



PLAN COMMISSION MEETING AGENDA

TUESDAY, April 25, 2017
AT 6:00 PM

- 1) ROLL CALL
- 2) Minutes of the April 11, 2017 meeting
- 3) Significant Common Council Actions
- 4) 6:00 PM SIGN APPEAL HEARINGS
 - a) Hold a public hearing on a proposed sign appeal for the property at 7979 S. Main St. (tenant address: 410 W. Town Square Way) submitted by Scott Johnson, BelAir Cantina, that would allow one 4' x 11 3/8" primary sign on the northwest side of the pergola (non-entry façade) and one 3' 9 1/8" x 3'2" primary sign on the northeast side of the pergola (non-entry façade) for the BelAir Cantina tenant space (Tax Key No. 813-9053-000). Follow this item on Twitter **@OakCreekPC#OCPCBelAir**.
- 5) NEW BUSINESS
 - a) SIGN APPEAL - Consider a request for a sign appeal for the property at 7979 S. Main St. (tenant address: 410 W. Town Square Way) submitted by John Kuhnmuensch, BelAir Cantina, that would allow one 4' x 11 3/8" primary sign on the northwest side of the pergola (non-entry façade) and one 3' 9 1/8" x 3'2" primary sign on the northeast side of the pergola (non-entry façade) for the BelAir Cantina tenant space (Tax Key No. 813-9053-000). Follow this item on Twitter **@OakCreekPC#OCPCBelAir**.
 - b) PC Training – Exterior building materials training by Aaron Steele, AICP, Brick Industry Association. (NO STAFF REPORT)
 - c) CONDITIONS AND RESTRICTIONS – Review Conditions and Restrictions for a Conditional Use Permit request submitted by Mark Weigt, The Ridge Community Church, for a religious institution on the properties at 6912 & 6912R S. 27th St. (Tax Key Nos. 737-9026-000 & 737-9028-000). Follow this item on Twitter **@OakCreekPC#OCPCTheRidge**.
 - d) REZONE / CONDITIONAL USE PERMIT – Review a request submitted by Kelly Gallacher, Self-Storage Ventures, LLC, to rezone the property located at 275 E. Drexel Ave. from B-2, Community Business, to LM-1, Light Manufacturing, with a Conditional Use Permit for a self-service storage facility (Tax Key No. 814-9038-000). Follow this item on Twitter **@OakCreekPC#OCPCSelfStorage**.
 - e) ZONING TEXT AMENDMENT – Review a proposed amendment to Section 17.0312(c) to allow licensed tattoo and/or body piercing establishments as Conditional Uses in the B-2, Community Business district. Follow this item on Twitter **@OakCreekPC#OCPCTextAmend**.

- f) PLAN REVIEW – Review site, building, and lighting plans submitted by Juan Melendez, Margarita City, for an exterior dining patio addition to the Margarita City tenant space (Suite 700) at 8201 S. Howell Ave. (Tax Key No. 813-9020-002). Follow this item on Twitter **@OakCreekPC#OCPCMargaritaCity**.
- g) CONDITIONAL USE PERMIT – Review a request submitted by Joe Tikotzky, Villa Healthcare, for a Conditional Use Permit for a skilled nursing facility on the property at 8432 S. 27th St. (Tax Key No. 831-9035-000). Follow this item on Twitter **@OakCreekPC#OCPCVilla**.
- h) CONDITIONAL USE PERMIT – Review a request submitted by Gerard Magee, SPGMBS, LLC, for a Conditional Use Permit for an indoor commercial recreation facility (fitness and martial arts center) within the existing multitenant building (Suite 500) on the property at 440 W. Bell Court (Tax Key No. 828-0005-000). Follow this item on Twitter **@OakCreekPC#OCPCRokAthletic**.
- i) CONDITIONAL USE PERMIT – Review a request submitted by Kevin Crosby, Unity Fitness and Training, for a Conditional Use Permit for an indoor commercial recreation facility (Crossfit training gym) within the existing multitenant building on the property at 9801 S. 13th St. (Tax Key No. 904-9015-000). Follow this item on Twitter **@OakCreekPC#OCPCUnityFitness**.
- j) SIGN PLAN REVIEW – Review a proposed master sign plan submitted by Blair Williams and Sean Phelan, Wired Properties, for the B5 multitenant commercial building at 7940 S. 6th St (Tax Key No. 813-9054-000). Follow this item on Twitter **@OakCreekPC#OCPCB5**.
- k) ZONING TEXT AMENDMENT - Review proposed amendments to Section 17.0808, Outdoor Lighting, of the Zoning Ordinance to add requirements for architectural element lighting under Approval Procedures. Follow this item on Twitter **@OakCreekPC#OCPCTextAmend**.

6) 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).

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 11, 2017**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Carrillo, Alderman Guzikowski, Commissioner Correll, Commissioner Siepert, and Commissioner Chandler. Commissioner Johnston was excused. Also present: Kari Papelbon, Planner; Pete Wagner, Planner/Zoning Administrator; Doug Seymour, Director of Community Development; Andrew Vickers, City Administrator.

Minutes of the March 28, 2017 meeting

Commissioner Siepert moved to approve the minutes of the March 28, 2017 meeting. Commissioner Dickmann seconded. On roll call: all voted aye. Motion carried.

**PUBLIC HEARING
SIGN APPEAL
VALENTINE COFFEE
7981 S. 6TH ST.
TAX KEY NO. 813-9062**

Zoning Administrator/Planner Wagner read the public hearing notice into the record.

Mayor Bukiewicz called for public comment.

Steve Piraska, Michael Signs Company, 3914 S. Memorial Drive, Racine, WI was present as the sign manufacturing representative. Mr. Piraska described the requested signage.

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

**PUBLIC HEARING
SIGN APPEAL
POTBELLY SANDWICH SHOP
160 W. TOWN SQUARE WAY, #500
TAX KEY NO. 813-9059**

Zoning Administrator/Planner Wagner read the public hearing notice into the record.

Mayor Bukiewicz made three calls for public comment. Hearing none, the public hearing was closed.

**PUBLIC HEARING
SIGN APPEAL
HSI DREXEL RIDGE, LLC
7798 S. DREXEL RIDGE WAY
TAX KEY NO. 779-9008**

Zoning Administrator/Planner Wagner read the public hearing notice into the record.

Mayor Bukiewicz made a call for public comment.

Ashley Poull, HSI, 18500 W. Corporate Drive, Brookfield, WI, described the requested signage.

Ron Pritzlaff, Utility Engineer, Oak Creek Water and Sewer Utility, 170 W. Drexel Avenue, stated that one of the signs is in a water main easement. The Oak Creek Water and Sewer Utility has a 25-foot water main easement near the entrance to that property. This particular sign was not there, however, the footings happen to already be poured. It is 5 feet away from the water main, and they typically don't allow structures built on top or that close within an easement. He encouraged the Plan Commission to deny one of the requests (the guard shack) at the entrance to the property.

Glen McCoy, 7739 S. Pennsylvania Avenue, asked if four signs are being requested. Zoning Administrator/Planner Wagner responded that they proposed three development signs at the entrance of the development along Drexel Avenue. There will be the Drexel Ridge sign attached to the guard house in the middle of the entryway into the development, also one on both sides of Drexel Ridge Way, as well as proposing a sign on the clubhouse facing the south elevation facing Drexel Avenue. Mr. McCoy stated he just wanted to clarify that nothing was being proposed off of Pennsylvania.

Mayor Bukiewicz called two more times for public comment. Seeing none, the public hearing was closed.

**SIGN APPEAL
VALENTINE COFFEE
7981 S. 6TH ST.
TAX KEY NO. 813-9062**

Commissioner Correll asked what the actual exception being requested is. Zoning Administrator/Planner Wagner responded that the variance that needs to be granted is to install a flag sign on a non-entry façade and a variance for sign A-1 located on the northeast elevation of the building.

Commissioner Siepert stated that flag signs have been on other approved buildings and finds this acceptable. He is not sure he goes along with the other signs on the northeast corner.

Commissioner Chandler asked for more information on why these variances are being requested.

Steve Piraska, Michael Signs Company, 3914 S. Memorial Drive, Racine, Wi was present as the sign manufacturing representative. Mr. Piraska responded that as you come out of the other businesses, you see this side of the building and there will be no signage on there without this variance. If they are not allowed this sign, they will have nothing to identify them facing that way.

Commissioner Correll stated that when everything fills in in that area, it will be even more confusing. The signs are pretty minimal, and are necessary for identification.

Commissioner Dickmann asked if the 3'x3' flag sign on the east side is a non-entry façade. Zoning Administrator/Planner Wagner responded that it is a non-entry on the east side facing the square and one 3'x8' primary wall sign on the northeast elevation. These are both non-entry sides of the building.

Mayor Bukiewicz stated that he agrees with Commissioner Correll. It is an odd-shaped building and signage is needed from each side.

Commissioner Dickmann moved that the Plan Commission grant a variance allowing for the installation of one 3'x3' flag sign on the east elevation, which is non-entry elevation, and one 3'.1'x8.8' primary wall sign on the northeast elevation, which is also a non-entry section of the building for the building located at 7981 S. 6th Street. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**SIGN APPEAL
POTBELLY SANDWICH SHOP
160 W. TOWN SQUARE WAY, #500
TAX KEY NO. 813-9059**

Brad Hubbard, Innovative Signs, 711 Quinlin Drive, Pewaukee, WI, described the sign appeals. What they are requesting is the new logo for Potbelly Sandwich Shops and all of the locations have this logo somewhere in a window somewhere on the building.

Commissioner Correll stated that it is a nice looking sign, but does not think it is needed.

Commissioner Dickmann stated that he does not see much need for the sign.

Mayor Bukiewicz stated that the logo sign is unobtrusive and doesn't have any problem with this sign.

Mayor Bukiewicz asked if it would be acceptable to hang it on the south side. Mr. Hubbard responded that they have a big illuminated sign on the south side. There is one on the north and one on the south. They have their monument sign parallel to Drexel so they do have their name going east to west the other way. If that is their only choice, they would have to, but he doesn't know if they would do that. This is the only side of the building where they don't have anything, so that is why they choose to put it here.

Commissioner Siepert asked if they did put it on the south side if they would need a variance. Zoning Administrator/Planner Wagner responded no, they would not. The sign does not exceed the 10% blocking of the glazing, so they could put that sign there.

Andrew Goodman, GMX Real Estate Group, stated they work on a lot of Potbelly developments. Typically, they come in with a full exterior sign and three signs on each of the exterior walls of the building. This is a very toned down version of what they typically request. Typically the sign is on the exterior wall. Here it is within the window.

Commissioner Dickmann moved that the Plan Commission grants a variance to allow for the installation of one internally-illuminated eye-level sign that is 2'x1 3/8" tall and 3' wide on the east elevation for the tenant space located at 160 W. Town Square Way. Alderman Guzikowski seconded. On roll call: Commissioner Dickmann, Commissioner Carillo, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Siepert voted aye. Commissioner Correll and Commissioner Chandler voted no. Motion carried.

**SIGN APPEAL
HSI DREXEL RIDGE, LLC
7798 S. DREXEL RIDGE WAY
TAX KEY NO. 779-9008**

Alderman Guzikowski asked where the easement was in relation to the guard shack. Zoning Administrator/Planner Wagner stated that this variance is for the number of signs, and not necessarily the location. However, the location of the guard house may not be acceptable. The location has to be approved through site plan review which is a separate matter than the sign

appeal. The concern is the number of signs being requested at this time. The guard house is considered to be an accessory structure, and that was not approved at site plan review. At that time, they were proposing a 48 SF monument sign, which met the rules for residential development signs. They will have to come back to get any approval to see if this guard structure is acceptable. At that time, they will have to come back to get any approval to see if this structure is good. The issue of setbacks will be handled during site plan review.

Commissioner Siefert stated he is not in agreement with the four signs as it is a little "overkill."

Zoning Administrator/Planner Wagner stated the clubhouse sign is proposed to be an illuminated sign, which is not allowed in residential districts. Also, this sign is going to be 150' from the entrance. It is up to the Plan Commission to determine whether or not the clubhouse is an entrance to the development or is it a location within the development. So there is a question as to whether or not the "Drexel Ridge" on the clubhouse should be considered a development sign or not. The other three signs are located at the entrance off of Drexel. This one would be located 150' off the road.

Commissioner Dickmann asked if there is a sign at the entrance off of Pennsylvania Avenue. Zoning Administrator/Planner Wagner stated there is no sign being proposed from Pennsylvania Avenue at all.

Commissioner Dickmann asked if they are able to put the word "clubhouse" on the clubhouse. Zoning Administrator/Planner Wagner responded they would not be able to affix a large wall sign to the building.

Commissioner Correll stated this is a better look with the three signs. He would not be in favor of the clubhouse sign the way it stands. His vision would be to have a small monument sign at the front that says "clubhouse" because that would be more of a directional sign. It doesn't do any good to see it from the road. He does not have any problem with the Drexel Ridge signs on the side.

Commissioner Correll asked what the square footage was of the original monument sign. Zoning Administrator/Planner Wagner stated it was going to be a 48' square foot sign and was going to be taller than 6'. Commissioner Correll stated that as it was originally proposed, it would be much smaller. Zoning Administrator/Planner Wagner stated that it would be spread out over three locations, but it would be much less total signage in square footage.

Ashley Poull, HSI, 18500 W. Corporate Drive, Brookfield, WI, stated that is correct, because the monument sign is a double-sided sign currently since it is perpendicular to Drexel Avenue itself. That sign had been approved, and they had actually bumped back the guardhouse from the point of that sign.

Doug Seymour, Director of Community Development, stated that the criteria that the Plan Commission is charged with includes: there shall be no public harm, there should be a public benefit, the variance considerations shall include enhancements to the overall character of the neighborhood, taking into consideration unusual site conditions, the sign will not result in undue concentration of signage, which renders it difficult or confusing to read existing signs, and the effect of the proposed sign may have on depreciating property values. Director Seymour continued that he has heard several Commissioners feel this is an aesthetic enhancement to the neighborhood.

Commissioner Correll moved that the Plan Commission approves a variance to allow two non-illuminated bronze development signs on the decorative entry columns that are 1½' x 2' and one 3½'x4½' sign at the entrance of the development located at 7798 S. Drexel Ridge Way.

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

PUBLIC HEARING TID NO. 13 PROJECT PLAN & BOUNDARIES

Planner Papelbon read the public hearing notice into the record.

Jolena Presti, Vandewalle & Associates, 247 W. Freshwater Way, Milwaukee, gave a presentation on how a TID district is created.

Ms. Presti stated that TID No. 13 is being created because the TID No. 6 spending period is nearly closing. Now is the time to recoup some of the tremendous costs within the lakefront area. TID No. 6 can be created as a donor and make TID No. 13 as a new TID as the recipient.

TID No. 13 has 36 parcels; total non-wetland areas 505.11; base value \$4,487,200; percentage blighted properties 69.7%; projected total value increment \$172.74 million; total tax increment (27 years) \$65.28 million.

Bridget Souffrant, Finance Director, stated that looking over the life of the district through 2043, there is a potential to see a tax increment of \$65 million. Additional increment from the development is not anticipated until 2022. Ms. Souffrant stated that there are three potential debt issues in 2023, 2029 and 2034. The district should break even in 2037, and have an estimated positive cash flow of \$33 million at the end of the district.

Mayor Bukiewicz made a call for comment.

Mark Verhalen, 1200 E. Ryan, stated:

"My main concern is extending the boundaries of the TIF into Bender Park. If you look on the proposed sewer extension, it goes right through Bender Park. It is a half mile of deep sewer, probably 25 feet or in excess, as you see up on the screen, the cost of that is going to be a \$1.5 million or more. What does the City get for putting that deep sewer in? Absolutely, nothing because there is no development that can happen in Bender Park. I think that the boundary of the TIF should be modified. I talked with our City Administrator this afternoon and my statement was to him one of them was, we can always expand the TIF, but we can never make it smaller. If we back off on some of the boundaries here, get some due diligence done, maybe we can run that sewer line on the west side of the west side of the railroad tracks instead of through Bender Park.

The second thing I would like to address is expenditures in Bender Park if it is included in the TIF district. Some of that is the City is going to be putting in infrastructure on the property that we don't have any control over. And it really concerns me that we are setting a bad precedent with spending City dollars on County parkland where we already pay taxes for them to maintain their facilities. We are basically hitting the taxpayers of Oak Creek; we're doubling the costs for some local residents. Once you start that, you kind of open the door for a type of backdoor funding with TIF money to pay the costs of future infrastructure, building and also maintenance of infrastructure that you put in whether it be roads or playgrounds or whatever, parking lots. So I have some strong reservations about putting that area of Bender Park in the TIF.

There is one other thing. I would like to know if we would be responsible for any environmental cleanup in Bender Park as it's included in the TIF district because there is quite a larger area that was an apple orchard years ago. There's probably a really good chance there's a lot of

arsenic contamination. It's about a 20-acre parcel within Bender Park. There's a good chance that if we undertake building infrastructure or putting things in there at our costs, we may end up with a cleanup costs down there. I think it would be more prudent to back off on the boundaries of the TIF to include just the area of Ryan Road north and then do a feasibility study and see if we can include some of the other areas west of the railroad tracks in the TIF to get the sewer run down to the south and keep that sewer line out of Bender Park and save everybody a lot of money."

Ms. Presti stated that the City is allowed to spend TIF project costs within a half mile radius. You don't actually have to be within a TIF district to expend the infrastructure costs within the boundary.

Arden Degner, 8540 S. Pennsylvania Avenue:

"I certainly appreciate all the work that's been done to remediate this lakefront. Work that has been done. Work that has to be paid for. Work, it's only a start. We have to continue. Do we? Did you all get my handout? Back in 1989, I've presented the Oak Creek Pictorial, to the taxpayers, excessive tax, and at that time, Alderman Borchardt foresited a moratorium of multi-family apartments. I don't know how long that was in effect. But this is what I object to strenuously is the proposal to put rural houses along our lakefront. I like it the way it is now. You can drive down. You can see the lake. Not with this proposal. Not with anything that is proposed here. We will not be able to see the lake at all, except on this new 100-foot stretch that if you drive up there. Is this what we need in the City? No. We don't need any more developments of this type. We already have hundreds, five hundred as you heard previously, Apartment parking spaces on Drexel and Pennsylvania. We have more on Drexel Town Square. We have more on others that have been presented. We add if you'll just consider the times, even these presented the City of Milwaukee apartment complexes have all been downsized. We are asking for difficulties. We are asking for changes that we cannot afford. Especially pictures of these homes on page 35. The City of South Milwaukee 20% of their housing would be blighted. Is this the only type of structure that will be allowed in Oak Creek? Is anything over 50 years old including mine will have to be eliminated? Is this the only type of structure that will be allowed in Oak Creek? This whole proposal should be held until some other time, maybe 20 years from now when we can afford it. Thank you."

Mayor Bukiewicz made a second call for comment.

Rosemarie Annonson:

"Although Wisconsin has a very broad definition of blight and I'm going to read it to you. It means any area, meaning a slum area, in which a majority of the structures are residential. There's more, but that's all I want to use. Of the land that's involved in this TIF district proposal, only 2.30 acres are private residential. If we add occupied private residential at 2.3, if we add the two other parcels that do not have housing, it comes to 5.56. There are 11 residential owners, 9 own property, 4 are historic, that leaves 5 up for grabs. This lady told the Krysiaks their house was blighted. We have no information in here on how it was ranked and how it was determined. In contrast, the City owns 156.49 acres. Milwaukee County owns .22. The developers own 204. It is the City's failure to install sewer in the southeast section of the district that has stymied development in district 4. At the board of review meeting, they would not give us any guarantee that the City would not use eminent domain to take our properties.

I also have a problem with the boundaries. You may not use parkland as TIF land because it is non-taxable. TIF properties have to be continuous. They have to be joined. If you remove Bender Park, parcels on the end are not included. I would like to see a list of the property values for the City. It is not required under law for a City, only under towns. I'm also concerned

with the costs. Right now, the City of Oak Creek, according to the Moody report of December of 2016, we were 96.6 in debt. The Moody's report also said that we have above average debt and a large amount subject to refinancing. That is three of our TIFs that we are going to have to refinance into long-term bonds. That means approximately \$6 million more dollars, maybe more.

This report itself says that on page 25 the loss of tax exempt status of municipal bonds are broadening the purpose of future tax exempt bonds will affect market conditions. We know that the interest rates have risen since this report was prepared. I don't think that we can safely finance that district. I think that the lakefront will sell itself. Let development come naturally, but we do need that sewer."

Kelly (Krysiak) McDonnel, 4033 E. Lakeside Avenue:

"I just wanted to make sure for the record that I, it was noted that I have concern about property values decreasing due to the blighted label. And then, as Mr. Verhalen was saying, we can make it smaller and expand out if need be. I do recognize that one residential property is carved out of the district. I do understand that that property, the year that it was built, excludes it from being able to be included. Since we are creating this district, what, as stated previously, the residential properties were not considered blighted. It is mostly due to the land, then why can we not carve out the residential properties at this time and address it again down the road?"

Mayor Bukiewicz made a third and final call for public comment.

Al Vanoff, 3964 E. Dexter:

"What does this mean to me when you are blighting all the stuff around us? Because we don't know what we're doing now. You're taking land all around us. How do we know that you aren't going to blight our side?"

Seeing no other comments, the public hearing was closed.

TID NO. 13 PROJECT PLAN & BOUNDARIES

Andrew Vickers, City Administrator, stated that TID No. 13 is a "poster child" TIF. TIFs were established in the late 1970's. They were for blight elimination, blight renewal, urban renewal. This could not be more in line with the TIF statute in its origin. This is a very valid use of tax increment financing.

Mr. Vickers stated this is not a precise implementation plan. This is a general concept plan. This is a transparent project plan for what we thought we might encounter in this district for the life of this district, as well as having something we can market to the private investment community.

Mr. Vickers stated that establishing a blight district and including a property in blight elimination district does not mean that a project is then blighted because it is in the district boundary. The properties are blighted now. That is just the determination made. There is a statutory threshold of 50% in order to create this type of tax increment district. This doesn't create a blight situation for a property that happens to be in the boundary.

The properties historically had more negative potential effects on surrounding properties than what has been there in the remediation efforts of the City for a number of years.

Mr. Vickers noted that regarding the inclusion of Bender Park in this TID, it is not unique to

include assets of overlapping taxing jurisdictions or properties of overlapping taxing jurisdictions. There are also project costs within those other tax increment districts in the City as well as others in the State that provide for projects costs to improve those assets of other taxing jurisdictions.

Mr. Vickers stated that a state-of-the-art park is being built in Lake Vista, a state-of-the-art development on the lakefront, and Bender Park does need some improvements. County dollars should be supporting Bender Park; however, there are hundreds of County park assets that need to be maintained. Bender Park may not take the priority in the timeframe that Oak Creek wants.

Mr. Vickers stated that the Bender Park costs that are being asked to be included in the project total about \$796,000. That is 2.1% of the overall project costs.

Mr. Vickers stated that including the Bender Park property does not hurt or harm the TID. It does not have any taxable assessed value as a governmental entity in its ownership. It does not obligate the City to do these projects. This will all be through the proper channels later on at the time of implementation. There is no obligation to clean up Bender Park and/or any environmental contamination.

Mayor Bukiewicz stated that the City needs to continue the momentum down there to continue to improve it. He stated that the definition of "blight" really is the definition used to get the TID going. It doesn't necessarily pertain to any individual property. Ms. Presti stated that the blight statute information shared by Rose Marie Annonson is from Wis. Stat. 66.1331 which pertains to development districts. There is a redevelopment district already in this area. The statute on the screen (Wis. Stat. 66.1333(2m)(bm)) is the one you would use for TIF districts. It is slightly different. Regarding the phrase she read that a slum area needs to be residential, that is different in a TIF district.

Ms. Souffrant stated if the City decides to close TIF No. 6 early, then half of that base would go back into the general tax base and the money would then be redirected back to the taxing jurisdiction. Proposed TID No. 13 is another unique situation because there isn't a specific development that is already planned. That is why the City is looking to TID No. 6 (because it was over-performing) to help create TID No. 13 to move along so we can bring the developers in. Mr. Vickers stated that if we were to close TID No. 6 and return those dollars to the general fund, we would be making a large contribution because there is \$1.8 million in the fund balance right now in TID No. 6. That would be large checks to the overlapping taxing jurisdictions and then we would be foregoing the \$400,000 each year to TID No. 13. Putting that money into TID No. 13 makes a much vaster impact to the City to jumpstart TID No. 13 for the reinvestment at the lakefront.

Commissioner Siefert stated that a TIF should stand on its own. It should not need support to get a TIF.

Commissioner Dickmann stated his concurrence with Commissioner Siefert. He stated that each TIF stands by itself. As a taxpayer, he would be looking forward to TIF No. 6 being paid off so that money can go into all the taxing entities, not just the City, but the schools and County.

Commissioner Dickmann asked what alternatives there are if this doesn't go through? Mr. Seymour stated that the lakefront consistently over the course of multiple decades has been identified as a priority by all of the residents of this community. Mr. Seymour stated that this development will not be blocking access to the lakefront. This district is opening up the lakefront in a manner that the City was never able to do for the past 100 years through new

parks, new parkways, new recreational opportunities. Mr. Seymour does agree that TIF's should stand on their own, however, this is clearly advancing a strategic community vision identified by its residents. This is not an ordinary TIF district. That is evidenced by the City's ability to reinvest those funds and leverage those funds that we are getting from TID No. 6 to really make a difference in a project that the community has noted that they want to see happen.

Mayor Bukiewicz stated that this is a long-term commitment to the lake and we have come a long way. We have some of the most valuable land in the State of Wisconsin on the lake with an opportunity to increase its value and everything around it. The market will come to this once it is prepared and ready to go.

Mr. Seymour stated that the project costs in the project plan are not costs that have to be spent. The estimated costs are necessary to achieve the goals of the district. Every single expenditure in this project plan would need to come before the Common Council and in some cases, the Plan Commission if there is a site plan involved, for their review and approval. This is just an estimation of what those projects costs could be. It also doesn't go into how some of those costs can be recovered through minimum assessed value guarantees or other financing mechanisms. There are a number of different avenues for financing improvements and recouping those investments whether that is through assessments through the development agreement process. This is not a case of approving this TIF and now the City can spend the millions of dollars.

Larry Haskin, former City Attorney, stated that generally TIF's standing on their own is a sound concept. This is a wholly unique situation. Back in 2008, DuPont was ready to put a fence around the property and close it up and prevent access to the lakefront. It was at that time that the City worked with DuPont and intervened to prevent that from happening and to allow what is going to proceed right now, which is the construction of the park and to create the environment where the lakefront property is going to get remediated and be open to the public. This situation is unique in that the City has had to invest in order to make this happen, prior to the creation of the district, \$1.8 million in due diligence costs (environmental work) was invested by the City to allow the City to come into title of 150 acres. This is unheard of. Most of that where we didn't spend any money for the property, DuPont and Epic transferred those properties to us without any cost. Over the last 8 or 9 years, the City has invested its own funds and now needs to recoup those funds. This is a perfect situation where the donor/donee TIF situation makes sense for a community. This is the City's opportunity to take advantage of the State law to continue the work that has already begun to develop this property.

Commissioner Chandler asked if the revenues from TID No. 6 are only helping with infrastructure updates or is it for everything. Ms. Souffrant responded that it could go toward anything that is listed in the project plan. By statute, it can only occur for five years, so they would be looking for an initial transfusion from TID No. 6 to that \$1.8 million. Currently TID No. 6 is bringing in roughly \$400,000 per year in tax increment. The \$1.8 million is the current fund balance for TID No. 6 and therefore, will be the initial transfer. The transfer amounts after that would be what TIF No. 13 needs or the difference of revenue less the expenditure of TIF No. 6.

Alderman Guzikowski stated that the City really has an opportunity with the lakefront that he's afraid if we let pass us up, that's where we are going to miss the boat. He thinks this is a really good idea.

A resident asked if her property could be carved out of this district. Mr. Seymour responded that being in the district would allow the possibility (should there be a developer that may be interested in their properties) of consolidating to work with the City on financial incentives. The property is not designated as blight. None of the residential within the proposed boundaries of

the district are designated as blight. However, if these properties were not in the district, they could not potentially be able to reap the benefits of some of the projects that could potentially help the property owners in the future.

Ms. Annonson:

"It is my understanding that the boundaries can move at any time with a vote of 2/3 by the Council. Is that true?"

Mr. Seymour stated that is not true.

Ms. Annonson:

"Oh it's not true?"

Mr. Seymour restated that it is not true.

Ms. Annonson:

"You're lying."

Mr. Seymour stated that a boundary amendment can be done up to four times during the life of the district. Each boundary amendment would require a public hearing, going through the Plan Commission, Common Council and Joint Review Board.

Ms. Annonson:

"Of the 104 or 14 acres of the Dupont property, it is my understanding that only 18 acres are going to be parkland. So Mr. Arden will be correct in that this is blocking us from the lake. And the third question is, question is, why are we going blight? Why aren't we going environmental? Environmental is more in tune. And the fourth question is, can donor TIFs exist between two regular TIFs? Or does it have to be a blighted TIF to create a donor."

Ms. Presti responded that the recipient or donee has to be blighted.

Mayor Bukiewicz stated the City has already opened up that parkland. Mr. Seymour stated that someone would have to explain how opening up a brand new 30-acre park with a new lakefront parkway is blocking off access to the lakefront.

Mr. Verhalen:

"Before I mention the boundaries of Bender Park, we've been kicking around stuff around with blight and everything and that should be on questions no. 6. We wasted a lot of time on that. But anyway, going back to my boundary question. With redrawing the boundaries, before we make a definitive decision, I suggested before that we look at on the west side of the railroad tracks between highway 32 and Bender Park for that perspective sign. Now if we're looking at a district no. 2 return increment, there's six other properties there besides the O'Malley property that we could get return on the increment from. Then you don't have to run the sewer, the initial proposal is to run that sewer down the longer trail road tracks of Bender Park. So if and when we go to the question with the County refunding their tax money back to TIF district. If you take Bender Park all the way out of it. You can expand the TIF District at any time. So if we take Bender Park, the entirety, because we still don't have all of Bender Park in the TIF district. There's part of it left along Oakwood Road and down to the south yet. So if we take Bender Park out of the initial plan, revise the boundary to the west side of the railroad tracks. You take

up five more properties right there. There's another property that goes with the southern property on the east side of the railroad tracks. So you have a potential to get increment off of probably six more properties. You can still run that sewer line down to address those properties on the south on the east side of the railroad tracks. And you can come back and expand the TIF when you decide to include what part of Bender Park you want to put facilities on. And then you can still retrieve the tax money out of Bender Park."

Mayor Bukiewicz stated that this is a conceptual plan that has been agreed upon. Vandewalle stated they have laid it out this way for ease for the future and for all parties concerned.

Commissioner Correll moved that the Plan Commission adopts Resolution No. 2017-03 approving the project plan and boundaries for Tax Incremental Financing District No. 13. Commissioner Dickmann seconded. On roll call: all voted aye. Motion carried.

PUBLIC HEARING TID NO. 6 PROJECT PLAN

Planner Papelbon read the public notice hearing into the record.

Jolena Presti, Vandewalle & Associates, 247 W. Freshwater Way, Milwaukee, stated that because this is an amendment, all that is necessary is to prepare and update the parts of the original project plan. There is one amendment already. This is Amendment No. 2, which is an allocation amendment to TID No. 6. Ms. Presti gave a presentation on what is required for this to be a donor TIF and the boundaries.

TID No. 6 Amendment No. 2 is a transfer of the TID No. 6 fund balance of approximately \$1.8 million to TID No. 13 on December 31, 2017. There will be a transfer of approximately \$400,000 annually to TID No. 13 for the duration of 5 years.

Mayor Bukiewicz made a first call for public comment.

Rosemarie Annonson:

"Chapter 66.1105 2 and 2A. None of the following may be included in project costs for any TIF after 7/31/81.

A. The costs of construction of community and recreational buildings. When you're going to transfer money from donor TIF No. 6 to 13, this action from August of 2016 specifically says you're going to use that money for recreational buildings. Are you allowed to do this kind of a transfer?

I think that's the end of my question."

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

TID NO. 6 PROJECT PLAN

In answer to Ms. Annonson's inquiry, Mr. Seymour stated that the project cost for TID No. 13 does not include money for recreational buildings. Those are not eligible project costs. Ms. Souffrant stated that the \$1.8 million transfer is reimbursing the City for money that was put into that district in preparation into TID No. 13.

Rosemarie Annonson:

"If you look at item 13 and item 14 from the August, 2016 Council meeting when Peterson promised \$1.8 million. And once that money is dropped in there, they have the ability to use the money to use the money for anything. Those project costs include the building of the pavilion."

Mr. Seymour stated that project costs do not include the use of recreational buildings. Ms. Souffrant stated that was correct. Mayor Bukiewicz stated that the \$1.8 million is going to any listed project that was in the Project Plan. Pavilions were not listed.

Commissioner Dickmann moved that the Plan Commission adopts Resolution No. 2017-04 amending the project plan for Tax Increment Financing TID No. 6. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

PUBLIC HEARING TID NO. 11 PROJECT PLAN

Planner Papelbon read the public notice hearing into the record.

Planner Papelbon described the proposed amendments to the Project Plan:

1. Update to the Introduction.
2. Update Section IV, Detailed List of Estimated Project Costs.
 - a. Reflect the increased project costs and developer incentives/loans for Phase II of Emerald Row.
 - b. Add project costs and developer incentives related to the proposed manufacturing facility and associated parking for the property at 8142 S. 6th St.
 - c. Reflect additional project costs for a portion of a proposed parking facility at the former location of Phase III of Emerald Row (7951 S. 6th St.).
3. Update Section V, Economic Feasibility.
4. Update Summary of Sources & Uses table.
5. Update Maps 3 (Conceptual Land Uses) & 4 (Proposed Improvements).

Mayor Bukiewicz made a first call for public comment.

Rosemarie Annonson, 3920 E. Ryan Road:

"I have concerns as to our debt. And again, we've got \$99.6 million out there right now in TIF debt. This would add \$10 million to it. The City Water Utility is in debt \$20 million. Our schools are in debt \$96 million with all of the apartments that are being built, we may need four more elementary. So that'll add to that \$96 million on our school debt. We have over \$50 million that we owe in future employee medical costs. We also, our Police Department is now paid for? I don't know about our Fire Department, our new Fire Department over here. And I'm not sure, is Streets paid for yet? But I don't have those figures. If we take the \$181 million that we are currently, which would be 171 excluding this \$10 million that you want to approve tonight for developer incentives, what is our debt limit? Moody said years back that it was \$175 million, but if I add this all together, I'm coming up with \$246 million and I assume that because we've added with the TIF to our base value, that our limit for debt has increased. Moody also said,

again, we are above average debt. We have a large amount. Three of our TIF districts need long-term financing, so we're going to have additional costs on that interest. And in this project, the last TIF one, the loss of tax exempt status of municipal bonds or broadening of the purpose of future tax exempt bonds would affect market conditions. Our interest rates are going up. If we lose any of our power plant revenues at \$7 million we get a year, to .5 being mitigation, we are in serious trouble. You will cause flight out of this community of anyone that can afford to get out because the taxes are high now and they would go up rapidly. We would be faced with the same problem that Dale Richards had when we saw our taxes go up back then."

Mayor Bukiewicz made a second call for public comment.

Arden Degner, 8540 S. Pennsylvania Avenue:

"I suspect this increased manufacturing facilities, that's moving from Franklin, as I've heard about, however, I've also heard about a senior citizen complex with a courtyard and everything. So is this must only be a temporary one. Next month you're going to come up with another TIF add right? What about this senior, proposed senior plaza that is supposed to be just to the right of Market Place and down further. Hmmm? Where does that show up in TIF 11?"

Mayor Bukiewicz made a third and final call for public call. Seeing none, the public hearing was closed.

TID NO. 11 PROJECT PLAN

In answer to Ms. Annonson's inquiry, Ms. Souffrant stated that on the City's official website, the most recent official statement, which is the document that the City goes through every time we issue debt. We go through this document with our financial adviser as well as with Moody's, so that it looks at all of the City's debt, revenues, expenditures and audit. It also talks about the statute debt limitation. The City has a legal debt capacity of 5% of the equalized value. That is what the State sets. The City has 36% left, so we are not at the cap or nearing it, which is \$57 million in debt. This also adjusts as the equalized value will grow. There is no worry in terms of that.

Rosemarie Annonson:

"As the debt increases, then our bonding expense and interest rates increase when we get higher on that."

In answer to Mr. Degner's inquiry about the senior living center, Planner Papelbon stated the proposed development for The Waters, which is the senior independent living and 16 units of memory care, that proposal did not actually request any TIF financing or developer incentive for the entire project.

Commissioner Dickmann asked where the "share parking" that is mentioned under project costs is going to be located. Mr. Vickers responded that the City is looking at some global solutions for the parking in Drexel Town Square. We have a future parking problem in that we will be limited because of the volume of people we want to attract here in terms of large events. We'd be capped right now at the events we want to have, the 1,000 - 2,000 people here. That is what we are planning for. There have been some discussions with the remaining property to be developed and parlaying some of their parking lot space for shared off-beat public use. That specific remedy is part and parcel of the Zund development, which is to the south of the Civic Center building. There is also some capacity for the City for special events in the Froedtert parking ramp and then this shared parking concept in your detailed list of estimated project costs really details what was the former phase III of the Emerald Row development, which is

right behind Froedtert. Froedtert encroached a little bit upon that property with its development plan, and it left a remnant property that is not best suited for more housing development. The City is working with the developer of Emerald Row to work on some kind of shared parking structure/surface lot and maybe some unique parklike features as well. We are hoping to get an additional 75 or so publicly-reserved spots on that space.

Commissioner Siefert asked what the original cost was for TIF No. 11 and what the time element on that was. Ms. Souffrant responded that the City did anticipate going through the full life of that district, or shy of one year early, so that would be 2032 / 2031 for that district. In terms of the financial analysis, it is specific to the three pieces that are being referred to in this project plan discussion. They are the increment and the taxes on here as well as the expenditures, which are very specific only to phase II and III of Emerald Row, as well as the potential development at 8142.

Planner Papelbon stated that from the original project plan, the total estimated project costs in TID No. 11 was \$19,992,000.

Commissioner Siefert asked if there would be additional amendments to TIF No. 11 for finishing up Drexel Town Square. Mr. Vickers stated that it would be on an as-needed basis.

Commissioner Correll moved that the Plan Commission adopts Resolution No. 2017-05 amending the project plan for Tax Increment Financing District TID No. 11. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**SIGN PLAN REVIEW
VALENTINE COFFEE, INC.
7981 S. 6TH ST.
TAX KEY NO. 813-9059**

Commissioner Correll moved that the Plan Commission approves the sign plan submitted by Robb Kashevarof, Valentine Café, for the building at 7981 S. 6th St. Commissioner Dickmann seconded. On roll call: all voted aye. Motion carried.

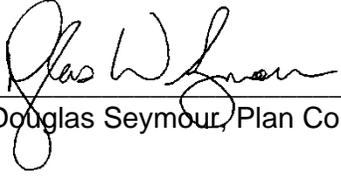
**REZONING AND CONDITIONAL USE
THE RIDGE COMMUNITY CHURCH
6912 & 6912R S. 27TH St.
TAX KEY NO. 737-9029 AND 737-9028**

Planner Papelbon provided an overview of the proposal to rezone the properties currently used for the Marcus Value Cinema to I-1, Institutional with a Conditional Use for a religious institution (see staff report for details).

Commissioner Dickmann moved that the Plan Commission recommends to the Common Council that the properties at 6912 & 6912R S. 27th St. be rezoned from B-2, Community Business; Rd-1, Two-Family Residential; and Rs-4, Single-Family Residential to I-1, Institutional (no change to the RRO, Regional Retail Overlay District) with a Conditional Use Permit for a religious institution, after a public hearing and subject to conditions and restrictions that will be prepared for the Commission at the next meeting (April 25, 2017). Commissioner Correll seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Correll seconded. On roll call: all voted aye. The meeting was adjourned at 8:59 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4/18/2017

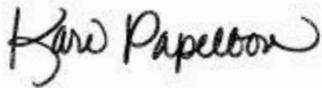
Date

DRAFT

Summary of Significant Common Council Actions

April 18, 2017

1. **APPROVED** - Resolution No. 11808-041817, endorsing the MKE Aerotropolis Development Plan.



Kari Papelbon, CFM, AICP
Planner



Plan Commission Report

ITEM: 4a & 5a

DATE: April 25, 2017

PROJECT: Sign Appeal – Bel Air Cantina (Scott Johnson)

ADDRESS: 410 W. Town Square Way

TAX KEY NOs: 813-9053

STAFF RECOMMENDATION: Staff does not make a recommendation for a sign appeal.

Ownership: DTS Mixed Use, LLC, 2022 E. North Ave., Ste. 300, Milwaukee, WI 53202

Size: 1.168 acres

Existing Zoning: DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

Adjacent Zoning: North – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
East – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
South – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
West – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The applicant is requesting a variance from Section 17.0334, part of the General Development Plan and Regulating Plan, which states that one primary sign is permitted only on an entry facade and that a primary sign height cannot exceed 15% of the height of the main street retail level for the tenant space located at 410 W. Town Square Way.

The applicant is proposing to install two primary signs on the northeast and northwest sides of the pergola located on the northwest elevation of the building. The proposed locations are not entry façades. Per code, primary signs are only permitted on entry facades. For the sign to be installed, the applicant will need to install two horizontal mounting bars that will span the entrance of the outdoor dining area facing the parking lot and two horizontal bars on the pergola support poles on the northwest side. Because the sign facing the parking lot will be installed over an entryway to the outdoor dining, a minimum of eight feet of clearance from the ground is required. The proposed sign will have a clearance of 9' which complies with code.

The first proposed primary sign will be located on the northeast elevation of the building, attached to the pergola facing the interior parking lot of the property. The sign will be 45 1/8" in height and have an overall size of 11.9 square-feet. Per code, the maximum height of a primary sign is 25.2". The sign will be constructed of aluminum and have a black finish. The sign includes white, push-through lettering spelling out Bel Air Cantina on the front of the sign. The sign will be internally illuminated with LED lighting. At night, only the lettering will be illuminated. An illustration of the sign is included with this report. Prior to a sign permit being issued, the applicant will need a variance to exceed the 25.2" sign height limit and to install the sign on a non-entry façade.

The second proposed primary sign will be located on the northwest elevation, attached to the pergola facing 6th Street. The differences between the two signs are height and size. This sign will be 4'11³/₈"x4'2" and be 20.5 square-feet in area. It will also be installed on two horizontal bars between two pergola support poles. Included in your packet is an illustration of what the sign will look like. Prior to a sign permit being issued, the applicant will need a variance to exceed the 25.2" sign height limit and to install the sign on a non-entry façade.

If the Plan Commission believes a variance should be granted, the Plan Commission can make a motion to approve granting a sign variance allowing the tenant at 410 W. Town Square Way to install the following signs on a non-entry facade:

1. A 3'x9'1/8" internally illuminated, primary sign on the pergola on the northeast elevation of the building.
2. A 4'11 3/8"x4'2" internally illuminated primary sign on the pergola on the northwest elevation of the building.

Prepared by:



Peter Wagner, AICP
Zoning Administrator/Planner

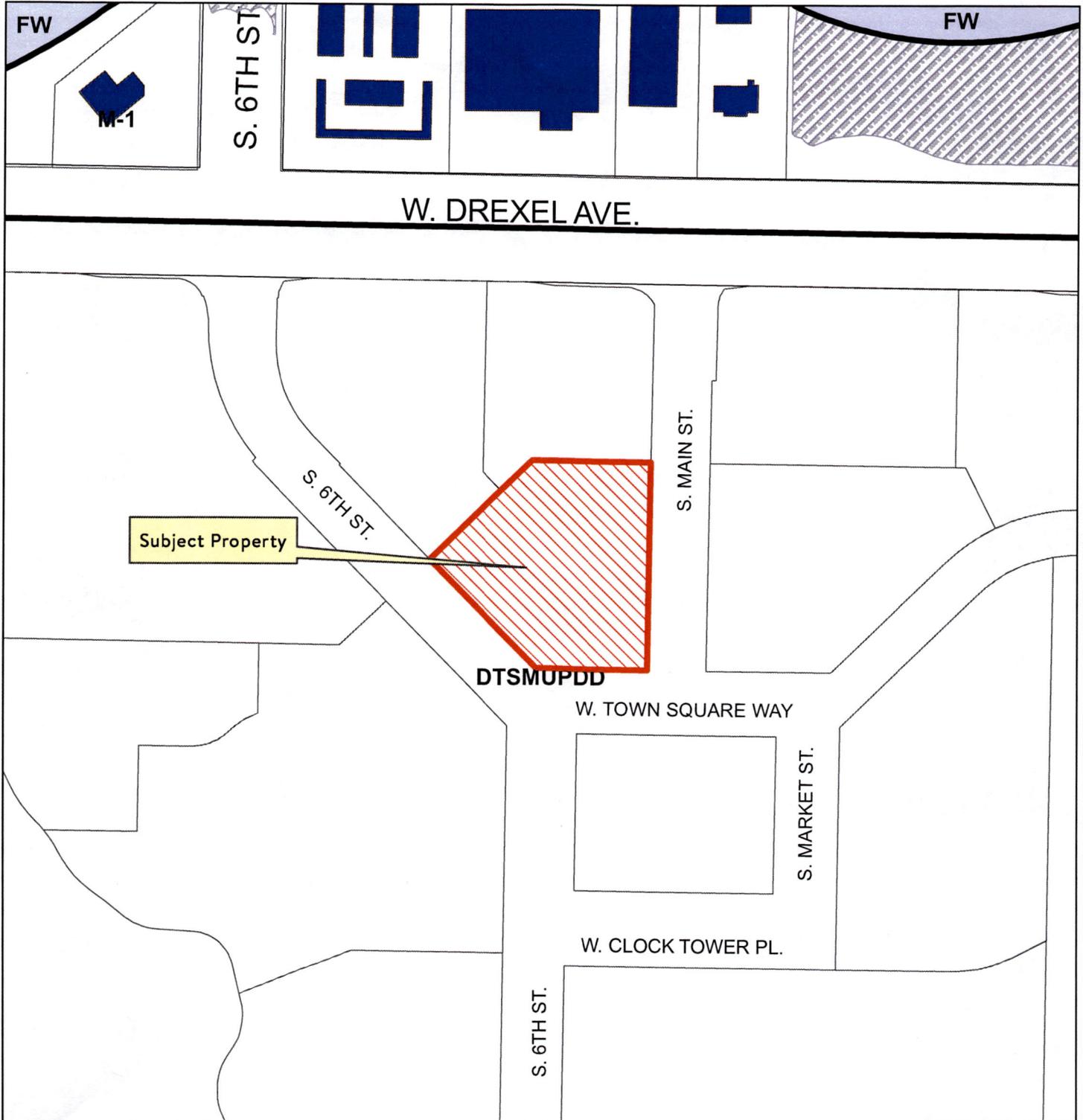
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

7979 S. Main St.



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



Department of Community Development



Legend	
	7979 S. Main St.
	Floodfringe
	Floodway

PUBLISH APRIL 13, 2017

**CITY OF OAK CREEK
NOTICE OF PUBLIC HEARING
BEFORE THE PLAN COMMISSION**

A public hearing for a sign appeal will be held:

Date: Tuesday, April 25, 2017

Time: 6:00 p.m.

Place: Oak Creek City Hall
COMMON COUNCIL CHAMBERS
8040 S. 6th Street
Oak Creek, WI 53154

Appellant: Bel Air Cantina (Scott Johnson)

Tax Key No. 813-9053-000

Property location: 7979 S. Main Street

To Request: A variance from Section 17.0334, part of the General Development Plan and Regulating Plan, which states that one primary sign is permitted on entry facades only and the height of a primary sign cannot exceed 15% of the height of the main street retail level.

If granted, the variance would allow the applicant to install one 4'x113/8" primary sign on the northwest side of the pergola (non-entry façade) and one 3'91/8"x3'2" primary sign on the northeast side of the pergola (non-entry façade) of the tenant space located at 410W. Town Square Way.

Zoning of Property: DTSMPDD, Drexel Town Square Mixed Use Development District

All interested persons wishing to be heard are invited to be present.

Dated this 6th Day of April 2017

PLAN COMMISSION
CITY OF OAK CREEK, WISCONSIN

/s/ Mayor Daniel J. Bukiewicz, Chairman

Public Notice

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, preferable a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 414-766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, and 8040 South 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

SIGN SPECIFICATIONS

[A] - PAN

Material: Aluminum
 Depth: 4"
 Face Color: Paint black
 Return Color: Paint to match face
 Backside Color: Paint to match face
 Installation: Mount between pergola columns

[B] - GRAPHICS

Material: Clear push-through acrylic, 1/2" proud of face
 Color: White diffuser 2nd Surface, white translucent vinyl 1st surface

[C] - GRAPHICS

Material: White acrylic backup (.177" thk)

[D] - GRAPHICS

Material: Vinyl
 Color: White

[E] - MOUNTING ASSEMBLY

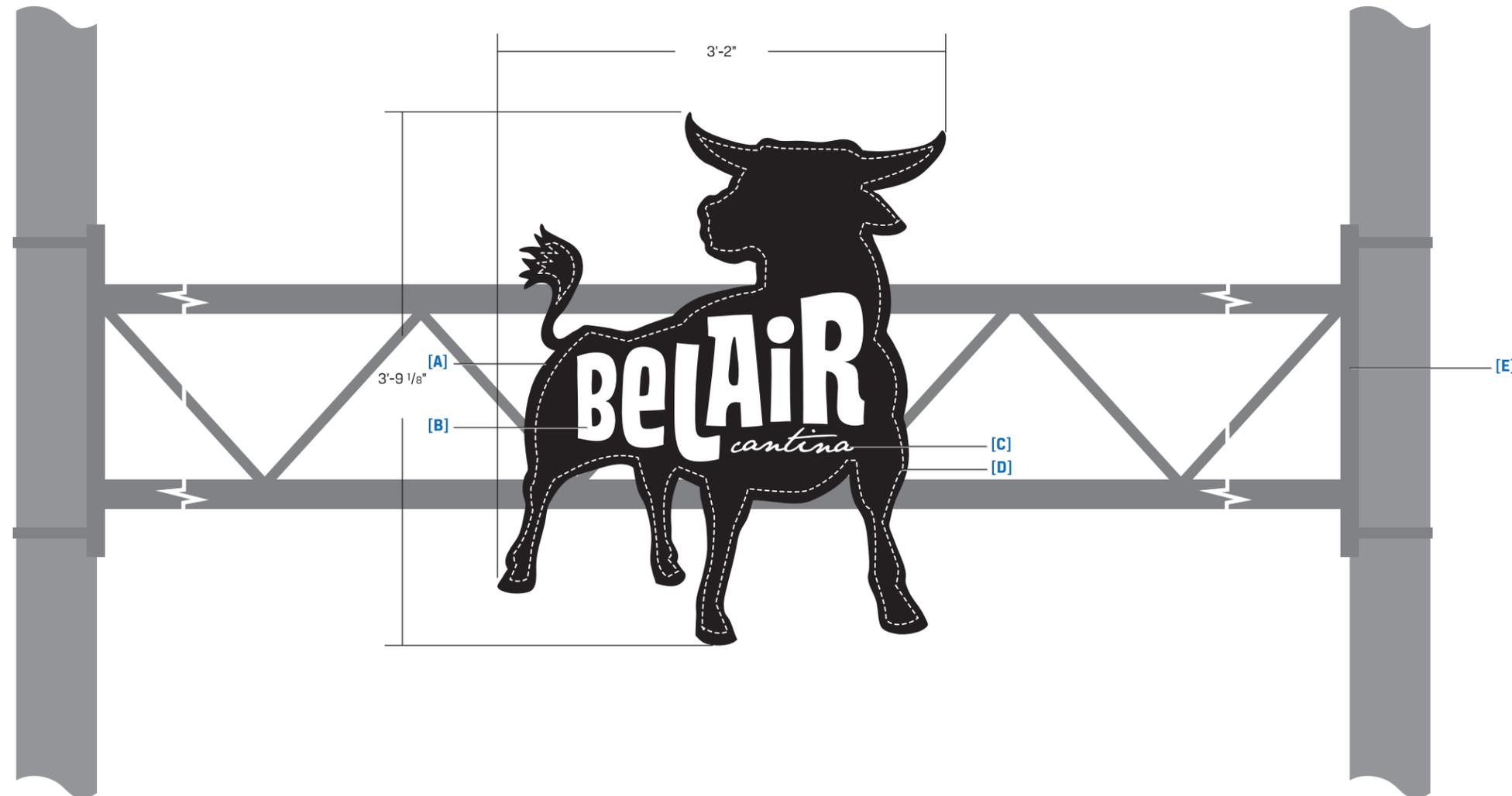
Material: Aluminum/steel structure, see structural dwg
 Color: Paint to match existing columns



Existing - NTS



Proposed - NTS



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Project



Belair Cantina

Oak Creek, WI

Scale: 1"=1'

Original Page Size: 11" x 17"

Notes

SURVEY REQUIRED - MOUNTING METHOD IS SUBJECT TO CHANGE UPON FIELD CONDITIONS

Revisions

REV	DESCRIPTION	BY	DATE

Base to grade measurement

4-13-17

Rep.: Mike Kinsella

Drawn By: Ryan Karasch Orig. Date: 1.23.17

Sign Loc. No.

LLG-02

S/F Hanging Lit Logo
 Sign. Type

76093

OPP - Project - Job No.

C02

Design

SIGN SPECIFICATIONS

[A] - PAN

Material: Aluminum
 Depth: 4"
 Face Color: Paint black
 Return Color: Paint to match face
 Backside Color: Paint to match face
 Installation: Mount between pergola columns

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 Color: White diffuser 2nd Surface, white translucent vinyl 1st surface

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Material: White acrylic backup (.177" thk)

[D] - GRAPHICS

Material: Vinyl
 Color: White

[E] - MOUNTING ASSEMBLY

Material: Aluminum/steel structure, see structural dwg
 Color: Paint to match existing columns

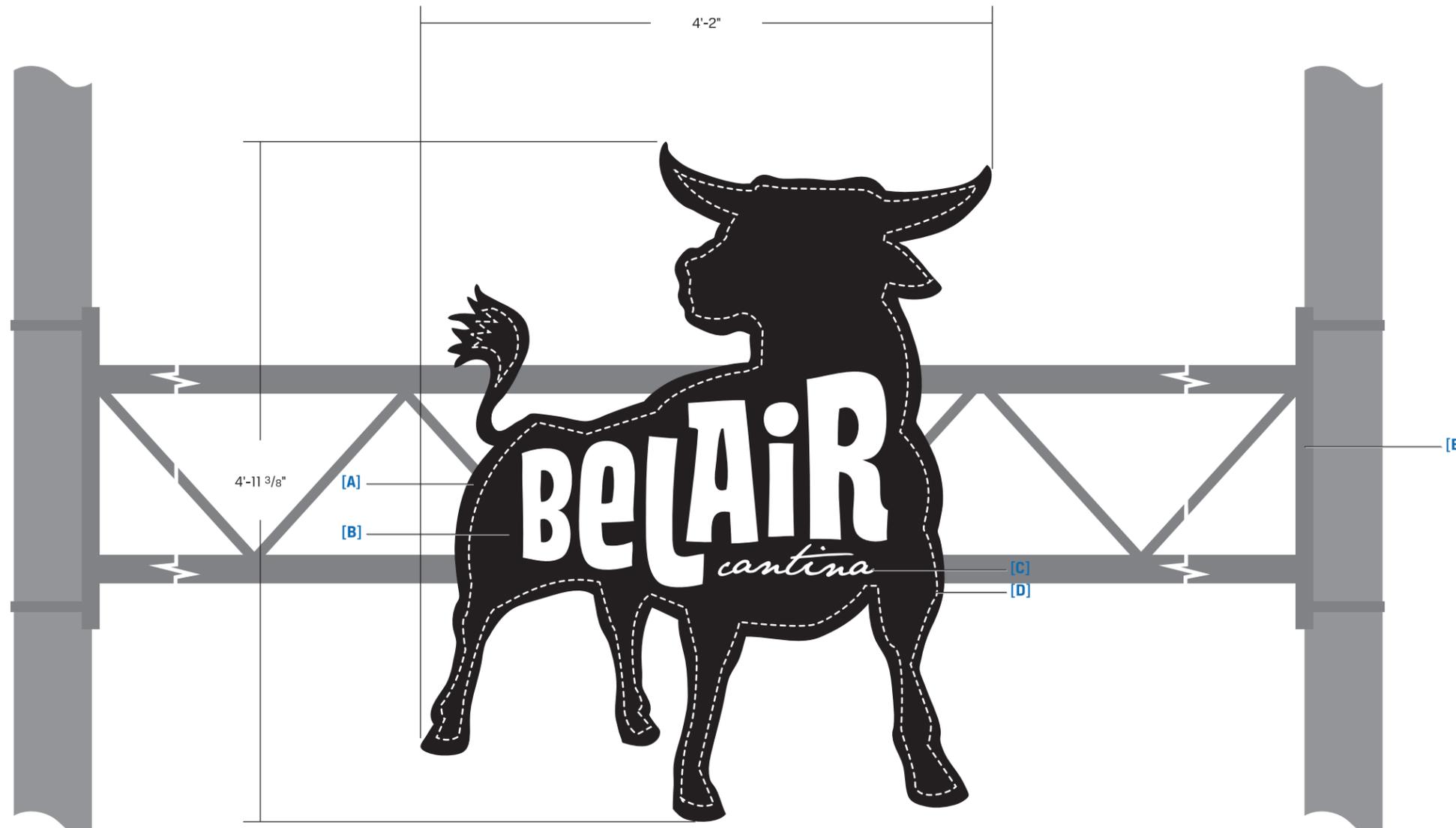


Existing - NTS



Proposed - NTS

9'8"



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Project



Belair Cantina

Oak Creek, WI

Scale: 1"=1'

Original Page Size: 11" x 17"

Notes

SURVEY REQUIRED - MOUNTING METHOD IS SUBJECT TO CHANGE UPON FIELD CONDITIONS

Revisions

REV	DESCRIPTION	BY	DATE
1	Base to grade measurement		4-13-17

Rep: Mike Kinsella

Drawn By: Ryan Karasch Orig. Date: 2.23.17

Sign Loc. No.

LLG-01

S/F Hanging Lit Logo
 Sign. Type

76093

OPP - Project - Job No.

C02

Design

March 28, 2017

City of Oak Creek
Attn: Plan Commission
8040 S. 6th St.
Oak Creek, WI 53154

Re: ***BelAir Cantina 410 W. Town Square Way – Sign Variance Request***

Dear Plan Commission:

BelAir Cantina has proposed to add two signs to the patio area located at the back of the restaurant. See drawings 76093 LLG-01 and 02. We understand that this design does not conform to the DTSMPDD code which does not allow wall signs at non-entry locations or signs over 25.2” in height. We are asking for a variance to these rules.

The plan would utilize the existing support poles using a bracket between the poles and mounting the signs on the brackets. They are not actually wall signs but something unique in that they will not be attached to the building (given the lack of available wall space). Although they are not at the entrance to the building, this location is unique and not easy to identify with only having signage over the main entrance. Additionally, these signs are at the entrances to the outdoor dining area when coming from the parking lot as well as when driving in off of Drexel.

This property is unusual in that it has frontage on three streets – S. Main St to the east, W. Town Square Way on the south and S. 6th St. on the southwest. A driver coming in from W. Drexel Ave. going south on S. 6th St. would not know what business this was until they passed by. The signs are proposed to be internally illuminated with opaque backgrounds so only the copy area would light. This could help identify this location at night and direct drivers and pedestrians approaching from the northwest.

We look forward to your decision or suggestions.

Sincerely



Mike Kinsella
Poblocki Sign Company LLC

/db



Plan Commission Report

ITEM: 5c

DATE: April 25, 2017

PROJECT: Rezone and Conditional Use – Mark Weigt, The Ridge Community Church

ADDRESSES: 6912 & 6912R S. 27th St.

TAX KEY NOS: 737-9026-000 & 737-9028-000

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for a religious institution at 6912 & 6912R S. 27th St.

Ownership: B & G Realty LLC/DBA Value Cinema, 100 E. Wisconsin Ave., Milwaukee, WI 53202-4125

Size: 6912 S. 27th St. = 6.935 acres; 6912R S. 27th St. = 4.240 acres

Existing Zoning: B-2, Community Business; Rd-1, Two-Family Residential; and Rs-4, Single-Family Residential; RRO, Regional Retail Overlay District

Adjacent Zoning:

- North – B-4, Highway Business; B-2, Community Business; B-3 (CU), Office & Professional Business; RRO, Regional Retail Overlay District
- East – B-3 (CU), Office & Professional Business; Rd-1, Two-Family Residential; I-1 (CCU), Institutional
- South – B-2, Community Business; B-3, Office & Professional Business; RRO, Regional Retail Overlay District Rd-1, Two-Family Residential; and Rs-4, Single-Family Residential
- West – B-2, Community Business; RRO, Regional Retail Overlay District; B-4 (CCU), Highway Business; 27th St.

Comprehensive Plan: Planned Business, Two Family/Townhouse Residential, Single Family Residential.

Wetlands: Yes, see attached County Map.

Floodplain: N/A.

Official Map: Yes, Officially Mapped Streets cross a portion of 6912 S. 27th St. (see attached map).

Commentary: At the April 11, 2017 meeting, the Plan Commission recommended approval of the proposed rezone of the properties 6912 & 6912R S. 27th St. from B-2, Community Business; Rd-1, Two-Family Residential; and Rs-4, Single-Family Residential to I-1, Institutional (no change to the RRO, Regional Retail Overlay District) in anticipation of remodeling the existing movie theater for a church. The Plan Commission also recommended approval of a Conditional Use Permit for the establishment of a religious institution on the property. Religious institutions are Conditional Uses in the RRO, Regional Retail Overlay district.

Staff has prepared draft Conditions and Restrictions for the Commission’s review. If the Commission is comfortable with the Conditions and Restrictions, the appropriate action would be to recommend that the Common Council approve them as part of the Conditional Use Permit. Any site, building, landscaping, or other necessary approvals will be reviewed at a later date.

Prepared by:

Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map 6912 S. 27th St.



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



Department of Community Development



Legend

 6912 S. 27th St.

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

Applicant: Mark Weigt, The Ridge Community Church
Property Addresses: 6912 & 6912R S. 27th St.
Tax Key Number(s): 737-9026-000 & 737-9028-000
Conditional Use: Religious Institution

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

1. LEGAL DESCRIPTION

PARCEL A, 6912 S. 27th St.:

Parcel 2 of Certified Survey Map No. 5886, recorded on September 28, 1993 on Reel 3128, Images 1489 to 1492 as Document No. 6833527, being a division of Parcel 2 in Certified Survey Map No. 4678 and lands in the NE 1/4, NW 1/4, SE 1/4 and SW 1/4 of the SW 1/4 of Section 6, T 5 N, R 22 E, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL B, 6912R S. 27th St.:

Outlot 1 of Certified Survey Map No. 5886 recorded on September 28, 1993 on Reel 3128, Images 1489 to 1492 as Document No. 6833527, being a division of Parcel 2 in Certified Survey Map No. 4678 and lands in the NE 1/4, NW 1/4, SE 1/4 and SW 1/4 of the SW 1/4 of Section 6, T 5 N, R 22 E, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

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

- a) Detailed building location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s)
 - ii) Number of employees
 - iii) Number of parking spaces for all uses/users
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)
 - k) Location of storm sewer (existing & proposed)
 - l) Location(s) of wetlands & floodplains (field verified)
 - m) Location(s), square footage and height of sign(s)

2) Landscape Plan

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

3) Building Plan

- a) Architectural elevations (w/dimensions)
- b) Building floor plans
- c) Materials of construction (including colors, details)

4) Lighting Plan

- a) Type(s) & color(s) of fixtures
- b) Mounting heights
- c) Type(s) & color of poles
- d) Photometrics of proposed fixtures

5) Grading, Drainage and Stormwater Management Plan

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

6) Fire Protection

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
- 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. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 1 above, and/or as specified by these conditions and restrictions.
- E. 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.
- F. 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.
- G. All electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- H. 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, LOADING, AND ACCESS

A. Parking for this project shall utilize the existing parking stalls. Any changes shall require Plan Commission review and be provided in accordance with Sections 17.0329, 17.0330, and 17.0403. The number of parking stalls shall be in accordance with Sections 17.0403(j)(6)(a).

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. All parking areas, garages, and private drives shall be in place in accordance with the signed Development Agreement.

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 new or reconfigured off street parking areas shall be landscaped in accordance with Sections 17.0329, 17.0330, 17.0403, and 17.1010 of the Municipal Code.

H. Adjustments to required parking may be made by the Plan Commission in accordance with Section 17.0404.

4. LIGHTING

All plans for new outdoor lighting for each stage of the development shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sections 17.0329, 17.0330, & 17.0808 of the Municipal Code.

5. LANDSCAPING

A. Landscaping modifications shall be in accordance with Sections 17.0329, 17.0330, 17.0403(g), (h), & 17.1010.

B. 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%.

C. 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. For parking lots designed for twenty-five (25) parking spaces or more, interior parking lot landscaping shall be provided at the following rates:

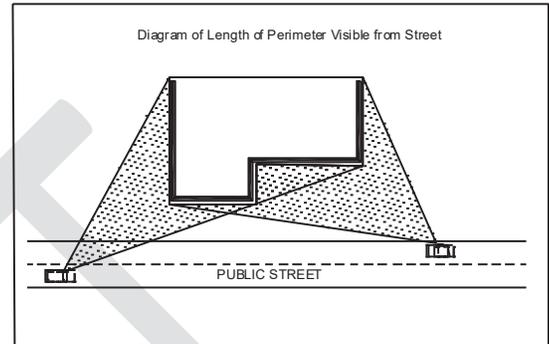
<u>Total Paved Area</u>	<u>Required Interior Planting Area</u>
0-49,999 sq. ft.	5% of paved area
50,000 sq. ft. or larger	10% of paved area

- D. 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.
- E. Landscaping Adjacent to Buildings. There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation(s) of all buildings.
- F. 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.
- G. 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.
- H. Screening of Roof Mounted Mechanical Equipment. Roof mounted mechanical equipment shall be screened from casual view.
- I. 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, or concrete. All retaining walls must incorporate landscaping as part of the design.
- J. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- K. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205 (d) of the Municipal Code.
- L. 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.
- L. The Plan Commission may modify any of the above standards by a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting, but only if supplemental design elements or improvements are incorporated into the project which compensate for the modification of the particular standard.

6. ARCHITECTURAL STANDARDS

A. **All new or modified structures shall meet the requirements of Sections 17.0329 and 17.0330 (General 27th Street Overlay Districts Design Standards and Regional Retail Overlay district) as well as Section 17.1009.** 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 materials.



C. The façade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with an acceptable glass, brick or decorative masonry material.

D. Material and color samples shall be submitted to the Plan Commission for review and approval.

E. The Plan Commission may modify any of the above building design standards by a $\frac{3}{4}$ vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the modification of the particular standard. In support of the modification request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the modification is requested (Sections 17.0329(c)(2)(c)(1) and Sec. 17.0329(c)(2)(c)(2).

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. Buildings shall be designed in such a manner that long expanses of blank wall are broken up by the use of windows, articulation, or modulation of the building footprint and/or changes in building materials and colors. Visible building facades in excess of 100 feet in length must incorporate recesses and projections along the length of the façade. Windows, awnings, and arcades must be an integral part of the façade abutting a public street.

H. 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.

I. 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. No overhead garage doors or loading docks shall face upon any street right-of-way or residential property unless otherwise modified by the Plan Commission pursuant to Section 17.1009(e) of the Municipal Code.

J. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.

K. 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	50'	50'	50'
Accessory Structure**	50'	See §17.0318(f)(3)	See §17.0318(f)(3)
Off-street Parking	15'	15'	15'

* These properties are located within the 27th Street & Regional Retail Overlay Districts.
 **No accessory structures shall be permitted in the front yard or in required buffer yards.

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.

C. Regular hours of operation shall be:

- a. Between the hours of 8:00 AM and 9:00 PM Monday through Saturday.
- b. Between the hours of 7:00 AM and 2:00 PM Sunday.

9. SIGNS

All signs shall conform to the provisions of Sections 17.0329, 17.0330, and 17.0706 of the Municipal Code.

10. PERMITTED USES

- A. All permitted uses in the I-1, Institutional zoning district.**
- B. All permitted uses in the RRO, Regional Retail Overlay district.**
- C. One (1) religious institution.**

D. 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 for the Conditional Use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a Conditional Use Permit. This Conditional Use approval shall expire within twelve (12) months after the date of adoption of the ordinance if a building permit has not been issued for this use. The applicant shall re-apply for a Conditional Use approval prior to recommencing work or construction.

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 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)



Plan Commission Report

ITEM: 5d
DATE: April 25, 2017

PROJECT: Rezone and Conditional Use – Kelly Gallacher, Self Storage Ventures

ADDRESS: 275 E. Drexel Ave.

TAX KEY NO: 814-9038-000

STAFF RECOMMENDATION: That the Plan Commission recommends to the Common Council that the property at 275 E. Drexel Ave. be rezoned from B-2, Community Business to LM-1, Light Manufacturing, with a Conditional Use Permit for a self-service storage facility, after a public hearing and subject to conditions and restrictions that will be prepared for the Commission at the next meeting (May 9, 2017).

Ownership: ACORN 6A Drexel Real Estate, LLC, 465 N. Halstead St., Ste. 105, Pasadena, CA 91107

Size: 3.400 acres

Existing Zoning: B-2, Community Business

Adjacent Zoning: North – B-2, Community Business; Rm-1 (PUD), Multifamily Residential
East – Rs-3, Single Family Residential
South – B-2, Community Business; B-4 (CU), Highway Business
West – B-2 (CU), Community Business

Comprehensive Plan: Planned Business

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting that the property at 275 E. Drexel Ave. be rezoned from B-2, Community Business to the new LM-1, Light Manufacturing district in anticipation of constructing a self-service storage facility on the property. A zoning text amendment creating the LM-1, Light Manufacturing district was recently approved by the Common Council. Self-service storage facilities (mini-warehouses) are Conditional Uses in the LM-1, Light Manufacturing District. As of writing this report, the Applicant is arranging a neighborhood meeting to discuss the project.

As proposed, the facility will consist of one (1) 52,000 square-foot, two-story, climate-controlled building on the north (Building A), and five (5) non-climate-controlled, single-story buildings (Buildings B-F) south of Building A. The southwest corner of Building A will contain a small office, and an interior loading bay is proposed on the south elevation (center). Up to 2 employees are anticipated to staff the office. No outdoor storage is allowed per Code, and outdoor storage has not been requested as part of the proposal.

While exact configurations and building designs have not yet been submitted, Code requires compliance with all architectural standards in Section 17.1009, and specifies that overhead/storage bay doors may not face abutting residential properties or residential district lines. Code also requires a 30-foot setback to residential district lines in addition to buffer requirements in Section 17.0205(d). Should the Plan Commission recommend approval of the proposed use, these requirements will be incorporated into the Conditions and Restrictions.

Customer access is proposed Monday through Sunday between 6:00 AM and 10:00 PM. One gate with an electronic keypad is proposed just east of the office, with fencing proposed in between Buildings A and E, between Buildings E and F and between Buildings B and F. Security of the site will be via CCTV and a camera audio monitoring system to record after-hours activities. It is anticipated that an average of 8-12 customers will visit the site on any given day.

Parking for the site is provided near the entrance gate. Customers accessing Buildings B-F will park in front of their respective storage units. Section 17.03170(i)(3) of the Municipal Code requires:

- (1) one space per employee.
- (1) space per 1,000 gross square feet of retail/leasing office space.
- (1) space for every 10 units for interior/controlled access buildings. Units accessed via exterior overhead/roll-up doors may count one (1) space in front of each unit as a parking stall. All travel aisles and emergency access areas shall remain completely unobstructed at all times.

Without knowing the number of units within Building A and the proposed square footage for the office space component, it is not possible to determine whether the proposal meets the minimum parking requirements. Additional information must be submitted to make such a determination.

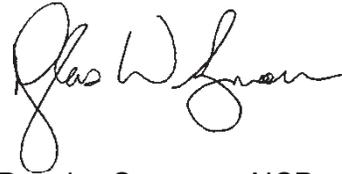
With the above in mind, staff recommends approval of the proposal, subject to conditions and restrictions that will be prepared for the May 9th Plan Commission meeting.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development



**Attachment to Rezoning-Conditional Use Permit
Application: Plan of Operation and Statement of
Conditional Use**

March 14, 2017

**Before the Plan Commission and Common Council of the City of Oak Creek
for the site at 275 E. Drexel Avenue**

TO: THE CITY OF OAK CREEK
Plan Commission & Common Council
8040 South 6th Street
Oak Creek, WI 53154
ATTN: Kari Papelbon, CFM, AICP
City Planner

PLEASE TAKE NOTICE that Self-Storage Ventures, LLC and Gallacher Development, LLC (collectively the “Applicant”), by their attorneys Friebert, Finerty & St. John, S.C., submit this Attachment to Rezoning-Conditional Use Permit Application in the above-referenced matter in support of the Applicant’s request for a Rezoning-Conditional Use Permit pursuant to §§ 17.1203 and 17.1007, Oak Creek Municipal Code (“Code”), to rezone the site (defined below) and operate a self-service storage facility in the LM-1 Manufacturing District.

I. INTRODUCTION.

A. The Developer.

The Applicant is an experienced development and operating team for modern, attractively-designed self-storage facilities offering both climate and non-climate controlled units. Over the past 35 years, the Applicant has developed more than 75 projects in 5 countries on 2 continents.

B. The Development Site.

The development site (“the Site”) is located at 275 E. Drexel Avenue, to the southeast of the corner of South Howell Avenue and East Drexel Avenue and consists of the following parcel:

275 E. Drexel Ave., Tax Key 814-9038-000

The Site totals approximately 3.40 acres.

C. The Site’s Challenges.

The Site has two significant challenges that which have prevented traditional commercial development on the Site. First, a sizeable stormwater detention facility occupies a large area at the front of the Site. The stormwater detention facility was designed to accommodate drainage from the Site (pre- and post-development) and the existing commercial properties to the west and southwest.¹ The size and location of the stormwater detention facility make the Site undesirable to most commercial users because the Site is situated where a commercial building or main parking area would be constructed. This is a significant reason why the Site has been vacant and undeveloped. The project can be accommodated on the Site because of its limited need for parking and the Applicant’s ability to use smaller buildings that fit the Site.

The second challenge making the Site undesirable to traditional commercial users is the Site’s long and narrow configuration, with limited frontage on Drexel Avenue. Again, because of

¹ A second stormwater detention facility is located to the south of the Site and was also designed to accommodate drainage from the Site (pre- and post-development) and the existing commercial properties to the west.

the flexibility of the project, the Applicant can develop the Site for self-storage but the project may also serve as a buffer between the commercial-retail uses and the residential uses to the east.

II. THE SELF-STORAGE PROJECT.

A. Applicant's Project.

1. Site Layout and Architecture.

The Applicant's project provides the flexibility to deal with the above-referenced Site challenges. The project, consisting of six (6) buildings ranging in size from 4,000 square feet to 52,000 square feet (two-story building along Drexel Avenue), will be arranged behind the stormwater detention facility with the active operations oriented internally and to the west. *See* Concept Site Plan attached hereto.

The climate-controlled building proposed for the Site's north side along Drexel Avenue will be two-stories and will also include the facility office. The remaining five (5) buildings will be single story.

2. Operations at the Site.

a. Security.

The Applicant operates a business whereby individuals and businesses can store their property in secure climate-controlled or non-climate controlled spaces. Access to the storage facility is via an electronic key pad. Customers secure their storage spaces with locks on the unit doors. Storage spaces are generally rented on a month-to-month basis.

Security will include a CCTV Monitoring Security System throughout the Site. There will also be a camera audio monitoring system which will record all activity on the Site after regular business hours.

Access to the Site will be controlled by a security gate access system that requires the customer to enter a code to obtain access to the Site.

b. Hours of Operation and Employees.

The facility will be available to customers/tenants Monday – Sunday, 6:00 a.m. to 10:00 p.m. Up to two employees may be present on site and based out of the facility’s office, which will also have an electronic kiosk in service at all times.

c. Parking.

The project will include five (5) onsite parking spaces, including one designated handicapped space. Customers will also be able to park in front of the storage buildings while loading and unloading. Building A, the two-story, climate-controlled building, will have an interior loading bay. *See* Concept Site Plan.

d. Customer and Delivery Traffic.

On average, 8-12 customers will visit the Site on a given day. Vehicular access will be from the private drive to the west with access to both Drexel Avenue and Howell Avenue.

B. Current Zoning and Proposed New Zoning.

The Site is currently zoned B-2 Community Business District. The B-2 District provides for a wide variety of retail and service uses as permitted and conditional uses. However, the B-2 District does not provide for self-service storage as a permitted or conditional use. The City only permits self-service storage as conditional uses in the LM-1 Light Manufacturing District and the M-1 Manufacturing District. Since a rezoning to M-1 Manufacturing District is not consistent with the surrounding uses (see Sec. II.C., below), the Applicant has submitted the subject applications for Rezoning-Conditional Use Permit for the LM-1 Light Manufacturing District.

C. Surrounding Uses.

To the north of the Site is the Oak Creek Plaza multi-tenant retail center (including USA Payday Loans, Sal’s Beer & Wine, India Food Mart, among other businesses).

Immediately to the west of the Site are Wendy’s (with drive-thru), Chase Bank (with multiple drive-thru lanes), and Oak Creek Veterinary Care.

To the south of the Site are a stormwater detention facility that was designed to accommodate the drainage from the Site and the existing commercial properties to the west, Oak Creek Veterinary Care, and Wheaton Franciscan Medical Group.

To the east of the Site are single-family residential uses where the rear yards of approximately 6 homes on South Wynbrook Court directly abut the Site.

III. CONDITIONAL USE STANDARDS PER THE CITY CODE

For the City to grant the requested conditional use permit, it must review the application under § 17.1007(e), Code, and make a recommendation as follows:

A. Purpose and Intent.

Granting a conditional use permit will preserve the intent of the regulations of the District because Applicant's project will not have the noise, noxious odors, traffic, outside storage, etc., of a traditional M-1 Manufacturing District use (previously the only zoning district that allowed self-service storage). Moreover, as a buffer between the existing commercial-retail uses along Drexel and Howell Avenues and the residential uses to the east, the self-storage facility will preserve the intent of both the residential zoning and LM-1 district regulations. The project will also make available to City residents a valuable amenity – a modern facility for the safe and secure storage of valuable personal property. This amenity is becoming more important with the shift in more people, both young and older, turning to renting as a housing option. Numerous apartments are already present at Drexel Town Square (with more on the way) to the west and HSI's Drexel Ridge to the east. Further, the conditional use approval will also allow the City to impose appropriate operational regulations on the self-storage use.

B. No Hazardous, Harmful, Offensive or Adverse Effects.

As indicated above, the Applicant's project will not have the noise and other impacts of a traditional manufacturing use, or even many of the B-2 Community Business District uses pursuant to the current zoning. The project will also generate very little traffic.

C. Preservation of the Environment and Value of the Area.

The project will preserve the environment because the stormwater management ponds will remain in place to significantly reduce stormwater runoff and impacts from the project, and the project will generate no traffic or noise impacts. The project will enhance the value of other properties in the vicinity by serving as a buffer between the existing commercial-retail uses and the residential uses to the east and by situating a new development on a site that has been vacant for many years. By proposing modern, attractive buildings with side yard/buffer area landscaping, the Applicant will further preserve the value of the surrounding neighborhood and the City. In addition, the project will provide a needed amenity for City residents.

IV. CONCLUSION

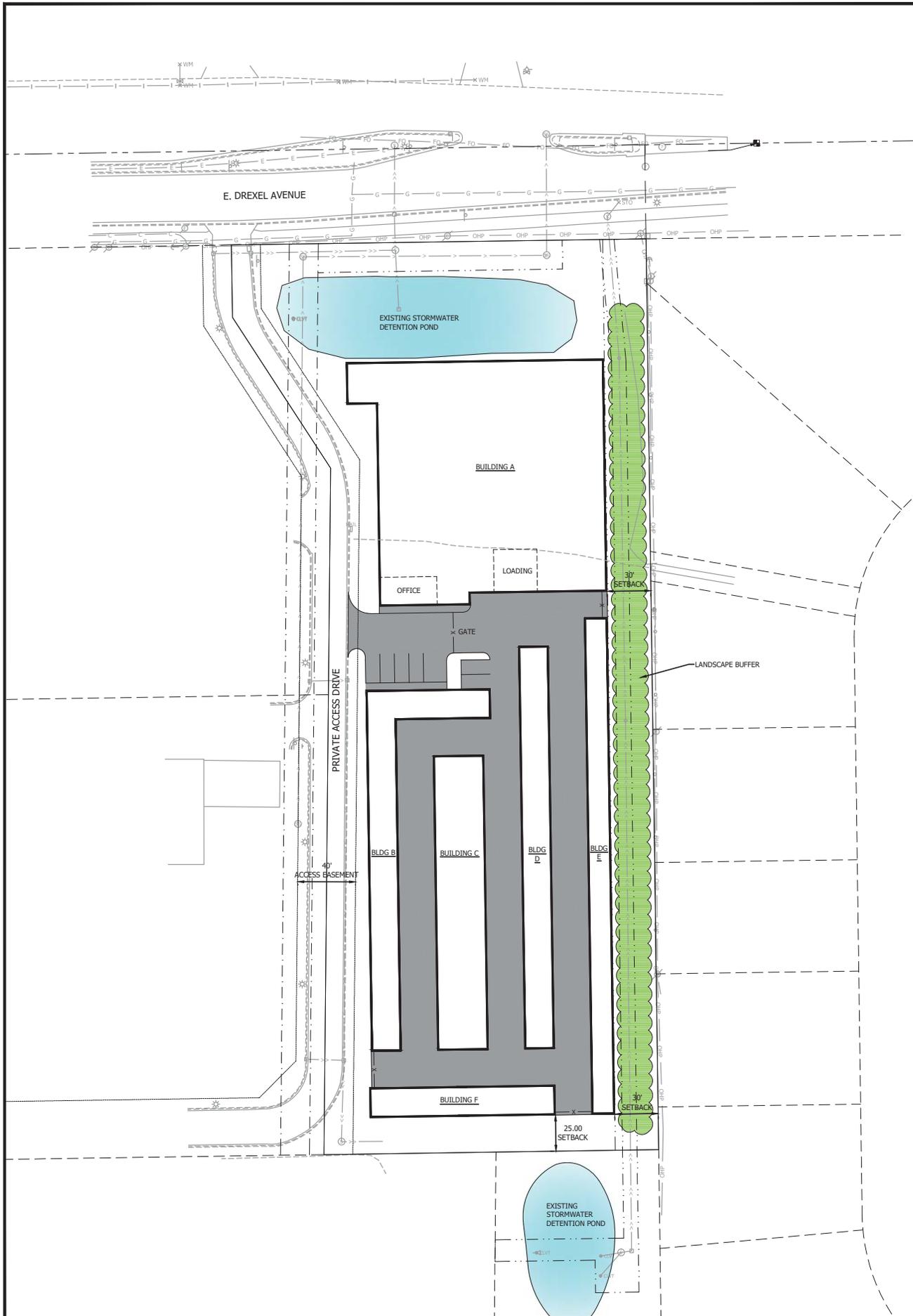
In conclusion, the Applicant respectfully requests that the Rezoning-Conditional Use Permit be granted so as to allow for the development of the self-storage project on the Site.

Respectfully submitted this 14th day of March, 2017.

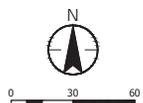
FRIEBERT, FINERTY & ST. JOHN, S.C.
Attorneys-in-Fact for Applicant

By: 
Brian C. Randall (SBN: 1029064)

P.O. ADDRESS:
330 East Kilbourn Avenue – Suite 1250
Milwaukee, WI 53202
(414) 271-0130
bcr@ffsj.com
Attachment



CONCEPT SITE PLAN
 SELF STORAGE VENTURES - DREXEL AVENUE





Plan Commission Report

ITEM: 5e

DATE: April 25, 2017

PROJECT: Zoning Text Amendment – Tattoo and/or Body Piercing Studio in the B-2, Community Business District - Sec. 17.0313(c)

STAFF RECOMMENDATION: That the Commission recommends to the Council that Section 17.0313(c) of the Municipal Code be amended to allow tattoo and/or body piercing studios as conditional uses in the B-2, Community Business District after a public hearing.

Commentary: Last month staff received an inquiry from Meredith Hall about opening a tattoo studio in the Marketplace, located at 8660 S. Chicago Road. The Marketplace is zoned B-2, PUD, Community Business District, Planned Unit Development. Currently, a tattoo studio is not a permitted use in this zoning district. Meredith Hall would like to operate a licensed tattoo studio in the City at this location and is requesting a zoning text amendment to allow a state licensed tattoo studio be allowed in this zoning district.

Currently, the City permits a licensed tattoo and/or piercing studio as a conditional use in the B-4 District. This conditional use has been incorporated into our code since 2009. At that time, staff researched how other communities handled this type of use and found this type of business was allowed in multiple business districts as a conditional use. At that time, the applicant was proposing to operate in the B-4, Highway Business District. As a result, the Plan Commission recommended approval for tattooing and body piercing only in the B-4 zoning district. Since 2009, only one business has requested a conditional use for a tattoo and/or body piercing studio in the City. During their tenure in the City, staff did not receive any complaints regarding the business.

Staff believes this type of use does not typically have a high impact to a commercial district compared to other businesses. Similar to what was approved in 2009, staff believes that allowing a tattoo and/or body piercing studio as a conditional use in the B-2 District, provides the City the ability to control the location, appearance, and operation of a tattoo and/or body piercing studio. Approving this type of use in the B-2, Community Business District would have a low impact on the community and expands the type of businesses allowed in the B-2 District.

If the Plan Commission believes that a tattoo and/or body piercing studio is an appropriate land use for the B-2, Community Business District, the next step would be to recommend that the Common Council adopt the text amendment after a public hearing.

Prepared by:

A handwritten signature in cursive script that reads "Peter Wagner".

Peter Wagner, AICP
Zoning Administrator/Planner

Respectfully Submitted by:

A handwritten signature in cursive script that reads "Douglas Seymour".

Douglas Seymour, AICP
Director of Community Development



Plan Commission Report

ITEM: 5f

DATE: April 25, 2017

PROJECT: Plan Review – Juan Melendez, Margarita City

ADDRESS: 8201 S. Howell Ave., Ste. 700

TAX KEY NO: 813-9020-002

STAFF RECOMMENDATION: That the Plan Commission approves the building plans submitted by Juan Melendez, Margarita City, for the property at 8201 S. Howell Ave., Ste. 700 with the following conditions:

1. That all building and fire codes are met.
2. That all final, scaled 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.
3. That the patio lights are turned off during non-business hours.
4. That final lighting plans are submitted for final approval by the Electrical Inspector prior to submission of building permit applications.
5. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.
6. That all plans are submitted for review and approval to the Health Department.

Ownership: DEMCO WI 1, LLC, 2060 N. Humboldt Ave., Ste. 250, Milwaukee, WI 53212

Size: 5.442 ac

Existing Zoning: B-4, Highway Business

Adjacent Zoning: North – B-4, Highway Business
 East – B-4, Highway Business; Rs-3, Single Family Residential; Rd-1, Two-family Residential
 South – B-3, Office and Professional Business
 West – B-4, Highway Business

Comprehensive Plan: General Industrial.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting a modification to the south elevation of the existing building at 8201 S. Howell Ave., Ste. 700 for a 13' x 56' outdoor dining patio. A portion of the existing drive-through lane, which is curbed, will be occupied by the patio area. The curb will remain, and the outdoor patio area will be partially enclosed with a 3.5-foot-tall metal railing. The existing asphalt will be covered in a color sealcoat emulsion in two colors (see attached). Sunshades (in tan/white/terracotta solid colors) will be installed on 8-foot-tall posts and attached to the building. Setbacks appear to be met in the proposal.

Parking for the existing restaurant, multi-tenant building, and outlot buildings is shared. Typically, an addition would require 1 stall per 50 square feet of gross dining area. However, since the outdoor patio will be used seasonally, and parking for the development is shared, no additional parking is proposed. Per Section

17.0404, the Plan Commission has the authority to approve of a modification to the minimum required parking. Staff recommends approval.

Party lights, similar to those used for the outdoor patio dining area at Bel Air Cantina, are proposed under the sunshade canopies. However, staff has recommended that the lights are changed from multicolored (green, red, amber) to clear/white, and that they be turned off during non-business hours. Regular business hours for the restaurant are Monday through Saturday 11 AM – 10 PM and Sunday 11 AM – 9 PM.

Planter boxes are proposed within the fencing on the south side. No additional landscaping is required for the proposal.

Comments from other departments have been received and were provided to the applicant and their representative:

- Plans are not to scale.
- Sunshade material should be fire-resistant.
- Egress paths and loading will be carefully reviewed.
- Requires Health Department review.
- Staff also recommends incorporating a bike rack into the plans.

Staff recommends approval with the conditions listed above.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development



PROPOSED OUTDOOR DINING AREA

SITE PLAN

MARGARITA CITY

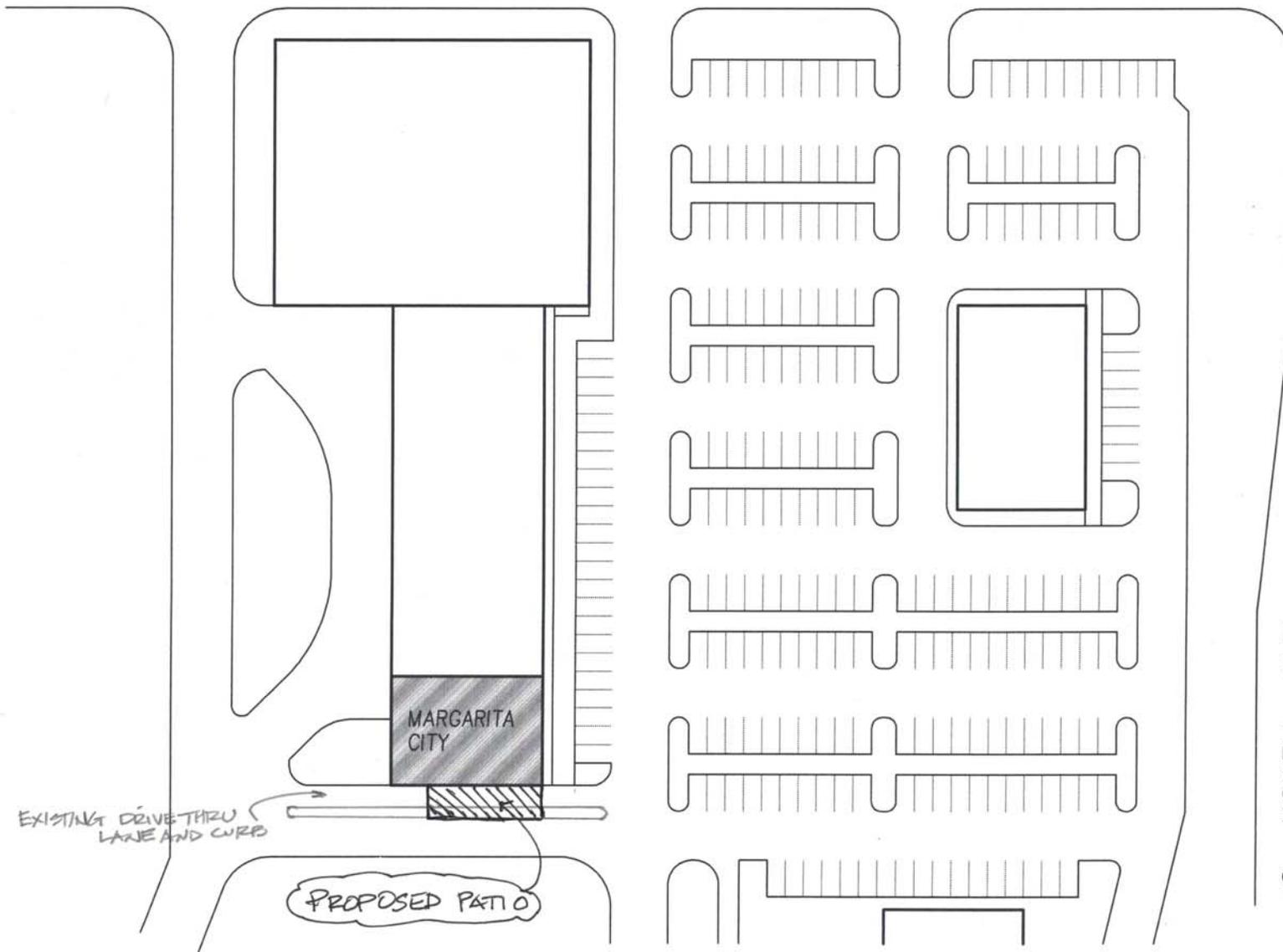
8201 S. HOWELL AVE
OAK CREEK, WI

NORTH MARCH 3, 2017



N.T.S.

E. OAKFIELD DR.



ASPHALT DRIVE

EXISTING CONCRETE ISLAND

METAL RAILING @ PERIMETER 3'-6" HT.

POSTS @ 8'-0" HT FOR CANOPY SUPPORTS (TYP.)

PLANTER BOXES BY OWNER (TYP.) (SMALL TREES/SHRUBS)

56'-0"

3'-0" 10'-0"

EXISTING ASPHALT SURFACE

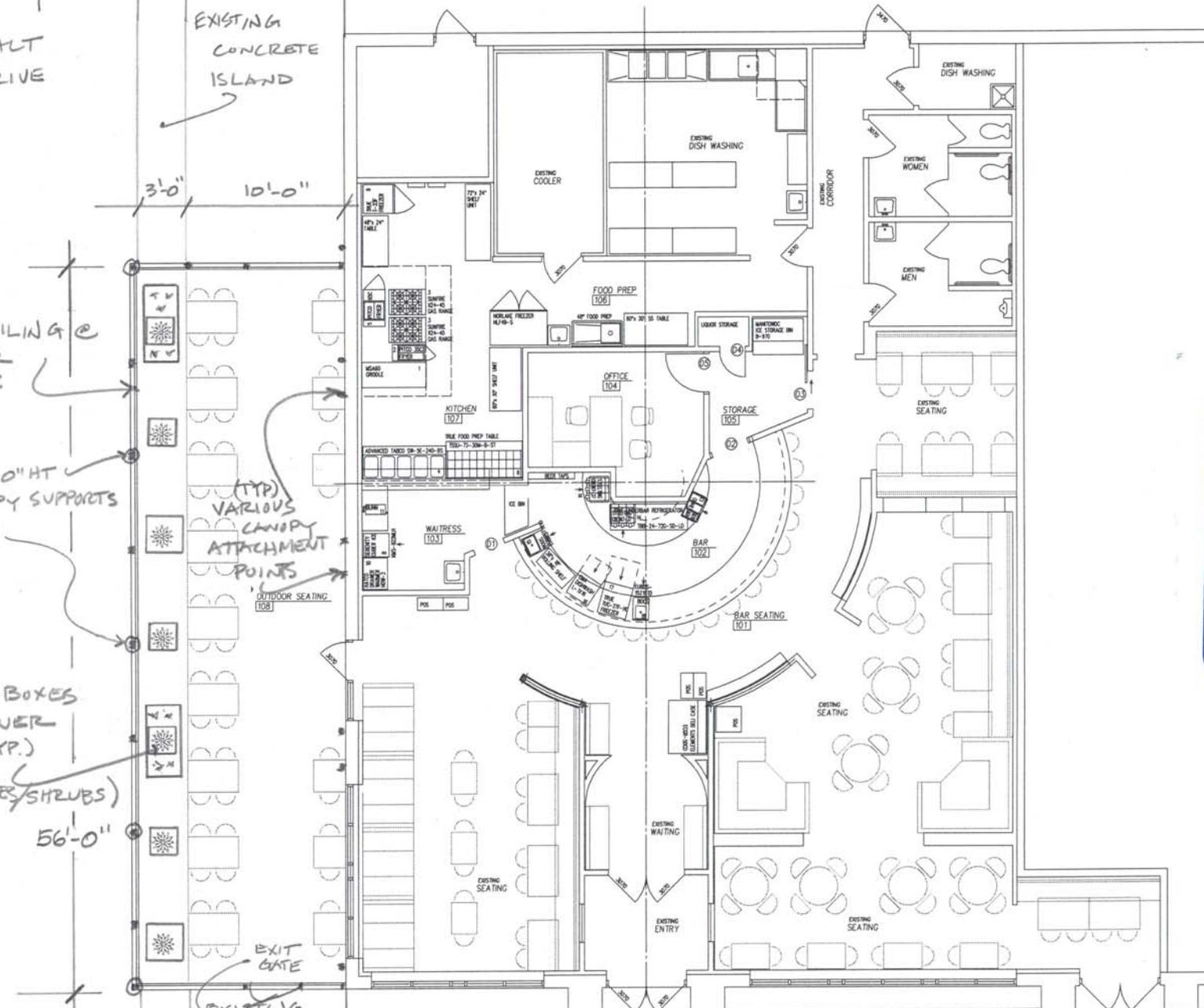
(TYP) VARIOUS CANOPY ATTACHMENT POINTS

OUTDOOR SEATING 108

EXIT GATE

WALK

patio furniture plan



ARCHITECTS/PLANNERS, S.C.
1545 South 84th Street
West Allis, Wisconsin 53214
(414) 258-9995

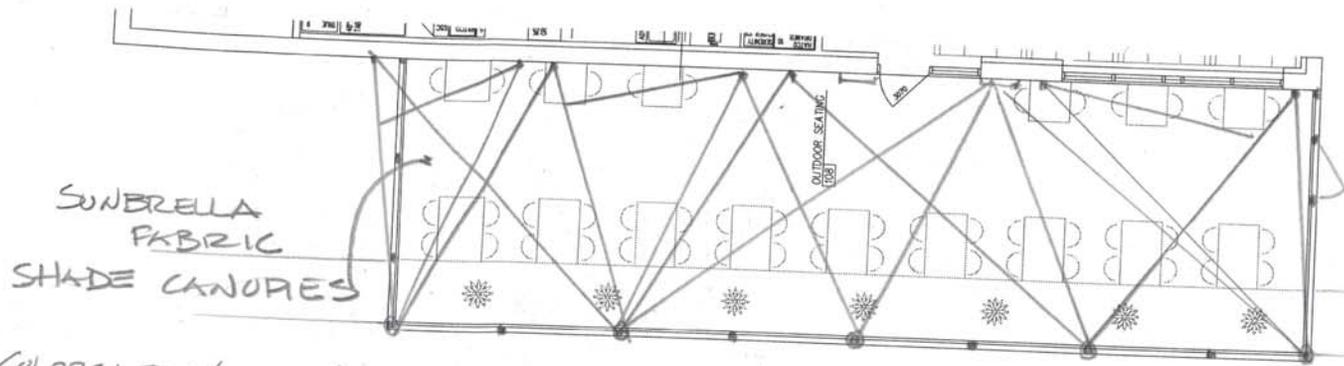
REVISIONS

VICTOR
CONSTRUCTION

proposed alterations for:
MARGARITA CITY
8201 S. HOWELL AVE - 700
OAK CREEK, WISCONSIN

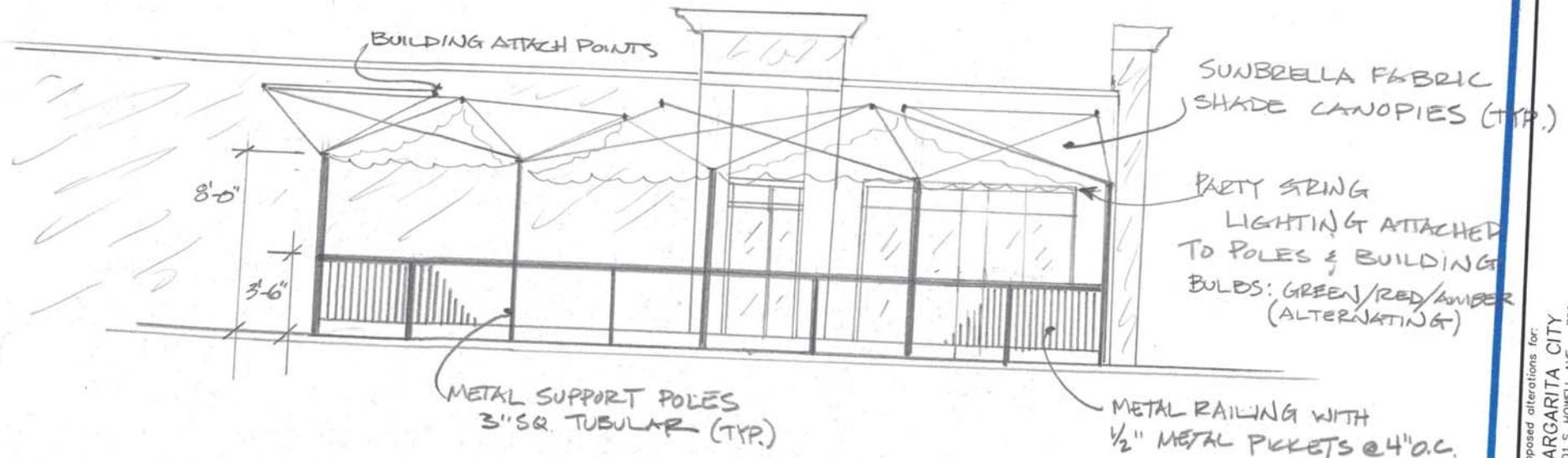
DRAWN BY
DATE
8-30-16
JOB NO.
18024
SHEET

2



COLORS: TAN/WHITE/TERACOTTA (SOLIDS)

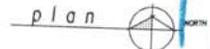
- SURFACE OF PATIO TO BE COLORED SEALCOAT EMULSION



SOUTH ELEVATION

proposed alterations for:
MARGARITA CITY
8201 S. HOWELL AVE - 700
OAK CREEK, WISCONSIN

DRAWN
JEH
DATE
11-30-18
JOB NO.
16024
SHEET



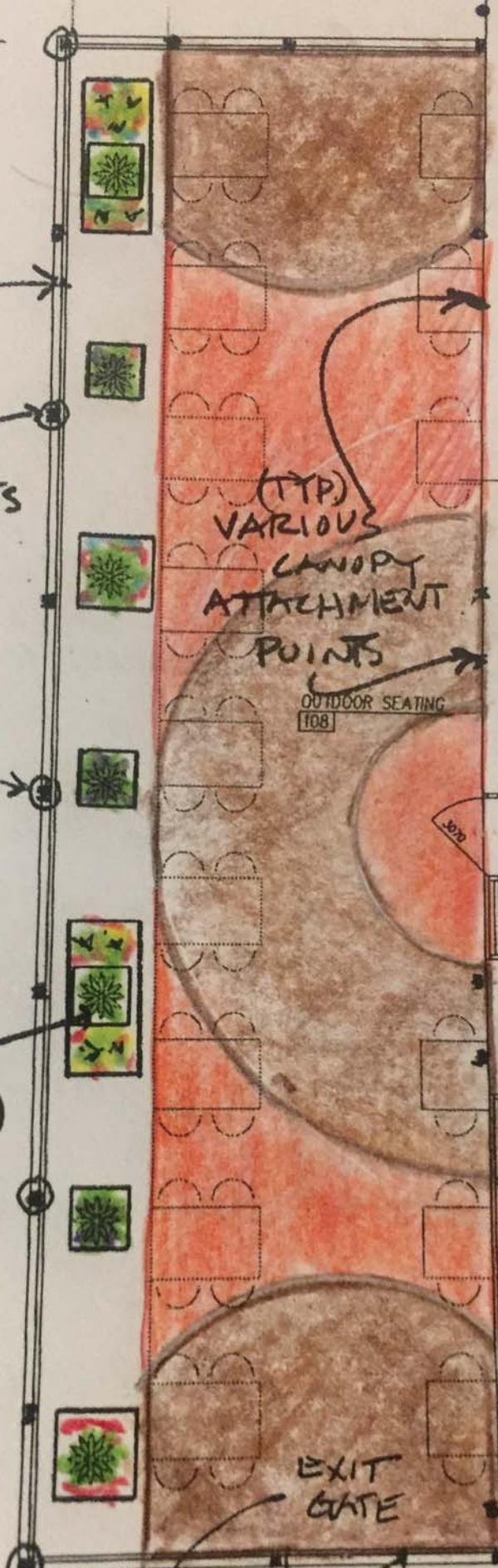
METAL RAILING @
PERIMETER
3'-6" HT.

POSTS @ 8'-0" HT
2 CANOPY SUPPORTS
(TYP.)

WATER BOXES
BY OWNER
(TYP.)

(TYP. TREES/SHRUBS)

56'-0"



(TYP.)
VARIOUS
CANOPY
ATTACHMENT
POINTS

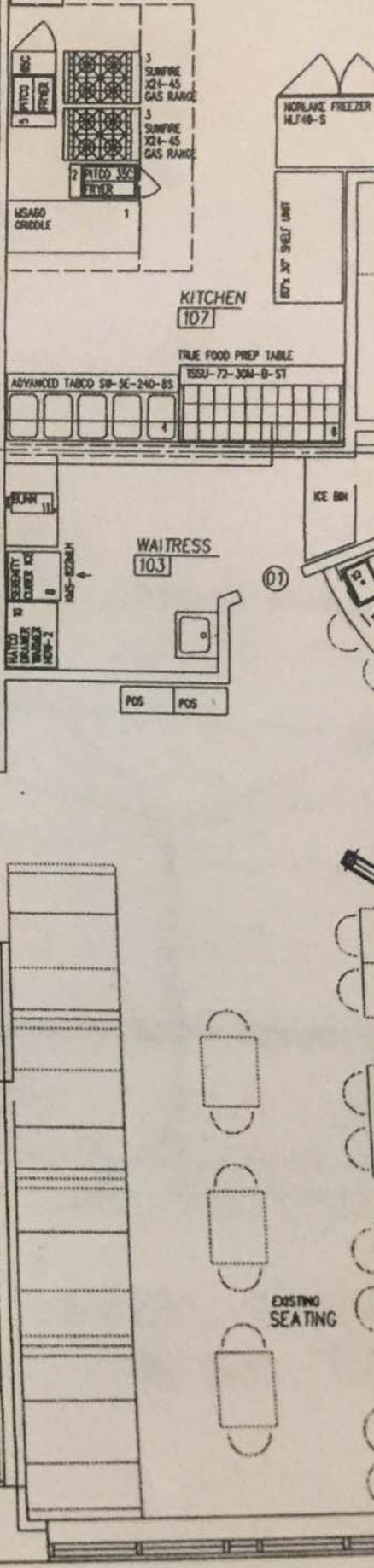
OUTDOOR SEATING
108

EXIT
GATE

EXISTING

ASPHALT

WALK



KITCHEN
107

WAITRESS
103

OUTDOOR SEATING
108

EXIT
GATE

EXISTING

ASPHALT

WALK

NAEGELE AWNING COMPANY, 1120 W. LINCOLN AVE, MILWAUKEE, WI 53215
DAN 414 517 4643 OFFICE 414 645 2862 FAX 414 645 2862

margarita city

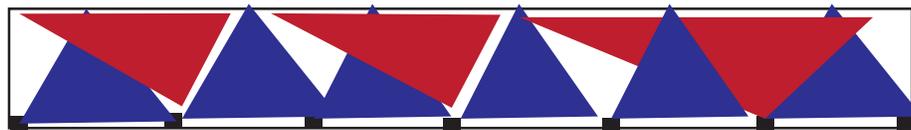
NEW TRIANGLE SUN SHADES OVER PATIO
56 FEET X 13 FEET

to wall



posts by others

CORNERS WITH RINGS
WALL WILL HAVE A PLATE AND EYE HOOK FOR ATTACHING TO WALL
POSTS WITH HAVE RINGS ON IT TO ATTACH SUNSHADES



Actual colors have not yet been selected. These colors only represent panel style and shape as proposed. Colors selected to be a beige and terracota.



STRING LIGHTS SPECIFICATIONS



FEATURES

- 48 Feet Long
- UL Wet Location
- Outdoor - Weatherproof
- 24 Light Sockets
- Includes 36 Bulbs (12 extra)
- Connect up to 5 Light Strings
- Uses Heavy-Duty Cord
- Can be Used with Incandescent CFL and LED Bulbs
- Clear and Multiple Colored Replacement Bulbs are Also Available on Costco.com

SPECIFICATIONS

TOTAL LENGTH	48 FT. (14.6 M)
TYPE OF CORD USED	14/3 SJTW
TYPE OF BULBS INCLUDED	11 WATT S14
BULB VOLTAGE	130 VOLT
BULB SPACING	2 FT. (0.6 M) APART
SOCKET SIZE	E26
MAXIMUM WATTAGE	1440 WATTS (ALL SETS COMBINED)

CONNECT UP TO 5 SETS WITH INCLUDED 11 WATT BULBS

For other wattage bulbs use chart below

MAXIMUM WATTAGE RANGE	NUMBER OF LIGHT STRINGS
7.5 WATT	8 SETS
8-10 WATT	6 SETS
11-12 WATT	5 SETS
13-15 WATT	4 SETS
16-20 WATT	3 SETS
21-30 WATT	2 SETS
31-60 WATT	1 SET





Plan Commission Report

ITEM: 5g
DATE: April 25, 2017

PROJECT: Conditional Use Permit – Joe Tikotzky, Villa Healthcare

ADDRESSES: 8432 S. 27th St. (to become 2700 W. Honadel Blvd.)

TAX KEY NOs: 831-9035-000

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a skilled nursing facility on the property at 8432 S. 27th St. (to become 2700 W. Honadel Blvd.), after a public hearing and subject to conditions and restrictions that will be prepared for the Commission’s review at the next meeting (May 9, 2017).

Ownership: The Villa at Oak Creek Realty, LLC, 8432 S. 27th St., Oak Creek, WI 53154

Size: 8.790 ac

Existing Zoning: Rm-1, Multifamily Residential

Adjacent Zoning: North – B-4, Highway Business
East – B-4, Highway Business; Rm-1 (PUD), Multifamily Residential
South – Rm-1 (PUD), Multifamily Residential
West – City of Franklin

Comprehensive Plan: Planned Business

Wetlands: Yes, see Concept Plan and County map.

Floodplain: N/A.

Official Map: N/A.

Commentary: In March of 2015, the Plan Commission recommended approval of a Conditional Use Permit request submitted by Joe Tikotzky, Villa Healthcare, for a skilled nursing facility on the property above. Nursing home facilities are considered Conditional Uses in the Rm-1, Multifamily zoning district. Due to unforeseen circumstances, the project stalled and the Conditional Use Permit expired. The Applicant has therefore resubmitted for Conditional Use approval.

Minor changes to the plans have been made since 2015; however, the conceptual site plan still depicts a one-story facility. The size of the main facility has been slightly reduced from 78,710 square feet to 75,594 square feet, but the proposed number of units has risen to 80 from 72 units (a reduction to 120 beds from the original proposal of 138 beds). However, a 12,529 square-foot addition to the north for hospice care (15 units, 24 beds) is new to the proposal. The overall proposed number of units is well within the density limitations of the Rm-1 zoning district for efficiency and one-bedroom units.

Two new curb cuts are proposed onto Honadel Boulevard to provide for an access drive around the entire facility. The configuration of the easternmost portion of the access road has changed to be more north/south-oriented. Parking has also been modified to be located further away from the existing two-family residences to the east and south of the proposal. A total of 98 parking stalls, most of which are located on the west along 27th Street, are provided in the plans. It is anticipated that 45 employees will be on site at the peak shift. The

number of proposed stalls was based on the parking requirements in Section 17.0403(j)(6)(f) for Institutional and Related Uses. However, the zoning district is Multifamily and not Institutional. Housing for the elderly under Residential Uses (Section 17.0403(j)(1)(d)) requires one space per dwelling unit. Taking employee parking requirements into account, this would equate to 140 parking stalls. It should be noted that the type of use – nursing and hospice care – generally means that few, if any, residents of the facility will drive. Per Section 17.0404, the Plan Commission has the authority to approve of a modification to the minimum required parking. The Plan Commission will be asked to determine whether the proposed number of stalls is sufficient for the use.

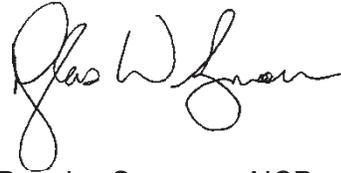
Staff recommends approval of the proposal. If the Commission agrees that the Conditional Use is appropriate for this location, staff will prepare conditions and restrictions for review at the May 9, 2017 Plan Commission meeting.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

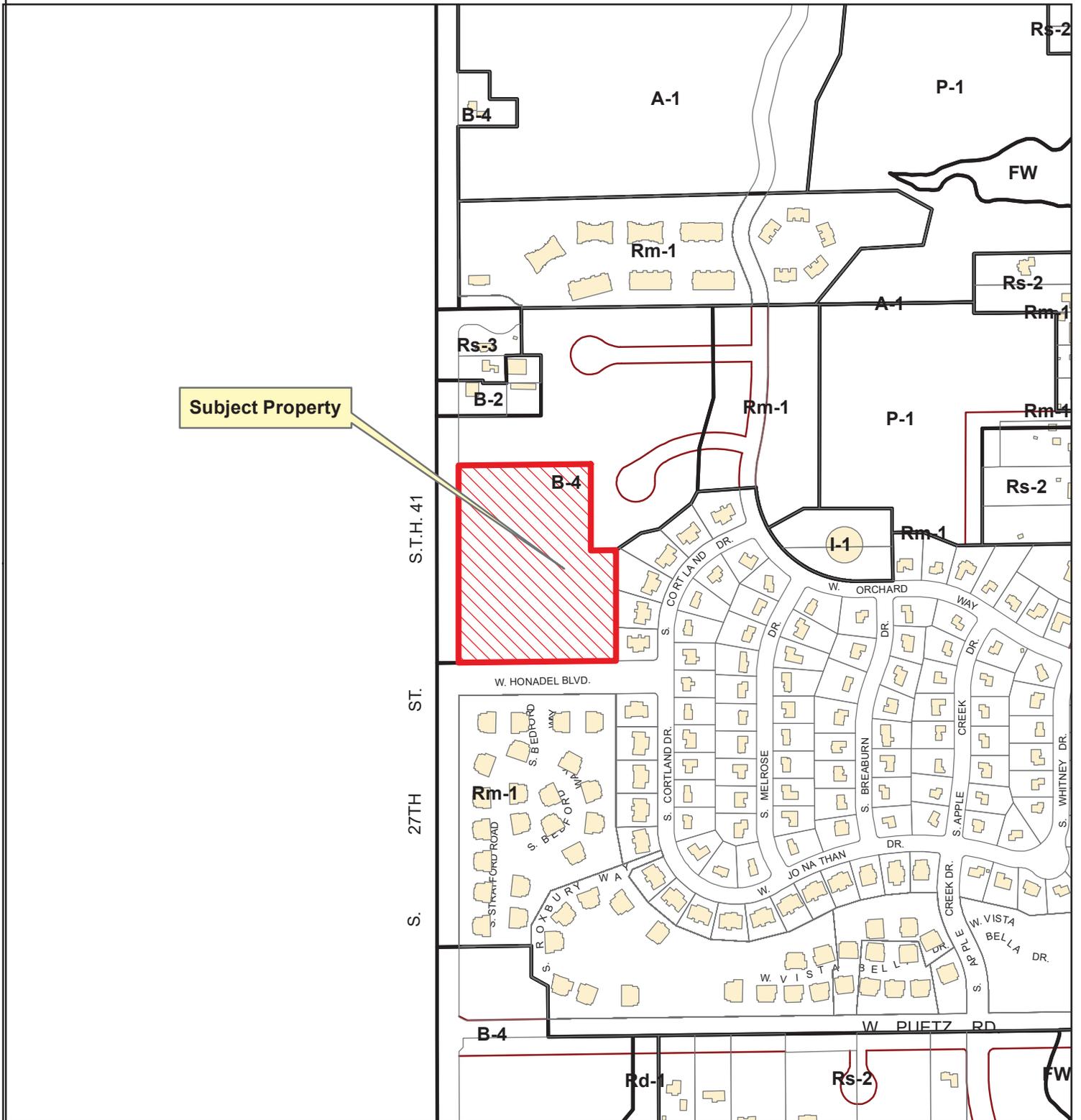
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

8432 S. 27th St.



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



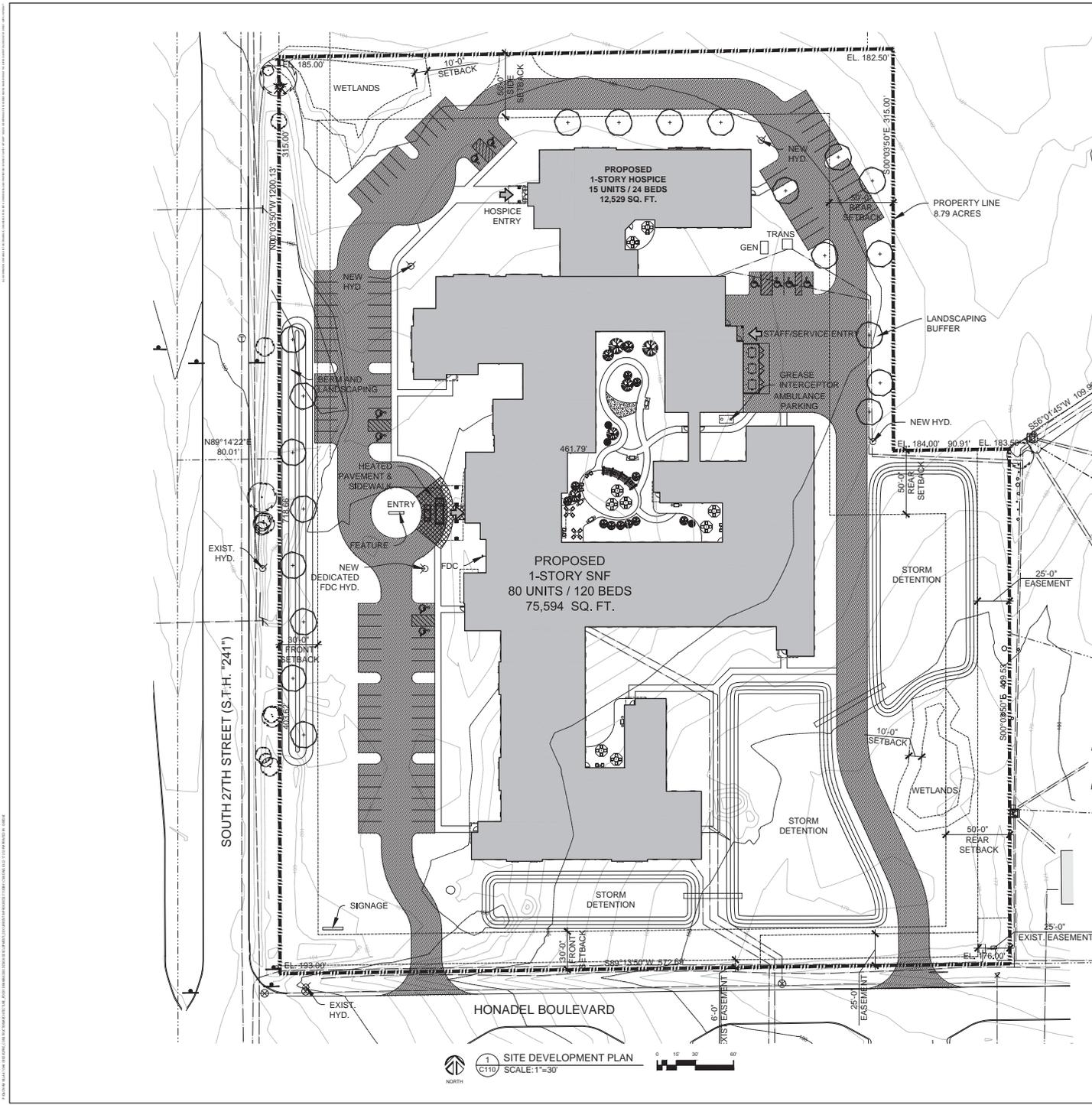
OAKCREEK
— WISCONSIN —

Department of Community Development



Legend

 8432 S. 27th St.



PROPOSED PROJECT DATA	
SITE	
PARCEL	8319036
SIZE	8.79 ACRES / 382,861 SQ. FT. 80 FT.
PROPOSED ZONING	RM - 1, CONDITIONAL USE
SETBACKS	30' FRONT, 50' SIDE, 50' BACK
PARKING SPACES	98 TOTAL PARKING SPACES
FLOOR AREA RATIO	88,123 SQ. FT. / 382,861 SQ. FT. SQ. FT. = 23%
BUILDING	
BUILDING SQ. FT.	88,123 SQ. FT.
UNITS/BEDS	95 UNITS / 144 BEDS
UNIT DENSITY	10.8 UNITS / 8.79 ACRES = 10.8 UNITS/ACRE
BUILDING TYPE	SKILLED NURSING FACILITY
LICENSURE TYPE	NURSING HOME
BUILDING ELEVATION	188.5
CONST. TYPE	V-A
OCCUPANCY	1-2
SPRINKLER SYSTEM	NFPA 13

NOT FOR CONSTRUCTION
THIS DRAWING IS FOR INFORMATION ONLY

REVISIONS

1 SITE DEVELOPMENT PLAN
SCALE: 1"=30'



Plan Commission Report

ITEM: 5h

DATE: April 25, 2017

PROJECT: Conditional Use Permit – Gerard Magee, SPGMBS, LLC

ADDRESS: 440 W. Bell Ct., Ste. 500

TAX KEY NO: 828-0005-000

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for an indoor commercial recreation facility (fitness and martial arts center) on the property at 440 W. Bell Ct. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission’s review at the next meeting (May 9, 2017).

Ownership: Liberty Lane, LLC, c/o Samuel Dickman, 626 E. Wisconsin Ave., Ste. 1020, Milwaukee, WI 53202

Size: 2.396 ac

Existing Zoning: M-1, Manufacturing

Adjacent Zoning:
North – M-1, Manufacturing
East – M-1, Manufacturing
South – M-1 (PUD), Manufacturing
West – M-1 (CU), Manufacturing

Comprehensive Plan: Limited Development.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting recommendation of Conditional Use approval for an indoor commercial recreation facility (fitness & martial arts center) within Suite 500 of the existing multi-tenant industrial building at 440 W. Bell Ct. Indoor commercial recreation facilities are Conditional Uses in the M-1, Manufacturing district.

The proposal is for the facility to be run by Rok Athletic, providing cardio kickboxing, Brazilian Jiu Jitsu, self-defense, cardio boxing, yoga, Bootcamp, and similar fitness classes and programs. In addition to the fitness classes, the Applicant wishes to include massage therapy and acupuncture as offered services. Unfortunately, these are not listed as allowed uses in the M-1 district. Staff has informed the Applicant of this and recommends that those two uses be excluded from the Plan Commission’s review. Should the Applicant wish to pursue these uses, they may submit for a Zoning Text Amendment to include them in the M-1, Manufacturing district at a later date.

Classes will be geared toward families and youth, with specific classes targeted at different age and gender groups. A total of eight (8) employees are anticipated to teach the classes and manage the facility. Instructor-led classes require approximately 1 instructor per hour in the morning (until 9:00 AM). One employee is anticipated between the hours of 9:00 AM and 5:00 PM, after which up to three employees would be onsite until closing. Peak members – up to 25 at any time - are anticipated between 6:00 PM and 9:00 PM for classes held Monday through Thursday, and between 8:00 AM and 1:00 PM on Saturday.

General proposed hours of operation for the facility are:

Days	Hours
Monday – Thursday	5:30 AM – 10:30 PM
Friday	5:30 AM – 10:30 PM
Saturday	8:00 AM – 5:00 PM

The existing building has two tenants leasing Suites 100 through 400. All suites share the existing parking stalls (approximately 30) on the south and northwest. Typical parking requirements for commercial and recreational uses are 1 stall per 4 patrons, plus 1 stall per employee during the peak shift. This would equate to approximately 28 stalls. According to information supplied by the Applicant, neither of the existing tenants have hours of operation past 5:00 PM. As previously mentioned, peak times for the proposed fitness center are anticipated outside of typical business hours for the existing tenants. It will be up to the Plan Commission to determine whether the existing parking is sufficient for the proposed use.

No outdoor storage is proposed outside of a dumpster. Dumpsters must be located within enclosures as approved by the Plan Commission. If the existing dumpster enclosure cannot accommodate the proposed enclosure, it will either need to be enlarged or a new enclosure must be constructed.

Should the Plan Commission determine that the site is appropriate for indoor commercial recreation (fitness and martial arts center), staff will prepare conditions and restrictions to be reviewed at the next meeting on May 9, 2017.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

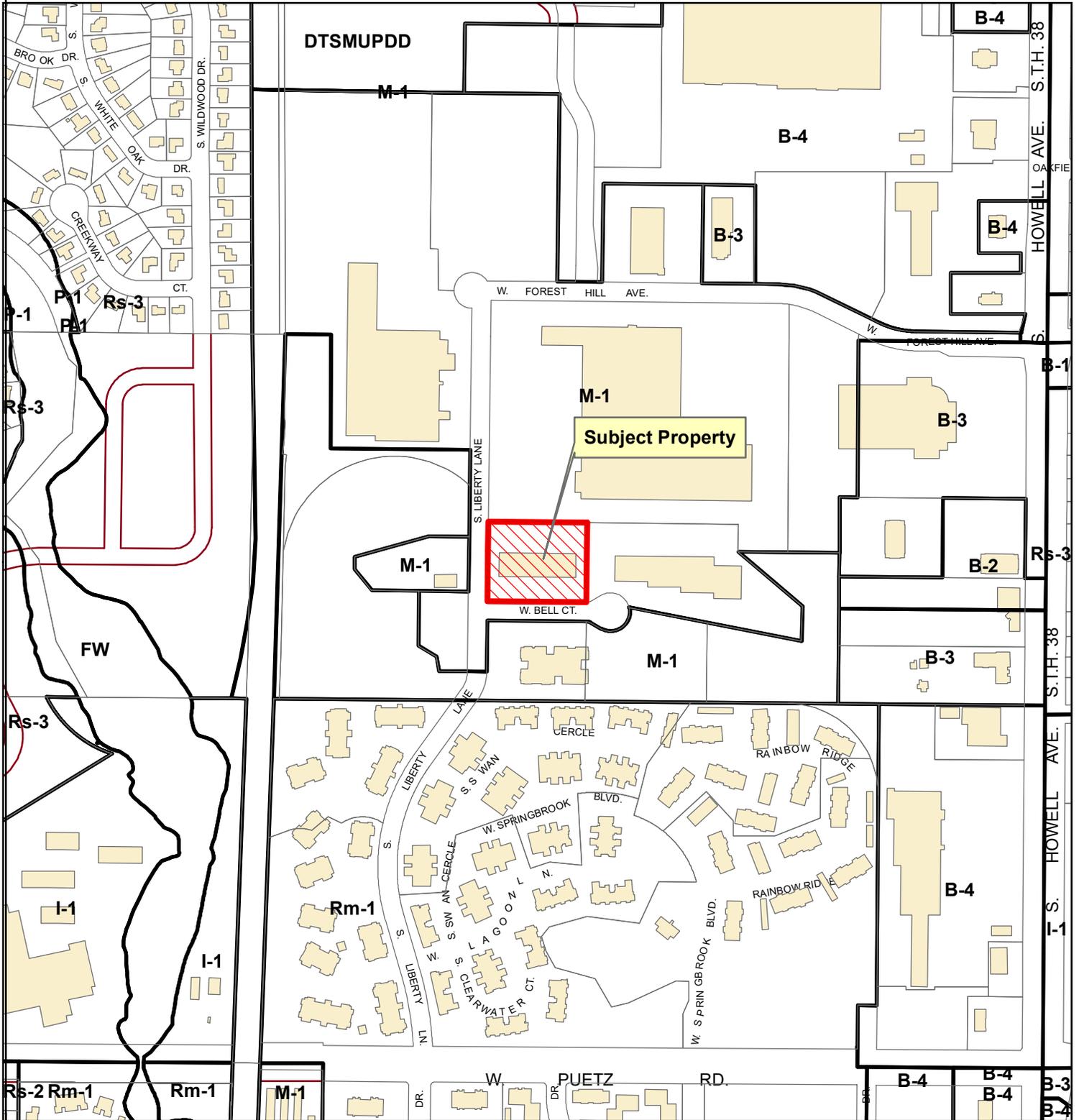
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

440 W. Bell Court

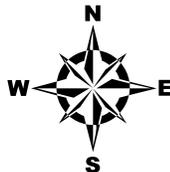


This map is not a survey of the actual boundary of any property this map depicts.



OAKCREEK
— WISCONSIN —

Department of Community Development



Legend

 440 W. Bell Court

Description of Proposal for 440 W Bell Court Suite 500, Oak Creek, WI 53154

SPGMBS, LLC, DBA Rok Athletic is looking to lease Suite 500 of 440 W Bell Court to open a fitness and martial arts center. Rok Athletic will be a dynamic health fitness facility, which provides Cardio Kickboxing, Brazilian Jiu Jitsu classes, Self Defense, Cardio Boxing, Yoga, Bootcamp and various other fitness programs as well as various holistic therapies such as massage therapy and acupuncture. Rok Athletic was founded by two individuals after having many lengthy discussions about how personal training, Brazilian jiu jitsu, and holistic therapies could fuse together and provide athletes and families with healthy lifestyle alternatives. Understanding how important consistent exercise is, along with consistent pre/post treatment, we decided to unify these in one place – Rok Athletic. Our primary market is families as we understand not only the value of fitness, but also how important it is for families to stay active and physically fit.

Our goal is to not only cater programs to families, but also to become a fixture within the Oak Creek community. We will offer free personal self-defense seminars for women and children, and we also intend to provide after-school fitness programs for children to incorporate physical activity into their day to day lives. We will also look to work with youth and high school sports teams to make our personal training services available to increase athletic abilities.

With the leasing of this space we do not expect any interior or exterior modifications to be completed, however, in the event modifications are needed in the future we will abide by all permitting regulations of the city of Oak Creek. We have eight employees who would be teaching classes as well as managing day to day operations of the facility and these employees would work different hours depending on class schedule. Outside storage would consist of one dumpster. The overall location has 30 parking spaces and two handicap spaces for the current businesses, but none of these businesses have hours after 5:00 PM Monday through Friday and our peak class times are from 5:00 PM until 9:00 PM Monday through Thursday and Saturday mornings from 8:00 AM until 1:00 PM.

Hours of Operation:

Our hours of operation would be as follows:

Monday through Thursday: 5:30 AM until 10:30 PM

Friday: 5:30 AM until 10:30 PM

Saturday: 8:00 AM until 5:00 PM

Sundays: Closed

Kari Papelbon

From: Scott Magee <scott_magee01@yahoo.com>
Sent: Thursday, April 6, 2017 11:03 AM
To: Kari Papelbon
Subject: Re: Oak Creek Plan Commission Application
Attachments: scan0001.pdf

My apologies for not providing this additional information when i submitted the original permit. Here is the additional information.

- What are the different shifts and what is the maximum number of employees anticipated on-site at any given time?

From 5:30 until 9:00 AM we would have instructor led classes, where we may have one instructor per hour. From 9:00 AM until 5:00 PM we would have one employee. From 5:00 PM until 10:30 PM we would have up to three employees.

- One dumpster is mentioned in the proposal. Is this in addition to the existing dumpster? If so, we will need a site plan showing the proposed location and enclosure.

Our dumpster would be in addition to the dumpsters currently at the location. The attached site plan makes note of the current dumpster enclosure on the northeast corner of the back parking area, which is where our dumpster would go.

- The narrative indicates the peak class times, but not peak customers. Please provide an estimate of the maximum number of customers anticipated at any given time.

Peak members would be between 6:00 and 9:00 when we would have up to 25 members taking a class.

- Please contact the Health Department to determine whether additional review or permitting through their office is required.

I called and left a voicemail with Elizabeth Ruder in the Health department to determine if additional review or permitting would be required.

- Signs will require permits and/or additional review.

We will submit any required permits for signage once we receive approval of the conditional use permit.

- Interior renovations to the tenant space will require permits. Contact the Inspection Department for details.

No interior renovations are being done.

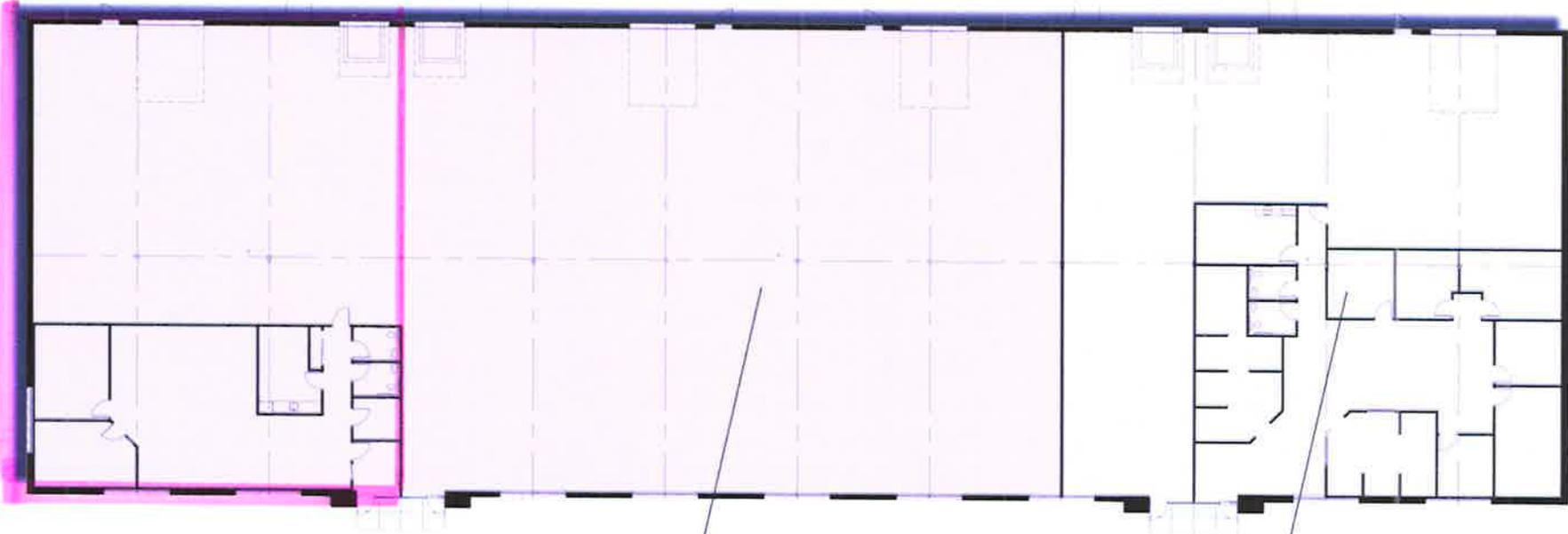
From: Kari Papelbon <kpapelbon@oakcreekwi.org>
To: "scott_magee01@yahoo.com" <scott_magee01@yahoo.com>
Sent: Wednesday, April 5, 2017 4:22 PM
Subject: Oak Creek Plan Commission Application

Mr. Magee,

Staff met this week to discuss your proposal for a fitness center in one of the lease spaces at 440 W. Bell Court in Oak Creek, and had the following comments/questions:

- What are the different shifts and what is the maximum number of employees anticipated on-site at any given time?
- One dumpster is mentioned in the proposal. Is this in addition to the existing dumpster? If so, we will need a site plan showing the proposed location and enclosure.

Highlighted area is space being leased



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CITY OF OAK CREEK

HELLMANN WORLDWIDE
LOGISTICS, INC
SUITE 400
OFFICE: 2,100 SF
SHOP: 14,068 SF
TOTAL: 16,168 SF

UNITED SEATING & MOBILITY
SUITE 100
OFFICE: 3,325 SF
SHOP: 4,587 SF
TOTAL: 7,912 SF

LEASE PLAN



OVERALL BUILDING AREA: 24,080 SF

revision date: 11/2011

BRIOHN
www.briohn.com 262.799.0500

LIBERTY LANE, LLC
440 WEST BELL COURT
OAK CREEK, WISCONSIN 53154

ALTA/NSPS LAND TITLE SURVEY

CLIENT

The Dickman Company

SITE ADDRESS

400 and 440 West Bell Court, City of Oak Creek, Milwaukee County, Wisconsin.

LEGAL DESCRIPTION

Parcel 1:

Parcel 2 of Certified Survey Map No. 7016, recorded on October 17, 2001, Reel 5181, Images 3054 to 3056 as Document No. 8152524, being a redivision of Parcel 1 of Certified Survey Map No. 6549 and Parcel 3 of Certified Survey Map No. 3011, all part of the Northeast 1/4 and the Southeast 1/4 of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Parcel 2:

Lot 5 in Liberty Woods, recorded on December 17, 1999, on Reel 4714, Image 964, as Document No. 7849470, being a redivision of Parcel 2 of Certified Survey Map No. 6549 and part of Parcel 3 of Certified Survey Map No. 3011, also being part of the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Northeast 1/4, all of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

TITLE COMMITMENT

This survey was prepared based on Knight Barry Title Group Commitment No. 848681, effective date of July 25, 2016, which lists the following easements and/or restrictions from schedule B-ii:

- 1, 5, 6, 7, 8 & 10, visible evidence shown, if any.
- 2, 3, 4, 9, 15-20, not survey related.

11. Distribution Easement Underground Joint granted to Wisconsin Electric Power Company, a Wisconsin corporation doing business as We Energies and Wisconsin Bell, Inc., a Wisconsin corporation doing business as SBC Wisconsin and other matters contained in the instrument recorded August 5, 2004 as Document No. 8337492. Affects Parcel 1 by location, shown.
12. Covenants, Conditions and Restrictions set forth in Declaration of Development Standards and District Use Covenants and other matters contained in the instrument recorded December 17, 1999 as Document No. 7849469. Affects Parcel 2 by location, setbacks shown.
13. Easements, restrictions and other matters shown on the Plat of Liberty Woods recorded December 17, 1999 as Document No. 7849470. Affects Parcel 2 by location, shown.
14. Distribution Easement Underground Joint granted to Wisconsin Electric Power Company, Wisconsin Bell, Inc., d/b/a Ameritech-Wisconsin and Time Warner Entertainment Co., LP and other matters contained in the instrument recorded May 10, 2000 as Document No. 7908569. Affects Parcel 2 by location, shown.

POINTS OF BEGINNING

Bearings are referenced to the East line of South Liberty Lane, which is assumed to bear North 00°41'14" East.

LAND AREA

The Land Area of the Parcel 1 subject property is 225,895 square feet or 5.1858 acres. The Land Area of the Parcel 2 subject property is 104,400 square feet or 2.3967 acres. The total Land Area of the subject properties is 330,295 square feet or 7.5825 acres.

PARKING SPACES

There are 114 regular parking spaces and 10 handicap space marked on this site.

FLOOD NOTE

According to the Flood Insurance rate map of the County of Milwaukee, Community Panel No. 530279048E, effective date of September 26, 2008, this site falls in Zone X (Areas determined to be outside the 0.2% annual chance floodplain).

MINIMUM ZONING

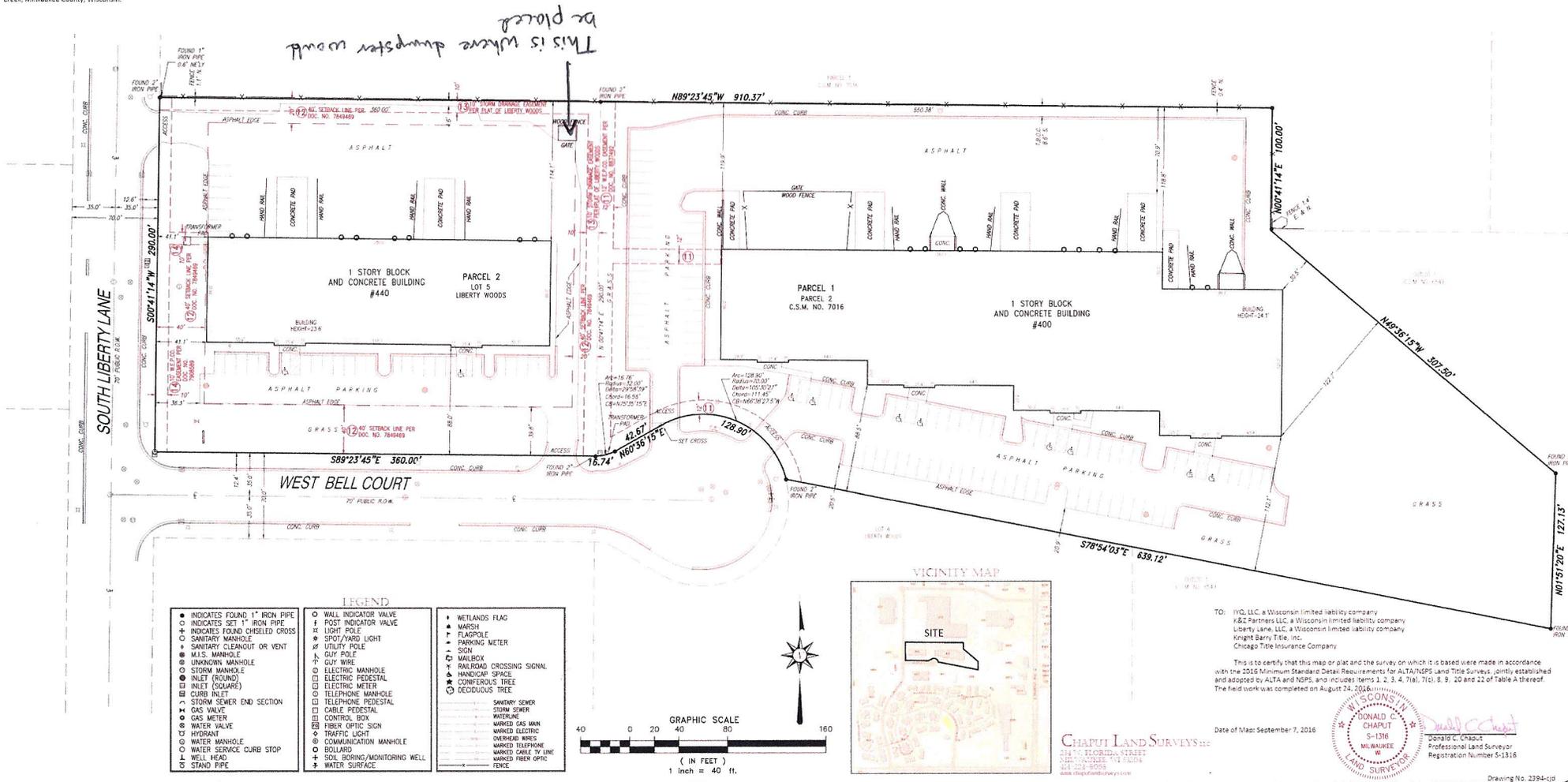
Municipal Code Sec. 17.03(17).
Site is zoned: M-1 (Manufacturing District)

a. Building Height and Area:

- (1) No principal building or parts of a principal building shall exceed fifty-five (55) feet in height.
- (2) The sum total of the floor area on all floors of the principal building and all accessory buildings shall not exceed eighty (80) percent of the lot area.

f. Setbacks:

- (1) There shall be a minimum front setback of forty (40) feet from the right-of-way of all streets.
- (2) There shall be a side setback on each side of all buildings of not less than twenty (20) feet; side yards abutting a railroad right-of-way or storm water drainage channel at least twenty (20) feet in width may be reduced to fifteen (15) feet.
- (3) There shall be a rear setback for all buildings of not less than twenty (20) feet. Rear yards abutting a railroad right-of-way or storm water drainage channel that is at least twenty (20) feet in width may be reduced to ten (10) feet.
- (4) No building, structure or land within 100 feet of a residence district boundary line shall be used in connection with the operation of any establishment except off-street parking and off-street loading may be located within this area in accordance with regulations set forth in Section 17.04(2) and 17.04(3) of this Chapter.



CHAPTIN LAND SURVEYS, INC.

TO: IQV, LLC, a Wisconsin limited liability company
K&Z Partners LLC, a Wisconsin limited liability company
Liberty Lane, LLC, a Wisconsin limited liability company
Knight Barry Title, Inc.
Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 7(c), 8, 9, 20 and 22 of Table A thereof. The field work was completed on August 24, 2016.

Date of Map: September 7, 2016

CHAPTIN LAND SURVEYS, INC.
210 N. FLORIDA STREET
MILWAUKEE, WI 53202
414-221-8088
www.chaptinlandsurveys.com

DONALD C. CHAPTIN
S-1316
MILWAUKEE
LAND SURVEYOR

Donald C. Chaptin
Professional Land Surveyor
Registration Number S-1316

Drawing No. 2394-cjd



Plan Commission Report

ITEM: 5i

DATE: April 25, 2017

PROJECT: Conditional Use Permit – Kevin Crosby, Unity Fitness & Training

ADDRESS: 9801 S. 13th St. (suite in existing building)

TAX KEY NO: 904-9015-000

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for an indoor commercial recreation facility (fitness center) on the property at 9801 S. 13th St., after a public hearing and subject to conditions and restrictions that will be prepared for the Commission’s review at the next meeting (May 9, 2017).

Ownership: 13th Street Oak Creek, LLC, c/o St. John Properties, Inc., 2560 Lord Baltimore Dr., Baltimore, MD 21244

Size: 4.850 ac

Existing Zoning: M-1 (PUD), Manufacturing

Adjacent Zoning: North – B-4 (PUD), Highway Business; Rs-2, Single-Family Residential
East – A-1, Limited Agricultural
South – M-1 (PUD), Manufacturing
West – M-1 (PUD), Manufacturing

Comprehensive Plan: Planned Industrial.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting recommendation of Conditional Use approval for an indoor commercial recreation facility (fitness center) within a 2,700 square-foot suite of the existing multi-tenant industrial building at 9801 S. 13th St. Indoor commercial recreation facilities are Conditional Uses in the M-1, Manufacturing district.

The proposal is for the facility to be run by Unity Fitness & Training, providing personal and Crossfit training services. Approximately 1-2 employees are anticipated per shift. Sessions are offered in two different blocks: between 5:30 AM and 10 AM and between 4:30 PM and 7:30 PM. Peak class times are anticipated during the second session, with a maximum of 6-9 attendees per 1-hour class.

General proposed hours of operation for the facility are between 5:30 AM and 8:30 PM Monday through Sunday. The gym is proposed to be closed between 10 AM and 4:30 PM.

The existing building has multiple tenants leasing suites. All suites share the existing parking stalls (approximately 113) on the south; however, per information supplied by the Applicant, each tenant is allotted 9 stalls. Typical parking requirements for commercial and recreational uses are 1 stall per 4 patrons, plus 1 stall per employee during the peak shift. This would equate to approximately 7-11 stalls. It will be up to the Plan Commission to determine whether the existing parking is sufficient for the proposed use. No outdoor storage is proposed.

Should the Plan Commission determine that the site is appropriate for indoor commercial recreation (fitness center), staff will prepare conditions and restrictions to be reviewed at the next meeting on May 9, 2017.

Prepared by:



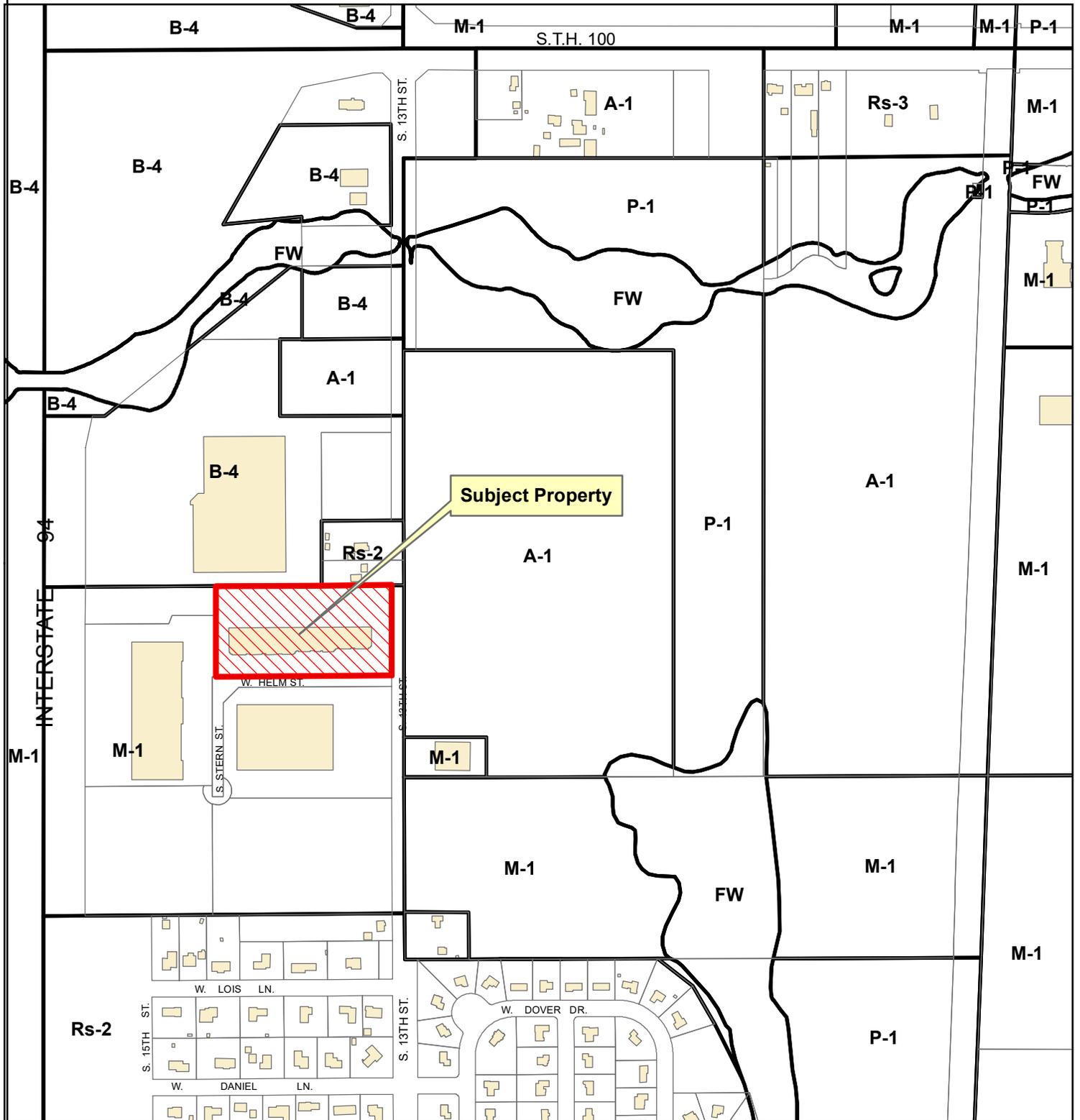
Kari Papellbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

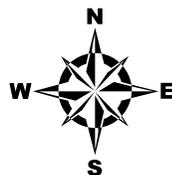
Location Map 9823 S. 13th St.



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



Department of Community Development



Legend

 9823 S. 13th St.

UNITY FITNESS & TRAINING, LLC

PROPOSAL INFORMATION FOR CONTIONAL USE OCCUPANCY PERMIT FOR:

9823 S. 13TH STREET, OAK CREEK, WI 53154

Description of Proposal: Occupy approximately 2700 sq ft of space for personal and Crossfit training gym in existing multi-tenant property.

Plan of Operation: Provide fitness personal and Crossfit training to clients

Hours of Operation: 5:30 am – 8:30 pm Monday - Sunday

Frequency of Deliveries: None to Rare

Modifications: No Exterior Modifications. Only interior modification is painting.

Outdoor Storage: None

Employees: 1 to 2 per shift

Parking Stalls: Approximately 9 per unit, multi unity building

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APR 07 2017

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APR 10 2017

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Kari Papelbon

From: Kevin C <kroz2004@gmail.com>
Sent: Wednesday, April 5, 2017 4:46 PM
To: Kari Papelbon
Subject: Re: Oak Creek Plan Commission Application

Follow Up Flag: Follow up
Flag Status: Flagged

Kari,

Please read below for highlighted responses.

Thanks
Kevin

On Wed, Apr 5, 2017 at 4:30 PM, Kari Papelbon <kpapelbon@oakcreekwi.org> wrote:

Mr. Crosby,

Staff met this week to discuss your proposal for a fitness center in one of the lease spaces at 9801 S. 13th St. in Oak Creek, and had the following comments/questions:

- Please complete the attached Conditional Use Application. This must contain the LANDOWNER'S notarized signature.

Will be handdelivered tomorrow April 6, 2017.

- What are the different shifts and what is the maximum number of employees anticipated on-site at any given time?

1st group of sessions open from 5:30am-10am , closed 10am-4:30pm, then 2nd group of sessions from 4:30-7:30pm.

- What are the peak class times? Please provide an estimate of the maximum number of customers anticipated at any given time.

We estimate peak class time to be the 2nd session of classes in the afternoon. The max number per 1 hr session is estimated at 6-9.

- Please contact the Health Department to determine whether additional review or permitting through their office is required.

We will contact them tomorrow.

- Signs will require permits and/or additional review.

Understood. We currently only anticipate a window decal at this time on the door.

- Interior renovations to the tenant space will require permits. Contact the Inspection Department for details.

Understood. Landlord is pulling permits to add a bathroom and delete a partial separation wall. That is the only mods we are aware of and we have no plans to modify the interior nor exterior of the building.

Thanks again,
Kevin

Additional comments from other departments may be forthcoming. I will forward them as they are received.

Kari

Kari Papelbon, CFM, AICP

Planner

City of Oak Creek

8040 S. 6th St. (new address)

Oak Creek, WI 53154

[\(414\) 766-7027](tel:4147667027) (new phone)

www.oakcreekwi.org

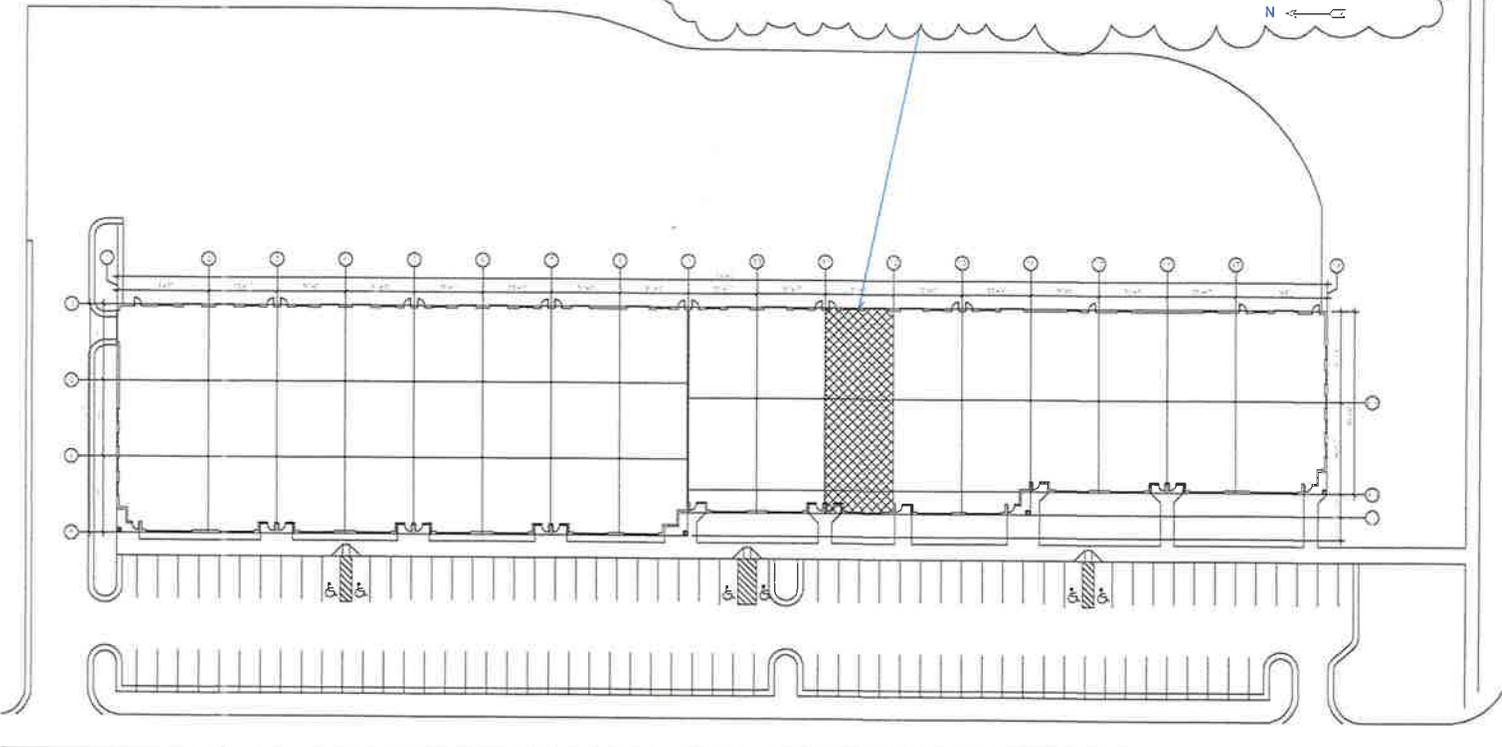
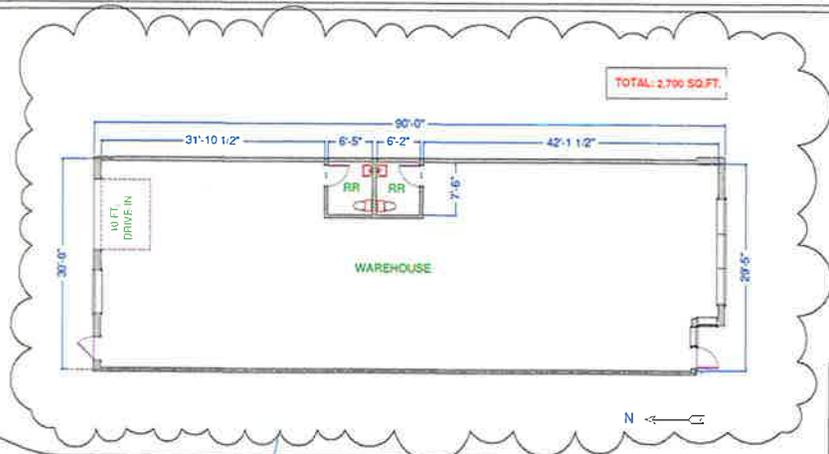


The City of Oak Creek is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that this email message is subject to release upon request, and to state records retention requirements.



1020 JAMES DR STE. G, HARTLAND, WI 53029
 DUSTIN ATKIELSKI, 262-370-6855, DATKIELSKI@SJPI.COM

POSSIBLE USE	USE TYPE	PERMITTED
CONSTRUCTION YARD	U-2	UNSAT
PAVE SURFACING	REQUIRED CONTRACT	OK
ALLOWABLE USES TO WHICH EXEMPT	UNLIMITED	OK
ACTUAL AREA	44320 SF	N/A
PAVE WALL	NOT REQUIRED	TABLE 1004 - IV EXEMPTION - A
PERMITTED USES AND LIMITS TO THIS SHEET AS SHOWN ON MAP	SP	0.50%



① SITE PLAN

CITY OF OAK CREEK

MAR 28 2017
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NO.	DESCRIPTION	BY	DATE
SHEET TITLE	SITE PLAN & FLOOR PLAN		
PROJECT DESCRIPTION	9823 S. 13th Street Oakcreek, WI 53154		
DRAWINGS PROVIDED BY:			
DATE:	3/17/2017		
SCALE:			
SHEET:	A-1		



Plan Commission Report

ITEM: 5j

DATE: April 25, 2017

PROJECT: Sign Plan Review – Blair Williams, Wired Properties

ADDRESS: 7940 S. 6th St.

TAX KEY NO: 813-9054-000

STAFF RECOMMENDATION: That the Plan Commission approves the Master Sign Plan for the B-5 multitenant commercial building at 7940 S. 6th St.

Ownership: DTS B5, LLC, P.O. Box 731, Milwaukee, WI 53201

Size: 1.489 acres

Existing Zoning: DTSMUPDD (CU), Drexel Town Square Mixed Use Development District

Adjacent Zoning:
North – M-1, Manufacturing District
East – DTSMUPDD, Drexel Town Square Mixed Use Development District
South – DTSMUPDD, Drexel Town Square Mixed Use Development District
West – DTSMUPDD, Drexel Town Square Mixed Use Development District

Comprehensive Plan: Planned Mixed Use.

Wetlands: N/A.

Floodplain: N/A.

Official Map: N/A.

Commentary: The Applicant is requesting approval of a Master Sign Plan for the multitenant commercial building at 7940 S. 6th Street, also referred to as B5. Signs are subject to review under Sections 17.0701 - 17.0715 of the Municipal Code and the DTSMUPDD General Development Plan and Regulating Plan (“the Plan”).

In general, the sign program does not need to exactly mirror the requirements of the Plan, but they should not be less restrictive. Section 17.0715 of the Municipal Code provides for a variance process for those instances where the tenant and landlord agree that the standards warrant an appeal.

Per Appendix B, Section B of the Plan, the following signs are allowed:

- One (1) **primary sign** per entry facade per tenant. Primary signs are also allowed on special condition facades. Facades facing Drexel Avenue are allowed one (1) primary sign even if they are not entry facades.
- Maximum **height** of primary signage = 15% of retail floor height.
- One (1) – two (2) **flag signs** per entry façade (fabric or solid)
 - Wall-mounted fabric flags may not exceed 10 feet in height and must maintain a vertical proportion.
 - Wall-mounted solid flags may not be greater than 36 inches in width or 36 inches in height.
 - Wall-mounted flags (fabric and solid) may not extend more than 4 feet off the façade.

- Wall-mounted flags (fabric and solid) may not be less than 8 feet from the ground.
- One (1) **eye-level sign** / graphic per 12 linear feet of entry facade.
- **Vinyl signs** on glazing
 - Text/graphic/pattern may not cause more than 10% of glazing to become opaque.
 - Maximum text height – 5% of retail storefront.
- **Suspended signs** which are perpendicular to the façade and project over pedestrian paths may not be less than 8 feet from the ground nor project greater than 4 feet from the outermost building façade.
- **Awnings**
 - Minimum lettering height – 8 inches.
 - Maximum sign height – 5% of retail floor height.
 - Text on awning preferred on face perpendicular to ground.
 - Awning may not extend more than 4 feet from the outermost façade.

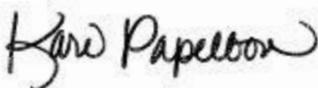
While the Plan allows for all of the signage above, the proposal does not incorporate flag signs or signs on the awnings.

The proposed signage on the south and north elevations are compliant with the requirements for placement as the south elevation is the entry facade, and the north elevation faces Drexel Avenue (non-entry special condition façade). Both the east and west elevations are non-entry facades. However, the west elevation is a special condition façade, and therefore is allowed one primary wall sign. Any sign proposed on the east elevation will require a variance as it does not qualify as a special condition façade and is not currently planned as an entry facade.

The maximum height of the wall signs as proposed is 30 inches (2 feet 6 inches). Staff met with the Applicant's consultants to discuss the maximum height calculations, and staff agreed to allow the 15% of the retail store height calculation to be based off of the height to the top of the brick (17 feet 8 inches). This is visually where the exterior of the retail space appears to terminate, is consistent with how other outlot signage was calculated, and would allow a maximum letter height of 31.8 inches.

All other sections of the proposed Master Sign Plan meet the requirements of the DTSMUPDD. Staff recommends approval with the proposed condition stated above.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map 7940 S. 6th St.



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



Department of Community Development



DREXEL TOWN SQUARE B5 BUILDING



1 - LANDMARK CORNER SIGNAGE



2 - PRIMARY SIGNAGE



3 - ADDRESS SIGNAGE

- (A) LANDMARK CORNER SIGNAGE AT STEEL SIGNAGE FRAME MAY BE A MAXIMUM OF 34'-0" WIDE, INCLUDING LETTERS & LOGOS
- (B) LANDMARK CORNER SIGNAGE AT STEEL SIGNAGE FRAME MAY BE A MAXIMUM HEIGHT OF 15% OF RETAIL FLOOR HEIGHT MAXIMUM (2'-6" MAX.)
- (C) MAXIMUM LENGTH OF TYPICAL PRIMARY SIGN TO BE 75% OF OVERALL LEASED WALL LENGTH, BUT NO GREATER THAN 30'-0"
- (D) MAXIMUM HEIGHT OF TYPICAL PRIMARY SIGN TO BE 15% OF RETAIL FLOOR HEIGHT MAXIMUM (2'-6" MAX.)
- (E) VINYL ADDRESS SIGN ON WINDOWS. HEIGHT AND COLOR TBD BY AHJ. HOLD 2" OFF OF ADJACENT MULLIONS. MAX. HEIGHT OF TEXT TO BE 5% OF RETAIL STOREFRONT
- (F) WINDOW / EYE-LEVEL SIGNAGE MAY BE IN STOREFRONT. MAY NOT OBSCURE MORE THAN 10% OF CLEAR GLAZING.

MASTER SIGNAGE PROGRAM



Plan Commission Report

ITEM: 5k

DATE: April 25, 2017

PROJECT: Zoning Text Amendment – Exterior Lighting Ordinance Revision

STAFF RECOMMENDATION: That the Plan Commission recommends that the Common Council approve amending Section 17.0808 Outdoor Lighting, regulating exterior accent lighting.

Commentary: LED strip lighting of windows has grown in popularity over that past few years. Last February, staff presented to the Plan Commission a proposed change to the lighting code regulating the exterior lighting regulations. At that time, the Plan Commission directed staff to research the possibility of prohibiting this type of lighting in the City and chose not to pursue amending the lighting code restricting how exterior LED strip lighting is displayed.

This issue is not unique to Oak Creek as several surrounding communities face the same concern regarding the strip LED lighting in their business districts.

Staff proposes including the following language in the ordinance to regulate exterior use of LED strip lighting. Further research is required to determine the best approach to regulating interior strip lighting.

Architectural Element Lighting

(1) Architectural element lighting shall be clear or white in nature and shall not flash or strobe. All architectural element lighting requires approval of the Plan Commission. The owner of the property affected by any such architectural element lighting shall cause any such lighting to be reasonably maintained such that such lighting is safe and tasteful, with any burned-out bulbs being replaced in a timely fashion.

The existing lighting ordinance does not address interior lighting. Staff has continued to research the regulating LED strips as an illuminated sign. Current sign code states:

Non-illuminated window signs shall not be subject to the limitations on number of signs. However, illuminated window signs advertising the name of the business or principal service offered shall be subject to the limitation on the number of signs.

Staff is proposing amending this section of code to state:

*Non-illuminated window signs shall not be subject to the limitations on number of signs. However, **internally-illuminated** window signs ~~advertising the name of the business or principal service offered~~ shall be ~~subject to the limitation on the number of~~ limited to **one/two** sign(s). Permanent, non-seasonal LED strip lighting which frames all or portions of a window and which serves to draw attention to or otherwise advertise the business within shall not be permitted unless approved by the Plan Commission as part of the site and architectural review process.*

The proposed change would allow businesses to display a combination of an internally-illuminated; business logo, hours of operation, or "open" sign. At this time, staff is seeking legal counsel to determine if the LED strip lighting could be regulated through the proposed text amendment. Staff is also seeking direction to what number of illuminated signs the Plan Commission would like to see regarding illuminated window signs.

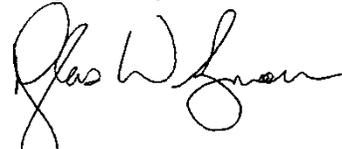
Over the years, the City has made strides to attain the goal to improve the community's character and vision. Amending these sections of the code will provide business's the opportunity to accent their building and keep a consistency throughout the City. Amending the sign code to limit the number of internally illuminated window signs shall help limit, if not eliminate, LED lighting in windows.

Prepared by:

A handwritten signature in black ink that reads "Peter Wagner". The signature is written in a cursive style with a large, prominent initial "P".

Peter Wagner
Zoning Administrator/Planner

Respectfully Submitted by:

A handwritten signature in black ink that reads "Douglas Seymour". The signature is written in a cursive style with a large, prominent initial "D".

Douglas Seymour, AICP
Director of Community Development