



PLAN COMMISSION

November 28, 2017

6:00 P.M.

Common Council Chambers

8040 S. 6TH Street
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chaucey Chandler
Patrick Correll
Chris Guzikowski
Brian Johnston
Gregory Loreck
Fred Siepert
Walter Dickmann
Edward Ciechanowski – ex-officio
Doug Seymour – ex-officio

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – November 14, 2017
4. Significant Common Council Actions - NONE
5. New Business
 - a. CONDITIONS & RESTRICTIONS - Review Conditions and Restrictions for a Conditional Use Permit request submitted by Samuel Dickman, Jr., 4545 LLC, for freight yard/freight terminal/trans-shipment depot uses on the property at 10651 S. Oakview Parkway. (Tax Key No. 955-1023-000). Follow this item on Twitter **@OakCreekPC#OCPC4545CUP**.
 - b. CERTIFIED SURVEY MAP - Review a certified survey map submitted by I-Drexel, LLC, ICAP Development, LLC, combining the properties at 410 and 500 W. Drexel Ave. (Tax Key Nos. 782-9014-000 and 782-9003-000). Follow this item on Twitter **@OakCreekPC#OCPCICAP**.
 - c. SIGN PLAN REVIEW – Review a proposed sign plan submitted by Bob Kraus on behalf of Men's Hair House for the Men's Hair House commercial tenant portion of the building at 160 W. Town Square Way (Tax Key No. 813-9046-000). Follow this item on Twitter **@OakCreekPC#OCPCMensHairHouse**.
 - d. TEMPORARY USE PERMIT – Review a request for a temporary use permit submitted by Tiernan Paine, Tree-Ripe Citrus Company, for the temporary sale of produce in the

parking lot located at 501 W. Rawson Avenue. (Tax Key No. 765-9046-000). Follow this item on Twitter [**@OakCreekOCPCTreeRipeCitrus**](#).

Adjournment.

Dated this 22th day of November, 2017
Posted 11/22/17 (sg)

Public Notice

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, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 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

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 14, 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, Commissioner Loreck, Alderman Guzikowski, and Commissioner Siepert. Commissioner Correll and Commissioner Chandler were excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator/Planner; and Mike Kressuk, Assistant Fire Chief.

Minutes of the October 24, 2017 meeting

Commissioner Dickmann moved to approve the minutes of the October 24, 2017 meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP
SOMERSTONE, LLC**

7705, 7725, 7751, 7831, 7869 S. 13TH ST.

TAX KEY NOS. 784-9020-001, 784-9019-000, 784-9003-000, 784-9001-000, 784-9993-001

Planner Papelbon provided an overview of the request to combine the properties into one parcel prior to development of a mixed use Planned Unit Development (see staff report for details).

Commissioner Dickmann asked for more information on “no access to Drexel and a portion of 13th Street.” Planner Papelbon clarified that there would be a portion from the intersection with Drexel Avenue where there would be no access in order to maintain the safety of that intersection. Commissioner Johnston responded that normally they (restrictions) are 250 feet back from the intersection. That is where the turn lanes would come through.

Mayor Bukiewicz asked if there will be a right-hand turn lane there when Milwaukee County widens S. 13th St. Commissioner Johnston responded that what the County is doing requires improvements for that intersection. There will need to be additional real estate at this intersection for those accommodations. Commissioner Johnston responded that these improvements are going to be made when this project is developed.

Commissioner Dickmann moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John Thomsen, Somerstone, LLC for the properties at 7705, 7725, 7751, 7831, and 7869 S. 13th St. be approved, subject to the following conditions:

1. That the CSM is revised to incorporate the “no access” restriction along Drexel Avenue and a portion of 13th St.
2. That the CSM is revised to incorporate all wetland areas on all sheets.
3. That all unused laterals are abandoned at the main in conformance with Oak Creek Water and Sewer Utility requirements.
4. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

**REZONE
SOMERSTONE, LLC
7705, 7751 AND 7831 S 13TH ST.**

TAX KEY NOS. 784-9020-001, 784-9003-000 AND 784-9001-000

Planner Papelbon provided an overview of the request to rezone the properties from Rs-3, Single Family Residential to B-4, Highway Business (see staff report for details).

Commissioner Siepert asked if the homes that are in the proposed rezone change are already sold. Planner Papelbon responded that the properties, if not already closed, are in the process of being acquired by the applicant.

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that the properties at 7705, 7751, and 7831 S. 13th St. be rezoned from Rs-3, Single Family Residential to B-4, Highway Business after a public hearing. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW

SAMUEL DICKMAN, JR.

10651 S. OAKVIEW PARKWAY

TAX KEY NO. 955-1023-000

Planner Papelbon provided an overview of the request for a multitenant industrial building in OakView Business Park (see staff report for details).

Commissioner Siepert asked how many trucks they will have coming and going on a daily basis. Sam Dickman, 9410 N. Lake Dr., Bayside, responded that at this point, they don't have the tenants signed up, so it is difficult to determine what the truck traffic is going to be. His anticipation is that it won't be any greater than what is at the sister building to the north. Mayor Bukiewicz asked how many trucks there are now. Mr. Dickman responded approximately 20-25 a day.

Commissioner Siepert asked about the proposed screening wall. Mr. Dickman responded that they will be putting up two walls to screen the trailers from the street. Commissioner Siepert asked what the height of the wall would be. Mr. Dickman responded 18 feet, high enough so that the trailers will not be visible from the street. Planner Papelbon clarified that the plans show a 16-foot-tall wall.

Mayor Bukiewicz asked about changing the color of the building to break it up from the sister building. Mr. Dickman responded that he is open to doing that.

Mayor Bukiewicz asked about the trash enclosure. Mr. Dickman responded they have screened the trash enclosures.

Commissioner Johnston stated that the Engineering Department is working with the applicant's engineer to work through the storm water issues.

Commissioner Dickmann stated that the building looks very nice and is pleased with some of the minor changes they made because it enhanced the look of the building. He stated he is concerned about the traffic, however.

Commissioner Loreck moved that that the Plan Commission approves the site and building plans submitted by Sam Dickman, Jr., The Dickman Company, for the property at 10651 S. Oakview Parkway with the following conditions:

1. That all building and fire codes are met.

2. That the elevations are revised to incorporate canopies and/or decorative elements similar to the Applicant's existing building at 10450 S. Oakview Parkway.

Planner Papelbon pointed out that this condition has already been addressed. This condition was stricken.

3. That the plans are revised to include details for the proposed dumpster enclosure, and that a more durable material, such as composite, is used for the gate on the dumpster enclosure.
4. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.
5. That detailed plans for signage are reviewed and approved by the Plan Commission prior to submission of sign permit applications for the multitenant building. If the building is revised to accommodate only one (1) tenant with no possibility of future tenants, a sign plan will not be required prior to issuance of sign permits.
6. That all mechanical equipment (ground, building, and rooftop) is screened from view.
7. That final lighting plans indicating luminaire type, pole type, color, and height are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector prior to submission of building permit applications.
8. That stormwater and grading plans are submitted for final approval by the Engineering Department prior to issuance of permits.
9. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

Planner Papelbon clarified that revised elevations were received earlier in the day, and condition number 2 (formerly number 3) can be stricken.

The following are the conditions of approval after two items were stricken:

1. That all building and fire codes are met.
2. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.
3. That detailed plans for signage are reviewed and approved by the Plan Commission prior to submission of sign permit applications for the multitenant building. If the building is revised to accommodate only one (1) tenant with no possibility of future tenants, a sign plan will not be required prior to issuance of sign permits.
4. That all mechanical equipment (ground, building, and rooftop) is screened from view.
5. That final lighting plans indicating luminaire type, pole type, color, and height are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector prior to submission of building permit applications.
6. That stormwater and grading plans are submitted for final approval by the Engineering Department prior to issuance of permits.
7. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

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

**CONDITIONAL USE PERMIT
SAMUEL DICKMAN, JR. 4545 LLC
10651 S. OAKVIEW PARKWAY
TAX KEY NO. 955-1023-000**

Planner Papelbon provided an overview of the request for freight yard/freight terminal/trans-shipment depot uses on the property (see staff report for details).

Commissioner Dickmann asked about the amount of deliveries. Planner Papelbon responded that that was not specified in the narrative. Mr. Dickman responded that they don't have an exact amount, but about 30 deliveries will be coming and going each day. As they get tenants in, they are trying to get ahead of the game because it takes a while to get the zoning. Once they find that tenant, they want to get in fairly quickly.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot uses on the property at 10651 S. Oakview Pkwy., after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (November 28, 2017). Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**AFFIDAVIT OF CORRECTION
SUSAN SORRENTINO, SBR LAW GROUP, LLC
9900 AND 9941 S. RIDGEVIEW DR.
TAX KEY NOS. 926-9028-000 AND 926-9029-000**

Planner Papelbon provided an overview of the request for approval of a correction document related to a previously-recorded CSM affecting the properties (see staff report for details).

Mayor Bukiewicz asked if there would be any harm in leaving in Condition #1, which states: "That all unused laterals are abandoned at the main in conformance with Oak Creek Water and Sewer Utility requirements." Planner Papelbon responded that it is still going to be required. Planner Papelbon spoke with Attorney Sorrentino earlier in the day, and there was a question if that was actually going to be needed because there is no development proposed at this time. There is no vacation of the right-of-way that they are pursuing at this time. This is merely a correction instrument to remove errors on the map. Adding a condition of approval doesn't do anything other than put people on notice that in the future this may be required. Taking it off doesn't take away the requirement to do it anyway.

Commissioner Dickmann moved that the Plan Commission recommends to the Common Council that the Affidavit of Correction submitted by Susan Sorrentino, SBR Law Group, LLC for the properties at 9900 & 9941 S. Ridgeview Dr. be approved, subject to the following conditions:

1. That all unused laterals are abandoned at the main in conformance with Oak Creek Water and Sewer Utility requirements.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

**REZONE
ZUND AMERICA
B-4, HIGHWAY BUSINESS TO LM-1, LIGHT MANUFACTURING
8142 S. 6TH ST.
TAX KEY NO. 813-9039-000**

Planner Papelbon noted that there was an error on the Plan Commission agenda. The original request was for rezoning to DTSMUPDD. The request was changed per staff recommendation to LM-1, Light Manufacturing District.

Planner Papelbon provided an overview of the request (see staff report for details).

Commissioner Dickmann stated he is glad to see they are coming here. It is a different type of property and it is close to Drexel Town Square. Even though it is not part of it, it will be a good addition. Mayor Bukiewicz concurred.

Commissioner Siefert moved that the Plan Commission recommends to the Common Council that the property at 8142 S. 6th St. be rezoned from B-4, Highway Business to LM-1, Light Manufacturing after a public hearing. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
LOVE'S CORPORATION
9650 S. 20TH ST.
TAX KEY NO. 904-9000-001

Planner Papelbon provided an overview of the request for an oil alcove addition to the existing tire shop building (see staff report for details).

Commissioner Dickmann asked what an oil alcove is. Planner Papelbon responded that there were no details provided in the narrative. The oil alcove addition language came from the plans. That is why the Fire Department wants to be contacted so that they can discuss exactly what is going to be stored there, and what the fire suppression needs will be based on what would be stored. Asst. Fire Chief Kressuk stated he dealt with Lonnie Spicer previously when this structure was first constructed. Now that they have an addition and are potentially expanding the services provided there, they are going to reopen that discussion about the suppression and detection needs and what may be required on that site. Asst. Fire Chief Kressuk stated he does not have an answer at this time on what additional services will be provided, if any.

Alderman Guzikowski moved that the Plan Commission approves the site and building plans for the oil alcove addition to the existing tire shop building located at 9650 S. 20th St., with the following conditions:

1. That all building and fire codes are met.
2. That all revised plans (site, building, lighting details, elevations, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.
3. That all mechanical equipment (ground, building, and rooftop) is screened from view.
4. That the final site grading and drainage plans are approved by the Engineering Department.

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

ZONING TEXT AMENDMENT
CHAPTER 17 – ZONING ORDINANCE
DEFINITION OF BEAUTY SHOP

Zoning Administrator/Planner Wagner provided an overview of the request (see staff report for details).

Commissioner Siefert asked what zoning this falls under. Zoning Administrator/Planner Wagner responded that beauty shops fall under B-1, B-2, B-3 and B-4. Zoning Administrator/Planner Wagner clarified that it would be allowed in all of the commercial districts. Right now, tattooing is only allowed as a conditional use in the B-2 and B-4 districts.

Zoning Administrator/Planner Wagner stated that he did a survey of surrounding areas and this is a newer service, so a lot of zoning codes don't even address this yet. The City of Oak Creek will probably be one of the first communities to identify this type of cosmetology service in their zoning code.

Commissioner Carrillo asked if the term "beauty shop" could be updated to the word "salon." Zoning Administrator/Planner Wagner stated that this is the definition that is accepted by the Planning Association so that is why they are keeping it in the code right now.. Zoning Administrator/Planner Wagner stated that the City is updating the zoning code in 2018. Chapter 17 will be revised and updated and maybe with the help of the consultant, they could find another term that identifies a beauty shop, salon or a day spa.

Commissioner Dickmann asked if dermatologists perform these services. Zoning Administrator/Planner Wagner responded he is not aware of any because they deal mostly in skin care.

Commissioner Loreck moved that the Plan Commission recommends to the Common Council that Section 17.1402 be amended to include the definition of a Beauty Shop as a commercial establishment where cosmetology services are offered which may include: hair care, skin care, nail care, licensed facial microblading and facial micro-pigmentation, tanning, and hair removal. Piercing, tattooing, and massage therapy are not included, after a public hearing. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**ZONING TEXT AMENDMENT
CHAPTER 17.03170(g) – ZONING ORDINANCE
LM-1 DISTRICT SETBACK REQUIREMENTS**

Zoning Administrator/Planner Wagner provided an overview of the proposal (see staff report for details).

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that Section 17.03170(g) be amended to reduce the building front setback from a road or right-of-way from 30 feet to 25 feet, after a public hearing. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siepert seconded. On roll call: all voted aye. The meeting was adjourned at 6:51 p.m.

ATTEST:

Douglas Seymour, Plan Commission Secretary

November 15, 2017
Date



Plan Commission Report

ITEM: 5a
DATE: November 28, 2017

PROJECT: Conditions and Restrictions – Samuel D. Dickman, 4545 LLC

ADDRESS: 10651 S. Oakview Pkwy.

TAX KEY NO: 955-1023-000

SUGGESTED MOTION: That the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of Conditional Use Permit for freight yard/freight terminal/trans-shipment depot uses on the property at 10651 S. Oakview Pkwy., after a public hearing.

Ownership: Wispark, LLC, 231 W. Michigan St. P-423, Milwaukee, WI 53203

Size: 12.004 ac

Existing Zoning: M-1 (PUD), Manufacturing

Adjacent Zoning: North – M-1 (PUD), Manufacturing
East – M-1 (PUD), Manufacturing
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: At the November 14, 2017 meeting, the Plan Commission recommended approval of a Conditional Use Permit for proposed freight yard / freight terminal / trans-shipment depot uses on the property at 10651 S. Oakview Pkwy. 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.

Prepared by:

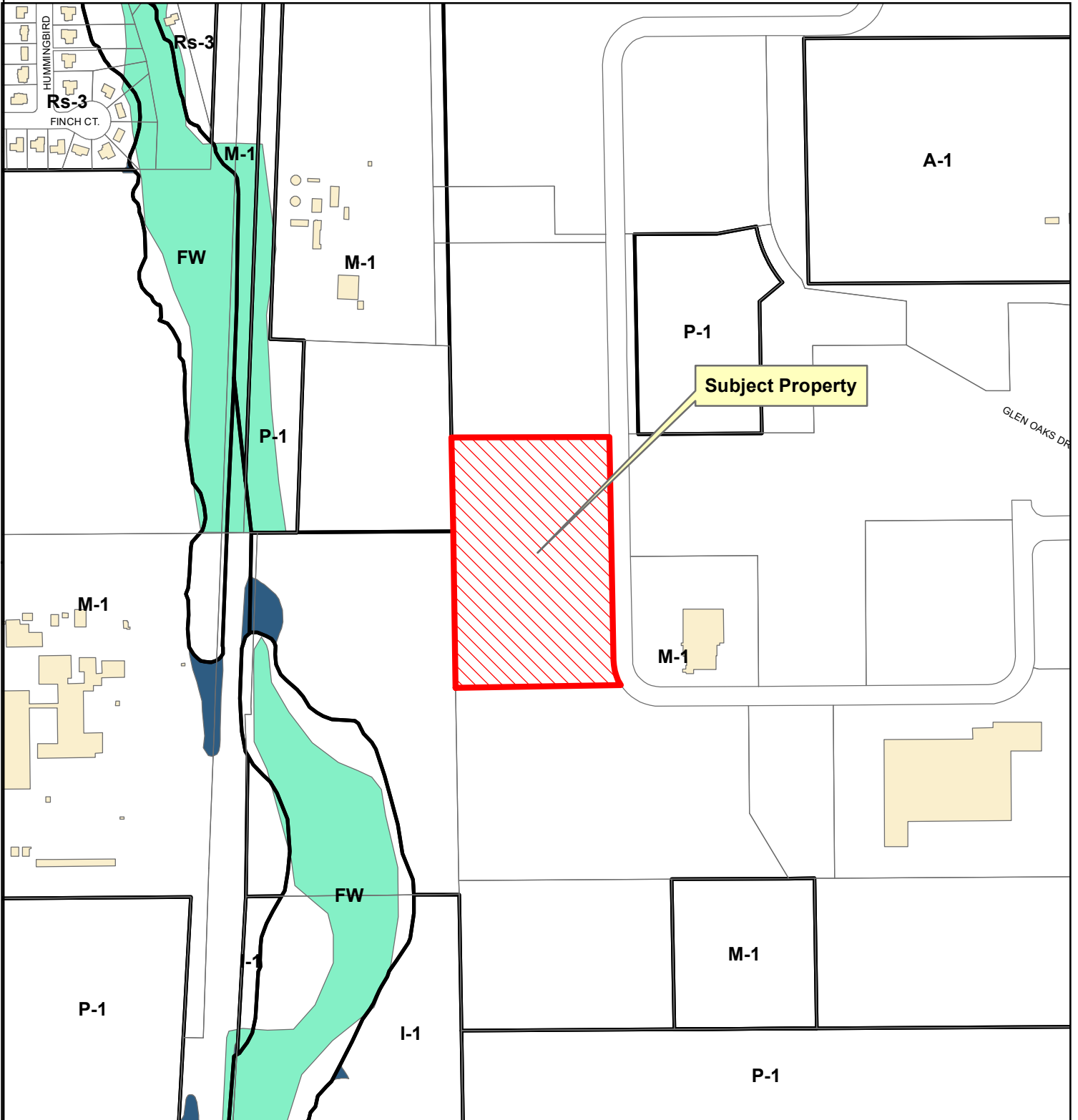
Kari Papelbon, CFM, AICP
Planner

Respectfully Submitted by:

Douglas Seymour, AICP
Director of Community Development

Location Map

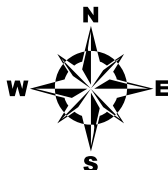
10651 S. Oakview Pkwy



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



Department of Community Development



Legend		Zoning Overlays	
	10651 S. Oakview Pkwy		C-1-Shoreland Wetland
			FF-Flood Fringe
			Lakefront Overlay
			NO-Mixed Use Neighborhood
			OO-Mixed Use Office
			RR-Regional Retail

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

Applicant: Samuel Dickman, 4545, LLC
Property Address: 10651 S. Oakview Parkway
Tax Key Number: 955-1023-000
Conditional Use: Freight yard/freight terminal/trans-shipment depot uses

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

1. LEGAL DESCRIPTION

Lot 1 of Certified Survey Map No. 8718, recorded August 31, 2015, in Reel 8709, as Document No. 10494589, being a redivision of Lot 1 of Certified Survey Map No. 8609, located in part of the Southwest ¼ of the Northeast ¼ and the Northeast ¼ of the Southeast ¼ of Section 32, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. 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/structure/equipment 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
 - ii) Number of employees
 - iii) Number of surface spaces
 - 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 (field verified)
- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

2) **Landscape Plan**

- a) Screening plan, including parking lot screening/berming
- b) Number, initial size, and type of plantings
- c) Percentage open/green space

3) **Building Plan**

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

4) **Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & 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, exterior remodeling, site modifications, and landscaping 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, additions, structures, and site modifications, 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. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. All trucks and trailers shall be parked in designated parking stalls on the south side of the property.
- B. There shall be no outdoor storage of materials, equipment, or supplies.
- C. There shall be no maintenance of vehicles on the property.
- D. Solid waste collection and recycling shall be the responsibility of the owner
- E. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

Parking for this development shall be provided in accordance with the approved OakView Business Park Planned Unit Development Conditions and Restrictions (as amended), site plans approved by the Plan Commission on November 14, 2017 (as amended), and Sections 17.0403 & 17.0404 of the Municipal Code (as amended).

5. LIGHTING

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

6. SETBACKS

	Front and Street Setback	Rear (East) Setback	Side (South) Setback
Principal Structure	40 ft	20 ft	20 ft
Accessory Structure*	40 ft	5 ft	5 ft
Parking	30 ft	5 ft	5 ft

** No accessory structures shall be permitted in the front yard or in required buffer yards.*

7. 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.

8. OTHER REGULATIONS

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

9. 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 (as amended). 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 9 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.

10. 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 (as amended).

11. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: APPROVED SITE PLANS

(Modifications to these plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission)

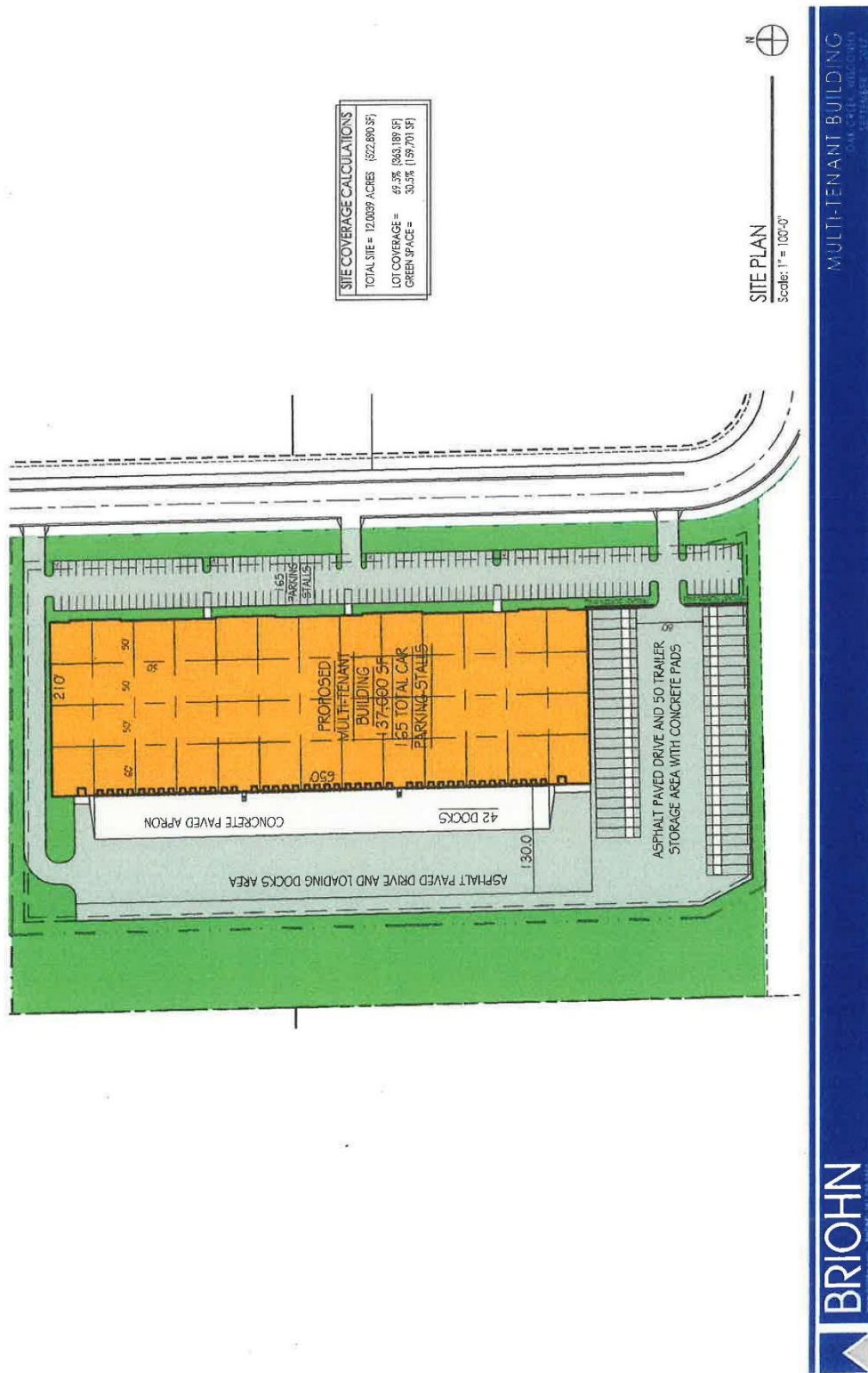
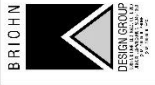


EXHIBIT A: APPROVED SITE PLANS (CONT'D)



SITE DIMENSION AND PAVEMENT ID PLAN

CAWVEY INDUSTRIAL FACILITY II
XXXXX S. CAWVEY PARKWAY
LOT 1 OF CSM NO. 8718
CITY OF OAK CREEK, WI

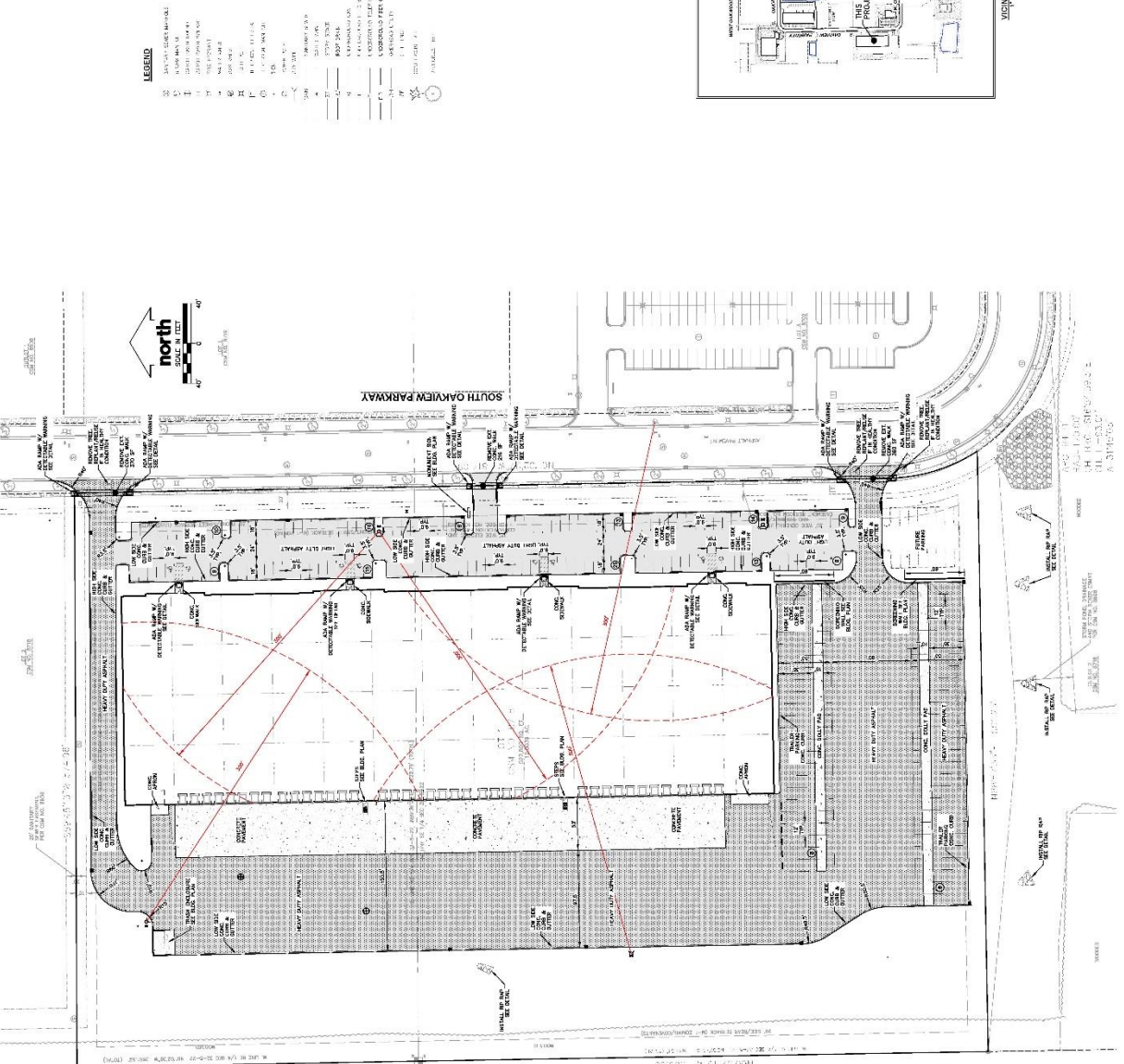
DRAFT - REVIEW ONLY - NOT FOR CONSTRUCTION

DATE: 05/14/14
DRAWN BY: JSD
CHECKED BY: JSD
SCALE: AS SHOWN
C1.0

- PAVING NOTES
1. ALL NEW SURFACING SHALL BE SUBJECT TO ALL APPLICABLE ENGINEERING SPECIFICATIONS FOR HIGHWAY & CONCRETARY PAVING STRUCTURES.
2. CONCRETE PAVING STRUCTURES SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
3. ALL CONCRETE PAVING SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S SPECIFICATIONS FOR CONCRETE PAVING.
4. ALL CONCRETE PAVING SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S SPECIFICATIONS FOR CONCRETE PAVING.
5. ALL CONCRETE PAVING SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S SPECIFICATIONS FOR CONCRETE PAVING.

- PAVEMENT THICKNESS NOTE
ALL PAVED AREAS SHALL BE CONSTRUCTED TO THE SAME THICKNESS UNLESS OTHERWISE NOTED.
PAVEMENT THICKNESS SHALL BE AS SHOWN ON THE PLAN.
PAVEMENT THICKNESS SHALL BE AS SHOWN ON THE PLAN.
PAVEMENT THICKNESS SHALL BE AS SHOWN ON THE PLAN.

Legend table with symbols for various paving materials and notes. Includes a small site plan diagram within the legend area.



JSD Professional Services, Inc.
Professional Engineer - Wisconsin
JSD Professional Services, Inc.
Professional Engineer - Wisconsin

URS
10000 W. WISCONSIN AVENUE, SUITE 200
MILWAUKEE, WISCONSIN 53227
TEL: 414.764.4800
WWW.URS.COM



Plan Commission Report

ITEM: 5b
DATE: November 28, 2017

PROJECT: Certified Survey Map – I-Drexel, LLC, ICAP Development, LLC

ADDRESS(ES): 410 & 500 W. Drexel Ave.

TAX KEY NO(S): 782-9014-000 & 782-9003-000

SUGGESTED MOTION: That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by I-Drexel, LLC, ICAP Development, LLC for the properties at 410 & 500 W. Drexel Ave. be approved, subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Ownership: Paluszynski Family Trust U/I/D 10/29/92 DBA Metalspun Products, 410 W. Drexel Ave. Oak Creek, WI 53154
Drexel Self Storage Inc., 360 E. Howard Ave., Milwaukee, WI 53207

Size: 3.6082 acres (following consolidation)

Existing Zoning: M-1, Manufacturing; FW, Floodway; FF, Flood Fringe; C-1, Shoreland Wetland Conservancy

Adjacent Zoning: North – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe; C-1, Shoreland Wetland Conservancy; P-1, Park District
East – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe; C-1, Shoreland Wetland Conservancy
South – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District
West – M-1, Manufacturing; FW, Floodway; FF, Flood Fringe; B-2 (CU), Community Business

Comprehensive Plan: Planned Industrial.

Wetlands: Yes (see attached maps).

Floodplain: Yes (see attached maps).

Official Map: N/A.

Commentary: The Applicant is requesting approval of a Certified Survey Map (CSM) combining the properties at 410 & 500 W. Drexel Ave. Once combined, the parcel will be in excess of 3 acres. Minimum lot size requirements for the M-1, Manufacturing District (1 acre) will be exceeded. Wetlands have been delineated and are shown with the floodplain areas on the northeast (and a small portion of the northwest corner) portion of the proposed parcel.

A few minor errors on the signature page were identified by staff and are provided below:

- Douglas W. Seymour is the Plan Commission Secretary.
- There is a redundant approval for the Common Council.
- Mayor's middle initial (J) is missing.

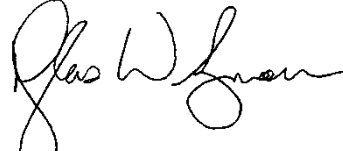
A condition of approval is provided above for these technical corrections.

Prepared by:



Kari Papelbon, CFM, AICP
Planner

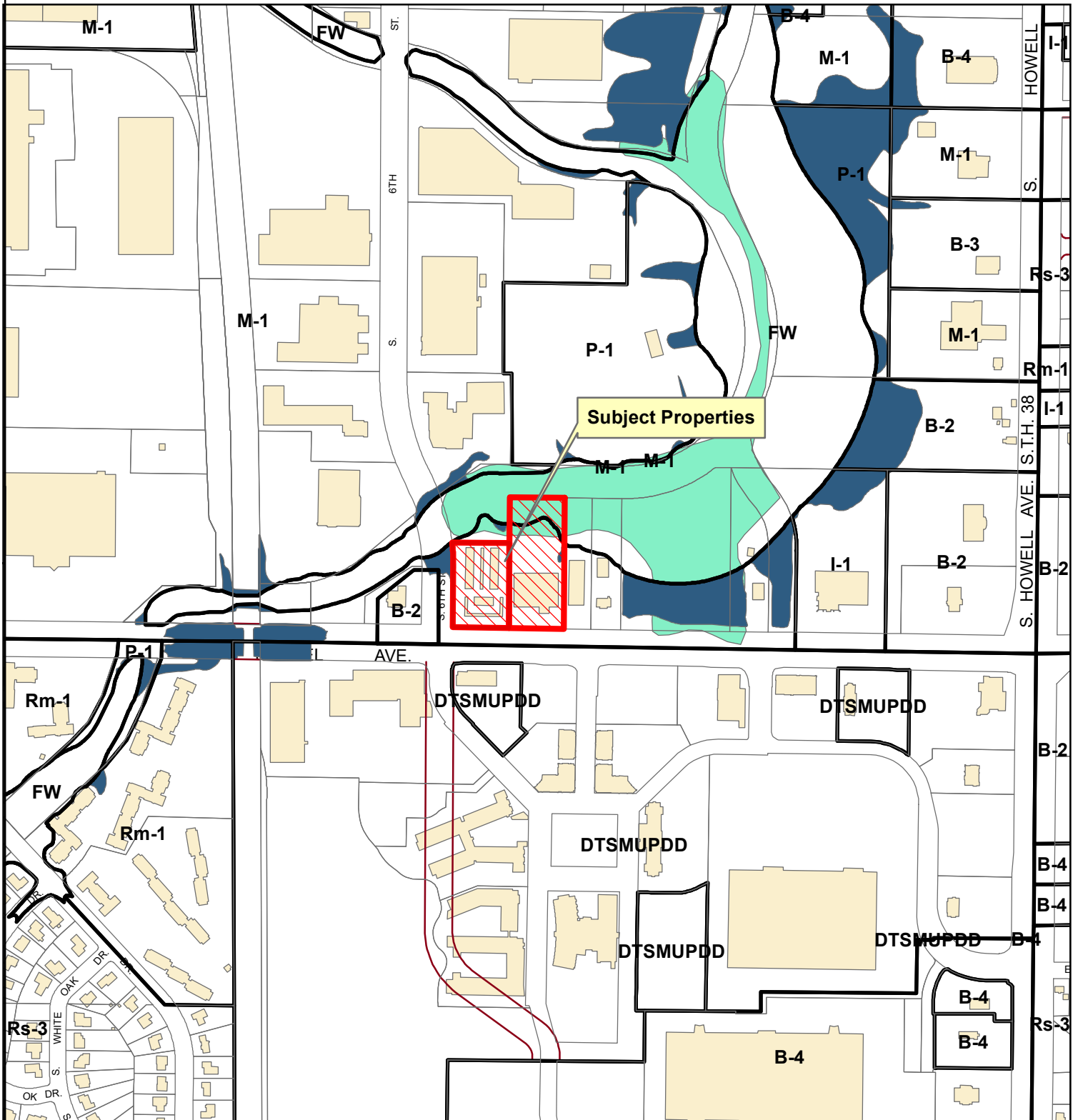
Respectfully Submitted by:



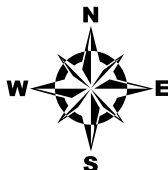
Douglas Seymour, AICP
Director of Community Development

Location Map









500 & 410 W. Drexel Ave



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



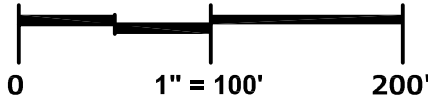
Legend

	500 W. Drexel Ave		410 W. Drexel Ave	Zoning Overlays
				 C-1-Shoreland Wetland
				 FF-Flood Fringe
				 Lakefront Overlay
				 NO-Mixed Use Neighborhood
				 OO-Mixed Use Office
				 RR-Regional Retail

CERTIFIED SURVEY MAP NO. _____

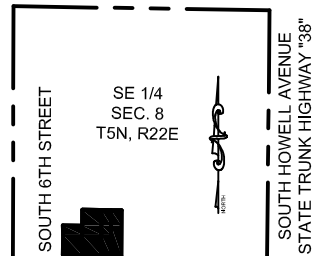
Being Parcel 1 of Certified Survey Map No. 380 and Lot 1 of Certified Survey Map No. 734, located in the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin

GRAPHICAL SCALE (FEET)



Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The south line of the Southeast 1/4 of Section 8, Township 5 North, Range 22 East has a bearing of S89°07'01"E. (Record bearing S89°07'20"E)

VICINITY SKETCH SCALE 1"=2000'



NOVEMBER, 2017

Tax Key Numbers:
782-9003-000
782-9014-000

PARCEL A
C.S.M. NO. 734

PARCEL A
C.S.M. NO. 743

NORTH BRANCH OAK CREEK

Prepared for:
Brian R. Adamson
ICAP Development
833 E. Michigan Street
Suite 540
Milwaukee, WI 53202

PARCEL 2
C.S.M. NO. 380

FLOODWAY PER FEMA
MAP NO. 55079C0168E

CENTER OF CREEK PER PUBLIC
DRAINAGE EASEMENT ON CSM 72

100 YEAR
FLOOD PLAIN

100 YEAR FLOOD
PLAIN AND FLOODWAY
PER FEMA MAP NO.
55079C0168E

LOT 1
157,175 SQ. FT.
3.6082 ACRES

EXISTING
BUILDINGS

2,125 SQ. FT.

2,726 SQ. FT.

EXISTING
BUILDING

20,246 SQ. FT.

EXISTING
BUILDING

PARCEL 1
C.S.M. NO. 743

6' WISCONSIN
ELECTRIC POWER
EASEMENT PER
DOC. 3918031

WISCONSIN
ELECTRIC POWER
EASEMENT PER
DOC. 3918032

WEST DREXEL AVENUE

SW CORNER, SE 1/4, SEC. 8, T5N, R22E
(FOUND CONC. MON. W/ BRASS CAP)
N=335,461.06; E=2,556,922.88
(WISCONSIN STATE PLANE CO-
ORDINATE SYSTEM, SOUTH ZONE)

(VARIABLE R.O.W.) SOUTH LINE OF THE SE 1/4 SEC. 8, T5N, R22E
(R) S89°07'20"E PER C.S.M. 380 AND C.S.M. 734
S89°07'01"E 2645.69'

SE CORNER, SE 1/4,
SEC. 8, T5N, R22E
(FOUND CONC. MON.
W/ BRASS CAP)

10' X 10' WISCONSIN BELL EASEMENT PER
DOC. 5850845 AND 12' X 12' WISCONSIN
BELL EASEMENT PER DOC. 5926611

LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Found 3/4" Rod
- (R) - Denotes "Recorded As"
- ⊙ - Denotes Well/Monitoring Well
- ∇ - Denotes Wetland

SOUTH MAIN STREET

Prepared By:

PINNACLE ENGINEERING GROUP

15850 BLUEMOUND ROAD I SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#985.00
SHEET 1 OF 4

CERTIFIED SURVEY MAP NO. _____

Being Parcel 1 of Certified Survey Map No. 380 and Lot 1 of Certified Survey Map No. 734,
located in the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North,
Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed and mapped Parcel 1 of Certified Survey Map No. 380, recorded June 2, 1965 on Reel 249, Image 2002, as Document No. 4181411 and Lot 1 of Certified Survey Map No. 734, recorded on September 21, 1967, as Document No. 4345754, located in the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

Commencing at the southwest corner of the Southeast 1/4 of said Section 8;
Thence South 89°07'01" East along the south line of said Southeast 1/4, 921.12 feet;
Thence North 00°16'31" East, 65.00 feet to the north right of way line of West Drexel Avenue and the southwest corner of Lot 1 of Certified Survey Map No. 743 and the Point of Beginning;

Thence North 89°07'01" West along said north right of way line, 400.43 feet to the east right of way line of South 6th Street;
Thence North 00°52'59" East along said east right of way line, 210.00 feet to a point of curvature;
Thence northerly 100.29 feet along the arc of said curve to the left, and said east right of way line, whose radius is 755.00 feet and whose chord bears North 02°55'21" West, 100.22 feet to the south line of Parcel 2 of Certified Survey Map No. 380;
Thence South 89°07'01" East along said south line, 203.78 feet to the east line of said Parcel 2;
Thence North 00°16'31" East along said east line, 166.68 feet to the south line of Parcel A of Certified Survey Map No. 734;
Thence South 89°06'06" East along said south line, 200.01 feet to the west line of Lot 1 of Certified Survey Map No. 743;
Thence South 00°16'31" West along said west line, 476.65 feet to the Point of Beginning.

Containing 157,175 square feet (3.6082 acres) of land more or less.

That I have made such survey, land division and map by the direction of I-Drexel, LLC, owner of said land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the City of Oak Creek Land Division Ordinance in surveying, mapping and dividing the land with in the subdivision / certified survey map.

Date: OCTOBER 27, 2017



John P. Konopacki
Professional Land Surveyor S-2461

CURVE TABLE							
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	100.29'	755.00'	007°36'40"	N02°55'21"W	100.22'	N00°52'59"E	N06°43'41"W
(R)				N02°55'40"W			

NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- The property lies with in Floodway Areas of Zone "AE" of the Flood Insurance Rate Map Community Panel No. 55079CO168E with an effective date of SEPTEMBER 26, 2008. Zone "AE" areas have Base Flood Elevations determined.
- Vertical Datum: City of Oak Creek (City of Oak Creek Vertical Datum conversion = National Geodetic Vertical Datum of 1929 minus (-) 580.56). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: Concrete monument with brass cap at the southwest corner of the Southeast 1/4 Section 8, Town 5 North, Range 22 East, Elevation = 703.80 (NGVD20) = 123.24 (CITY).
- Wetlands delineated by WETLAND & WATERWAY CONSULTING, LLC June 2017.

Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#985.00
SHEET 2 OF 4

CERTIFIED SURVEY MAP NO. _____

Being Parcel 1 of Certified Survey Map No. 380 and Lot 1 of Certified Survey Map No. 734,
located in the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North,
Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin

OWNER'S CERTIFICATE

I-Drexel, LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed and mapped as represented on this certified survey map.

I-Drexel, LLC, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. City of Oak Creek

IN WITNESS WHEREOF, the said I-Drexel, LLC has caused these presents to be signed by _____ (print name),
_____ (title), at _____, _____ County,
Wisconsin, on this _____ day of _____, 2017.

In the presence of: I-Drexel, LLC

(signature name) (title)

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2017, (name) _____,
(title) _____, of the above named I-Drexel, LLC, to me known to be the persons who
executed the foregoing instrument, and to me known to be such _____ (title) of said
I-Drexel, LLC, and acknowledged that they executed the foregoing instrument as such officer as the deed of said I-Drexel, LLC, by its
authority.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



OCTOBER 27, 2017

Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#985.00
SHEET 3 OF 4

CERTIFIED SURVEY MAP NO. _____

Being Parcel I of Certified Survey Map No. 380 and Lot I of Certified Survey Map No. 734,
located in the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North,
Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the City of Oak Creek, on this _____ day of _____, 2017.

Date

Daniel Bukiewicz, Chairman

Date

Catherine A. Roeske, Clerk

COMMON COUNCIL APPROVAL

Approval as indicated above by the Common Council of the City of Oak Creek, per Plan Commission recommendation on this _____ day of _____, 2017 by Resolution No. _____

Approved by the Common Council of the City of Oak Creek on this _____ day of _____, 2017.

Date

Daniel Bukiewicz, Mayor

Date

Catherine A. Roeske, City Clerk



OCTOBER 27, 2017

WETLAND LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N44°38'23"E	8.43'
L2	N85°37'07"E	22.62'
L3	N74°38'10"E	22.13'
L4	N83°23'42"E	13.00'
L5	N46°02'33"E	12.67'
L6	N22°36'31"E	8.15'
L7	N53°18'24"E	6.75'
L8	S84°59'32"E	15.69'
L9	N85°07'10"E	15.19'
L10	S83°25'56"E	18.54'
L11	S54°58'07"E	9.33'
L12	S37°52'26"E	13.64'
L13	S51°48'05"E	11.39'
L14	N73°18'42"E	17.51'
L15	S86°33'43"E	19.51'
L16	S57°27'03"E	10.98'



Plan Commission Report

ITEM: 5c
DATE: November 28, 2017

PROJECT: Sign Plan Review– Men’s Hair House

ADDRESS: 160 W. Town Square Way

TAX KEY NO: 813-9046-000

Suggested Motion: That the Plan Commission approves the Sign Plan submitted by Dan Rayer, Men’s Hair House, for Unit 200 of the building at 160 W. Town Square Way.

Ownership: GMX Midland Oak Creek LLC

Size: 8.814 acres

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

Adjacent Zoning: North – M-1, Manufacturing District, I-1, Institutional 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 the sign plan for Men’s Hair House located in a tenant space for the building located at 160 W. Town Square Way. All signage within Drexel Town Square zoning district requires Plan Commission approval prior to submitting building permits.

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

- One primary sign per entry facade per tenant.
- 1 - 2 flag signs per entry facade (max. size fabric = 10’, max. size solid = 36” x 36”).
- 1 eye-level sign / graphic per 12 linear feet of entry facade.
- Maximum height of primary signage = 15% of retail floor height.
- Tenants located along Drexel or Howell, an additional wall sign facing either street is permitted.
- Primary signs are permitted on special condition facades for perimeter buildings.

The tenant space for Men’s Hair House is next to the tenant space occupied by Five Guys. The applicant is proposing to install one wall sign on the south and north elevation of the building. One eye level sign on the south elevation of the building is being proposed, identifying the business and

hours of operation. The size of the sign will conform to the 10% size limit on the glazing. At the time of this report, graphics for the eye-level sign were not available. The signs, as proposed, comply with the approved master sign plan for the building and with the DTSMUPDD sign regulations.

The sign located on the south elevation of the building (entry façade) and will be a channel letter sign with logo that is 28 inches in height and 18 square-feet in size, which complies with code. The face of each letter and logo will consist of white acrylic. The sign will be internally illuminated with LEDs. The logo sign will be an acrylic face with push through letters. At night, only the lettering will be illuminated.

The sign located on the north elevation will be of the same design of channel letters with a logo sign underneath, but slightly narrower and slightly taller. The sign will be 32 inches in height and be 17 square-feet in size, which also complies with code.

Because this is a building located on the perimeter of Drexel Town Square, the applicant is permitted to have a wall sign on both the north and south elevations.

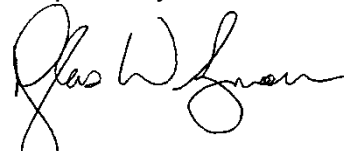
If approved, the applicant will install one wall sign on the north elevation and one wall sign and eye-level sign on the south elevation of the tenant space located at 160 W. Town Square Way.

Prepared by:



Peter Wagner, AICP
Zoning Administrator/Planner

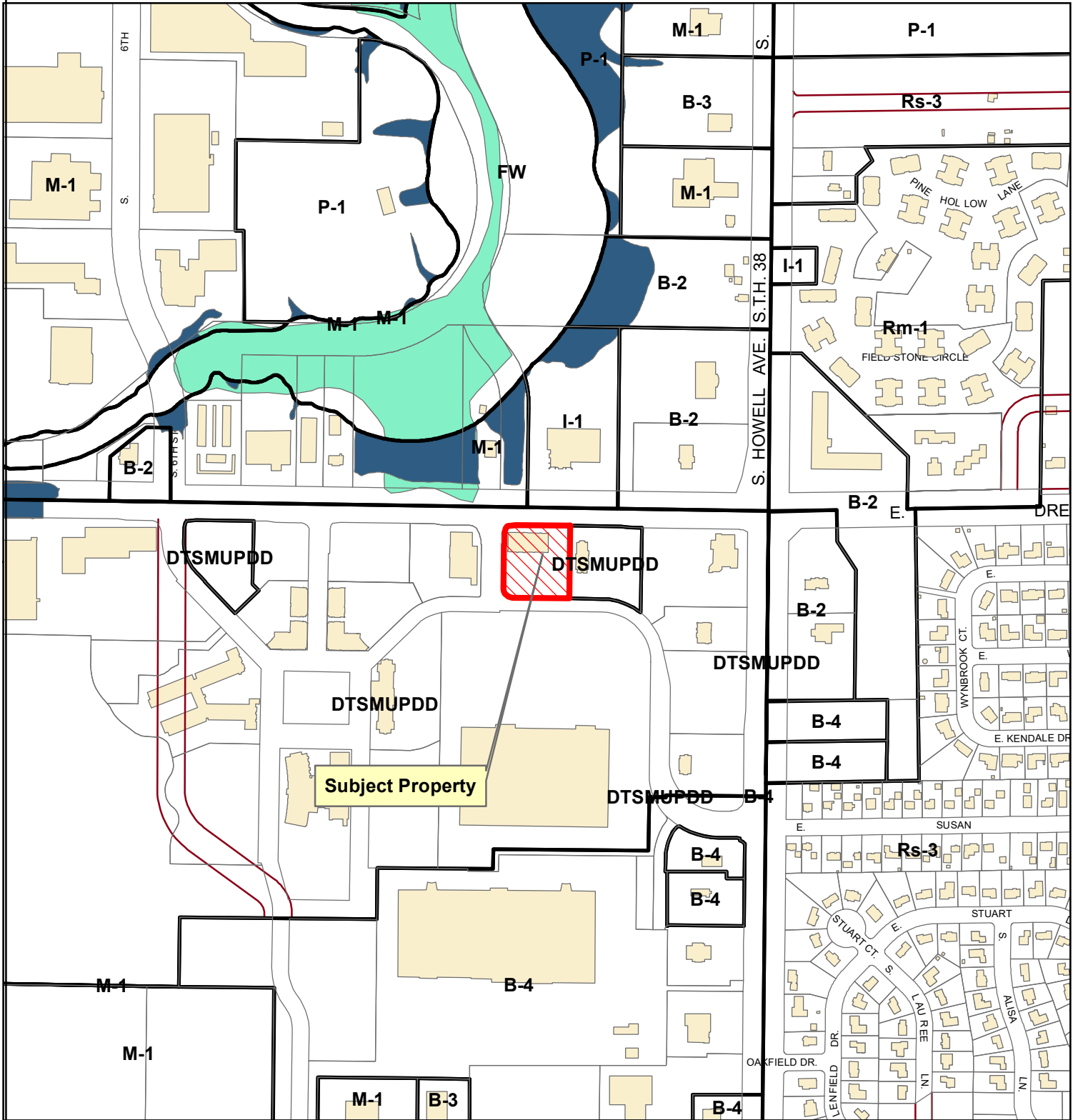
Respectfully Submitted by:



Douglas Seymour, AICP
Director of Community Development

Location Map

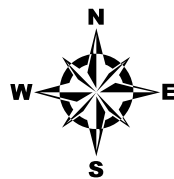
160 W. Town Square Way, Ste 400



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



Department of Community Development



Legend	
	160 W. Town Square Way, Ste 400
Zoning Overlays	
	C-1-Shoreland Wetland
	FF-Flood Fringe
	Lakefront Overlay
	NO-Mixed Use Neighborhood
	OO-Mixed Use Office
	RR-Regional Retail



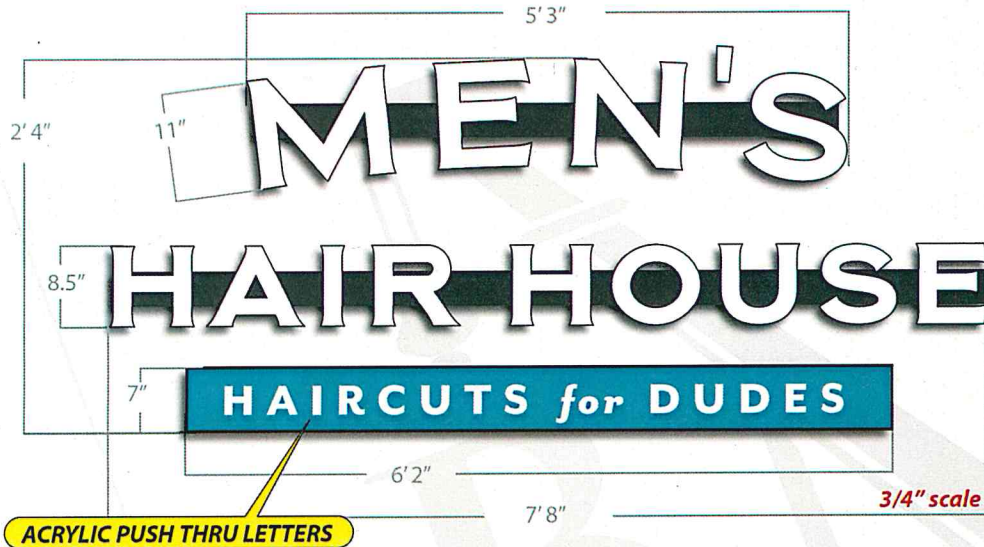
2500 South 170th Street
New Berlin, Wisconsin 53151
Proudly Made In the USA!

wire bauersignusa.com
voice 262.784.0500
fax 262.784.6675

Award Winning
Graphic Design



SAVED AS Men's Hair House
LOCATION WI
SALES REP Bob Kraus
DATE 26 Aug 17
REVISION 18 Sep 17
15 Nov 17



SPECIFICATIONS

FABRICATE AND INSTALL (1SET) INTERNALLY ILLUMINATED, RACEWAY MOUNTED CHANNEL LETTERS.

- FACES TO BE #7328 WHITE ACRYLIC
- RETURNS TO BE .050X5" AND BACKS TO BE .063 ALUMINUM
- TRIMCAPS TO BE 1" BLACK
- EXTERIORS PAINTED BLACK
- INTERIORS PAINTED WHITE
- ILLUMINATED WITH WHITE LEDs
- POWERED WITH APPROPRIATE LOAD POWER SUPPLIES
- INSTALLED FLUSH TO FACADE
- MODULE GRAPHICS BACKGROUND TO BE SHEETED IN OPAQUE VINYL OVERLAYS (BEST MATCH PMS 313C)
- LETTERS TO BE .250 WHITE ACRYLIC PUSH THRUS



Men's Hair House
channel letters
FRONT

Printed artwork colors are not always representative of final product colors. Please refer to specifications for call out or salesman for samples
These drawings are the exclusive property of Bauer Sign Company. Not to be duplicated in any way without expressed written permission!

FINAL ELECTRICAL CONNECTION IS CLIENT'S RESPONSIBILITY



This sign shall be manufactured in accordance with Article 600 of the National Electrical Code and / or the applicable local codes. This includes proper grounding and bonding of the sign. Sign shall bear correct UL Labels.

APPROVAL / DATE



2500 South 170th Street
New Berlin, Wisconsin 53151

Proudly Made In the USA!

wire bauersignusa.com
voice 262.784.0500
fax 262.784.6675

Award Winning
Graphic Design



SAVED AS *Men's Hair House*
LOCATION *WI*
SALES REP *Bob Kraus*
DATE *26 Aug 17*
REVISION *15 Nov 17*



Men's Hair House
channel letters
REAR

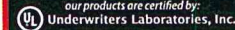
SPECIFICATIONS

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- EXTERIORS PAINTED BLACK
- INTERIORS PAINTED WHITE
- ILLUMINATED WITH WHITE LED's
- POWERED WITH APPROPRIATE LOAD POWER SUPPLIES
- INSTALLED FLUSH TO FACADE
- MODULE GRAPHICS BACKGROUND TO BE SHEETED IN OPAQUE VINYL OVERLAYS (BEST MATCH PMS 313C)
- LETTERS TO BE .250 WHITE ACRYLIC PUSH THRU

Printed artwork colors are not always representative of final product colors. Please refer to specifications for call out or salesman for samples
These drawings are the exclusive property of Bauer Sign Company. Not to be duplicated in any way without expressed written permission!

FINAL ELECTRICAL
CONNECTION IS CLIENT'S
RESPONSIBILITY



our products are certified by:
Underwriters Laboratories, Inc.
This sign shall be manufactured in accordance with Article 650 of the National Electrical Code (NEC) or the applicable local codes. This includes proper grounding and bonding of the sign. Sign shall bear correct UL Label.

APPROVAL / DATE



Plan Commission Report

ITEM: 5d

DATE: November 28, 2017

PROJECT: Temporary Use – Outdoor Retail Sales

ADDRESS: 501 W. Rawson Avenue

TAX KEY NOs: 765-9046

SUGGESTED MOTION: That the Plan Commission not approve the temporary use permit for the outdoor sales of produce in the parking lot located at 501 W. Rawson Avenue.

Ownership: Farm & Fleet of Janesville, Inc.

Size: 13.456 acres

Existing Zoning: B-4, CCU, Highway Business District Conforming Conditional Use

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

Comprehensive Plan: Planned Business

Wetlands: N/A.


Floodplain: N/A.

Official Map: N/A.

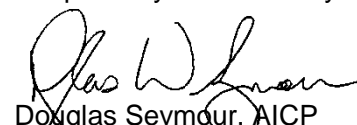
Commentary: The applicant is requesting a temporary use permit that would allow the business to sell produce from the back of a semi-tractor trailer located at 501 W. Rawson Avenue. Included with this report is a narrative identifying the company, the dates of operation, the location on site, and hours of operation. The applicant is proposing two different locations and is asking the Plan Commission to identify the preferred location.

Staff has consistently expressed concerns about the outdoor display and sale of merchandise and equipment in front of businesses as they can detract from the character of the community and has recommended against similar requests for this and other properties. In the event the Plan Commission does not concur with the staff recommendation, staff suggests to approve the temporary use permit for the outdoor sales of produce on the property located at 501 W. Rawson Avenue as identified on the submitted site plan and shall expire February 18, 2018.

Prepared by:

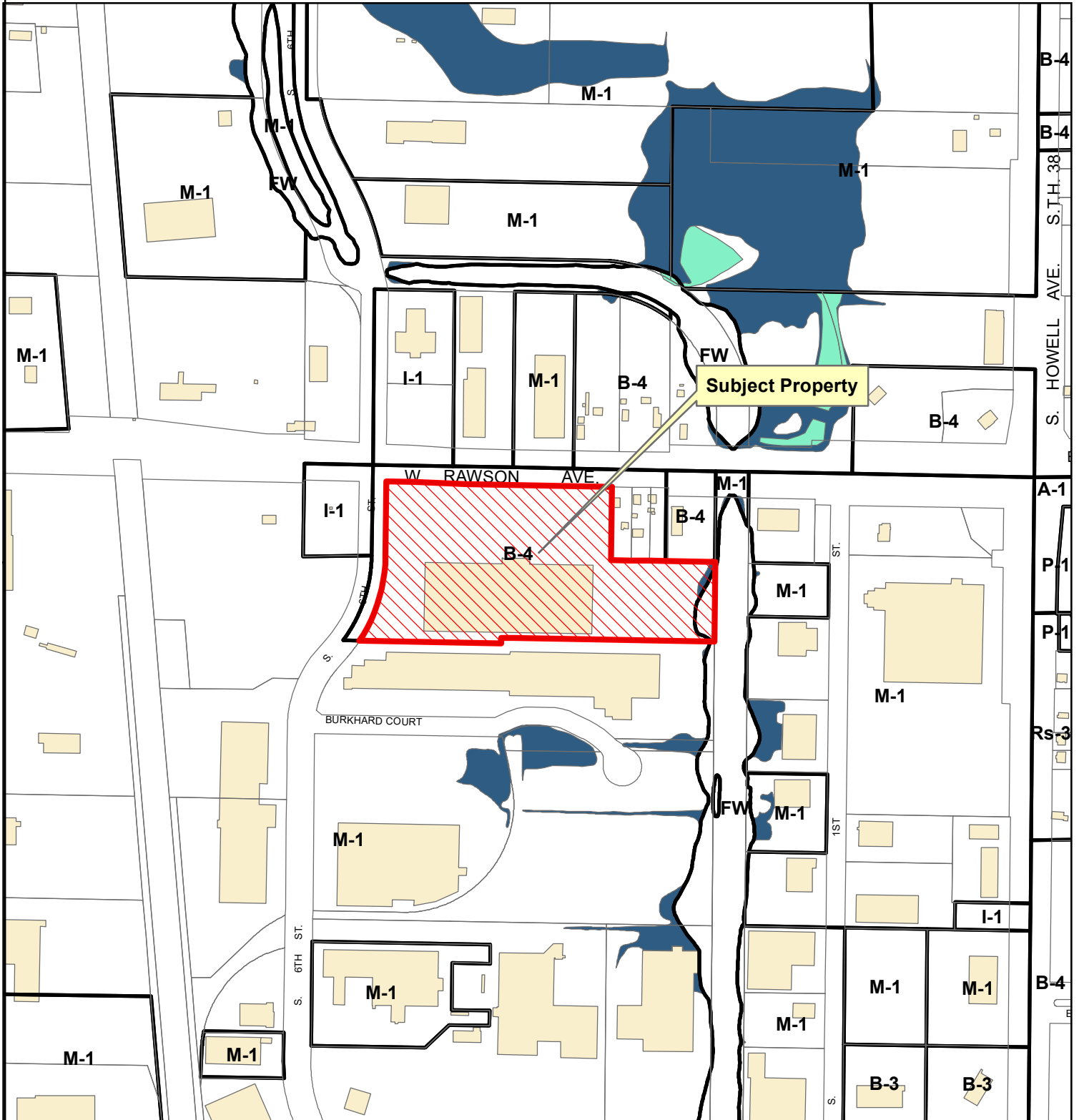

Peter Wagner, AICP
Zoning Administrator/Planner

Respectfully Submitted by:


Douglas Seymour, AICP
Director of Community Development

Location Map

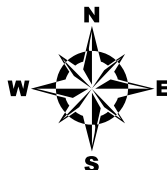
501 W. Rawson Ave.



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



Department of Community Development



Legend	
	501 W. Rawson Ave.
Zoning Overlays	
	C-1-Shoreland Wetland
	FF-Flood Fringe
	Lakefront Overlay
	NO-Mixed Use Neighborhood
	OO-Mixed Use Office
	RR-Regional Retail



Narrative for Tree-Ripe Citrus Co.

Tree-Ripe Citrus Co. is a family owned, Wisconsin based company founded in 1990. In the last 27 years we have continued to bring the finest Florida citrus, Georgia peaches and pecans, and Michigan blueberries to Wisconsin and the upper Midwest. We conduct retail sales at over 160 locations. We work with more than 20 Milwaukee area restaurants, and have over 21,000 followers on Facebook.

What we provide

Unlike the normal food distribution process which takes a great deal of time to get fresh fruit to market, our premium produce is taken directly from the farm and brought to tens of thousands of customers at pre-arranged host locations in Wisconsin, Illinois, Iowa and Minnesota. Customers are informed in advance via our website, mail, email, and social media so that they can make plans ahead of time to meet us. Our truck visits for 1-1/2 hours, giving our customers the opportunity to buy however much they would like, right off the truck.

This arrangement proves to be mutually beneficial for our host locations, as we bring many customers to their retail location, increasing the foot traffic to their business. And because of our very positive reputation, many of our customers spend their dollars at our host location. The majority of our host locations have been with us more many years, and we typically only change host locations in the event we require more space for our visits.

Our products do not compete with local businesses, but rather, they help local businesses. We only distribute products that are not grown in our locale, so there is no competition with local growers. The products themselves are available to customers (other than through our company) through the farms themselves, but this comes with the great additional cost of home shipping. Therefore, our customers do not have to pay for shipping costs, and receive a better value.

We are a very seasonal business, with actual retail sales happening only for about 12-14 weeks a year. We typically visit each location 6-8 times per year. The overwhelming response from our customer base is that they buy *more* produce throughout the year as they become more interested and excited about buying fresh produce. Therefore, our customers tend to spend more on produce from local businesses throughout the year.

We also bring a very high quality lineup of products that we've spent a great deal of time sourcing. Our products are priced fairly. For example, in 2016 the price of our Georgia peaches per pound was \$1.45. In 2017, even with a tremendous shortage of Georgia peaches, our price was \$1.80 per pound. We saw more than double that price in some grocery stores in the Milwaukee area. This means that our customers receive a high quality product, and they get a great value. In addition, our return rate of products for 2016 was .02% of purchases. We rarely have requests for returns, but our policy is a full refund if there is a problem with any of our products.

We are fully insured, and licensed by the USDA.

Customer base specific to Oak Creek and vicinity

We do provide a valuable service to the community, and have customers in virtually every city and village in the state. Specifically in Oak Creek, we have 439 customers who are currently receiving our mailed brochures. In surrounding communities (including Franklin, Caledonia,

South Milwaukee, and Cudahy) we have an additional 1,687 customers who receive our brochures. There are many customers in the area who do not receive a mailed brochure, and only receive online marketing. We estimate that in Oak Creek and surrounding area, we have 3,000+ customers. Our customers love the fact that we are able to bring our produce directly to their community, making it convenient for them to purchase from us.

In closing, we feel that we provide a service that the citizens of Oak Creek desire to have. And as we are licensed as a merchant in over 75 municipalities in Wisconsin, with zero violations, we are confident that we can be compliant with the requirements of the City of Oak Creek.

Thank you,
Tiernan Paine
Owner

tree-ripe citrus co.



Letter of Permission from host location

Typically when working with host locations that give permission to our company to use their parking lot through their corporate office, we provide our lease agreement as the letter of permission.

The store manager at Farm & Fleet (501 W Rawson Ave Oak Creek WI 53154) gave verbal permission for customers to utilize bathrooms if needed.

We've provided our previous 2 seasons lease agreements with Farm & Fleet Corporate office, and will provide the 2017-18 lease once we have received it.

LEASE AGREEMENT

This Lease is made by and between Blain Supply, Inc., hereinafter referred to as “Lessor” and Tree Ripe Citrus Company hereinafter referred to as “Lessee.”

Lessor and Lessee agree that Lessee shall lease from the Lessor a part of Lessor’s property located at the following locations and dates:

Farm & Fleet of Verona
600 Hometown Circle
Verona, WI 53593

December 16, 2017

Farm & Fleet of Waukesha
a branch of Farm & Fleet of Janesville, Inc.
2310 Kossow Road
Waukesha, WI 53186

December 8/ January 12, 2018/ February 16, 2018

Farm & Fleet of Baraboo
a division of Farm & Fleet of Madison, Inc.
1100 South Boulevard
Baraboo, WI 53913

December 12/ January 16, 2018/ February 20, 2018

Farm & Fleet of Monroe, Inc.
251 Eighth St.
Monroe, WI 53566

December 16, 2017

Farm & Fleet of Watertown
a branch of Farm & Fleet of Janesville, Inc.
1400 West Main Street
Watertown, WI 53098

December 16/ January 20, 2018/ February 24, 2018

Farm & Fleet of Chippewa Falls
a branch of Farm & Fleet of Rice Lake, Inc.
2583 South Prairie View Road
Chippewa Falls, WI 54729

December 18 / January 22, 2018/ February 26, 2018

Farm & Fleet of Rice Lake, Inc.
2011 S. Main St.
Rice Lake, WI 54868

December 11, 2017

Farm & Fleet of La Crosse
a division of Farm & Fleet of Rice Lake, Inc.
9438 State Road 16
Onalaska, WI 54650

December 20/ January 24, 2018/ February 28, 2018

Farm & Fleet of Bloomington
a branch of Ottawa Farm & Fleet, Inc.
2201 West Market Street
Bloomington, IL 61704

December 20/ January 24, 2018/ February 28, 2018

Farm & Fleet of Urbana
a branch of Farm & Fleet of Monroe, Inc.
2701 North Cunningham Avenue
Urbana, IL 61802

December 21/ January 25, 2018/ March 1, 2018

Farm & Fleet of Dodgeville, Inc.
4894 County Trunk YZ
Dodgeville, WI 53533

December 21/ January 25, 2018/ March 1, 2018

Farm & Fleet of Platteville, Inc.
1535 East Business Highway 151
Platteville, WI 53818

December 21/ January 25, 2018/ March 1, 2018

Freeport Farm & Fleet, Inc.
1755 South West Avenue
Freeport, IL 61032

December 21/ January 26, 2018/ March 2, 2018

Farm & Fleet of Loves Park
a division of Ottawa Farm & Fleet, Inc.
7300 East Riverside Boulevard
Loves Park, IL 61111

December 21/ January 26, 2018/ March 2, 2018

Farm & Fleet of Rockton
4567 East Rockton Rd
Rockton, IL 61073

December 9, 2017

Farm & Fleet of Montgomery
400 US 30
Montgomery, IL 60538

December 9, 2017

Farm & Fleet of Sycamore
1300 DeKalb Ave
Sycamore, IL 60178

December 9, 2017

Farm & Fleet of Janesville
2421 Old Humes Rd
Janesville, WI 53545

December 11/ January 15, 2018/ February 19, 2018

Farm & Fleet of Dubuque
2675 NW Arterial
Dubuque IA 52002

December 21/ January 25, 2018/ March 1, 2018

Farm & Fleet of Oak Creek
a branch of Farm & Fleet of Janesville, Inc.
501 West Rawson Ave
Oak Creek, WI 53154


December 2/ December 23/ January 13, 2018/
January 27, 2018/ February 17, 2018

Said Lease is subject to the following terms and conditions:

1. Term. Lessor leases the above-described premises for a term commencing at 12:01AM and terminating at midnight days as specified above.
2. Rent. Lessee shall pay to the Lessor the sum of One and 00/100 Dollar (\$1.00). Payable on the date signed below.
3. Utilities. Lessee will provide all utilities (i.e. water, electricity, etc.) that they shall require. Lessee will be responsible for the proper removal of all trash and refuse Lessee generates in a legal manner.
4. Tax and Licenses. Lessee agrees to collect and remit to the proper taxing authorities all sales taxes associated with the Lessee's use during the term of the lease and to obtain all necessary permits and licenses for the Lessee's intended use.
5. Maintenance of Property. Lessee shall be responsible for maintaining in good condition and repair the property, which is the subject of the lease. Lessee will restore the property to the original condition.
6. Indemnification. Lessee agrees to indemnify and hold harmless Lessor from any and all claims made by anyone relating to Lessee's use of this property. Lessee will also maintain a general liability insurance policy with a minimal coverage amount of \$1,000,000.00.

Dated this __8th__ day of __November____, 2017

BLAIN SUPPLY, INC.

By: 
Dormie Roberts, Event Coordinator

TREE RIPE CITRUS CO

Tiernan Paine - Tree-Ripe Citrus Co.
Lessee