

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 25, 2017**

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

Minutes of the April 11, 2017 meeting

Commissioner Siefert moved to approve the minutes of the April 11, 2017 meeting. Alderman Guzikowski seconded. On roll call: all voted aye, except Commissioner Johnston, who abstained. Motion carried.

PUBLIC HEARING

SIGN APPEAL

BELAIR CANTINA

410 W. TOWN SQUARE WAY

TAX KEY NO. 813-9053

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

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

SIGN APPEAL

BELAIR CANTINA

410 W. TOWN SQUARE WAY

TAX KEY NO. 813-9053

Zoning Administrator/Planner Wagner provided an overview of the proposal for two signs on the pergola over the outdoor patio area (see staff report for details).

Commissioner Siefert stated that two signs are too much.

Commissioner Dickmann concurred with Commissioner Siefert. He stated that the only sign that is needed is the one that is seen from S. 6th Street.

Commissioner Johnston stated that staff and the developer spent a lot of time working on the PUD language, particularly with the signage. This is not meeting those requirements, and that a flag sign might be better. He stated that this sign is too big. Planner Papelbon stated that the 3'x3' is the maximum size allowed for a flag sign.

Commissioner Carrillo stated that one sign is probably a good compromise and it should be the one that faces S. 6th Street.

Alderman Guzikowski stated that both of these signs are servicing two different purposes, so he would be comfortable with two of them if they were much smaller.

Mayor Bukiewicz stated that a flag sign fits in with what is going on in Drexel Town Square. He doesn't think it will have the visual affect to draw attention to it from S. 6th Street. He stated that the S. 6th street sign is appropriate, although a little big. He does not think the sign in the

parking lot is needed. Mayor Bukiewicz concurred with Commissioner Carrillo's comments about having only one sign on S. 6th Street.

Planner Papelbon asked if this was being considered a primary sign or a flag sign. Commissioner Dickmann stated he would consider it a primary sign. Planner Papelbon stated that if it is considered a primary sign, the primary sign maximum height is 25.2" based on the master sign plan for the Main Street buildings. If it is considered a primary sign, a variance to that standard would have to be granted.

Commissioner Dickmann moved that the Plan Commission approve granting a sign variance allowing the tenant at 410 W. Town Square Way to install one (1) 4'11 3/8" x 4'2" internally illuminated primary sign on the pergola on the northwest elevation of the building.

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

PC TRAINING

Aaron Steel from the Brick Industry Association gave a presentation to the Plan Commission regarding exterior building materials. No action needed.

CONDITIONS AND RESTRICTIONS THE RIDGE COMMUNITY CHURCH 6912 & 6912R S. 27TH ST. TAX KEY NO. 737-9026 AND 737-9028

Planner Papelbon provided a brief summary of the proposal that was recommended for approval at the April 11, 2017 meeting. She then reviewed sections of the proposed Conditions and Restrictions that were specific to the proposal.

Commissioner Dickmann asked whether a religious school were added onto this church would be a permitted use. Planner Papelbon responded yes, because it is an institution and a religious use of the property.

Commissioner Siepert asked if the new owner is aware of the new road that is going to come in on the south and that it may cross part of their property. Planner Papelbon stated that the officially-mapped street pattern has been on the City's map for many years. She does not know if the applicant is aware of this.

Ed Lisowski, 6988 S. 27th Street, asked if the drainage has been taken into consideration. Commissioner Johnston responded that they are not looking at changing anything from what is out there, so there is no requirement to change any drainage requirements from what is there now.

Mark Weight, pastor for The Ridge Community Church, stated that he had read and agreed with the proposed Conditions and Restrictions, and that he was aware of the future road pattern.

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

REZONE/CONDITIONAL USE PERMIT

SELF-STORAGE VENTURES, LLC
275 E. DREXEL AVE.
TAX KEY NO. 814-9038

Planner Papelbon provided an overview of the proposal to rezone the property to LM-1, Light Manufacturing with a Conditional Use Permit for a self-service storage facility (see staff report for details).

Arden Degner, 8540 S. Pennsylvania Avenue, asked what kind of signage/traffic there will be. Planner Papelbon responded that there is a private development road behind Wendy's (to the east of Wendy's). Mr. Degner stated that there should be an entrance and exit. Planner Papelbon responded that there is an existing access road that they will be using.

Mr. Degner asked where the signage will be. Planner Papelbon responded that the signage has not been designed yet. That will come at the site plan review, which comes after the rezone/conditional use process.

John Vajda, 7925 S. Wynbrook Ct., stated his concern about the cleanliness of the property. He stated that a lot of debris collects on his property line, and asked if anything could be done to prevent that from happening. He asked for more densely-packed evergreens along that line as a visual buffer zone.

Mr. Vajda stated that his other concern is the existing sidewalk between his property and 7945 S. Wynbrook Ct. that connects to 275 E. Drexel Ave., and questioned whether that can be removed. He understands the security issue; however, he sees this being a highway for riff-raff, and he doesn't want that in his yard. Planner Papelbon responded that Mr. Vajda should contact her after the meeting to discuss vacating that sidewalk.

Courtney Conway, 7945 S. Wynbrook Ct., stated she is fine with the plans and the way things are progressing. Her concern is the giant wind-blown garbage tunnel on top, as well as mosquitos.

Ms. Conway asked what the LM-1 zoning means, and if this venture folds, what types of uses could go in at this location. Planner Papelbon responded that the LM-1 is supposed to be a bridge between the B-4, Highway Business district, and the M-1, Manufacturing district. The intent is to provide a district that allows for uses that are not heavy manufacturing, like those allowed in M-1, in suitable locations.

Ms. Conway asked what this does for property values long-term. Planner Papelbon responded that the property will have a different assessment because it is no longer vacant land. The Assessor will make a determination of value for that property. Planner Papelbon suggested Ms. Conway contact the City Assessor for more detailed information.

Karen Genke, 7923 S. Wynbrook Court, stated that part of her concern is the LM-1 zoning. She stated that all of the other self-storage developments in the City fall under the M-1 zoning. Under that zoning, the setback is required at 100 feet. The setback for this development is shown as 30 feet, which is a really short distance for a brick wall abutting a residential property. She requested a vegetative buffer between that wall and the abutting properties.

Ms. Genke stated her concern about the hours of operation as concerning the noise involved in this type of development. She would like the morning hours of operation to be moved to 7:00 a.m. as opposed to 6:00 a.m. to fall within the noise ordinance of the City.

Ms. Genke stated that until the sidewalk is gone away, it and the open field are used by young children to go to Wendy's or Culver's. She does not know that a 3-foot silt fence is going to keep them out of the upcoming construction zone. Alderman Guzikowski stated that it will be up to the developer to regulate the construction zone.

Planner Papelbon stated that the LM-1 zoning district does have different setbacks than the M-1 district. It requires a 30-foot setback to a residential district line. The buffer that is being shown is in a drainage easement, so that has to be taken into consideration in terms of what can be planted and constructed there. Staff will have a direct conversation with the applicant about what the options are. The buffering requirements would probably include something like dense landscaping, possibly even decorative fence.

Kelly Gallacher, 3114 E. Hunter's Ridge Way, Heber City, Utah, stated that very few people show up to these types of facilities at 6 a.m. The hours of operation are pretty standard across the City with other self-storage facilities, which is why they chose the hours of operation to be 6 to 10.

Mr. Gallacher stated that they always put a 6-foot-tall cyclone fence around the entire property during construction.

Mr. Gallacher stated that the entire site plan has been adjusted to the Building Code as well as the turning radiuses required by the Fire Department, and there must be gaps between the buildings. As far as blocking debris, there are four buildings that are blocking the majority of debris that can come through. The managers will be policing that entire area on a daily basis to reduce any debris there in the morning and also before they leave at night.

Mr. Gallacher stated that as far as vegetative cover in that area, they are subject to the requirements through the Code, and the plans will adhere to those. Mr. Gallacher stated he has no problem putting in additional visual screening including some nice trees, shrubbery, etc.

Commissioner Siepert asked what would be stored in these buildings that it would need to be climate-controlled. Mr. Gallacher stated that the climate-control is mainly used to control humidity so that it doesn't destroy furniture or clothing that is being stored in the units.

Alderman Guzikowski asked what the office personnel hours are. Mr. Gallacher responded that the office business hours would be from 8 or 9 in the morning until 6:00 at night. Sometimes they work on Sunday, but they assess that based on the volume of activity over a six-to-12-month period.

Commissioner Dickmann asked if the Fire Department has any comments with the site plan. Asst. Fire Chief Kressuk responded that they generally make their final determination regarding site access, turning radiuses, and Code compliance based on the final site plan. At this point, they don't want to lock in on any particular feature as part of a concept drawing when it might affect the entire access to the site as a whole. They have done some preliminary work as far as turning radiuses and code compliance for access roads and it is a great starting point.

Mayor Bukiewicz moved 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). Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**ZONING TEXT AMENDMENT
TATTOO AND/OR BODY PIERCING STUDIO
IN B-2, COMMUNITY BUSINESS DISTRICT – SEC. 17.0313(c)**

Zoning Administrator/Planner Wagner provided an overview of the proposal to allow tattoo and/or body piercing studios as Conditional Uses in the B-2, Community Business district (see staff report for details).

Commissioner Dickmann moved that the Plan 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. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW
MARGARITA CITY
8201 S. HOWELL AVE., STE. 700
TAX KEY NO. 813-9020**

Planner Papelbon provided an overview of the proposal for an outdoor dining patio on the south elevation of the existing building (see staff report for details).

Commissioner Dickmann asked if the request for clear lights rather than colored lights falls under recommended Condition #4, which calls for final lighting plans. Planner Papelbon responded that it is a staff recommendation for conversation between the applicant and the Plan Commission. It is staff's recommendation - not a requirement - that the lights be clear. If the Plan Commission requires it, it can be added as a condition. Commissioner Siepert concurred with Commissioner Dickmann and that they should be clear lights.

Ed Bushman, Victor Construction, S88 W22535 Willow Court, Big Bend, WI, was present to represent Margarita City. Mr. Bushman stated they use the red, white and green lights to represent a Mexican look. It is on the south side of the building. There is manufacturing across the street from it and not a residential area. They would like to have the colored lights.

Mr. Bushman stated that they would also like to have outdoor music there. Typically, they would have a couple of speakers on the building that would give some ambiance on the exterior. Possibly once a week, they may have live mariachis that could stroll out onto the patio as well. Mr. Bushman stated that the sunshade material is fire-resistant.

Alderman Guzikowski stated his concern about how close traffic can get to the curb. Mr. Bushman stated that there is the drive to the west that comes from Woodman's. Most of the traffic comes straight out onto Forest Hill Avenue. Most of the traffic that comes out of the parking lot goes out to Forest Hill, too. The biggest amount of traffic that he has seen comes through that cross street to the south of the patio area. There are usually semis that come from Woodman's. They usually just park their semis there in that drive area.

Mayor Bukiewicz stated he has never seen much traffic come through that road either. The curb actually acts as somewhat of a buffer. Mayor Bukiewicz stated that this is something different. It expands a restaurant and adds another element to the area and choices for the public. Mayor Bukiewicz stated he does not have a preference regarding the lighting.

Commissioner Carrillo stated that it is kind of a barren area, and no one is using that street and it would be good to complete with the other Mexican restaurants in the area. She has no problem with the colored or white lights, as well as the music. There is no residential area in the area, and she is glad to see this use.

Commissioner Johnston asked if the fence posts and supports will remain there when the structure is removed. He is concerned about snow removal and those fence posts or supports getting damaged by snow plows because they are located outside of the curb. Mr. Bushman stated they are designed to be more of a permanent structure rather than removable. Commissioner Johnston does not have an issue with the lights or the music.

Planner Papelbon asked if the party lights will be the only lights that will light the patio area. Mr. Bushman responded that at their other locations, those are the only lights that they use.

Mayor Bukiewicz asked about zoning as far as the outside music. Zoning Administrator/Planner Wagner responded that the music would be regulated by the noise ordinance. There are facilities already in the City with speakers outside. Also, this is located in a commercial district with no residential nearby.

Commissioner Chandler asked what safety precautions are in place. Mr. Bushman responded that they have the iron fence and the planters along the curb area. There is also the taller vertical structure, the vertical posts, the support, the canopies, so someone cannot drive by and not see that.

Commissioner Chandler asked if the patio can be entered from the outside. Mr. Bushman responded that they did propose a gate on the east side of the patio because that is the only way a wheelchair can access the patio area because there is a step down from the building to the patio. Primarily, however, everyone would be seated from the inside of the restaurant.

Commissioner Johnston moved 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.

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

**CONDITIONAL USE PERMIT
VILLA HEALTHCARE
8432 S. 27TH ST.
TAX KEY NO. 831-9035**

Planner Papelbon provided an overview of the proposal for a skilled nursing facility. She mentioned that this had previously been approved by the Plan Commission and Common Council, but had expired due to unforeseen circumstances (see staff report for details).

Commissioner Dickmann asked about the number of beds per unit in the hospice care unit. Grant Reginato, Direct Supply Aptura, 6767 W. Industrial Road, Milwaukee, WI, stated that the additional beds in the units are for family to stay overnight. Mr. Reginato stated that the owner

is going to have a different operator for the hospice portion of the facility because it does require a separate license.

Commissioner Siefert moved 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). Commissioner Chandler seconded. On roll call: all voted aye.

**CONDITIONAL USE PERMIT
SPGMBS, LLC
440 W. BELL COURT, STE. 500
TAX KEY NO. 828-0005**

Planner Papelbon provided an overview of the proposal for a fitness and martial arts center on the property (see staff report for details).

Commissioner Chandler asked for more information on the parking situation. Planner Papelbon responded that what would normally be required is 28 stalls based on patrons and employees at peak operating hours. However, the suites share the 30 to 35 stalls that are on the property. At peak for the proposed fitness center, the existing two tenants do not have office hours, so there wouldn't necessarily be a conflict with parking there. Also, there is another multi-tenant building to the east of there, and there may be an opportunity for shared parking.

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

**CONDITIONAL USE PERMIT
UNITY FITNESS AND TRAINING
9801 S. 13TH ST.
TAX KEY NO. 904-9015**

Planner Papelbon provided an overview of the proposal for a fitness center on the property (see staff report for details). She stated that one of the neighbors within the Planned Unit Development sent an email in support of the proposal.

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

**SIGN PLAN REVIEW
WIRED PROPERTIES
B5 MULTITENANT COMMERCIAL BUILDING
7940 S. 6TH STREET
TAX KEY NO. 813-9054**

Planner Papelbon provided an overview of the proposed Master Sign Plan for the B5 building under construction (see staff report for details). She also mentioned that the applicant wishes to

request taller signage, but that staff's recommendation in the staff report is for consistency throughout Drexel Town Square.

Commissioner Carrillo asked if they would be using the retailers' logos or channel lettering. Planner Papelbon responded that they would be using the logos.

Planner Papelbon stated that staff is asking that the approval be for the maximum height of 31.8 inches. Because there is a separate request the signs to be taller, the Commission would have to make this specific motion about how tall the signs are that are being approved.

Sean Phelan, Wired Properties, 117 N. Jefferson St., Suite 207, Milwaukee, WI, stated that the only thing that he would request, if at all possible, is that the maximum sign height be 32 inches rather than 31.8 inches because that is a standard size.

Commissioner Johnston moved that the Plan Commission approves the Master Sign Plan for the B-5 multitenant commercial building at 7940 S. 6th Street with a maximum sign height of 32 inches. Commissioner Carrillo seconded. On roll call: all voted aye. Motion carried.

ZONING TEXT AMENDMENT
SECTION 17.0808
OUTDOOR LIGHTING

Zoning Administrator/Planner Wagner provided an overview of the proposal to amend the Outdoor Lighting Section of the Zoning Code to address window illumination and window signage (see staff report for details).

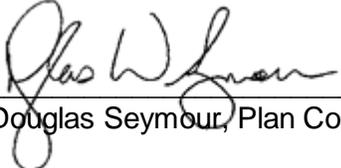
Commissioner Carrillo asked if a tenant could put their logo on the inside and face it out illuminated. Zoning Administrator/Planner Wagner responded that the way the code is written right now, one wall sign is allowed. One illuminated exterior wall sign or an illuminated interior window sign is allow, but not both. Commissioner Carrillo asked if this was in addition to an illuminated outdoor sign. Zoning Administrator/Planner Wagner responded yes. LED strip lighting is becoming a factor and needs to be addressed. He asked the Commission if they would prefer to just go with one or two signs. Commissioner Carrillo asked if there is any size limit. Zoning Administrator/Planner Wagner responded that window signs cannot be any more than 25% of the glazing.

Alderman Guzikowski stated that two internal signs are appropriate.

Commissioner Dickmann moved that the Plan Commission recommends that the Common Council approve amending Section 17.0808 Outdoor Lighting, regulating exterior accent lighting and amend Section 17.0706(h) regarding window signs as proposed with two internally-illuminated signs being permitted. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siefert seconded. On roll call: all voted aye. The meeting was adjourned at 8:47 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

5/9/2017

Date