonstrated that, given the proper development standards, today's self-storage facilities can be successfully integrated into commercial zoning districts. Perhaps it is worthwhile to consider an amendment to the City's zoning code to reclassify self-storage facilities as conditional uses in the B-4 Highway Business zoning district. This would retain the Commission's (and ultimately the Common Council's) ability to consider and properly regulate this type of use without exposing this gateway to the City to unintended and potentially undesirable manufacturing uses allowed in a planned industrial district.

Following more extensive research into the Code requirements and approaches by multiple municipalities, it appears that the approaches taken for self-storage facility integration into commercial zoning districts is actually quite nuanced. Franklin not only chose to create several more zoning district categories, but also restricted self-storage to one commercial district with very limited locations within the City. While this report did not get into the specific district requirements for such facilities, both Franklin and Muskego included such considerations as maximum gross and net floor area ratio (FAR); defined front, side, and rear setbacks; minimum lot sizes and open space requirements. So although the Plan Commission would be able to potentially determine whether a site was appropriate based on existing B-4 district requirements (minimum lot size, setbacks, buffer yards, etc.), they are the same as for every other use in the district. Based on the research conducted from the surrounding municipalities, those may not be appropriate or all-encompassing.

Perhaps it would be beneficial for the Plan Commission to familiarize themselves with the existing storage facilities in the City:

1. EZ Self Storage / New Store N Lock, LLC – 1019 W. Rawson Ave. (4.275 acres).
2. Drexel Self Storage, Inc. – 500 W. Drexel Ave. (1.459 acres).
3. U-Haul Moving & Storage of Oak Creek – 611 W. Puetz Rd. (3.448 acres).
4. Ryan Road Storage – 840 W. Ryan Rd. (11.379 acres).
5. PS Public Storage – 9810 S. 27th St. (3.187 acres).

Existing Conditional Use Permit analyses and site inspections could provide guidance and inform future Plan Commission decisions. However, based on all of the research conducted and concerns mentioned above, staff does not recommend that the B-4 district be amended. Staff would, however, like to offer a suggestion.

Alternative Recommendation

The Plan Commission direct staff to research the creation of a new commercial or manufacturing zoning district. This recommendation is based upon the approaches seen in other municipalities, and is actually taken from a recommendation in the Comprehensive Plan. Staff recognizes that creating the zoning district would necessitate discussion with departments, the public, the Plan Commission, and ultimately the Common Council, to ensure that the appropriate requirements, considerations, and locations are adopted. While staff recognizes and appreciates that this direction is not the applicant's preference, staff maintains that this is more holistic approach and is in the best interest of the City.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development



FRIEBERT, FINERTY & ST. JOHN, S.C.

Brian C. Randall, Esq.

330 East Kilbourn Avenue, Suite 1250

Milwaukee, WI 53202

414-271-0130

BCR@FFSJ.com

**Attachment to Zoning Text Amendment Application
for a new Conditional Use in
the B-4 Highway Business District (sec. 17.0315(c))**

October 11, 2016

This Attachment to Zoning Text Amendment is in support of the Application for Zoning Text Amendment filed herewith. The Applicant respectfully requests that the City of Oak Creek amend § 17.0315(c), Oak Creek Municipal Code (“Code”), to allow as conditional uses “self-service storage facilities” in the B-4 Highway Business District.

I. PURPOSE AND USES IN B-4 DISTRICT.

Pursuant to § 17.0315, Code, the B-4 Highway Business District is intended to provide for the “orderly and attractive grouping at appropriate locations along federal, state and county highway routes of those businesses and customer services which are logically related to and dependent upon highway traffic or which are specifically designed to serve the need of such traffic.” Of course, the “highway traffic” includes the City’s residential neighborhoods that are close to, and use, the highway routes, as well as those traveling upon the highways from the broader region whether for work, recreation, shopping, or just from the other side of town.

Among the permitted uses in the B-4 District are equipment rental with only inside storage, furniture stores, grocery stores, garden centers, and automotive parts and accessories, as well as garages for business vehicle storage as a permitted accessory use.

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OCT 12 2016

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Among the conditional uses in the B-4 District are vehicle sales and service, car washes, contractor's shops with only indoor storage, lumber yards, and tattoo and/or body piercing establishments.

II. SELF-SERVICE STORAGE AS A BUSINESS USE.

Currently, only in the M-1 Manufacturing District are self-service storage facilities permitted as a conditional use. Historically, self-storage facilities – with their gravel lots, single-story buildings and outdoor vehicle storage – have been viewed more as industrial, manufacturing or warehousing operations thereby appropriately classifying them in districts such as the M-1 Manufacturing District and often located in a remote, industrial park location.

However, certain self-storage operators have found that today's customers are seeking not only more of a retail experience in meeting their self-storage needs, but they are also looking for facilities conveniently located near their other frequent shopping and business stops. Accordingly, the highest caliber self-storage operators are now offering attractively-designed facilities typically including a multi-story building, both temperature controlled and non-temperature controlled units, and in convenient neighborhood and regional locations that are complementary with other commercial and retail uses.

Where the B-4 District is intended in part to provide businesses and customer services which are specifically designed to serve the needs of highway traffic, today's self-service storage facilities fit within the district intent. In fact, provided certain operational parameters are followed, self-service storage facilities are directly analogous to many of the current uses in the B-4 District such as equipment rental (with only inside storage), automotive parts and accessories, contractor's shops (with only indoor storage), and lumber yards. Further, self-service storage facilities are similar to a number of the currently-listed uses that draw from nearby neighborhoods as well as

regional highway traffic such as furniture stores, grocery stores, garden centers, vehicle sales and service, car washes, and tattoo and/or body piercing establishments.

III. POSSIBLE CONDTIONAL USE STANDARDS FOR SELF-SERVICE STORAGE FACILITIES.

As indicated above, the highest caliber self-storage operators are now offering attractively-designed facilities with multi-story features and including temperature controlled units. However, not all operators may be willing or able to meet the reasonably appropriate design and operational standards for siting in neighborhood locations that are complementary with other commercial and retail uses. Accordingly, it is suggested that the City include in the self-service storage Conditional Use ordinance itself a number of threshold provisions much in the same manner that the zoning code qualifies bakeries, restaurants, funeral homes, gasoline service stations, and public passenger transportation terminals to name a few.

For example, the City may wish to require self-service storage facilities in the B-4 District to have at least one multi-story building with temperature controlled units so as to be compatible with any surrounding retail and commercial uses and foreclose any facilities offering only single-story buildings. A size range of 30,000 – 60,000 gross square feet and a height limit of 36 feet for such a building will allow for the building to activate and hold the (highway) street edge but also not be so large as to be imposing to any nearby uses, including residential. Aside from the usual landscaping and setback requirements, an enhanced residential buffer requirement to consider might also be to prohibit any storage units from being accessed by exterior doors facing residential uses. Other operational standards for the City to consider are prohibiting outdoor storage of any items and barring any 24-hour operations.

Thus, the new amendment provision to § 17.0315(c) in order to allow self-service storage facilities as conditional uses on the B-4 District might read as follows:

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OCT 12 2016

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Self-service storage facilities (mini-warehouse) that meet the following criteria:

- (1) The facility has at least one (1) multi-story, temperature controlled building no smaller than 30,000 gross square feet and no larger than 60,000 gross square feet,
- (2) That no building is more than 36 feet in height,
- (3) That no side of any building that faces residential property shall have individual units that are accessed directly from the exterior of the building,
- (4) That no outdoor storage of any kind will be permitted on the site, and
- (5) Customer access shall be restricted to the hours of 6:00 a.m. to 10:00 p.m.

IV. CONCLUSION

We recognize that the City does not often amend the Zoning Text but where it has been demonstrated to be appropriate and to facilitate the right kinds of uses in the right locations, such amendments have been considered (recent examples include the entirely new B-6 District created, the drive-thru/drive-up uses added to the DTSMUPDD, and the consideration of allowing Outdoor Commercial Recreation in the M-1 District). In this case, where the City can send a clear signal in the ordinance itself with high standards for self-service storage facilities for a B-4 District location, in addition to the regular Conditional Use application requirements, only the highest quality self-service storage facilities – demonstrating compatibility with the surrounding commercial area and sensitivity to any adjacent residential uses – will be allowable. We respectfully request that the City amend the Zoning Code accordingly.

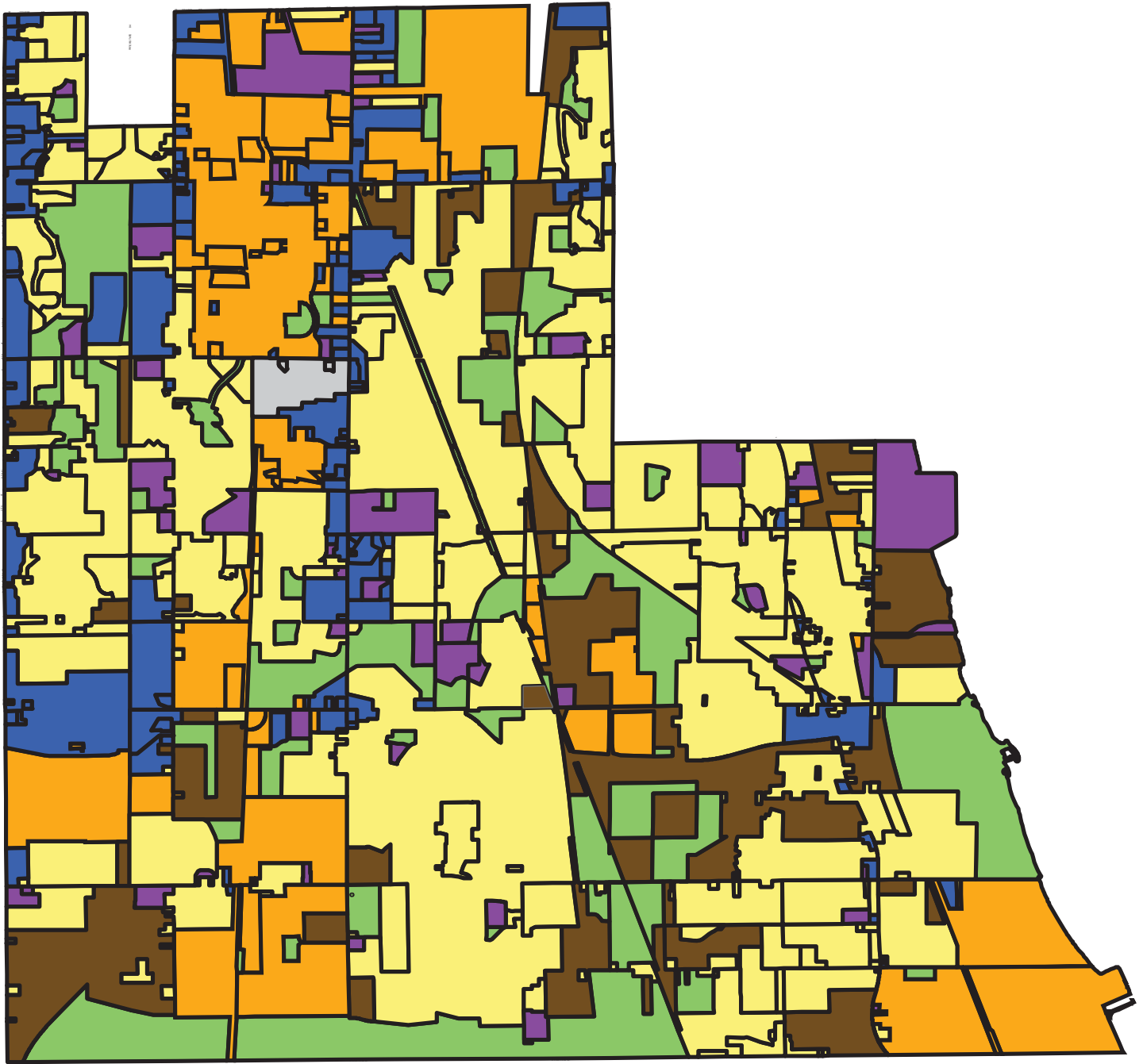
Respectfully submitted this 11th day of October, 2016.

FRIEBERT, FINERTY & ST. JOHN, S.C.
Attorneys-in-Fact for Applicant

By: 

Brian C. Randall (SBN: 1029064)

All Zoning Districts



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



Department of Community Development

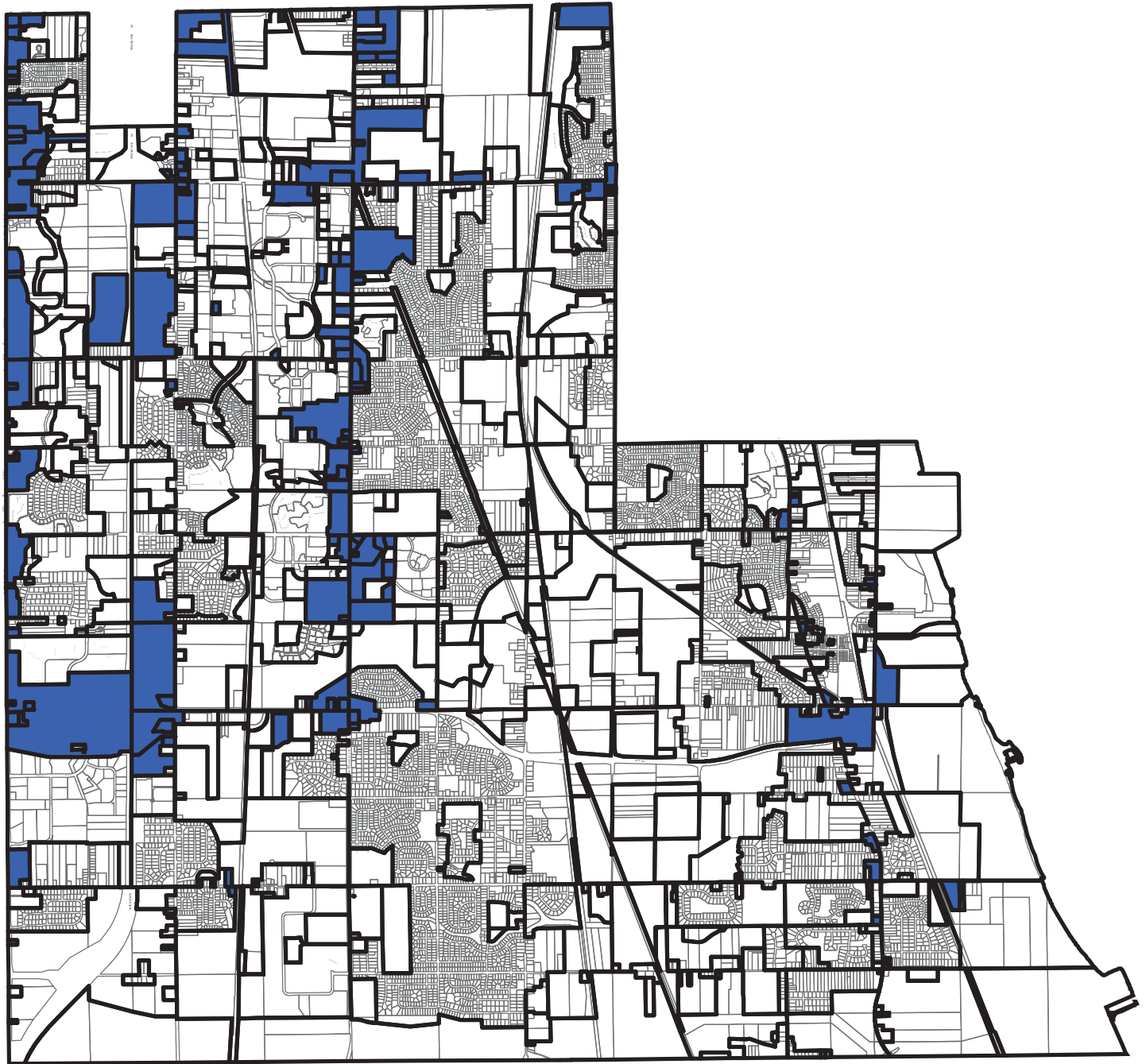


Legend

Zoning

	A-1, Limited Agricultural		Residential Districts
	Business Districts		I-1, Institutional
	DTSMPDD		M-1, Manufacturing
			P-1, Park District

Business Districts



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



Department of Community Development

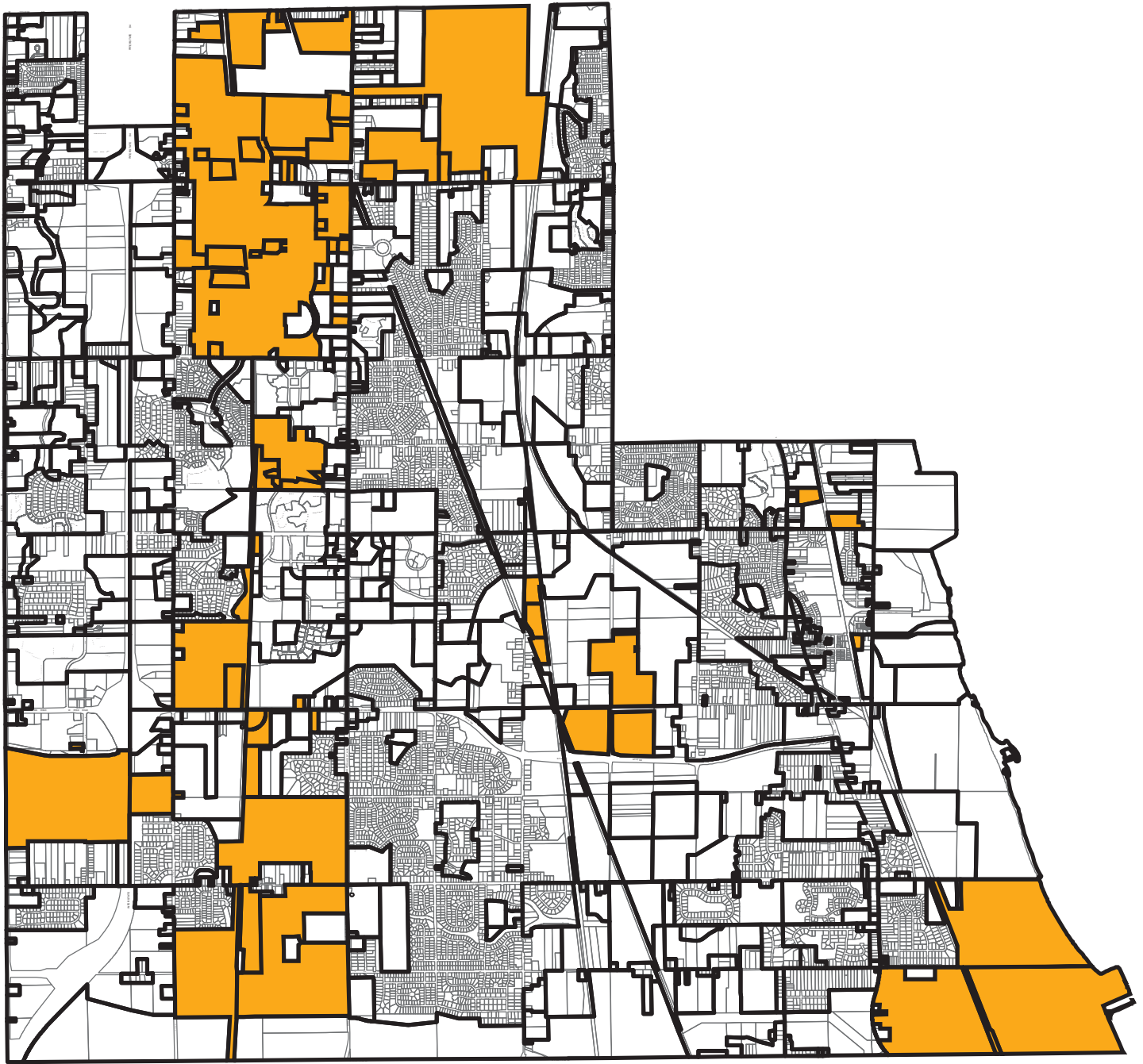


Legend

Zoning

	A-1, Limited Agricultural		Residential Districts
	Business Districts		I-1, Institutional
	DTSMUPDD		M-1, Manufacturing
			P-1, Park District

Manufacturing District



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



Department of Community Development

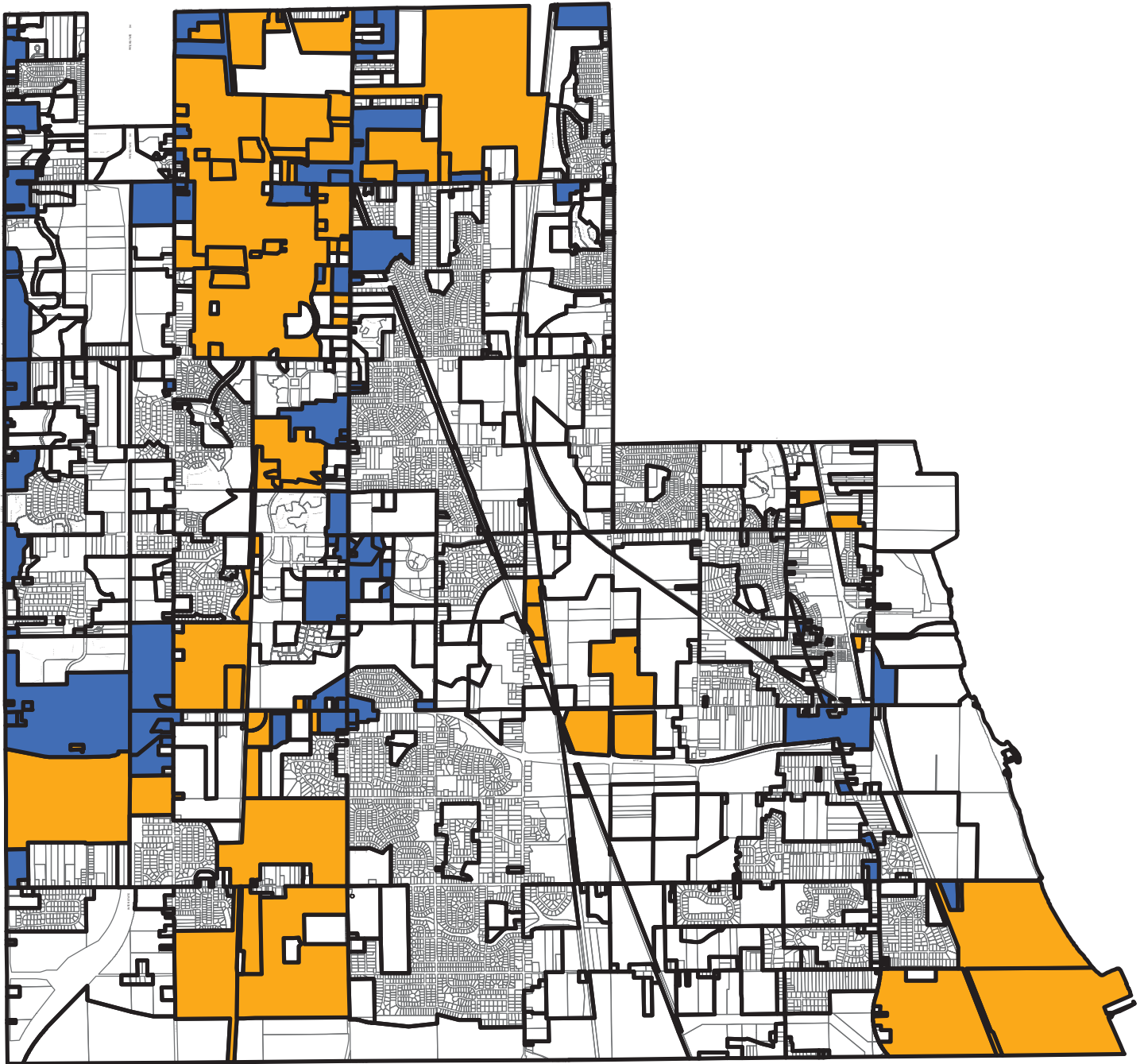


Legend

Zoning

- | | | | |
|--|---------------------------|---|-----------------------|
|  | A-1, Limited Agricultural |  | Residential Districts |
|  | Business Districts |  | I-1, Institutional |
|  | DTSMPDD |  | M-1, Manufacturing |
| | |  | P-1, Park District |

B-4 & Manufacturing Districts



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



Department of Community Development



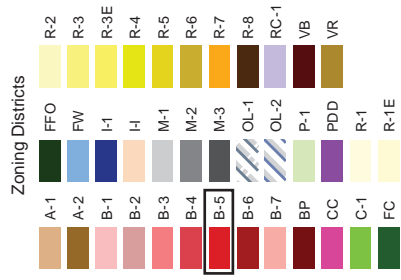
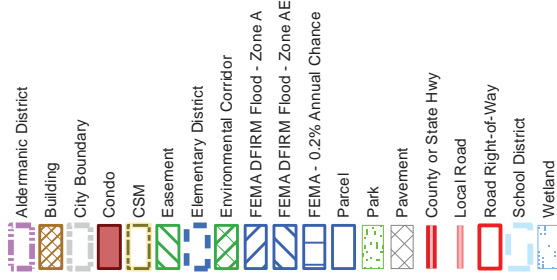
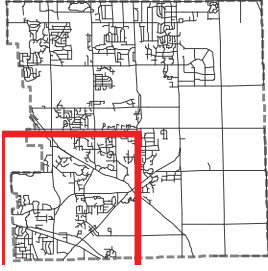
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Zoning

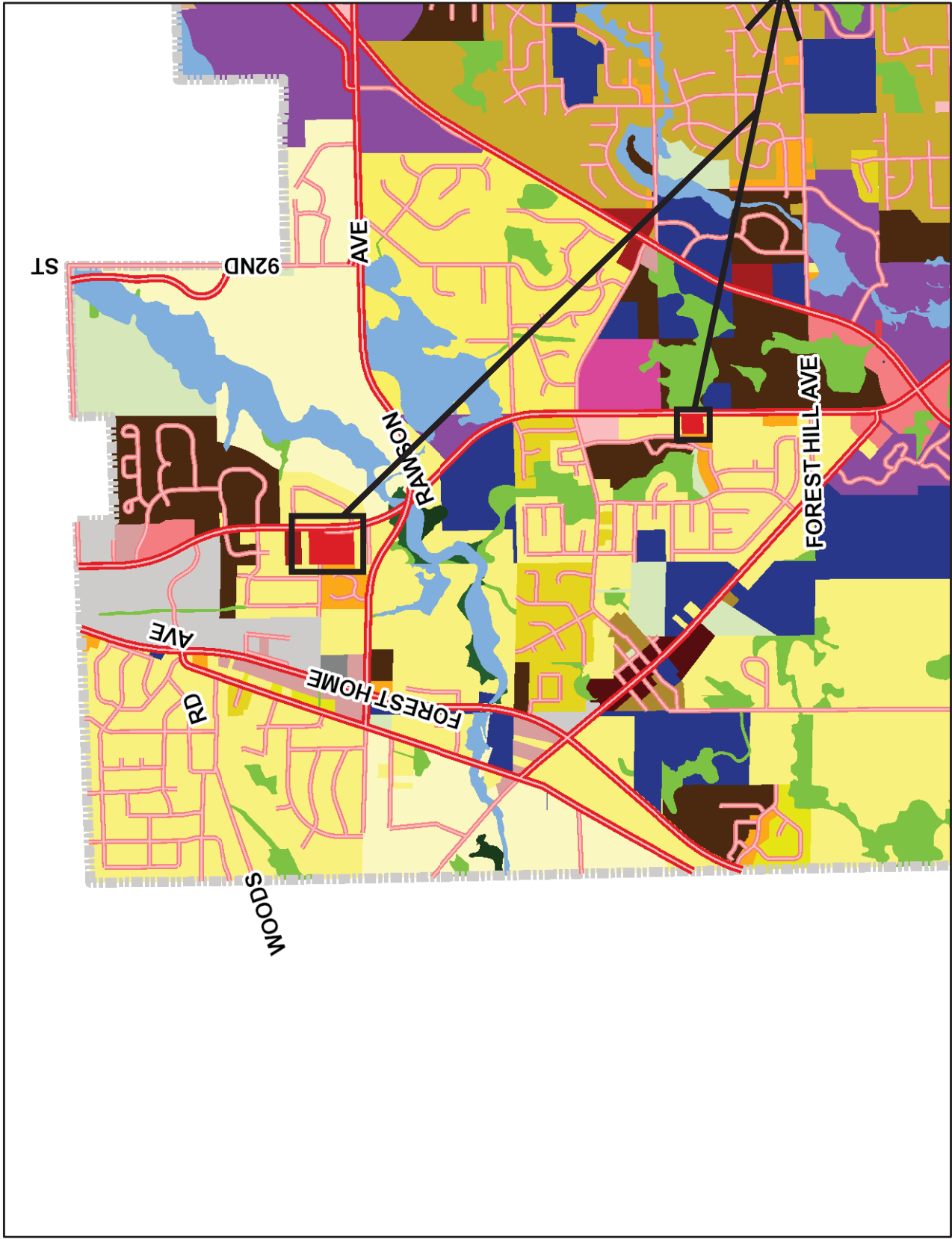
	A-1		Residential
	B-1; B-2; B-3; B-6		I-1
	B-4		M-1
	DTSMUPDD		P-1

City of Franklin

Overview Map



Legend includes all layers even if they are not visible in the map.



(C) City of Franklin, WI



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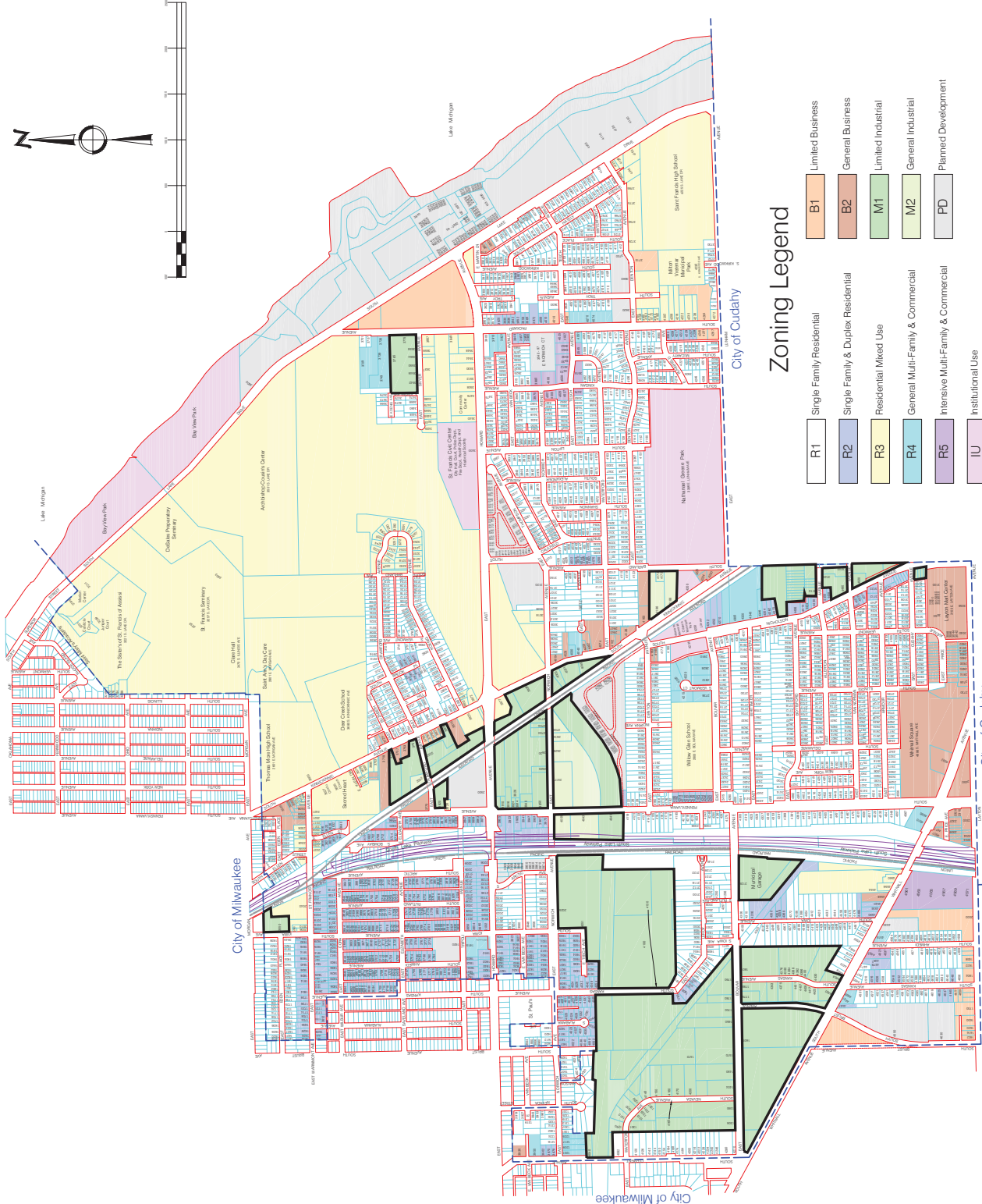
CITY OF SAINT FRANCIS
 3400 E. Howard Ave.
 St. Francis, WI 53235

Phone (414)481-2300
 Fax (414)481-6483

City Master Map Zoning

City Map created
 St. Francis
 Engineering
 Department
 2015

Scale
 1" = 500 ft



Zoning Legend

R1	Single Family Residential	B1	Limited Business
R2	Single Family & Duplex Residential	B2	General Business
R3	Residential Mixed Use	M1	Limited Industrial
R4	General Multi-Family & Commercial	M2	General Industrial
R5	Intensive Multi-Family & Commercial	PD	Planned Development
IU	Institutional Use		



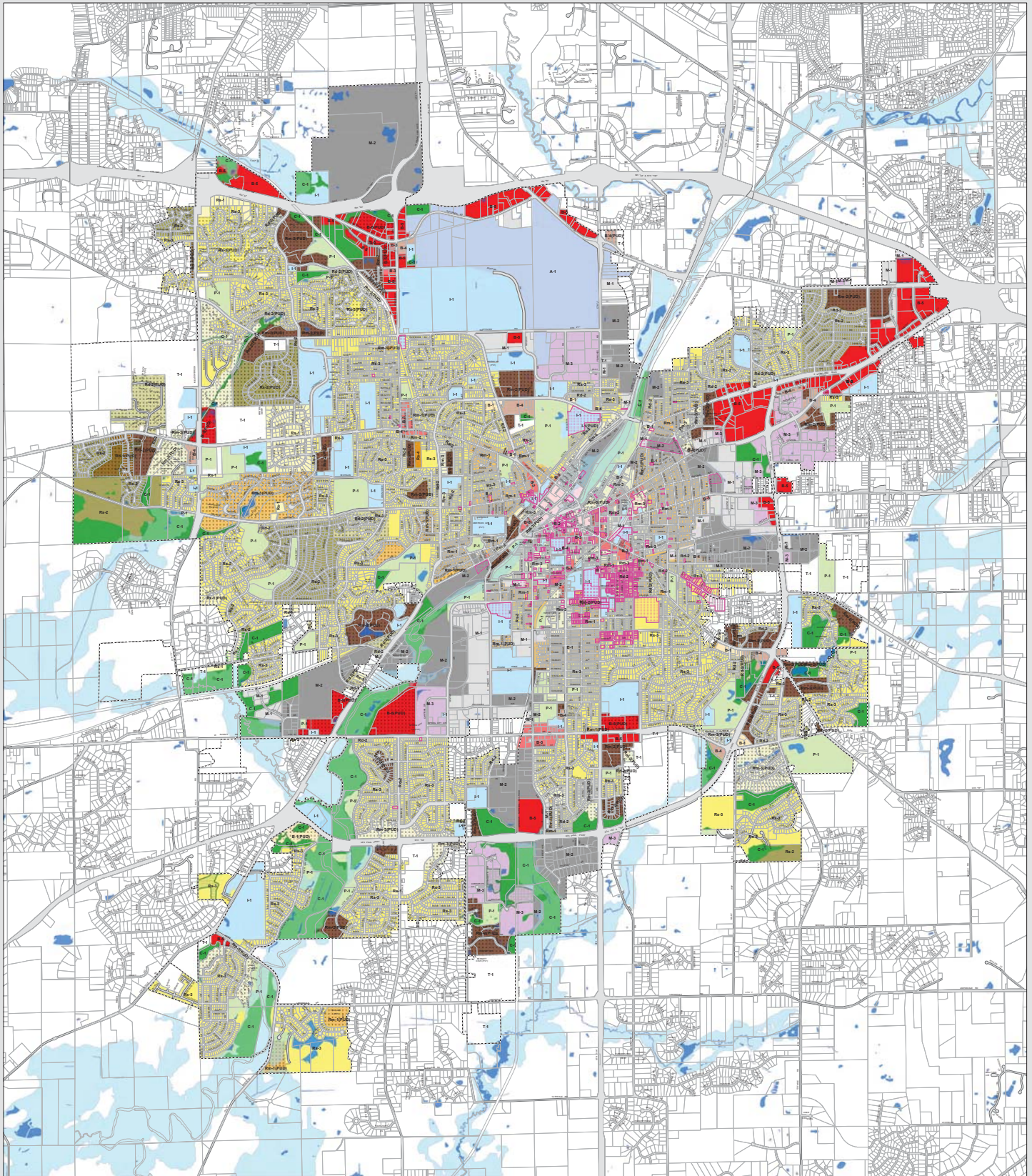
City of Milwaukee

City of Cudahy

City of Cudahy

City of Milwaukee

CITY OF WAUKESHA OFFICIAL ZONING MAP



1 inch = 1,000 feet

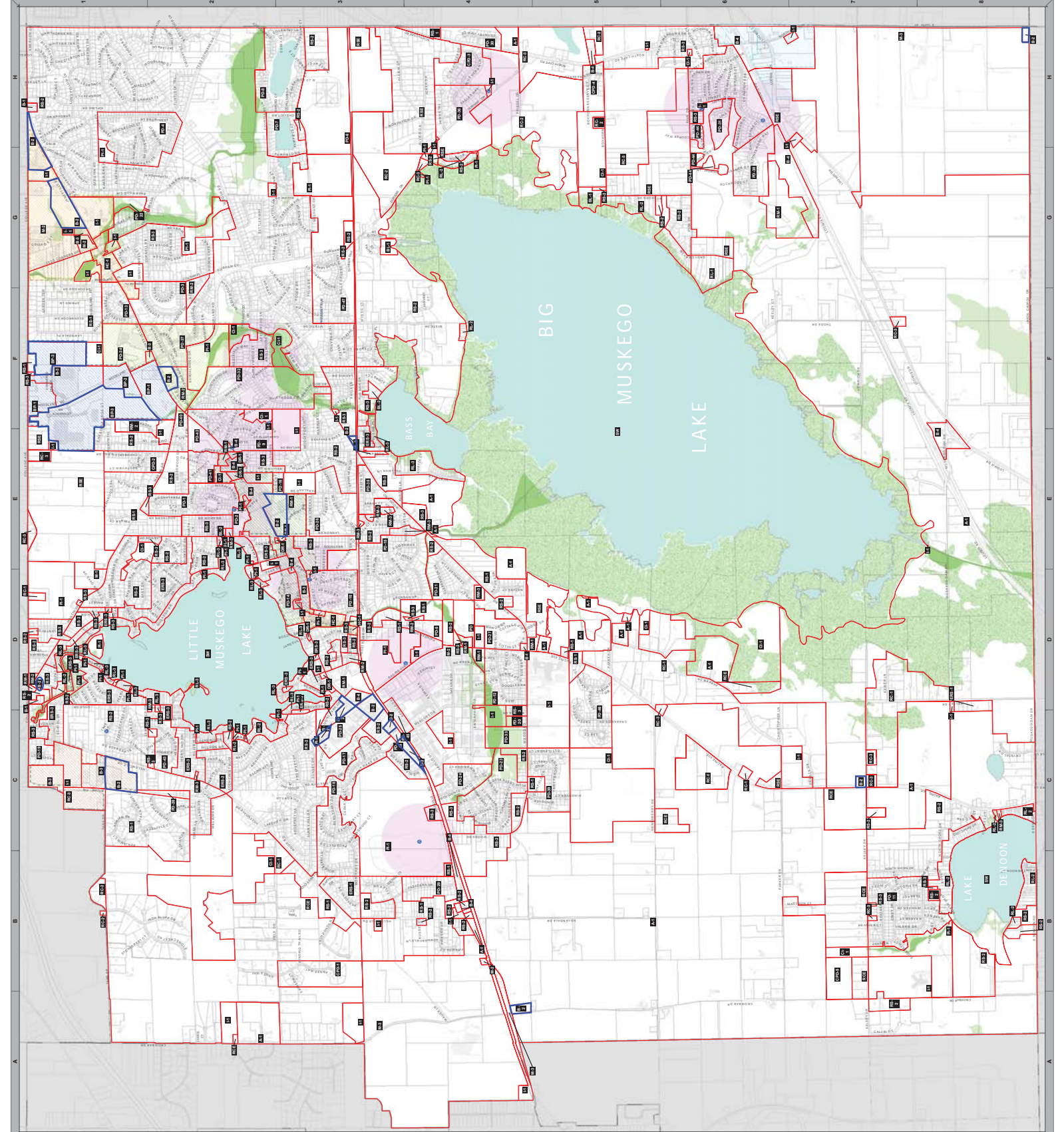
LAST UPDATED SEPTEMBER 2013

Zoning		Legend	
	A-1 Airport		Rd-2 Two-Family Residential
	B-1 Neighborhood Business		Rm-1 Mixed Residential
	B-2 Central Business		Rm-2 Multi-Family Residential
	B-3 General Business		Rm-3 Multi-Family Residential
	B-4 Office and Professional Business		Rs-1 Single Family Residential
	B-5 Community Business		Rs-2 Single Family Residential
	C-1 Lowland Conservancy		Rs-3 Single Family Residential
	I-1 Institutional		Rs-4 Mobile Home/Park Subdivision
	M-1 Light Manufacturing		T-1 Temporary
	M-2 General Manufacturing		Planned Unit Development Overlay
	M-3 Limited Business and Industrial Park		Historic Preservation Overlay
	P-1 Park		Upland Conservancy Overlay
	Rd-1 Two-Family Residential		Flood Plain Overlay

City of Muskego Official Zoning Map

Zoning Districts

- AGRICULTURAL DISTRICTS**
- AD-1 - Agriculture
 - AD-2 - Medium Density
 - AD-3 - High Density
 - AD-4 - Very High Density
 - AD-5 - Light Commercial
 - AD-6 - Medium Commercial
 - AD-7 - Heavy Commercial
 - AD-8 - Office
 - AD-9 - Professional Office
 - AD-10 - Community Office
 - AD-11 - Office/Professional Office
 - AD-12 - Office/Professional Office
 - AD-13 - Office/Professional Office
 - AD-14 - Office/Professional Office
 - AD-15 - Office/Professional Office
 - AD-16 - Office/Professional Office
 - AD-17 - Office/Professional Office
 - AD-18 - Office/Professional Office
 - AD-19 - Office/Professional Office
 - AD-20 - Office/Professional Office
 - AD-21 - Office/Professional Office
 - AD-22 - Office/Professional Office
 - AD-23 - Office/Professional Office
 - AD-24 - Office/Professional Office
 - AD-25 - Office/Professional Office
 - AD-26 - Office/Professional Office
 - AD-27 - Office/Professional Office
 - AD-28 - Office/Professional Office
 - AD-29 - Office/Professional Office
 - AD-30 - Office/Professional Office
 - AD-31 - Office/Professional Office
 - AD-32 - Office/Professional Office
 - AD-33 - Office/Professional Office
 - AD-34 - Office/Professional Office
 - AD-35 - Office/Professional Office
 - AD-36 - Office/Professional Office
 - AD-37 - Office/Professional Office
 - AD-38 - Office/Professional Office
 - AD-39 - Office/Professional Office
 - AD-40 - Office/Professional Office
 - AD-41 - Office/Professional Office
 - AD-42 - Office/Professional Office
 - AD-43 - Office/Professional Office
 - AD-44 - Office/Professional Office
 - AD-45 - Office/Professional Office
 - AD-46 - Office/Professional Office
 - AD-47 - Office/Professional Office
 - AD-48 - Office/Professional Office
 - AD-49 - Office/Professional Office
 - AD-50 - Office/Professional Office
- RESIDENTIAL DISTRICTS**
- RD-1 - Single-Family Detached
 - RD-2 - Single-Family Detached
 - RD-3 - Single-Family Detached
 - RD-4 - Single-Family Detached
 - RD-5 - Single-Family Detached
 - RD-6 - Single-Family Detached
 - RD-7 - Single-Family Detached
 - RD-8 - Single-Family Detached
 - RD-9 - Single-Family Detached
 - RD-10 - Single-Family Detached
 - RD-11 - Single-Family Detached
 - RD-12 - Single-Family Detached
 - RD-13 - Single-Family Detached
 - RD-14 - Single-Family Detached
 - RD-15 - Single-Family Detached
 - RD-16 - Single-Family Detached
 - RD-17 - Single-Family Detached
 - RD-18 - Single-Family Detached
 - RD-19 - Single-Family Detached
 - RD-20 - Single-Family Detached
 - RD-21 - Single-Family Detached
 - RD-22 - Single-Family Detached
 - RD-23 - Single-Family Detached
 - RD-24 - Single-Family Detached
 - RD-25 - Single-Family Detached
 - RD-26 - Single-Family Detached
 - RD-27 - Single-Family Detached
 - RD-28 - Single-Family Detached
 - RD-29 - Single-Family Detached
 - RD-30 - Single-Family Detached
 - RD-31 - Single-Family Detached
 - RD-32 - Single-Family Detached
 - RD-33 - Single-Family Detached
 - RD-34 - Single-Family Detached
 - RD-35 - Single-Family Detached
 - RD-36 - Single-Family Detached
 - RD-37 - Single-Family Detached
 - RD-38 - Single-Family Detached
 - RD-39 - Single-Family Detached
 - RD-40 - Single-Family Detached
 - RD-41 - Single-Family Detached
 - RD-42 - Single-Family Detached
 - RD-43 - Single-Family Detached
 - RD-44 - Single-Family Detached
 - RD-45 - Single-Family Detached
 - RD-46 - Single-Family Detached
 - RD-47 - Single-Family Detached
 - RD-48 - Single-Family Detached
 - RD-49 - Single-Family Detached
 - RD-50 - Single-Family Detached
- COMMERCIAL DISTRICTS**
- CD-1 - Community Commercial
 - CD-2 - Community Commercial
 - CD-3 - Community Commercial
 - CD-4 - Community Commercial
 - CD-5 - Community Commercial
 - CD-6 - Community Commercial
 - CD-7 - Community Commercial
 - CD-8 - Community Commercial
 - CD-9 - Community Commercial
 - CD-10 - Community Commercial
 - CD-11 - Community Commercial
 - CD-12 - Community Commercial
 - CD-13 - Community Commercial
 - CD-14 - Community Commercial
 - CD-15 - Community Commercial
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 - CD-43 - Community Commercial
 - CD-44 - Community Commercial
 - CD-45 - Community Commercial
 - CD-46 - Community Commercial
 - CD-47 - Community Commercial
 - CD-48 - Community Commercial
 - CD-49 - Community Commercial
 - CD-50 - Community Commercial
- INDUSTRIAL DISTRICTS**
- ID-1 - Light Industrial
 - ID-2 - Light Industrial
 - ID-3 - Light Industrial
 - ID-4 - Light Industrial
 - ID-5 - Light Industrial
 - ID-6 - Light Industrial
 - ID-7 - Light Industrial
 - ID-8 - Light Industrial
 - ID-9 - Light Industrial
 - ID-10 - Light Industrial
 - ID-11 - Light Industrial
 - ID-12 - Light Industrial
 - ID-13 - Light Industrial
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 - ID-44 - Light Industrial
 - ID-45 - Light Industrial
 - ID-46 - Light Industrial
 - ID-47 - Light Industrial
 - ID-48 - Light Industrial
 - ID-49 - Light Industrial
 - ID-50 - Light Industrial
- CONSERVATION/LAND DEVELOPMENT DISTRICTS**
- CD-1 - Conservation
 - CD-2 - Conservation
 - CD-3 - Conservation
 - CD-4 - Conservation
 - CD-5 - Conservation
 - CD-6 - Conservation
 - CD-7 - Conservation
 - CD-8 - Conservation
 - CD-9 - Conservation
 - CD-10 - Conservation
 - CD-11 - Conservation
 - CD-12 - Conservation
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 - CD-44 - Conservation
 - CD-45 - Conservation
 - CD-46 - Conservation
 - CD-47 - Conservation
 - CD-48 - Conservation
 - CD-49 - Conservation
 - CD-50 - Conservation
- WELLHEAD PROTECTION OVERLAYS DISTRICTS**
- WPO-1 - Wellhead Protection
 - WPO-2 - Wellhead Protection
 - WPO-3 - Wellhead Protection
 - WPO-4 - Wellhead Protection
 - WPO-5 - Wellhead Protection
 - WPO-6 - Wellhead Protection
 - WPO-7 - Wellhead Protection
 - WPO-8 - Wellhead Protection
 - WPO-9 - Wellhead Protection
 - WPO-10 - Wellhead Protection
 - WPO-11 - Wellhead Protection
 - WPO-12 - Wellhead Protection
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 - WPO-31 - Wellhead Protection
 - WPO-32 - Wellhead Protection
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 - WPO-43 - Wellhead Protection
 - WPO-44 - Wellhead Protection
 - WPO-45 - Wellhead Protection
 - WPO-46 - Wellhead Protection
 - WPO-47 - Wellhead Protection
 - WPO-48 - Wellhead Protection
 - WPO-49 - Wellhead Protection
 - WPO-50 - Wellhead Protection



Map Legend

- Zoning District
 - Parcel Boundary
 - Lake
 - Paved Road
 - Structures
- 0 0.5 Miles
- North Arrow
- Wellhead Protection Overlay Districts (WPO) are shown with these areas (see Part 100.10)

Adopted by the Plan Commission
January 16, 2007

Adopted by the Common Council
January 23, 2007

Map Revision Date: January 1, 2015



MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 24, 2016

Alderman Bukiewicz 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, Commissioner Siepert, and Commissioner Chandler. Mayor Scaffidi was excused. Also present: Pete Wagner, Zoning Administrator; and Mike Kressuk, Assistant Fire Chief.

Commissioner Dickmann moved to approve the May 10, 2016 meeting minutes. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

Significant Common Council Actions

Comments on the following Common Council actions were heard.

APPROVED a motion to authorize staff to take preliminary steps to create Tax Incremental Financing District No. 12 for the property at 1830R W. Drexel Avenue (2nd District).

Ann Lampe, 8436 S. Howell Avenue, asked Alderman Bukiewicz if he saw a written copy of the development agreement for this TIF District. Alderman Bukiewicz responded that they were in closed session. Ms. Lampe asked if he had a copy of the written agreement with the Common Council packet of information before the meeting. Alderman Bukiewicz responded that he did have a written copy of it before the meeting. She further stated that according to the rules, if an item is voted on in closed session, that information is supposed to be public record after the closed session. Ms. Lampe stated that she has made an official open records request for that agreement and has been told it is not available. Alderman Bukiewicz responded that he could not comment on that because it is the City Clerk's jurisdiction. Ms. Lampe stated that that is who is trying to help her with this. She stated that she just wanted it said publically that it has been a week since the meeting and the Mayor hasn't signed that TIF agreement and the public is waiting for that to be available. Alderman Bukiewicz stated that he did not have any knowledge if the Mayor has signed it or not. Ms. Lampe stated that the draft document should be available.

APPROVED Ordinance No. 2806, creating Section 2.80 of the Municipal Code to create a standing Joint Review Board.

Commissioner Dickmann asked what the purpose of the joint review board was. Alderman Bukiewicz responded that whenever the City opens up a TIF (Tax Incremental Financing District), it is made up of entities from different taxing jurisdictions that will receive benefits within the tax increment finance district. The makeup of the board includes representatives from MATC, Oak Creek-Franklin School District, Milwaukee County, an alderman appointed by the Mayor and a citizen. The joint review boards are dissolved once the TIF is up and running. In this case, the Mayor decided to go with a standing committee, which will review different TIF's, and this board will keep an eye on the financing.

Ann Lampe, 8436 S. Howell Avenue, stated that according to TIF law, it does not specify an aldermanic appointment. It is supposed to be the Mayor, the City Administrator, the City Treasurer, the person in charge of economic development, finance director or someone with very good knowledge of local government finances. The aldermanic appointee was not actually stated. Alderman Bukiewicz responded that it may not be specified, but for TIF 11, he was appointed to that board and it was dissolved once the TIF was up and running. The Mayor's judgment to appoint Alderman Gehl was because he felt he was more than capable of handling this with his financial background. Ms. Lampe stated that the City Treasurer used to be the person on the standing review board and in her opinion that is who it should be.

Public Hearing

Comprehensive Plan Amendment – Kelly Gallacher, Self-Storage Ventures, LLC
Update the Planned Land Use category and Map 2 in the Comprehensive Plan from “Planned Business” to “Planned Industrial”
6304 & 6340 S. Howell Ave. and 137, 147, & 209 E. College Ave.
Tax Key Nos. 719-9991-001, 719-9990, 719-9992, 719-9993, 719-9994

Mr. Wagner read the notice of public hearing.

Alderman Bukiewicz called for public comment.

Arden Degner, 8540 S. Pennsylvania Avenue, stated his concern over this proposal. The City has always maintained that the entrance to Oak Creek should be upscale. As far as he is concerned, all the CBRF's that are being put in on Pennsylvania Avenue and on Rawson would be preferable.

Ms. Lampe concurred with Mr. Degner. She stated that the idea that any time someone wants to put something where it is previously not appropriate, they ask for a change to the Comprehensive Plan and the City changes it and the zoning. She stated her concern that this is not how this is supposed to be done. The Comprehensive Plan is a comprehensive process and should remain in place until it is reviewed in its entirety. She does not believe this use is appropriate at this location. There is a TIF district on Oakwood and Howell that is not even making payments on principle because there is not enough development there. Ms. Lampe stated that things that are acceptable in manufacturing be guided into our existing manufacturing areas first before the City changes an area to make it manufacturing for a specific use. Once the zoning is changed to manufacturing, it opens the way for any type of manufacturing use in this area.

Alderman Bukiewicz made a second and third call for public comment. Seeing none, the public hearing was closed.

Comprehensive Plan Amendment – Kelly Gallacher, Self-Storage Ventures, LLC
Update the Planned Land Use category and Map 2 in the Comprehensive Plan from “Planned Business” to “Planned Industrial”
6304 & 6340 S. Howell Ave. and 137, 147, & 209 E. College Ave.
Tax Key Nos. 719-9991-001, 719-9990, 719-9992, 719-9993, 719-9994

Mr. Wagner stated that as part of the summary, he did not give a staff recommendation, which is typically done at the end of a report. In this case, staff does not have a recommendation. They would like the Commission to discuss it. However, if through the discussion the Commission feels it is appropriate and that there should be an amendment to the Comprehensive Plan, staff would suggest the following language for the motion.

“That the Plan Commission adopts resolution 2016-01, amending the Comprehensive Plan and Planned Land Use map for the properties at 6304 & 6340 S. Howell Ave. and 137, 147, & 209 E. College Ave. to reflect the change in land use from Planned Business to Planned Industrial, following a public hearing and adoption by the Common Council.”

Commissioner Chandler asked for clarification on the text amendment option. Mr. Wagner responded that in Chapter 17 of the Zoning Code, there is a list (by zoning district) of what is a permitted and conditional use. Presently in the Zoning Code, the City only allows self-storage facilities in the M-1 Manufacturing District as a conditional use. One possible way to pursue getting this type of business at this location would be to amend the zoning code for the B-4 District. There is no permitted or conditional use in the B-4 District for self-storage facilities. The text amendment would come before the Plan Commission and Common Council (public hearing) to discuss whether or not that type of use in the B-4 District would be beneficial to the City.

Commissioner Chandler asked why a change to the Comprehensive Plan is being requested and not a rezoning request. Mr. Wagner responded that if they went for the process of rezoning first, the City would be in conflict with the Comprehensive Plan and would be susceptible to a lawsuit for any land use decisions that the Plan Commission and Common Council makes would go to court. To prevent that, the City must go about the Comprehensive Plan change process first.

Commissioner Dickmann referenced the amount of time spent on proposals for this parcel over the years such as the hotel and parking lot proposals. Care was taken in the selection process because it is an entrance to the City of Oak Creek. Those other proposals did not work out. He agrees that this is a different looking storage unit facility, but he does not think that it fits in this area. He expressed his concern that if the zoning is changed to industrial and this proposal falls through, something may be proposed to go in of an industrial nature that the City has no control over. Commissioner Dickmann stated that the Commission should hold off and not go for this because there are so many other areas already zoned Industrial in the City where it could go.

Commissioner Siepert stated he concurred with Commissioner Dickmann. This piece of property has been before the Commission three times over the last twenty years. Each time nothing happens after the proposal is approved. Commissioner Siepert stated he wants to see a nice development on that corner because it is one of the entrances to the City. He stated he is not in favor of changing the zoning.

Commissioner Correll stated there are reasons why these other proposals have fallen through with the challenges of that site. The only way he would consider this is through a text amendment change because the concern of it going to Industrial. Commissioner Correll stated that the property is challenging and the City has to be creative about what goes in there so the property is not vacant for another 20 years. He stated he would not be in favor of going straight to Industrial zoning. A B-4 district, which seems to be consistent with neighboring communities, would be much more palatable.

Alderman Guzikowski stated he is not very much in favor of this proposal.

Commissioner Johnston stated that whatever goes in this location needs to be an upscale development as the gateway to the City. Zoning that Industrial is of concern given what has happened in the past where proposals have fallen through. The City would be opening up that area for any Industrial use. There are a lot of challenges with the site such as wetlands and access. This is a good fit for the property because there will not be a lot of people coming in and out, which is a huge traffic safety concern, and there is not a lot of access available for this site. There are a lot of environmental concerns such as wetlands that the City needs to be conscience of.

Commissioner Johnston stated that his concern with the text amendment if it goes to a conditional use. If that door is opened with the text amendment, it is a conditional use and any property that has Business zoning, there could be a self-storage unit facility.

Todd Farris, Friebert, Finerty and St. John, 330 E. Kilbourn Ave., Milwaukee, Wisconsin, was in attendance representing Kelly Gallacher, Self-Storage Venture, LLC, and gave background information on Mr. Gallacher/Self-Storage Venture, LLC.

Mr. Farris stated that the wetland on the property, which they had delineated, is 44,688 SF, which is more than an acre in size. In 2008, it was 23,000 SF, so it has almost doubled in 8+ years. Anyone who develops this site has to deal with stormwater detention. The large wetland/detention pond makes this site undesirable for most commercial uses. The wetland is either where you put a building or you would have a parking lot. Therefore, it really doesn't work for any type of retail or traffic intensive use. It does, however, work for a self-storage facility, which is very low traffic (8 to 12 customers per day) and a limited need for parking.

Mr. Farris stated that Mr. Gallacher usually holds onto the storage facilities he builds for 20 to 30 years. This would be a secure modern facility with a security access gate, keypad entries into the various spaces, and camera-controlled security. It fits well in this area with the traffic concerns because the driveways are both on College Avenue. It also fits in well with the other uses at that intersection. It is a challenging site, but he feels they can bring a \$5 million project to the City – an attractive storage facility that serves a need, has low traffic generation and low noise.

Mr. Farris stated that they would not be opposed to a text amendment, although that process may take a little bit longer. Mr. Farris assured the Commission that if they recommend the Comprehensive Plan change to Industrial zoning, his client is going to develop what he is proposing. He is a cash buyer and a cash

developer and this will go through.

Kelly Gallacher, 6740 Rancho Los Pavos Lane, Granite Bay, CA, stated that this site is very challenged because of the wetland/detention pond issues. He has spent \$15,000 for a wetland delineation because every five years, the WisDNR requires an update as to the status of any wetland, and it had not been done in 12 years. He had to spend the time and effort to get it to the point where he could present it to the City because no one was going to accept it if he didn't have the appropriate calculations done by a nationally-recognized firm. All of that work has been done.

Mr. Gallacher further stated that people still use self-storage. The average length of stay is 8 to 13 months. Thirty percent of his sites are rented by businesses. Sixty to seventy percent of the renters are the general public. They use it for storage following a divorce, death of a loved one, job loss/relocation. Success for self-storage is determined by saturation and the number of units that are available per square foot for the number of people that live in a defined area. This area (Oak Creek) is underserved. He stated he is going to be here for 20 to 30 years or more.

Mr. Gallacher stated that WisDOT will not allow access off of Howell Avenue and that is fine. They can utilize the access points that are available on College Avenue. As far as evaluation, they can accommodate the obstructions that exist on this site with the environmental, wetlands, retention pond and the desired landscaping. He wants it to look nice.

Mr. Gallacher stated he is a cash buyer/developer. Most of the other developers require financing. As soon as the City approvals are obtained, they are buying this property and will develop this facility.

Mr. Gallacher further mentioned that: 1) The owner of the land is not trying to mitigate any additional growth of the wetlands. It will continue to seep and creep. 2) How do you make this work for the citizens of Oak Creek and 3) not only is the facility going to be beautiful, it is a needed service to the community and a standard by which others will have to live by. They can accommodate around the wetlands issues, arrange for the retention pond and create a much more beautiful monument sign with some landscaping around it that says, "Welcome to Oak Creek." His hope is that a site that has remained vacant for years becomes an income-producing property.

Alderman Bukiewicz asked Asst. Chief Kressuk for his opinion. Asst. Chief Kressuk stated that these types of facilities are generally somewhat low impact for fire departments. When there is an event at one of these facilities, they are a little bit larger scale, but lower in occupancy, so the life hazard risk is somewhat diminished. It is more or less property damage. This is a relatively large site on a corner with some rather high traffic patterns, and this is a low traffic-generating property. Whatever would go into that location would be evaluated for impact and access and the traffic that would be developed by it.

Commissioner Dickmann stated that the developer had some very good points, but wanted to know why this site was selected by the developer. Mr. Gallacher responded that it is very difficult to find a location because he needs some kind of visibility where there is some traffic count that helps gain success. The metrics he uses in selecting a property include: visibility, traffic, income in the area, rental rates for competitors, demographics and number of people. He looked at five other sites in Oak Creek that might fall into that category, but some of them were going to be going to retail and they are not going to want a self-storage facility in that location. He had to weed out the areas where he knew it would not work. It was an exhaustive process that took almost six months.

Commissioner Correll stated he thinks there is a need for this. He likes the College Avenue access and the low traffic impact, and feels the Commission should consider how to make this proposal work.

Commissioner Siepert stated he likes the idea and its fine. He is still not quite sold on that corner. It is nice to have new business come in and he is looking forward to developing this City.

Alderman Bukiewicz stated that he does not think the zoning text amendment is the way to go because if you open it up for a B-4 district, you could put one in any business district in the city including Drexel Town Square. Alderman Bukiewicz stated there is a need for storage space. Regarding the traffic, this use would not be impactful to the area. This would not require any traffic analysis on Howell and College. As far as

it being a gateway to the City, it is better than some of the other entrances to the City such as Pennsylvania/College, 27th/College, 27th/Rawson, 27th/Ryan, 32/Ryan and 13th/Ryan. They are not very inviting. He suggested the one thing he would do is dress up the corner. He would get a permanent brick wall inviting people to Oak Creek if that is the first building seen. That airport area is industrial; there is nothing really glamorous about it.

Alderman Bukiewicz further stated that as far as the lot, they are seriously challenged. He feels this is a good use, it is low impact and the City really needs to find a way to make this work for the citizens. If this property sat vacant 20 years and the Comprehensive Plan is gone over every number of years, the City missed it because this site is not moving. There is an opportunity in front of the City to make a decision that will impact the citizens and the City. Alderman Bukiewicz stated he is okay with doing this. If it does turn into an industrial plant, there are no neighbors within earshot of it, or it can be turned into impervious surface parking. That is not a very appealing option. This is probably one of the few businesses that could make it there. Alderman Bukiewicz stated that this development should be landscaped very well. It is probably the least impactful for the City going forward. He would like to see it work, but does not want to go the route of a text amendment. Alderman Bukiewicz stated that the building as proposed is about as attractive as we are going to get. It is very similar to the buildings in Mahn Court, which are very attractive buildings. If that is the type of potential manufacturing, he doesn't know who would object to that at the entrance to the City.

Alderman Bukiewicz stated he would be okay with this proposed development. He doesn't necessarily agree with changing the Comprehensive Plan, but when opportunity comes, the City has to look at the changing demographics and what is going on in the area. This makes sense for the long term. It has been 20 years. Obviously the plan that was laid out for this property is not going anywhere.

Commissioner Dickmann does not want to see a change to the Comprehensive Plan and asked how this could be approved without changing it. Mr. Wagner responded that there are two routes to go. The first one is to amend the Comprehensive Plan to allow for Planned Industrial at that location. The applicant would go for a rezoning and then go for a conditional use permit for a self-storage facility. The other option the City could consider is amending the zoning code to allow it to go into the B-4 District as a conditional use similar to some of the surrounding municipalities. Going that route opens up the opportunity for other self-storage facilities in any B-4 district throughout the City.

Alderman Bukiewicz summarized that if the Comprehensive Plan is changed, it is limited to this single property. If there is a zoning text amendment, it is open to the entire City. He feels that is too big a can of worms to open. Commissioner Correll stated that based on the performance of the applicant, leading into this where he stands and what he has done, the limited size of that corner of what industrial could come in behind it, it is probably a lesser risk than he originally felt than the zoning text amendment. Commissioner Correll stated he would be more in favor of changing the Comprehensive Plan now and allowing this, but the City Council really force that landscaping signage buffer. By far, what is being proposed is much better than anything else on the other three corners. Alderman Bukiewicz stated that the City has to make sure the landscape is taken up. He would like to see a stone wall similar to what is in Germantown.

Commissioner Correll motioned that the Plan Commission adopts resolution 2016-01, amending the Comprehensive Plan and Planned Land Use map for the properties at 6304 & 6340 S. Howell Ave. and 137, 147, & 209 E. College Ave. to reflect the change in land use from Planned Business to Planned Industrial, following a public hearing and adoption by the Common Council. Alderman Bukiewicz seconded. On roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carillo, Alderman Bukiewicz, Alderman Guzikowski and Commissioner Correll voted aye. Commissioner Siefert and Commissioner Chandler voted no. Motion carried.

Temporary Use
Outdoor Trailer Display (Farm & Fleet)
501 W. Rawson Ave.
Tax Key No. 765-9046

Commissioner Chandler asked why the location of the trailers has changed from that in years' past. Matt Sauer, 3469 S. 113th St., West Allis, WI responded that it is for exposure to the public just to see that they

Commissioner Dickmann stated that the added part of the sign works and seems to blend in. If it was outside of the poles, it wouldn't look that good. Mr. Stallman stated they worked really hard to make the sign aesthetically pleasing.

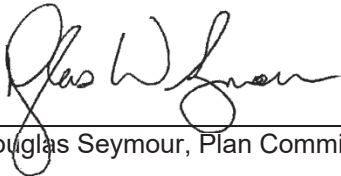
Alderman Guzikowski stated that the City needs to take another look at how signs are measured. This sign, however, is very aesthetically pleasing. He likes the way it looks and it looks better than what is installed a little bit north of there on the interstate. He stated he is in favor of it.

Alderman Bukiewicz stated that no matter how this is measured, there is no perfect method to it. He feels that the Plan Commission has to take each one based on its merit, where it's going to be located and what it looks like.

Commissioner Correll motioned that the Plan Commission approves the sign plan submitted by Gary Steinhafel on behalf of Steinhafels for the property at 9191 S. 13th Street. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:54 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

6/28/16

Planned Land Use



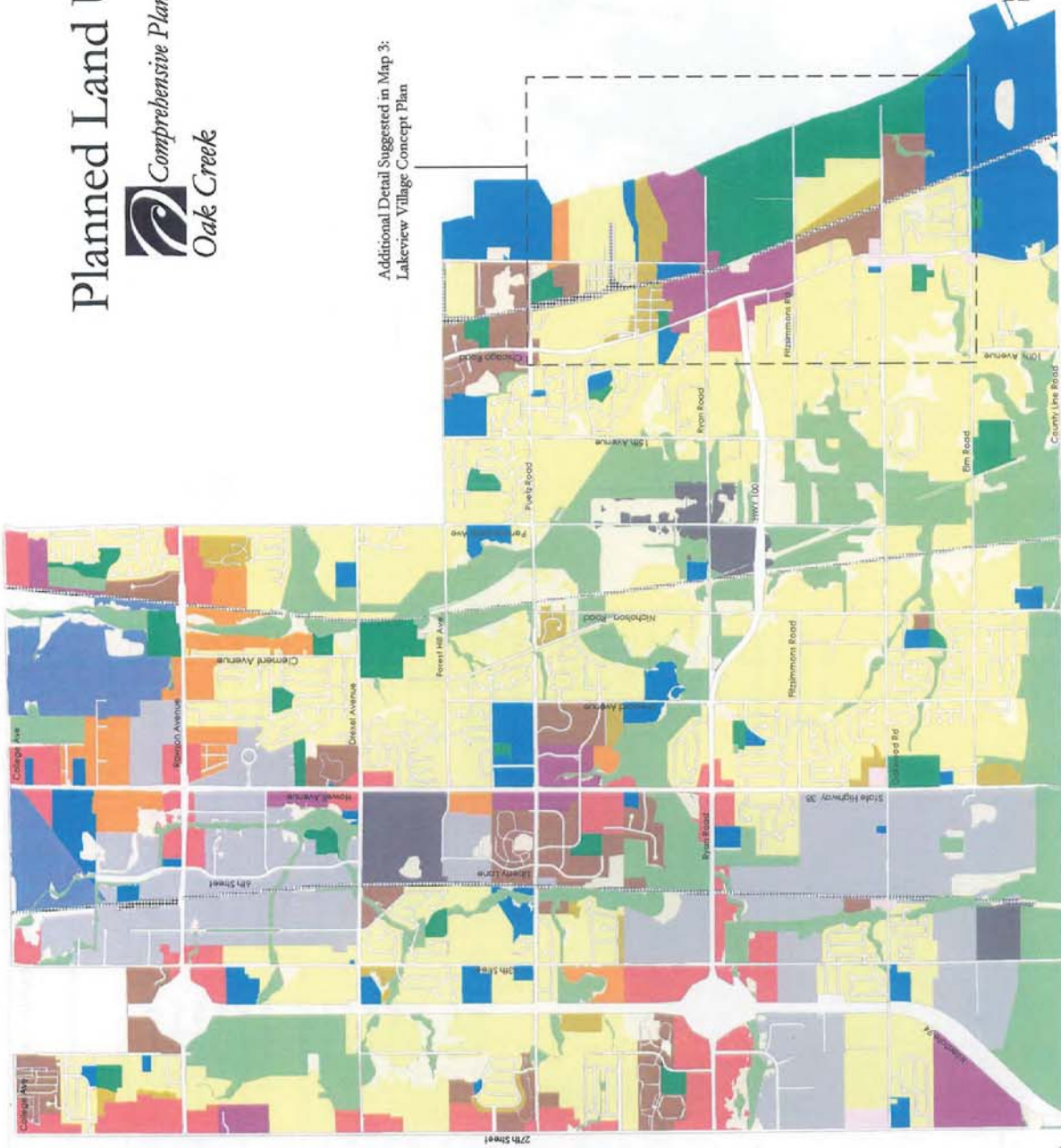
- Planned Land Use Categories**
- Single Family Residential
 - Two Family/Townhouse Residential
 - Mixed Residential
 - Planned Office
 - Neighborhood Business
 - Planned Business
 - Planned Industrial
 - General Industrial
 - Planned Mixed Use
 - Institutional
 - Air Transportation
 - Active Recreation
 - Resource Protection Area
 - Limited Development Area
 - Road
 - Rail

Shapes on map represent general recommendations for future land use at "build-out" of the City. Actual boundaries between different land use types and associated zoning districts may vary somewhat from representations on this map.

Base Map Source: City of Oak Creek.
See plan text for source of Resource Protection Area delineations.



Additional Detail Suggested in Map 3:
Lakeview Village Concept Plan



4. *Planned Office*

This category includes high-quality professional office and office-support land uses with very generous landscaping and limited signage. This category may also include business parks developed in a campus setting, which allow office, research, and very low impact industrial uses. This plan district is mapped in the northern part of the City near the Rawson and Howell Avenue intersection and in limited other small areas throughout the City. The City's existing B-3 district may be mapped in some of these areas, but that district does not allow low-impact research and light industrial uses that may be appropriate in a business park setting. Unfortunately, the City's M-1 district allows too many intensive industrial uses to be used in these areas. The City should consider creating a separate Business Park zoning district to accommodate a controlled range of uses compatible with the recommendations of this planning district.



5. *Neighborhood Business*

This category includes neighborhood-scale business, office, and personal service uses designed to serve surrounding neighborhoods and preserve residential character through building scale, appearance, landscaping and signage. These small districts have been planned along arterial roads at the edges of some neighborhoods in the southern sectors of the City. The City zoning district which best matches this land use category is the B-1 district.



6. *Planned Business*

This category includes high-quality indoor retail, commercial service, and some office land uses, with generous landscaping and limited signage. All development in Planned Business districts should comply with detailed site, building, signage, and landscaping design standards described in Section Nine of this document. The City may incorporate some of these standards in the zoning ordinance. The City's B-2, B-4, and Commercial PUD zoning districts are appropriate for these areas. Planned Business districts are proposed in the following areas:

- In the 27th Street Regional Shopping District, mainly between College and Rawson Avenues. Larger-scale business development serving the regional market is appropriate in these areas. There are opportunities to redevelop older business properties in this area.
- Near the three freeway interchanges (including College Avenue), particularly the Ryan Road interchange. Business development serving regional traffic is appropriate in these areas.
- At the edges of the City Center District near Puetz Road and Howell Avenue and the Lakeview Village District near Highway 100 and Chicago Road. In contrast to the above two areas, small- and moderate-scale business development primarily serving the local community is appropriate in these areas.
- Small-scale business would also be appropriate in clearly defined nodes at the following crossroad areas: 27th Street and Drexel Avenue, 27th Street and Puetz Road, College and Howell Avenues, Rawson and Howell Avenues, Drexel and Howell Avenues, Ryan Road and Howell Avenue, Pennsylvania and College Avenues, and Pennsylvania and Rawson Avenues.



7. *Planned Industrial*

This category includes high-quality indoor manufacturing, assembly and storage uses with generous landscaping, high quality building design, and limited signage. All development in Planned Industrial districts should comply with detailed site, building, signage, and landscaping design standards described in Section Nine of this document. The City's M-1 district is appropriate for these areas. If a Business Park zoning district is established, as recommended above, that zoning district should also be considered for Planned Industrial areas. Planned Industrial districts are proposed in and around the Northbranch Industrial Park and in the Southwest Mixed Use District, generally between 27th Street, Howell Avenue, Ryan Road, and the County line. This planning district is mapped over older industrial areas to suggest that future expansion and redevelopment should meet the same high development standards as new development. In places where Planned Industrial districts abut residential neighborhoods, the City should require various techniques to screen and buffer uses to prevent use conflicts.



8. *General Industrial*

This category includes indoor heavier manufacturing, assembly, contracting, and storage uses, with moderate landscaping and signage. The General Industrial district is mapped in only three small areas of the City, generally over properties with existing established industries. M-1 zoning should be maintained over these areas. Potential use conflicts between General Industrial areas and residential areas will be mitigated by keeping these areas distant from neighborhoods.



9. Planned Mixed Use

This category is designed to facilitate a carefully controlled mix of institutional, business, office, transportation, and/or residential uses. Development approvals within these areas should only be granted after submittal and public review of detailed development plans. A range of different zoning districts may be appropriate in these areas, including PUD zoning. The City should consider changes to its PUD ordinance to better promote mixed use, mixed density planned developments, including establishing that district as a base zoning district (as opposed to an overlay zoning district). Planned Mixed Use districts are proposed in the following areas:

- Within the Lakeview Village Mixed Use District, between Chicago Road and the lakefront. This area provides opportunities for redevelopment of current industrial lands into commercial and residential uses. (Additional detail is provided in subsection E below.)
- Near the Puetz Road and Howell Avenue intersection in the City Center District, where mixed use, community-scale infill development and redevelopment should be promoted over the planning period. (Additional detail is provided in the discussion of the City Center District in Section Three of this document.)
- Along 13th Street between Rawson and Drexel Avenues. With its superb Interstate access and visibility, this area would be ideal for a high-value business, research, or office park. This is the only Planned Mixed Use area where low-impact light industrial uses may be appropriate. Care should be taken to assure compatibility between future uses in this area and existing residential development south of Drexel Avenue.
- At the extreme southwest corner of the City. This area may be appropriate for a range of office, hospitality, residential, and commercial uses. Again, care should be taken to assure compatibility between future uses in this area and existing residential development.
- Two smaller areas where sensitive use transitions are required because of adjacency to residential areas. These include one district at the planned southern end of the 27th Street Regional Shopping District and a second near Pennsylvania Avenue south of College Avenue.



10. Institutional

This category includes large-scale public buildings, utilities, regional stormwater management facilities, hospitals, schools, churches and special-care facilities. Small institutional uses, like churches and schools, may be appropriate in other land use categories. The City's I-1 zoning district is appropriate for these areas.



11. Air Transportation

This category includes lands used for Mitchell International Airport activities and designated "clear zones" surrounding the Airport. The City's M-1 or A-1 zoning districts are generally appropriate for these areas. Areas planned as Air Transportation include (a) lands owned by Milwaukee County east of Howell Avenue between College and Rawson Avenues and (b) lands west of Howell Avenue, in an area identified in the 1992 *Airport Master Plan* as a planned future runway and associated clear zone. Airport officials indicate that this future runway may not be constructed for 15 to 20 years, and no efforts have yet been made to acquire the necessary properties. In the interim period, low density, modest value warehousing and industrial uses would be most appropriate for this area.

12. Active Recreation

This category includes park and open space facilities generally devoted to playgrounds, play fields, play courts, golf courses, and related recreation activities. These lands may be publicly or privately owned and/or operated. The City's P-1 zoning district is generally most appropriate for these areas.



13. Resource Protection Area

This category includes lands in public ownership as passive park space or permanent open space, floodway, and wetland. This category also includes lands in floodfringe, SEWRPC Critical Species Habitat, SEWRPC Isolated Natural Resource Areas, and SEWRPC Natural Area Sites. A more complete description of this category is included in Section Four of this document. The City's P-1 and A-1 zoning districts are generally most appropriate for these areas; many of these areas are also affected by C-1 and floodplain overlay zoning. Other zoning districts may also be appropriate where limited development is allowed, as determined on a case-by-case basis.





Plan Commission Report

ITEM: 4c

DATE: November 22, 2016

PROJECT: Certified Survey Map – Jerry Franke, Wispark, LLC

ADDRESS: 300 W. Oakview Parkway

TAX KEY NO: 955-1031-000

STAFF RECOMMENDATION: That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Jerry Franke, Wispark, LLC, for the property at 300 W. Oakview Parkway be approved, with the following conditions:

1. That all easements and wetlands are shown and clearly labeled on the map prior to recording.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Ownership: Wispark, LLC, 301 W. Wisconsin Ave., Ste. 400, Milwaukee, WI 53203

Size: Lot 1 = 8.7477 ac; Lot 2 = 8.7790 ac; Lot 3 = 11.7320 ac

Existing Zoning: M-1 (PUD), Manufacturing

Adjacent Zoning: North – M-1 (PUD), Manufacturing; P-1, Park District; A-1, Limited Agricultural
East – M-1 (PUD), Manufacturing; A-1, Limited Agricultural; I-1, Institutional; Rs-3, Single Family Residential
South – M-1 (PUD), Manufacturing
West – M-1 (PUD), Manufacturing; P-1, Park District

Comprehensive Plan: Planned Industrial.

Wetlands: Yes, see map.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting approval of a Certified Survey Map (CSM) for the property at 300 W. Oakview Parkway. The proposal is to redivide the property into three (3) new development lots of conforming size. A cul-de-sac serving the proposed Lots 1 and 2 is shown off of W. Oakview Parkway. Per the Water and Sewer Utility, the Applicant should ensure that the water main easement traversing the property remains intact. Per the Engineering Department, the 20-foot-wide general utility and sidewalk/path easement that extends outside the boundaries of the current CSM onto CSM 8719 will need an additional easement document. Finally, the dimension notes are covering up the wetland lines. Staff recommends that the Applicant provides a sheet that shows the wetland details.

Prepared by:

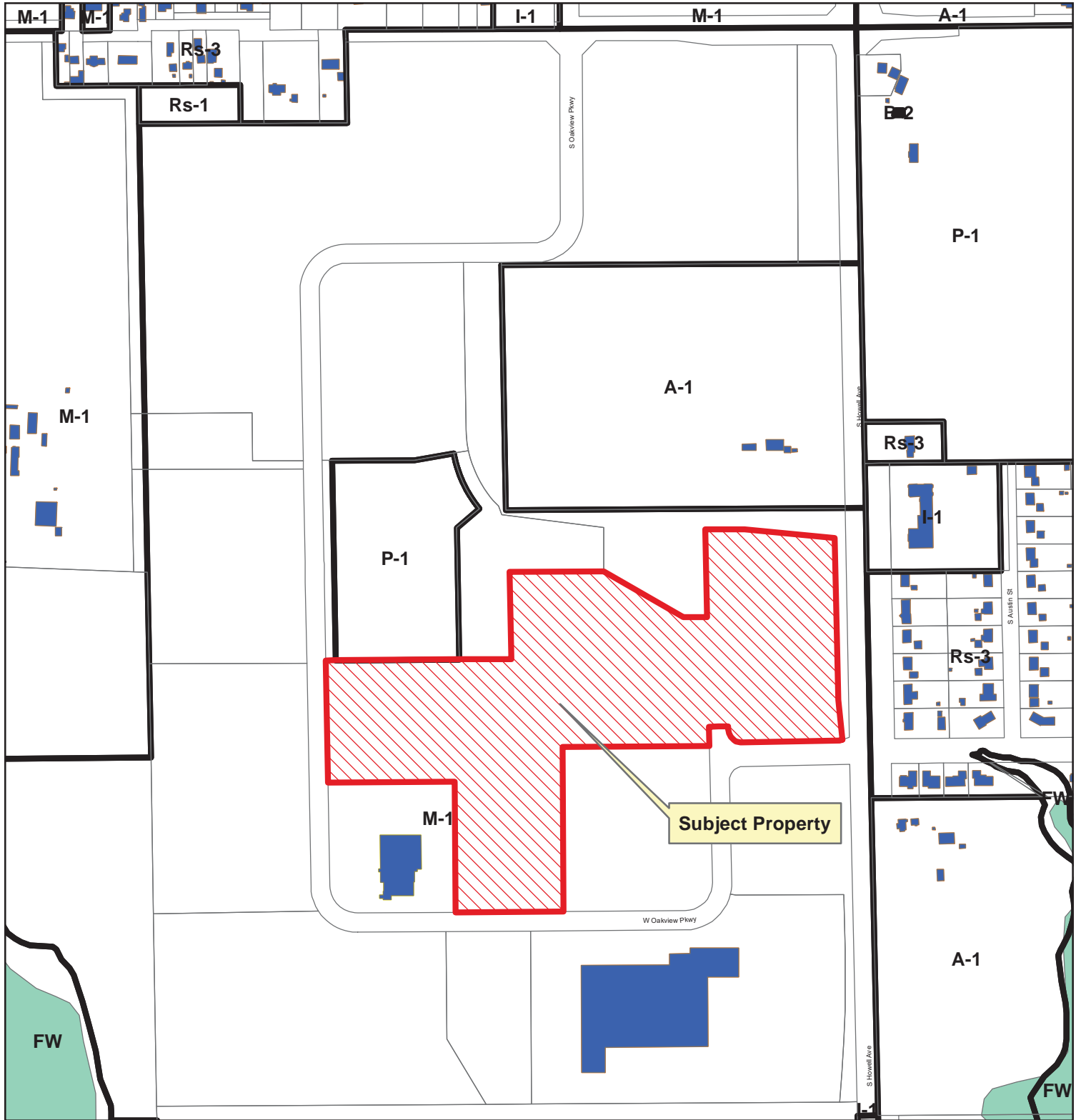
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

300 W. Oakview Parkway



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









Department of Community Development



Legend

-  300 W. Oakview Pkwy
-  Parcels

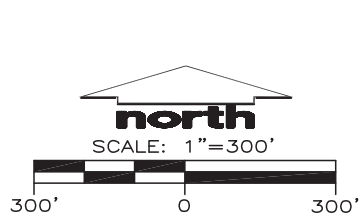
Zoning Overlays

-  C-1-Shoreland Wetland
-  FF-Flood Fringe
-  Lakefront Overlay
-  NO-Mixed Use Neighborhood
-  OO-Mixed Use Office
-  RR-Regional Retail

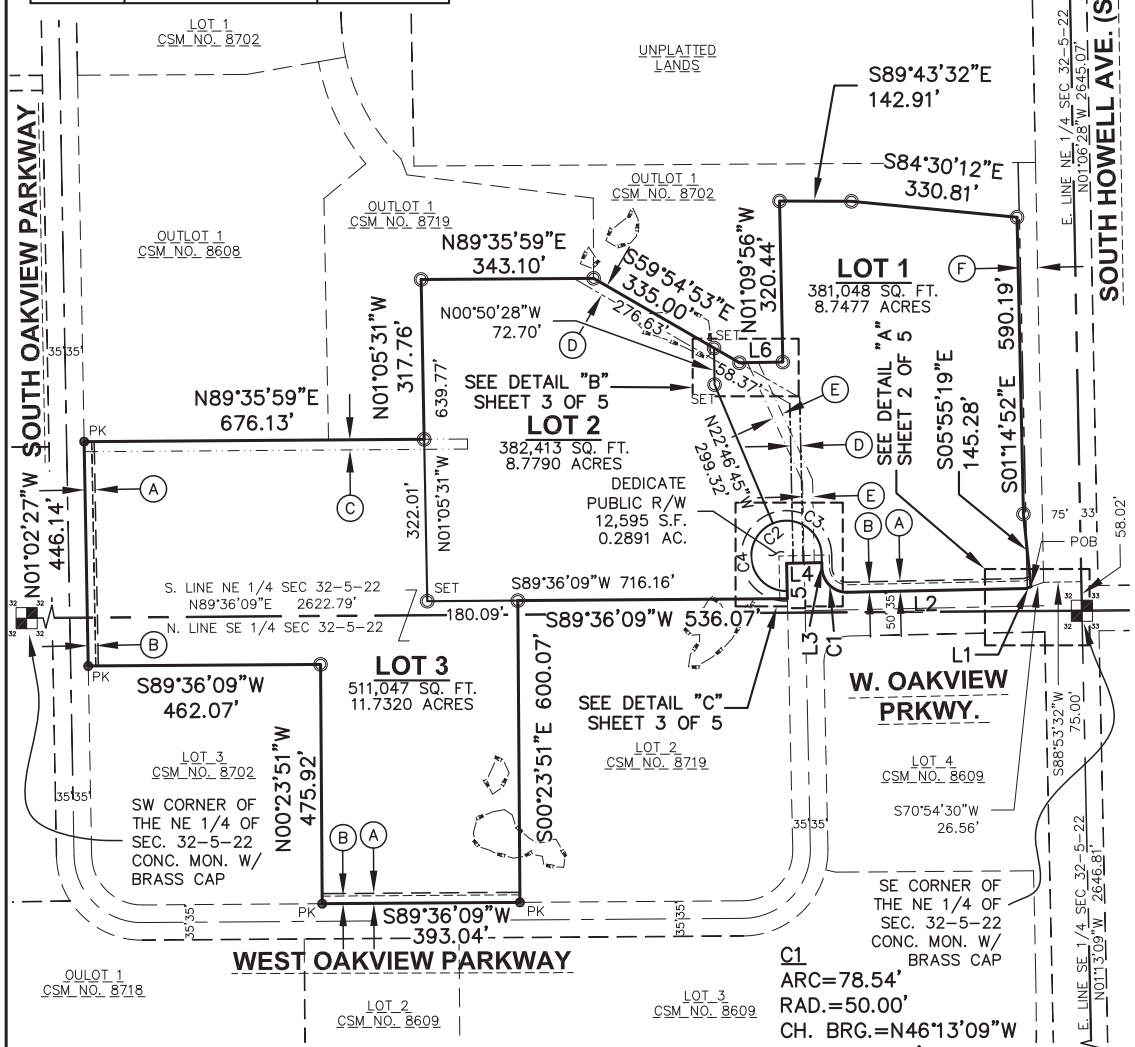
CERTIFIED SURVEY MAP No. _____

BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8719, LOCATED IN THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4; AND THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S70°54'30"W	10.83'
L2	S88°46'51"W	354.51'
L3	N01°13'09"W	10.00'
L4	S88°46'51"W	70.00'
L5	S01°13'09"E	70.22'
L6	N89°09'32"E	86.28'



NE CORNER OF THE NE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP



C1
 ARC=78.54'
 RAD.=50.00'
 CH. BRG.=N46°13'09"W
 CH. L.=70.71'
 Δ=90°00'00"

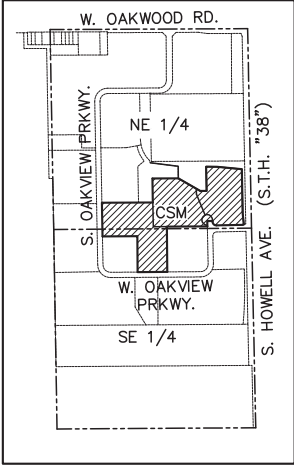
- (A) 20' WIDE GENERAL UTILITY AND SIDEWALK/PATH EASEMENT PER CSM NO. 8608
- (B) 15' ELECTRIC AND COMMUNICATIONS DISTRIBUTION EASEMENT PER DOC. NO. 10385343
- (C) 20' SANITARY SEWER EASEMENT PER CSM NO. 8608
- (D) 20' WATER MAIN EASEMENT PER CSM NO. 8608
- (E) STORM POND, DRAINAGE AND STORM SEWER EASEMENT PER CSM NO. 8608
- (F) WISDOT ROAD RESERVATION PER CSM NO. 8608

SE CORNER OF THE SE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP

J:\USD Projects\08C3179 Oak Creek BP.dwg\08C3179 CSM S1r17.dwg

CERTIFIED SURVEY MAP No. _____

BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8719, LOCATED IN THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4; AND THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



VICINITY MAP
NE 1/4 SEC. 32-5-22
SE 1/4 SEC. 32-5-22
SCALE: 1"=2000'

LEGEND:

- 1" IRON PIPE FOUND & ACCEPTED
- 3/4" REBAR FOUND & ACCEPTED
- PK ● PK NAIL ON PAVEMENT FOUND & ACCEPTED
- SET ○ 1"X18" IRON PIPE SET WT. 1.13 LBS/LIN. FT.
- PKS ● PK NAIL SET ON PAVEMENT
- WETLAND (SEE NOTE BELOW)

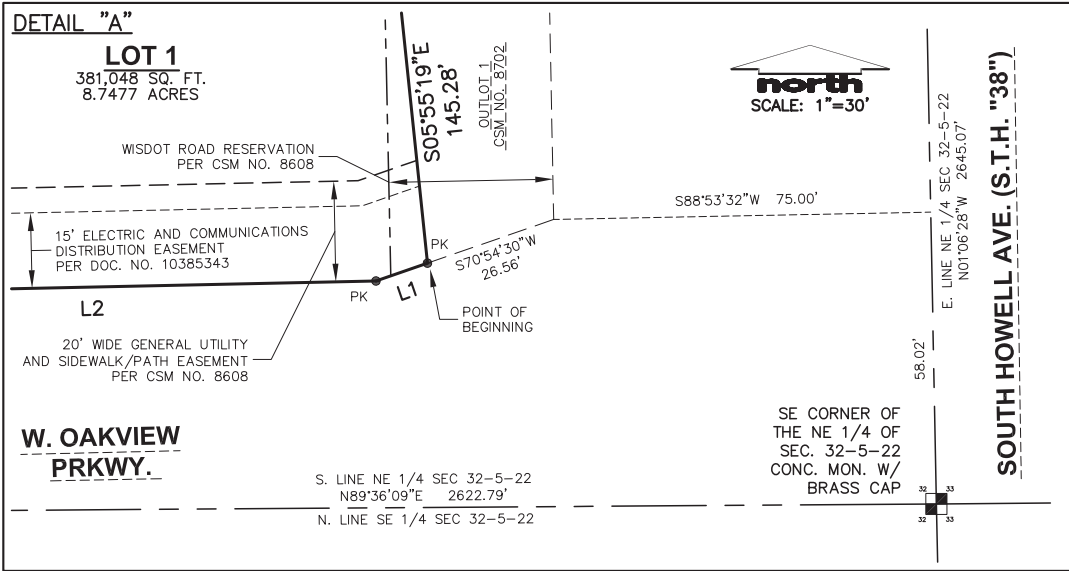
PREPARED FOR:

WISPARK LLC
301 WEST WISCONSIN AVENUE
SUITE 400
MILWAUKEE, WI 53203

PREPARED BY:

JSD Professional Services, Inc.
MILWAUKEE REGIONAL OFFICE
N22 W22931 NANCY'S COURT SUITE 3
WAUKESHA, WISCONSIN 53186
262.513.0666 PHONE | 262.513.1232 FAX

CURVE TABLE						
CURVE	LOT	ARC	RADIUS	CHORD BEARING	CHORD	CENTRAL ANGLE
C2	R/W	329.87'	70.00'	S43°46'51"W	98.99'	270°00'00"
C3	LOT 1	136.30'	70.00'	N56°59'57"W	115.76'	111°33'36"
C4	LOT 2	193.57'	70.00'	S11°59'57"E	137.53'	158°26'24"



NOTES:

CERTIFIED SURVEY MAP NO. 8719 RECORDED ON AUGUST 31, 2015 AT MILWAUKEE CO. REGISTER'S OFFICE AS DOC. 10494590.

WETLAND LOCATIONS BASED ON WETLAND DELINEATION REPORT DATED DECEMBER 5, 2008 AS PREPARED BY NATURAL RESOURCES CONSULTING, INC., WITH SUPPLEMENT REPORT BY WETLAND & WATERWAY CONSULTING, LLC DATED DECEMBER 23, 2012 AND WETLAND FILL PERMIT LETTERS ISSUED BY WDNR AND USACOE DATED OCTOBER 30, 2013 AND JUNE 14, 2013, RESPECTIVELY.

THIS PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PER FEMA MAP PANEL NUMBER 55079C0231E, EFFECTIVE DATE: SEPTEMBER 26, 2008.

BEARING BASIS:

ALL BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, WAS USED AS NORTH 01°06'28" WEST.

PROJECT CONVERSION FACTOR: GRID/0.99994301 = GROUND
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

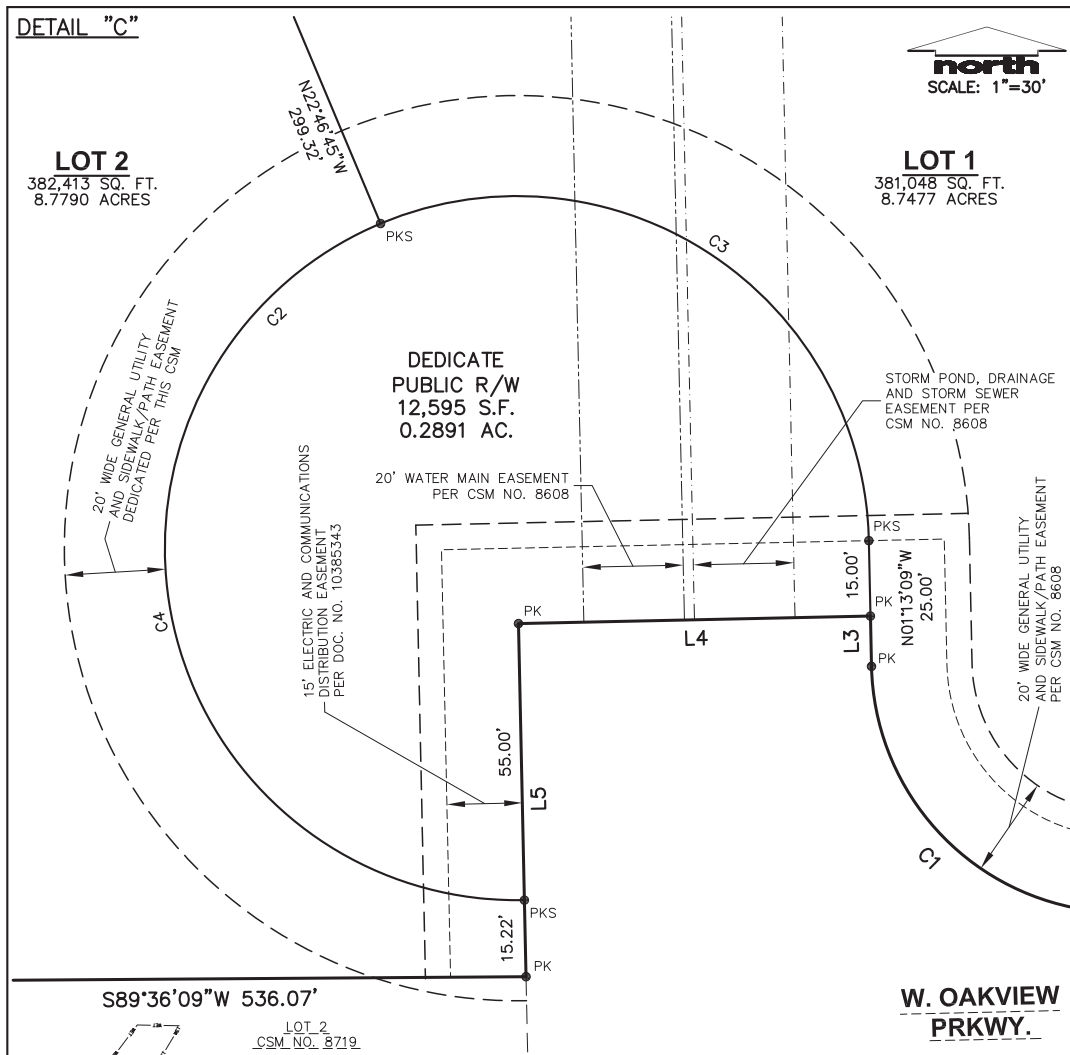
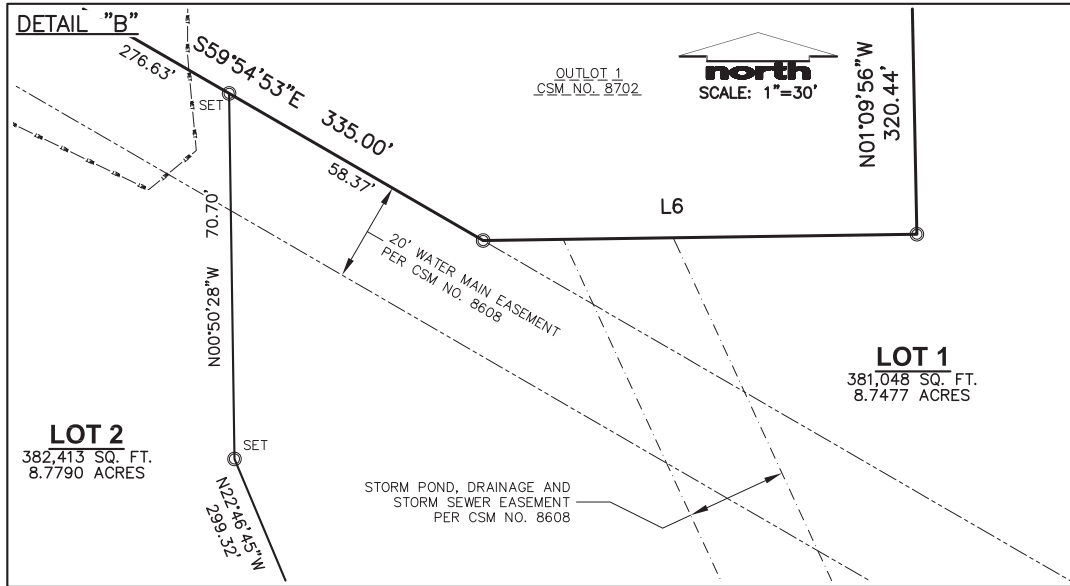
ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

DATED THIS _____ DAY OF NOVEMBER, 2016
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

J:\USD Projects\08C3179 Oak Creek BP.dwg\08C3179 CSM S1r17.dwg

CERTIFIED SURVEY MAP No. _____

BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8719, LOCATED IN THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4; AND THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.





Plan Commission Report

ITEM: 4d

DATE: November 22, 2016

PROJECT: Plan Review – Chris McGuire, Kwik Trip, Inc.

ADDRESS: 2040 W. Ryan Rd.

TAX KEY NO: 878-9003-004

STAFF RECOMMENDATION: That the Plan Commission approves the building plans submitted by Chris McGuire, Kwik Trip, Inc., for the property at 2040 W. Ryan Rd., with the following conditions:

1. That all building and fire codes are met.
2. That proposed parking areas are revised to meet all setback requirements.
3. No outdoor storage or display of merchandise is included in this approval. The Applicant may apply for a separate Conditional Use Permit for outdoor display of merchandise.
4. That permits and approvals be obtained for all proposed signs.
5. That all new exterior brick veneer meets the minimum 4-inch thick requirement per Code.
6. That all mechanical equipment (ground, building, and rooftop) is screened from view.
7. That all revised plans (site, landscaping, signage, 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 all trash enclosures are screened per Code.
9. That final lighting plans indicating luminaire type, pole type, color, and height are submitted to the Electrical Inspector prior to submission of building permit applications.
10. That stormwater and grading plans are submitted for final approval by the Engineering Department prior to issuance of permits.
11. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

Ownership: Kwik Trip, Inc., 1626 Oak St., La Crosse, WI 54603

Size: 1.550 ac

Existing Zoning: B-4 (PUD), Highway Business

Adjacent Zoning: North – B-4 (PUD), Highway Business
East – B-4 (PUD), Highway Business
South – B-4 (PUD), Highway Business
West – B-4 (PUD), Highway Business

Comprehensive Plan: Planned Business.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting site, building, landscaping, and sign plan approval for site and building modifications to the existing fuel center at 2040 W. Ryan Rd. As part of the exterior modifications to the existing convenience store, the restaurant elements will be removed. The existing car wash will also be demolished and replaced.

Setbacks appear to be met in the proposed plans with the exception of proposed parking on the west. Per the conditions of the existing PUD, parking must be located no closer than 25 feet to rights-of-way. A condition of approval requiring this revision is recommended above.

Plan Commissioners will note that the proposal includes outdoor storage and display of merchandise. Both the existing PUD and Code prohibit outdoor storage of materials; however, outdoor display of retail merchandise may be allowed with a Conditional Use Permit. The Applicant has been made aware of the CUP requirement, and has also been notified that staff will be recommending the outdoor display of merchandise be limited to ice and propane in a specific location by the convenience store (no display under/at the ends of the fueling canopies) for consistency with approvals for other fuel center locations in the City. Such CUP review will occur at a later date.

Signs are proposed on the convenience store building, fueling canopy, and car wash. Several directional signs are also proposed on the property. As the existing PUD includes specific requirements for signs, the proposed sign package is not part of tonight's review.

Exterior modifications include removing drive-through elements from the previous restaurant use, adding a new walk-in cooler/freezer to the east elevation, painting the existing masonry, and adding a new brick and EIFS vestibule to the entrance on the west elevation. Per Section 17.1009(a), brick must be a minimum of 4 inches thick. A condition of approval is recommended above. Additionally, per Section 17.1009(a)(2), EIFS may only be used as an accent material comprising a maximum of 25% of the visible perimeter. As EIFS is only used on the new vestibule it does not exceed this limit.

Green metal roofs are proposed over the west vestibule and on the southeast tower. Existing windows on the west elevation will also be replaced. Staff has recommended that the south elevation receive additional treatment – through the addition of spandrel windows, materials changes, etc. – to break up the solid wall. The Applicant has indicated their willingness to do so, and revised plans are forthcoming. Staff also recommends that the walk-in cooler/freezer on east be painted to blend in with the building. Rooftop mechanicals are also clearly visible above the roofline in the proposed plans. These must be screened per Section 17.1010(g). All other ground or building-mounted mechanical equipment must also be screened.

The car wash on the north side of the property will be demolished and replaced with a modular brick building to match the convenience store color scheme. The same green standing seam metal roof proposed over the entry vestibule and tower on the convenience store will be used, along with red overhead doors on the east and west elevations, and glass block windows on the south elevation. Signs are shown on this building as well, but are not part of tonight's review.

Landscape plans have been provided, but some revisions will be required to comply with both PUD and current Code requirements. Staff will continue to work with the Applicant to address landscape concerns.

One trash enclosure in the northeast corner of the property is proposed to remain in place. Staff notes that the plans show an additional dumpster pad adjacent to the enclosure. Per Section 17.1010(e), trash receptacles must be screened. Either an enclosure or adequate vegetation must be used to screen all trash containers.

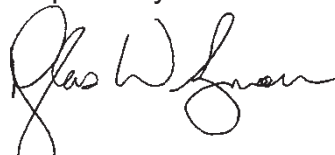
Finally, comments were received from the Water and Sewer Utility regarding the requirement to abandon one of the sanitary sewer laterals on the north part of the property via liner/top hat configuration. Suggestions for successful abandonment and replacement for separate fire protection and domestic water service were provided to the Applicant.

Prepared by:



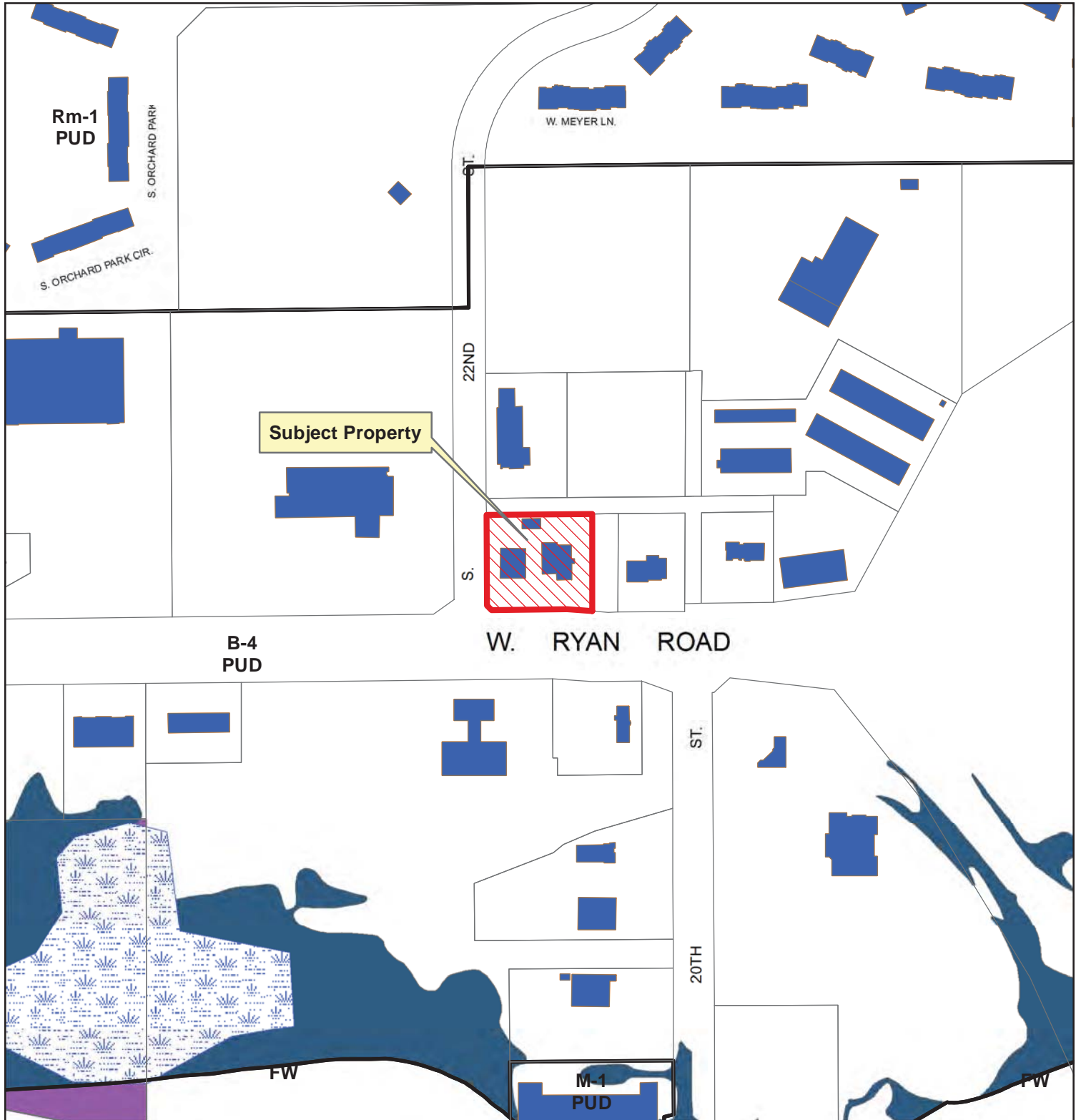
Kari Papellbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map 2040 W. Ryan Rd.










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



Department of Community Development



Legend

-  2040 W. Ryan Rd.
-  C-1-Shoreland Wetland
-  FF-Flood Fringe
-  Lakefront Overlay
-  NO-Mixed Use Neighborhood
-  OO-Mixed Use Office
-  RR-Regional Retail

OCT 24 2016

RECEIVED

125 Oak St • P.O. Box 3107 • La Crosse, WI 54601-0107
Phone 608-781-8038 • Fax 608-781-8060 • www.kwiktrip.com

Kwik Trip, Inc.



SCANNED



City of Oak Creek
Kari Papelbon
8040 S. 6th St
Oak Creek, WI 53154

Letter of Intent

October 18, 2016

Ms. Papelbon,

This letter is intended to accompany our submittal for our application to the City of Oak Creek for the requested Site Plan review for our proposed project at 2170 W. Ryan Rd. This is located in the Highway Business District.

Kwik Trip, Inc. is proposing the renovation of a 5519 s.f. convenience store and 4800 s.f. fueling canopy at the currently vacant building, demolishing and replacement of the existing car wash. Included in the submittal are 10 copies (11x17), 3 (24x36) and 1 CD copy of all documents as requested.

The proposed method of operation for this development will be consistent with that for our existing convenience stores within the area. The requested hours of operation will be 24 hours for all uses. The type of products that will be sold will be similar to that of our existing stores: gasoline, groceries, bakery and dairy, hot and cold food and beverages, tobacco products, beer, lotto, convenience store merchandise, ice, and propane. The outside merchandising of products is being requested next to the store (ice and propane) and miscellaneous merchandising under the gas canopy. The proposed store is projected to have between 15-20 full and part time employees, with 2-8 on staff at any given time.

The proposed architectural plan will consist of a brick facade with standing seam metal roof, on the new vestibule, and car wash along with painting of the existing brick. The building and canopy fascia will tie in with franchise colors. The total estimated project costs is \$1,000,000.

Kwik Trip would be happy to provide any additional information or answer any questions or concerns you may have with our submission. Please feel free to call me with any questions.

Sincerely,

Chris McGuire
Kwik Trip, Inc - Store Engineering
Development/Project Manager
608-793-6205
cmcguire@kwiktrip.com



Our Mission: "To serve our customers and community more effectively than anyone else by treating our customers, co-workers and suppliers as we, personally, would like to be treated, and to make a difference in someone's life."

Kwik Trip & Kwik Star Stores • Tobacco Outlet Plus • Convenience Transportation, LLC • Hearty Platter Restaurants & Cafés



STORES



STORES

AWIK TRIP, Inc.
 P.O. BOX 2107
 1628 OAK STREET
 PACESSE, WI 54602-2107
 PHONE: (808) 781-8980
 FAX: (808) 781-8980

INSITES
 1810 HAWAIIAN DRIVE, SUITE 111
 HONOLULU, HI 96813
 PHONE: (808) 531-1810
 FAX: (808) 531-1810



SITE DIMENSION PLAN
 CONVENIENCE STORE #576
 2170 W RYAN RD
 OAK CREEK, WI

NO.	DATE	DESCRIPTION
1	07/13/2016	FOR PERMIT

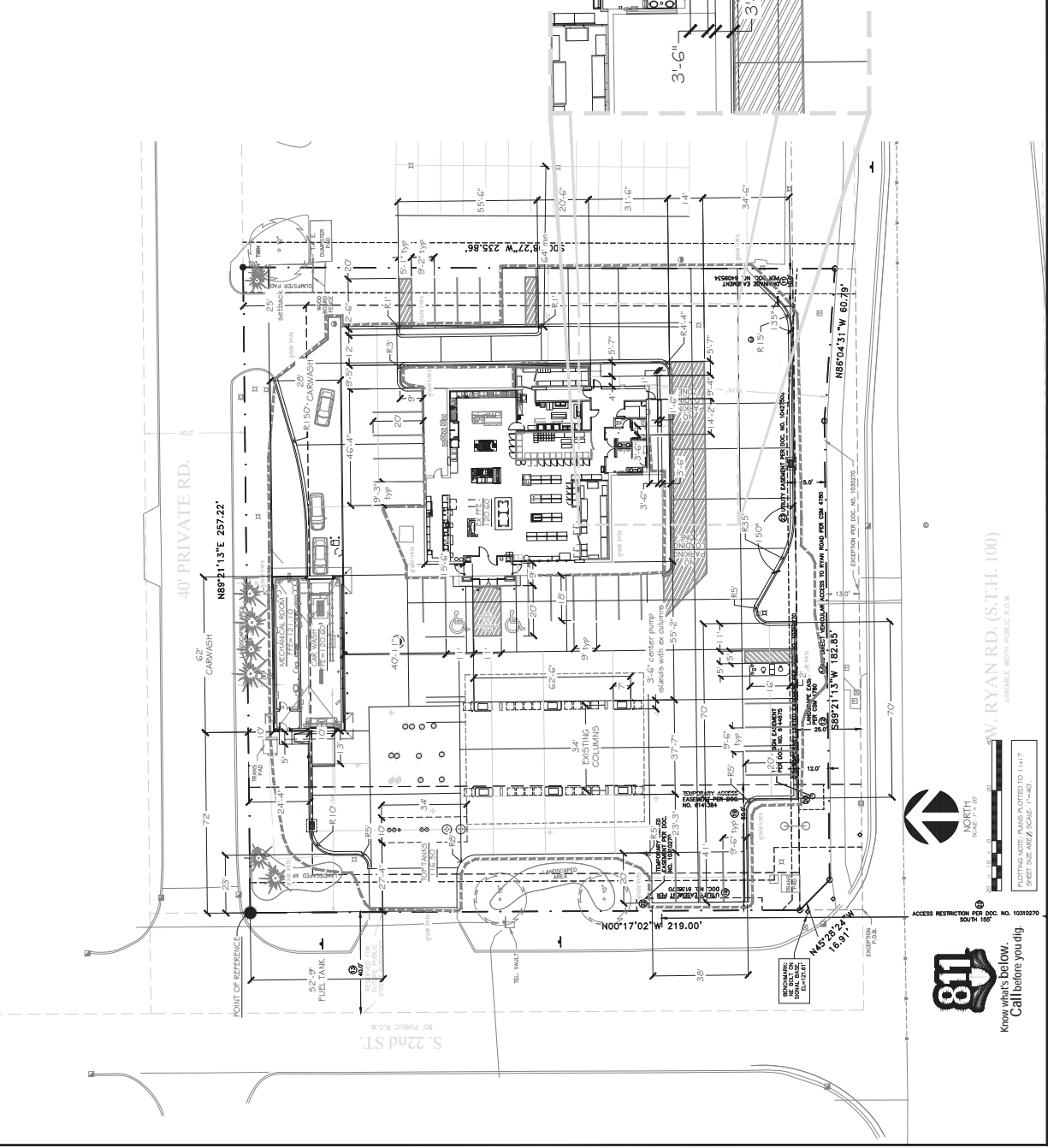
DESIGNED BY: [Blank]
 SCALE: [Blank]
 DATE PLOTTED: 07/13/2016
 SHEET: SP1

CONSTRUCTION NOTE:
 Construction to be installed around entire construction site. Coordinate with owner for fencing and gate locations and appropriate signage installation.

LAYOUT NOTES:

- PLAN SHOWN FROM AN ALTAIR/MSM LAND TITLE SURVEY BY: [Blank]
 16745 W. Bluemound Road, Brookfield WI 53005
 262-781-1100
 Date of Plat or Map: July 13, 2016
 Eric S. Shum
 Professional Land Surveyor
 Registration Number: 2309
 eric.shum@administrative.com
- CURBS ARE DIMENSIONED TO FACE OF CURB.
- CARWASH LOCATED FROM THE NORTHWEST PROPERTY CORNER AND ADJACENT PARALLEL PERPENDICULAR TO THE NORTH PROPERTY LINE.
- UNLESS SHOWN OTHERWISE ON THIS DRAWING, CONTRACTOR SHALL JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES. CONTROL JOINT MAXIMUM DISTANCE: WALLS: 6' O.C. ALL OTHERS: 10' O.C. CONTROL JOINTS MINIMUM ON QUARTER CONCRETE THICKNESS. CONTROL JOINTS MINIMUM ON QUARTER CONCRETE EXPANSION JOINT MAXIMUM DISTANCE: WALLS: 24' O.C. ALL OTHERS: 40' O.C. DONUT ALL EXPANSION JOINTS - MAXIMUM 24' O.C.
- EXTERIOR CONCRETE SURFACES TO BE SEALED. CONCRETE SEALER: [Blank]
- EXPANSION JOINTS SHALL BE DECK-FOAMED AND CALKED WITH SLI

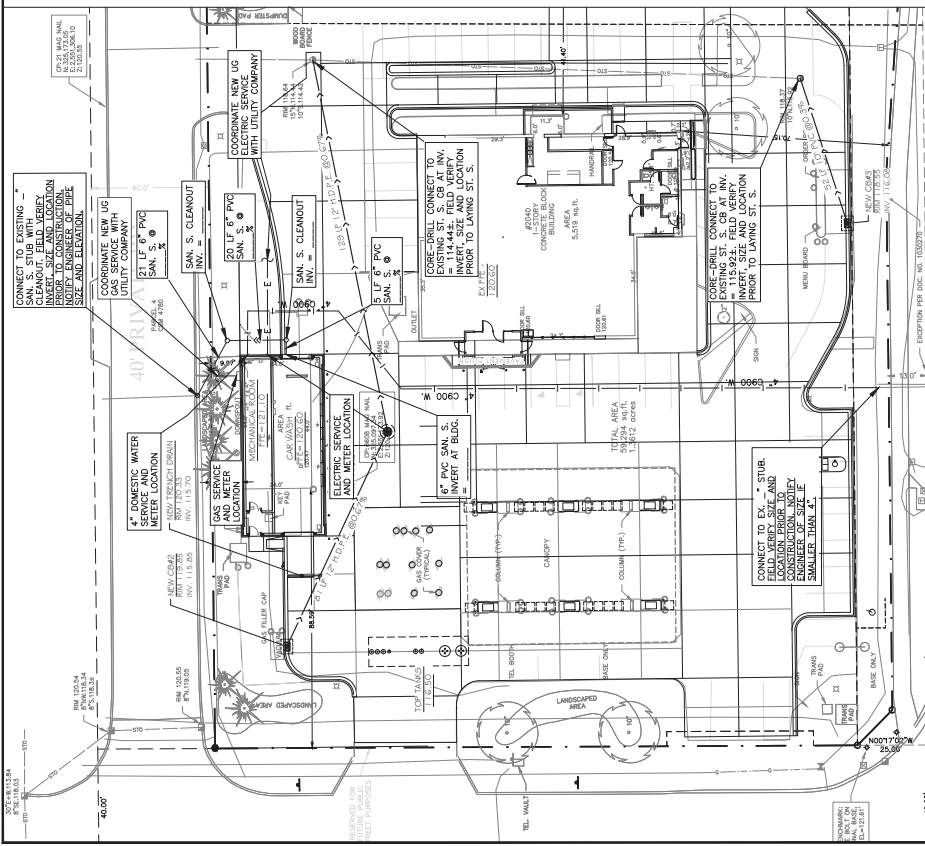
SITE DATA
 ZONING DISTRICT: R-4, R1B, HIGHWAY BUSINESS DISTRICT, PLANNED UNIT DEVELOPMENT
 SETBACKS:
 FRONT: 25'
 SIDE: 10'
 REAR: 25'



811
 Know what's below. Call before you dig.
 ACCESS RESTRICTION PER DOC. NO. 10101070 SOUTH 150'

W. RYAN RD. (S.T.H. 100)
 VARIABLE WIDTH PUBLIC E.O.M.

PUTTING MORE PAPER PLOTTED TO 11x17
 PAPER SIZE 11x17 (SCALE: 1"=40')



AWIK TRIP STORES

AWIK STAR STORES

KWIK TRIP, Inc.
 P.O. BOX 2107
 1626 OAK STREET
 SACROSSE, WI 54602-2107
 (608) 781-5208
 FAX (608) 781-8960

Sunde Engineering, LLC
 1000 W. WISCONSIN
 MILWAUKEE, WI 53233
 (414) 333-3333
 WWW.SUNDEENGINEERING.COM

STORM SEWER AND UTILITY PLAN AND CONVENIENCE STORE #576

2170 W RYAN RD
 OAK CREEK, WI

NO.	DATE	DESCRIPTION

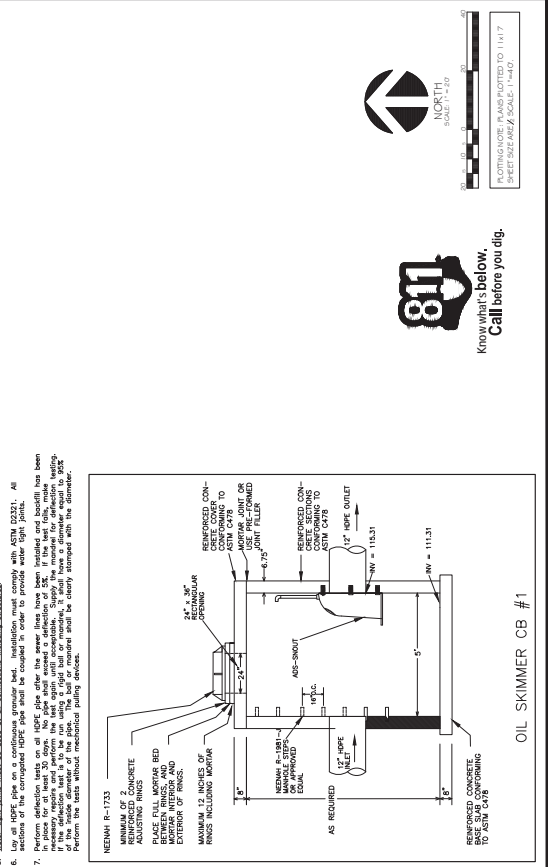
DESIGNED BY: _____
 SCALE: _____
 DATE: _____
 SHEET: _____
 TOTAL SHEETS: _____

STORM DRAINAGE:

1. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
2. Install catchbasin coverings TOP of the front face elevation.
3. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
4. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
5. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
6. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
7. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
8. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
9. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
10. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.

REQUIREMENTS:

1. Install down-slope, smooth interior, compact high-density polyethylene (HDPE) pipe at locations indicated.
2. Use the minimum inside diameter high-density polyethylene (HDPE) pipe and conform to the requirements of ASTM D2638 for pipe sizes 4"-10" and 12"-18" diameter.
3. Down-slope, smooth interior, compact high-density polyethylene (HDPE) pipe shall conform to the requirements of ASTM D2638 for pipe sizes 4"-10" and 12"-18" diameter.
4. All fittings must comply with ASTM D2638.
5. Manhole lids must be used at all connections, including manholes.
6. Use all HDPE pipe on a continuous, finished bed. Installation must comply with ASTM D2321. All sections of the interrupted HDPE pipe shall be coupled in order to provide water tight joints.
7. Perform deflection tests on all HDPE pipe after the sewer lines have been installed and before the pipe is placed in the trench. The deflection test shall be performed in accordance with ASTM D2638. The deflection test shall be performed in accordance with ASTM D2638. The deflection test shall be performed in accordance with ASTM D2638.
8. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
9. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
10. All joints and connections to catchbasins or manholes shall be watertight. Joints between concrete catchbasins or manholes shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant. All joints shall be sealed with a non-soluble, non-sagging, non-sagging, non-sagging sealant.
11. The minimum depth of cover for building and canopy roof drain leaders without insulation is 5 feet. Insulate roof drain leaders at locations where the depth of cover is less than 5 feet. Provide a minimum of 2 inches of insulation above the drain leader. The insulation shall be placed in the trench and shall extend a minimum of 2 feet from the drain leader. The insulation shall be placed in the trench and shall extend a minimum of 2 feet from the drain leader.
12. Install all pipe with the ASTM identification numbers on the top for identification. Commence pipe laying at the pipe pointing upgrade, when connecting to an existing pipe, unless the existing pipe is in order to be replaced. The pipe shall be installed in the trench and shall extend a minimum of 2 feet from the drain leader. The insulation shall be placed in the trench and shall extend a minimum of 2 feet from the drain leader.



AWIK TRIP STORES

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 1000 W. WISCONSIN
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 (414) 333-3333
 WWW.SUNDEENGINEERING.COM

STORM SEWER AND UTILITY PLAN AND CONVENIENCE STORE #576

2170 W RYAN RD
 OAK CREEK, WI

NO.	DATE	DESCRIPTION

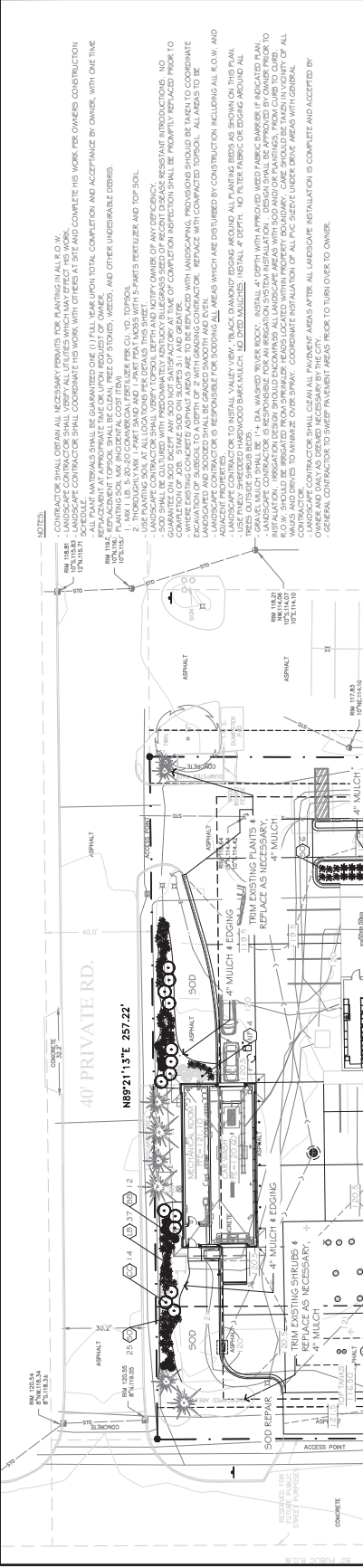
DESIGNED BY: _____
 SCALE: _____
 DATE: _____
 SHEET: _____
 TOTAL SHEETS: _____



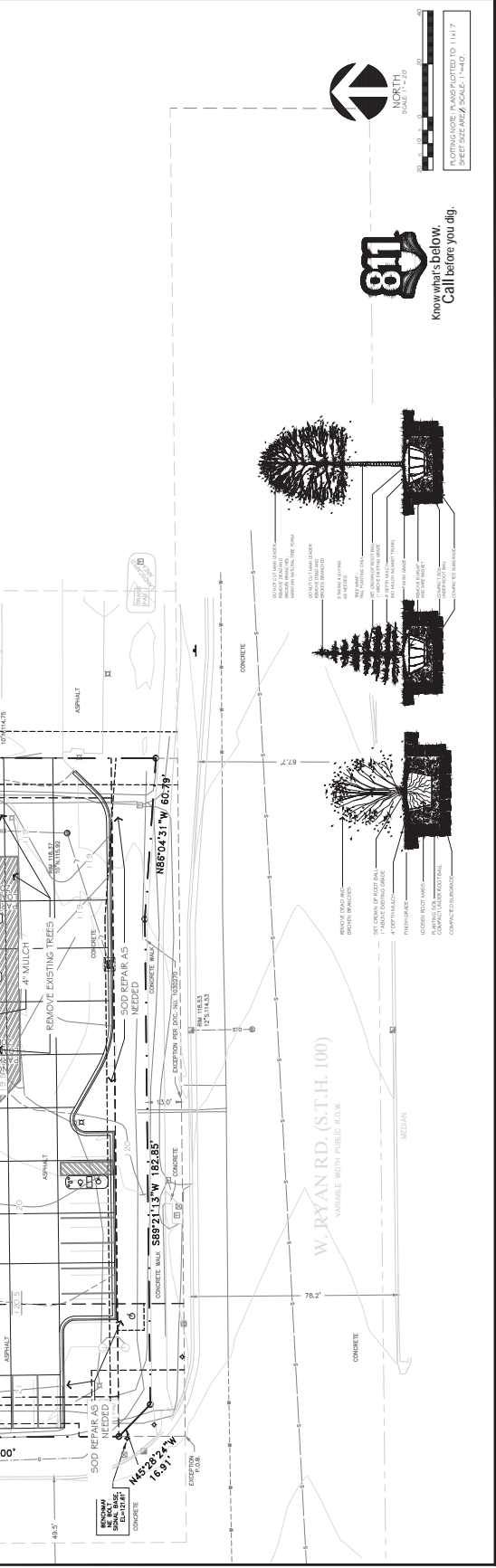
AWIK TRIP, Inc.
 P.O. BOX 2107
 1628 OAK STREET
 JACOBUSSE, WI 54602-2107
 PHONE (808) 781-8980
 FAX (808) 781-8980



LANDSCAPE PLAN
 CONVENIENCE STORE #576
 2170 W RYAN RD
 OAK CREEK, WI



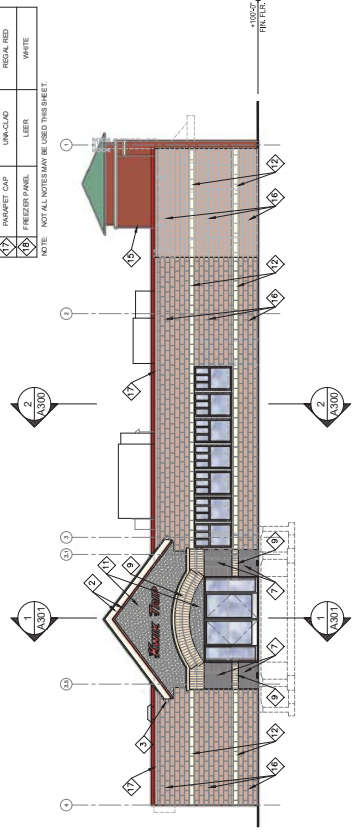
SYMBOL	QUANTITY	SIZE	ROOT TYPE	COMMON NAME	HEIGHT x WIDTH
CC	14	#3 CONF	PK	CARDINAL CRAPPE	5 x 5'
UP	4	5" DBH	PK	RED-TILED SPINNA	3 x 4'
SO	37	#1	PK	STELLA DE COPA JAVALE	2 x 3'
BO	19	#1	PK	DOGWOOD	5 x 4'
UB	76	#1	PK	LITTLE LEAF STRAW	4 x 3'
MA	3	3" x 2"	PK	MULCH	



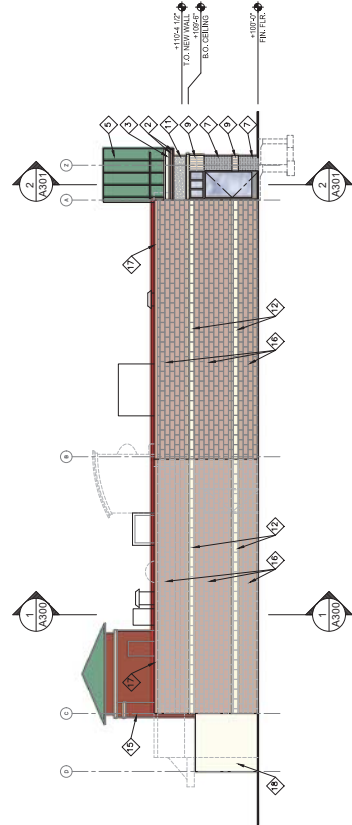
EXTERIOR COLOR SCHEDULE

NO.	MATERIAL	MANUFACTURER	COLOR
1	BOLLARDS	-	BLACK GLASS
2	FACIA	UN-CLAD	REGAL RED
3	DOWNSPOUTS	-	ALUMINUM
4	SOFFIT	UN-CLAD	WHITE
5	METAL ROOF	UN-CLAD	HELMUCK GREEN
6	WATERFALL	-	GRAY
7	RED BRICK	BOOK CITY	?
8	REGAL BRICK	TRINCO DYNAMIC	REGWOOD TAN
9	TAN BRICK	BOOK CITY	CLEAR BUFF
10	SEALANT	TRINCO DYNAMIC	?
11	EPS-TAN 1	?	?
12	TOTAL WALL	?	?
13	PAINT-TAN 1	?	?
14	TOTAL WALL	?	?
15	PAINT-TAN 2	?	?
16	TOTAL WALL	?	?
17	PAINT-TAN 3	?	?
18	TOTAL WALL	?	?
19	PAINT-RED 1	?	?
20	TOTAL WALL	?	?
21	PAINT-RED 2	?	?
22	TOTAL WALL	?	?
23	MARKET CAP	UN-CLAD	REGAL RED
24	FREEDER PANEL	LEER	WHITE

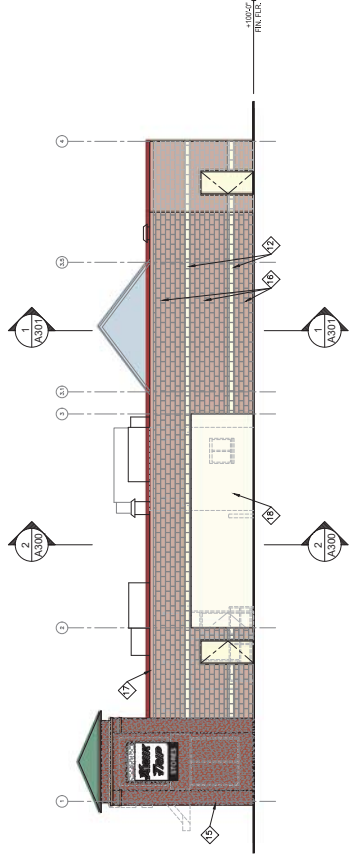
NOTE: NOT ALL NOTES MAY BE USED THIS SHEET.



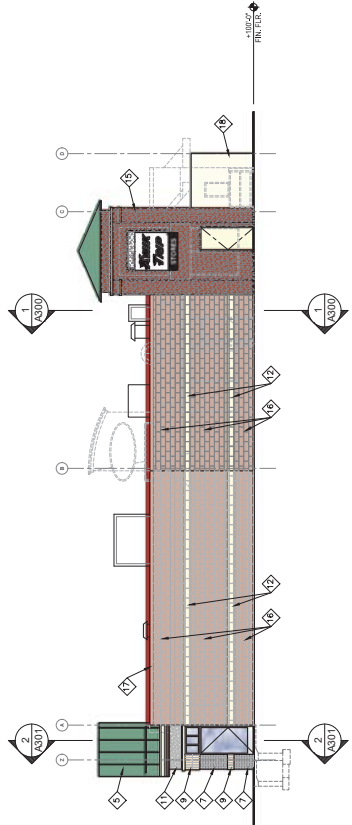
1 WEST ELEVATION
 SCALE: 1/8"=1'-0"



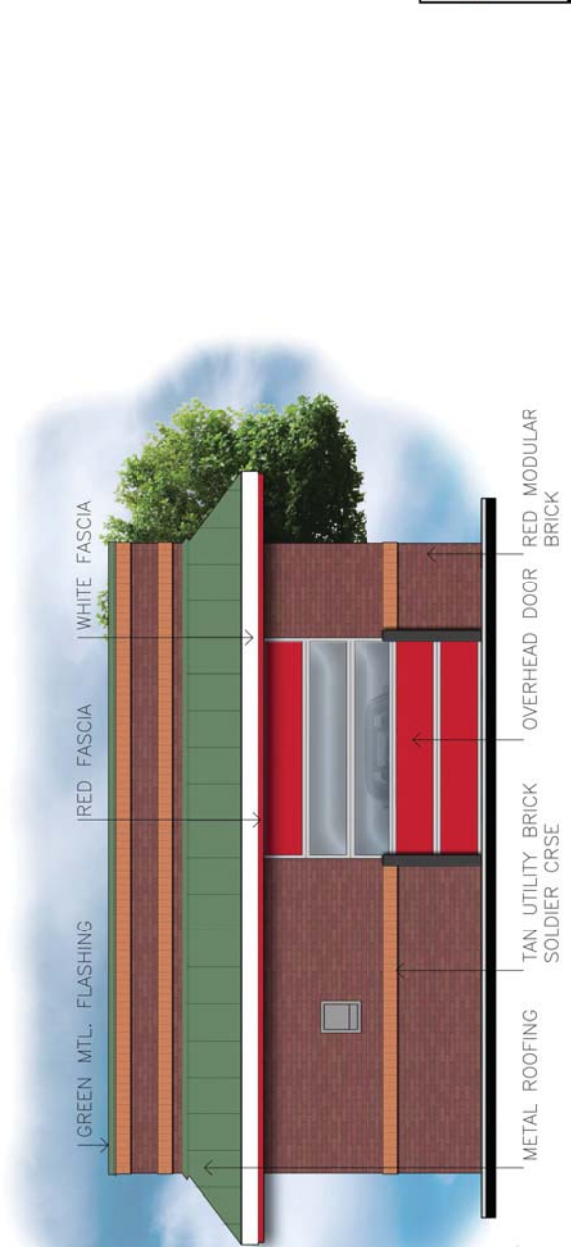
2 NORTH ELEVATION
 SCALE: 1/8"=1'-0"



3 EAST ELEVATION
 SCALE: 1/8"=1'-0"



4 SOUTH ELEVATION
 SCALE: 1/8"=1'-0"



FRONT ELEVATION
3/8" = 1'-0"

GREEN MTL. FLASHING
RED FASCIA
WHITE FASCIA

METAL ROOFING
TAN UTILITY BRICK SOLDIER CRSE
OVERHEAD DOOR
RED MODULAR BRICK



SIDE ELEVATION
3/8" = 1'-0"

WHITE FASCIA
RED FASCIA
GREEN MTL. FLASHING

RED BRICK ROWLOCK SOLDIER CRSE
TAN BRICK SOLDIER CRSE
12x12 GLASSBLOCK
RED BRICK
METAL ROOFING

6x6 GLASSBLOCK

CARWASH

12
9

SB CW

A200



Plan Commission Report

ITEM: 4e

DATE: November 22, 2016

PROJECT: Conditional Use Permit Amendment – Shawn McKibben, Oak Park Place

ADDRESS: 1980 W. Rawson Ave.

TAX KEY NO: 736-8995-001

STAFF RECOMMENDATION: That Plan Commission recommends that the Common Council approve a conditional use permit amendment extending Section 11, Time of Compliance to a deadline of May 31, 2017 for Phase I for the property located at 1980 W. Rawson Ave., after a public hearing and subject to conditions and restrictions.

Ownership: Oak Park Properties of Oak Creek, LLC, 7806 Betsy Ln., Verona, WI 53593

Size: 6.2955 acres

Existing Zoning: Rm-1 (CU), Multifamily Residential

Adjacent Zoning: North – Rm-1 (PUD), Multifamily Residential Planned Unit Development
East – I-94
South – P-1, Park District
West – Rs-4, Single Family Residential

Comprehensive Plan: Mixed Residential.

Wetlands: Yes, see map.

Floodplain: None.

Official Map: Yes, 20th Street right-of-way on west.

Commentary: The Applicant is requesting approval to amend the existing Conditional Use Permit for construction of a licensed community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure on the property at 1980 W. Rawson Ave. Section 11 of the Conditions and Restrictions approved by the Common Council on December 15, 2015 required the commencement of operations for Phase I within twelve (12) months of the date of adoption of the ordinance approving the Conditional Use Permit. Phase II was to begin within thirty-six (36) months of the date of adoption of the ordinance. Due to several unforeseen circumstances, including State permit review delays, a building permit application has not yet been submitted. The Applicant is requesting an extension to May 15, 2017 to obtain a building permit. Staff recommends extending the deadline for commencement of construction for Phase I to May 31, 2017. Phase II would be required to begin within 36 months of the date of adoption of the ordinance amending the Conditional Use Permit (December 2019).

Prepared by:

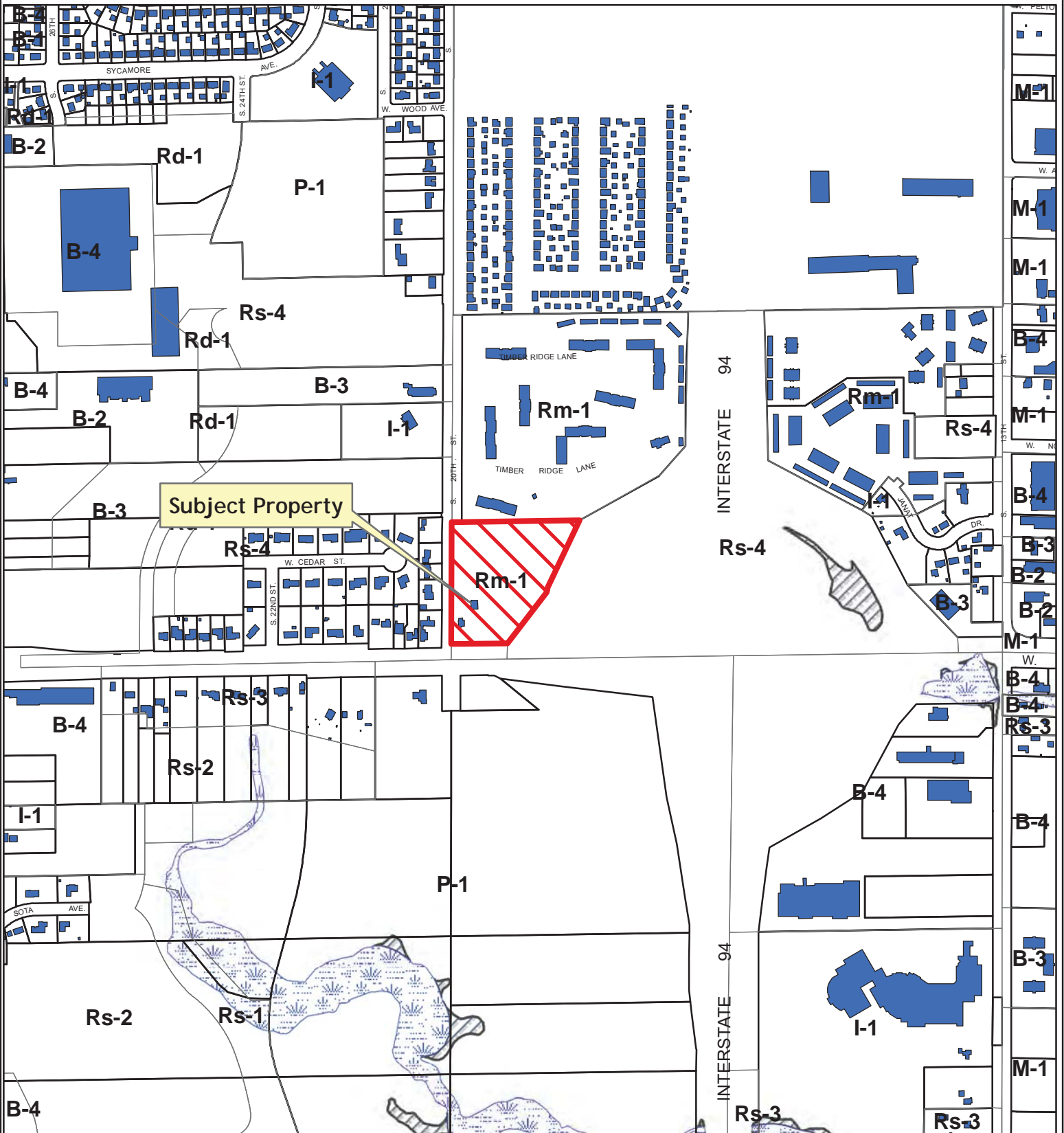
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

1980 W. Rawson Ave.






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



OAKCREEK
— WISCONSIN —

Department of Community Development



-  1980 W. Rawson Ave.
-  Floodway
-  Floodfringe

City of Oak Creek – Conditional Use Permit
DRAFT Conditions and Restrictions

Applicant: Shawn McKibben, Oak Park
Property Address: 1980 W. Rawson Ave.
Tax Key Number(s): 736-8995-001

Approved by Plan Commission: TBD
Approved by Common Council: TBD
(Ord. #TBD, Amending Ord. #2782)

Conditional Use: Licensed elderly community living arrangement
(capacity of 16 or more persons) and housing for the elderly/multiple-family dwellings in
excess of four (4) dwelling units per structure

1. LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, IN TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 229.40 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET TO A POINT; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 435.60 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 172.50 FEET TO A POINT ON THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID 1/4 SECTION 665.00 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION TO A POINT 75 FEET NORTH OF AND AT RIGHT ANGLES TO THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL WITH SAID SOUTH LINE OF SAID 1/4 SECTION TO A POINT IN THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ON AND ALONG THE SAID WEST LINE TO THE POINT OF COMMENCEMENT.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2302.76 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; RUNNING THENCE SOUTH 00°49'00" WEST AND PARALLEL TO THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 332.63 FEET TO A POINT WHICH POINT IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 180.44 FEET TO A POINT; THENCE NORTH 00°49'00" EAST AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.56 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE NORTH 89°58'51" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 180.44 FEET TO THE POINT OF BEGINNING.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION WHICH CORNER IS 665.97 FEET NORTH OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2040.18 FEET TO THE PLACE OF BEGINNING OF THE LAND ABOUT TO BE DESCRIBED; CONTINUING THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 262.08 FEET TO A POINT; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.33 FEET TO A POINT WHICH IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 262.03 FEET TO A POINT; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.46 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2040.18 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE SOUTH 00°49'00" WEST AND PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION 332.72 FEET TO A POINT; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID 1/4 SECTION TO A POINT LOCATED 2199.42 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION AND 332.50 FEET NORTH 01°04'00" EAST AND PARALLEL WITH THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTHEASTERLY TO THE PLACE OF BEGINNING.

ALSO;

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE 1/4 SECTION; THENCE SOUTH 89°11'08" WEST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 2432.70 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 75.01 FEET TO THE POINT OF BEGINNING WHICH IS THE NORTHERLY LINE OF WEST RAWSON AVENUE; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 45.05 FEET; THENCE NORTH 38°07'03" EAST 305.23 FEET; THENCE NORTH 24°07'13" EAST 22.13 FEET; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 292.54 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 103.10 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 154.4 FEET TO THE POINT OF BEGINNING.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

A. A precise detailed site plan for the area affected by the conditional use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

1) **General Development Plan**

2) **Landscape Plan**

- a) Detailed building locations with setbacks
- b) Square footage of building
- c) Areas for future expansion
- d) Area to be paved
- e) Access drives (width and location)
- f) Sidewalk locations
- g) Parking layout and traffic circulation
 - i) location
 - ii) number of employees
 - iii) number of spaces
 - iv) dimensions
 - v) setbacks
- h) Location of loading berths
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location of wetlands (field verified)
- m) Location, square footage and height of signs

- a) Screening plan for outdoor storage
- b) Number, initial size and type of plantings
- c) Parking lot screening/berming

3) Building Plan

- a) Architectural elevations
- b) Building floor plans
- c) Materials of construction

4) Lighting Plan

- a) Types of fixtures
- b) Mounting heights
- c) Types of poles
- d) Photometrics of proposed fixtures

5) Grading, Drainage and Stormwater Management Plan

- a) Contours (existing & proposed)
- b) Location of storm sewer (existing and proposed)
- c) Location of stormwater management structures and basins (if required)

6) Fire Protection

- a) Location of existing and proposed fire hydrants
- b) Interior floor plan
- c) Materials of construction

- B. All plans for new buildings, additions, or exterior remodeling shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

3. PARKING AND ACCESS

- A. Parking for Phase I of this project shall be provided in accordance with Section 17.0403(j)(6)(f) of the Municipal Code. The Plan Commission has approved the request to utilize this Section based on the type of facility (memory care and assisted living). Parking for Phase II of this project (independent living) shall be provided in accordance with Section 17.0403(j)(1) of the Municipal Code.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.

- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.

4. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code.

5. LANDSCAPING

A. Parking Lot Screening. Those parking areas for five (5) or more vehicles if adjoining a residential zoning district line or public right-of-way shall be screened from casual view by an earth berm, a solid wall, fence, evergreen planting of equivalent visual density or other effective means approved by the City Plan Commission. Such fence or berm and landscaping together shall be an average of three (3) feet in height between the parking and the street right-of-way. All screening materials shall be placed and maintained at a minimum height of three (3) feet.

- 1. At least one ornamental deciduous tree, no less than 2.5" caliper, shall be incorporated into the design for every 35 linear feet of public street frontage.
- 2. At least 25% of the total green space area shall be landscaped utilizing plant materials, other than maintained turf, that contribute to ground coverage.
- 3. For purposes of determining the number of plants necessary to meet the minimum 25% ground coverage requirement, plant types are categorized by their general size and potential mature at-grade coverage area.

<u>Plant Type</u>	<u>Area of Coverage Provided</u>
Evergreen Tree (>8' Dia.)	75 sq. ft.
Large Shrub (6-8' Dia.)	38 sq. ft.
Medium Shrub (4-6' Dia.)	20 sq. ft.
Small Shrub (2-4' Dia.)	12 sq. ft.
Perennial (4.5" Pot)	6 sq. ft.

* Note shade and ornamental trees are not considered a plant type contributing to "at grade" coverage.

- 4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.
- B. Interior Landscape Area. All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or

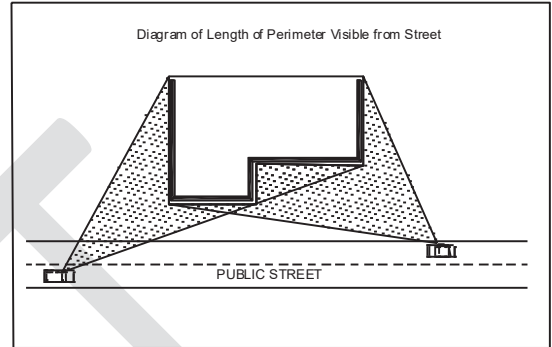
peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping.

- C. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.
- D. Landscaping Adjacent to Buildings. There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation of the building.
- E. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- F. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- G. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.
- H. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, railroad ties, or concrete
- I. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- J. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205 (d) of the Municipal Code.
- K. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
 - 1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
 - 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
 - 3. The location and percent of slope of all proposed berms using one (1) foot contours.
 - 4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
 - 5. Methods used in staking, mulching, wrapping or any other early tree care used.
 - 6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to

guarantee that improvements will be completed on schedule.

6. ARCHITECTURAL STANDARDS

- A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- B. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete masonry units (CMUs). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material.
- C. The facade of a multifamily residential building shall be provided with an acceptable brick or decorative masonry material that covers at least sixty-five (65) percent of the surface of the total exterior wall area of the building.
- D. Material and color samples shall be submitted to the Plan Commission for review and approval.
- E. The Plan Commission has the discretion to adjust this minimum for building additions.
- F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- H. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- I. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- J. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.



7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure*	30'	25'	10'
Accessory Structure**	30'	See Section 17.0501	See Section 17.0501
Off-street Parking	25'	15'	15'

** Per Section 17.0311(f)(2), no multifamily residential structure shall be located closer than fifty (50) feet to a single-family district line. Rs-4 to the west extends to the centerline of S. 20th St.
**No accessory structures shall be permitted in the front yard.*

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0705(a) of the Municipal Code. All signs must be approved by the Plan Commission as part of the site plan review process.

10. PERMITTED USES

- A. All permitted uses in the Rm-1, Multifamily Residential zoning district.
- B. One (1) licensed elderly community living arrangement (capacity of 16 or more persons) and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure.
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use shall commence work in accordance with these conditions and restrictions as follows:

- A. Phase I of the conditional use shall commence within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit.
- B. Phase II of the conditional use shall commence within thirty-six (36) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit.
- C. This conditional use approval shall expire
 - 1. **On June 1, 2017** if a building permit for Phase I has not been issued for this use **on or before May 31, 2017**; OR
 - 2. Within thirty-six (36) months after the date of adoption of the ordinance if a building permit for Phase II has not been issued for this use.
- D. Upon expiration of this permit for Phase I only, the zoning for the property will revert back to Rs-4, Single Family Residential.
- E. Upon expiration of this permit per Section (C), the applicant shall re-apply for a conditional use approval prior to recommencing work or construction for either Phase of development.

12. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, ordinances, and orders not heretofore stated or referenced, is mandatory.

13. VIOLATIONS & PENALTIES

Any violations of the terms of this conditional use permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances. If the owner, applicant or operator of the conditional use permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the city shall have the right to revoke this conditional use permit, subject to the provisions of paragraph 14 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this conditional use permit or to seek an injunction regarding any violation of this conditional use permit or any other city ordinances.

14. REVOCACTION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code.

15. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: CONCEPT PLAN

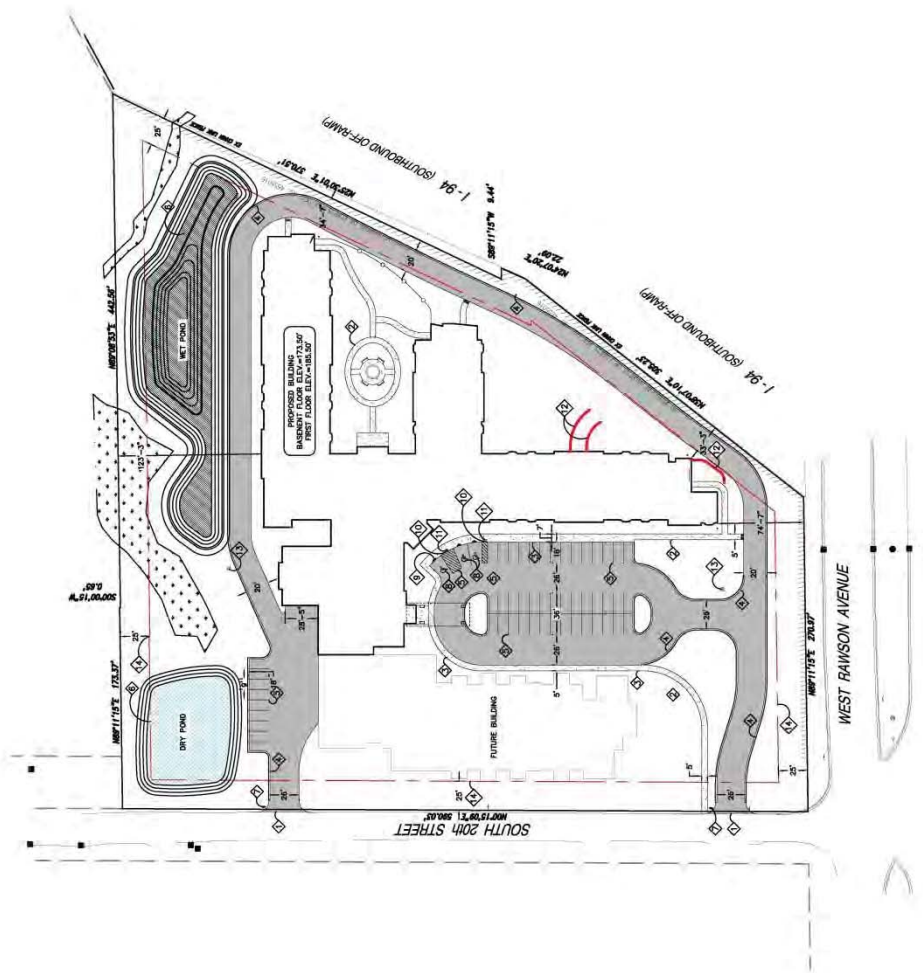
 ADCI Architectural Design Consultants, Inc. 30 Wisconsin Drive Parkway • P.O. Box 580 Lake Delton, WI 53640 Phone: (608) 254-6151 Fax: (608) 254-2138	OAK PARK PLACE OAK CREEK SITE PLAN	C200 <small>PROFESSIONAL ENGINEERING</small> 818 N. Meadowood Ln. Wauwatosa, WI 53097 Phone: (414) 948-3376
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PRELIMINARY PLANS NOT FOR CONSTRUCTION

PLAN KEY
 TO BE APPROVED IN ACCORDANCE WITH MANHOLE GAINY PERMITS. CONTRACTOR TO OBTAIN STREET EXCAVATION PERMIT FROM THE CITY OF OAK CREEK TO WORK IN THE RIGHT-OF-WAY

- ◇ CONCRETE SIDEWALK
- ◇ THICKENED EDGE CONCRETE SIDEWALK
- ◇ 18" CURB AND GUTTER
- ◇ 4" PAVEMENT STRIPING WITH NON-SKID, TRAFFIC-GRADE PAINT, TYP.
- ◇ STORMWATER MANAGEMENT AREA
- ◇ 7" HIGH STOP SIGN
- ◇ VAN ACCESSIBLE STALL, TYP.
- ◇ ACCESSIBLE PARKING SIGN, TYP.
- ◇ CURB RAMP
- ◇ DETECTABLE WARNING FIELD, TYP. FOR CURB RAMP
- ◇ RETAINING WALL
- ◇ FIRE HYDRANT
- ◇ 25' BUILDING SETBACK LINE, TYP.

- KEY**
- ASPHALT PAVEMENT
 - CONCRETE
 - WETLAND AREAS AS DELINEATED BY S.A. SMITH NATIONAL, INC.



X:\Miss1234 Oak Creek\Design\1234_CDP.swg | 15/02/2016 10:50:14 AM



Plan Commission Report

ITEM: 4f

DATE: November 22, 2016

PROJECT: Plan Review – Michael DeMichele, DG27th, LLC

ADDRESS: 8645 S. Howell Ave.

TAX KEY NO: 828-9001-000

STAFF RECOMMENDATION: That the Plan Commission approves the building plans submitted by Michael DeMichele, DG27th, LLC, for the property at 8645 S. Howell Ave., with the following conditions:

1. That all building and fire codes are met.
2. That all mechanical equipment (ground, building, and rooftop) is screened from view.
3. That all revised plans (site, building, signage, 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.

Ownership: DG27th, LLC, 2060 S. Humboldt Ave, 250, Milwaukee, WI 53212

Size: 0.574 ac

Existing Zoning: B-4, Highway Business

Adjacent Zoning: North – B-4, Highway Business
East – I-1, Institutional
South – B-4, Highway Business
West – B-4, Highway Business

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting building plan approval for exterior modifications to the existing building at 8645 S. Howell Ave. This building was originally a Blockbuster Video, replaced with a two-tenant building that currently is occupied by Papa John’s Pizza and was formerly occupied by MattressFirm. Up to five (5) tenants, including Papa John’s, could be accommodated by the interior remodel.

Exterior renovations include adding two EIFS “bump-outs” on the northeast and southeast portions of the building similar to the existing center entry “bump-out.” Papa John’s existing green awnings and one of the existing red awnings on the east façade will be removed. A new red awning to match the existing will be added to the south façade over the Papa John’s windows, and 4 new LED gooseneck light fixtures will be added to the CMU columns on the east façade.

Plan Commissioners should be aware that the percentage of EIFS shown on the east elevation is approximately 35% of the total facade. Per Section 17.1009(a)(2), "Materials such as smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material and shall only be allowed as an accent material comprising no more than 25 percent of the visible perimeter of the building." While the visible perimeter extends around the north, east, and south facades, the proposed EIFS "bump-outs" will be the focal points of the east elevation. Currently, the primary building materials are split-face CMU and glass, and the existing EIFS comprises approximately 11% of the east facade. Building materials percentages that include the east and south facades are shown on the proposed plans. It will be up to the Plan Commission to determine whether the additional EIFS is acceptable.

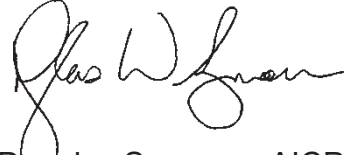
No changes to the site are proposed at this time; however, new landscaping will be added. Signage will be reviewed in the agenda item following this review.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

8645 S. Howell Ave.



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



	8645 S. Howell Ave.
	Floodway
	Floodfringe



Plan Commission Report

ITEM: 4g
DATE: November 22, 2016

PROJECT: Sign Plan Review – Multi-tenant Building (DG27th LLC)

ADDRESS: 8645 S. Howell Avenue

TAX KEY NO: 828-9001-000

STAFF RECOMMENDATION: That the Plan Commission approve the sign plan for the multi-tenant building at 8645 S. Howell Avenue with the condition any text or logos on the canopies of the building will be counted toward the total number of wall signs per tenant space.

Ownership: DG27th LLC

Size: 0.574 acres

Existing Zoning: B-4, Highway Business District

Adjacent Zoning:
North – B-4, Highway Business District
East – I-1, Institutional District
South – B-4, Highway Business District
West – B-4, Highway Business District

Comprehensive Plan: Planned Mixed Use

Wetlands: No.

Floodplain: No.

Official Map: No.

Commentary: The applicant is requesting approval of a sign plan that will allow a tenant one wall sign, no and allow for a second wall sign for the tenant spaces located on the north and south corners of the building. The existing pole sign is included as part of the proposed sign plan.

Code requires that any building with three or more tenants be required to establish a planned sign program prior to the issuance of any sign permits. The intent of the program is to establish a theme as to placement, lettering style, color, materials, mounting method, and any other related sign design considerations.

Included with this report, is the applicant’s proposed sign plan. The proposed wall signs comply with existing sign regulations pertaining to size. Code states that a wall sign size is calculated by allowing one square-foot of area per lineal frontage of tenant space, with a cap of 100 square feet. Using this calculation, the range of wall sign size for all the tenant spaces is 19 square feet to 21.7 square feet.

The plan proposes end cap tenants two wall signs as illustrated in the elevation drawing. The Plan Commission has the discretion to approve an additional wall sign for corner tenant spaces. There are no proposed design, color, or styles being proposed at this time. However, landlord approval of any sign is required prior to submitting for a sign permit. Staff recommends including language stating that any text or logos on a canopy will count toward the total number or wall signs per tenant space.

No physical changes are currently proposed for the existing pole sign.

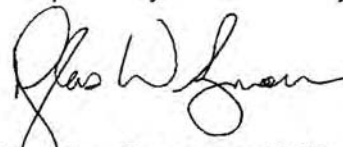
If the Plan Commission approves the master sign plan, corner tenants will be allowed two wall signs, remaining tenants one wall sign, and sign size will be based on the square footage per lineal frontage of tenant space. Sign design will be determined by applicant, approved by landlord, and not be an internally illuminated box sign.

Prepared by:



Peter Wagner, AICP
Zoning Administrator/Planner

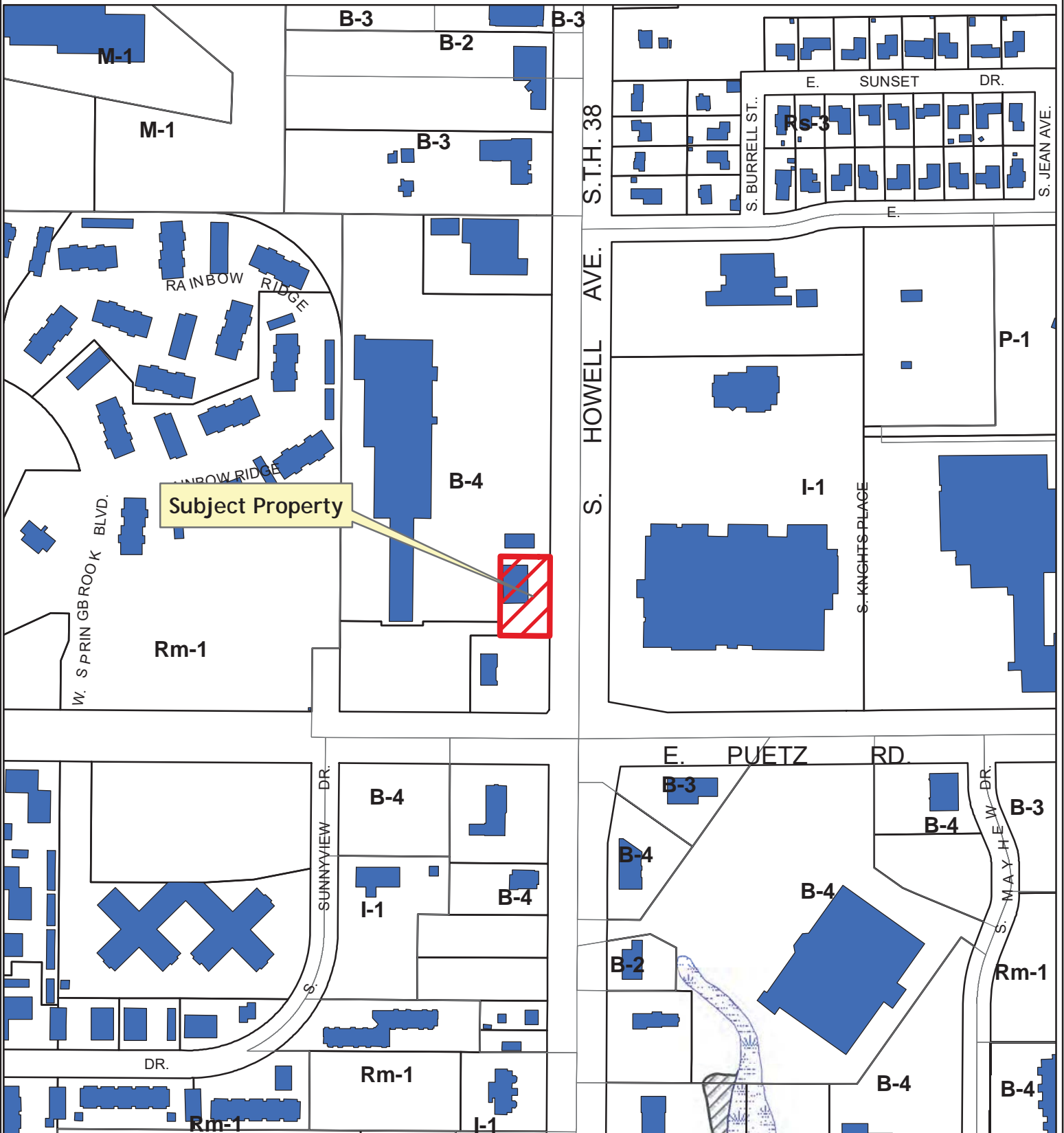
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development




Location Map

8645 S. Howell Ave.



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



	8645 S. Howell Ave.
	Floodway
	Floodfringe

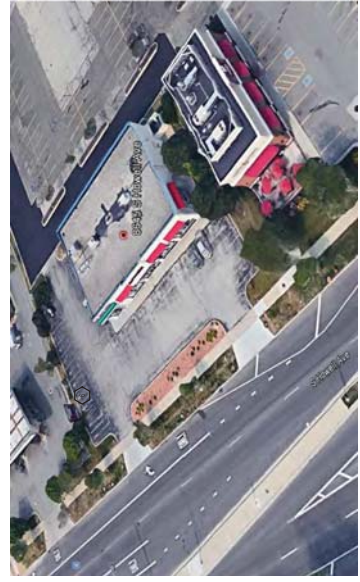
Project: DEMICHELE - 8645 S HOWELL RETAIL

8645 S HOWELL AVE
 Location: OAK CREEK WI 53154



Sheet: PROPOSED ELEVATIONS

Date:	SEPTEMBER 9, 2016
Project No.:	00116-19
Sheet No.:	A4.1



3 GOOGLE MAPS AERIAL
 SCALE: NO SCALE



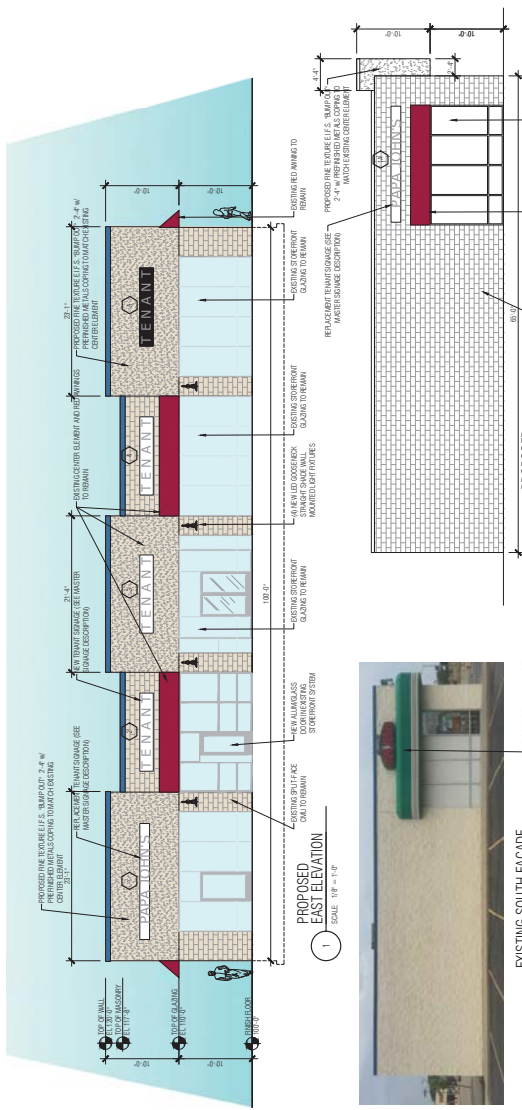
2 PROPOSED LIGHT FIXTURE
 SCALE: 1/8\"/>



8 EXISTING EAST FACADE BUILDING PHOTOGRAPH
 SCALE: 1/8\"/>

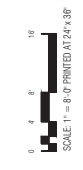


7 EXISTING PYLON SIGN PHOTOGRAPH
 SCALE: 1/8\"/>

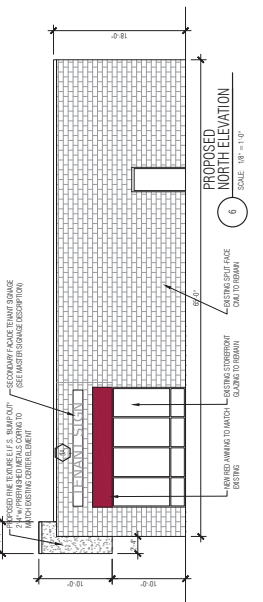


1 PROPOSED EAST ELEVATION
 SCALE: 1/8" = 1'-0"

4 PROPOSED SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



3 EXISTING PHOTOGRAPH BUILDING PHOTOGRAPH
 SCALE: 1/8\"/>



6 PROPOSED NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

FAÇADE IMPROVEMENT AREA CALCULATIONS
 CURRENT OAK CREEK ORDINANCE PERMITS UP TO 25% OF VISIBLE PERIMETER (OAK CREEK ORD 17.1000A) TO BE EPS
 CURRENT (EAST AND SOUTH SIDES) 2946 SF TOTAL 100% GLASS 979 SF 33% EPS 205 SF 7% CMU 1,661 SF 60%
 PROPOSED (EAST AND SOUTH SIDES) 3047 SF TOTAL 100% GLASS 979 SF 32% EPS 696 SF 23% CMU 1,478 SF 45%

MARK	SIZE	FINISH	QUANTITY	NOTES
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NOTE: ALL ELEVATIONS SHALL BE INDIVIDUALLY PRINTED ON 24\"/>