



PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions – Financial Institution with Drive-Through Facility

Description: Review draft Conditions and Restrictions for a Conditional Use Permit request for a financial institution with drive-through facility on Lot 2 of the CSM approved in October 2018.

Applicant(s): Greg Polacheck, Summit Credit Union & John Thomsen, Highgate, LLC

Address(es): Part of 7869 S. 13th St.

Suggested Motion: That the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for a financial institution with a drive-through facility on a portion of the property at 7869 S. 13th St. (Lot 2 of CSM to be recorded), after a public hearing.

Owner(s): Highgate, LLC

Tax Key(s): Part of 784-9993-002

Lot Size(s): 1.3008 ac

Current Zoning District(s): B-4, Highway Business

Overlay District(s): N/A

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Planned Mixed Use

Background:

At the February 12, 2019 meeting, the Plan Commission recommended approval of a Conditional Use Permit for a financial institution with drive-through facility on a portion of the property at 7869 S. 13th St. (Lot 2 of the CSM reviewed and approved 10-9-18). 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.

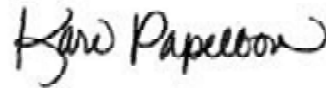
Options/Alternatives: The Plan Commission has the discretion to recommend Common Council approval of, or require modifications to, the draft Conditions and Restrictions.

Respectfully submitted:

 KLP

Douglas Seymour, AICP
Director of Community Development

Prepared:



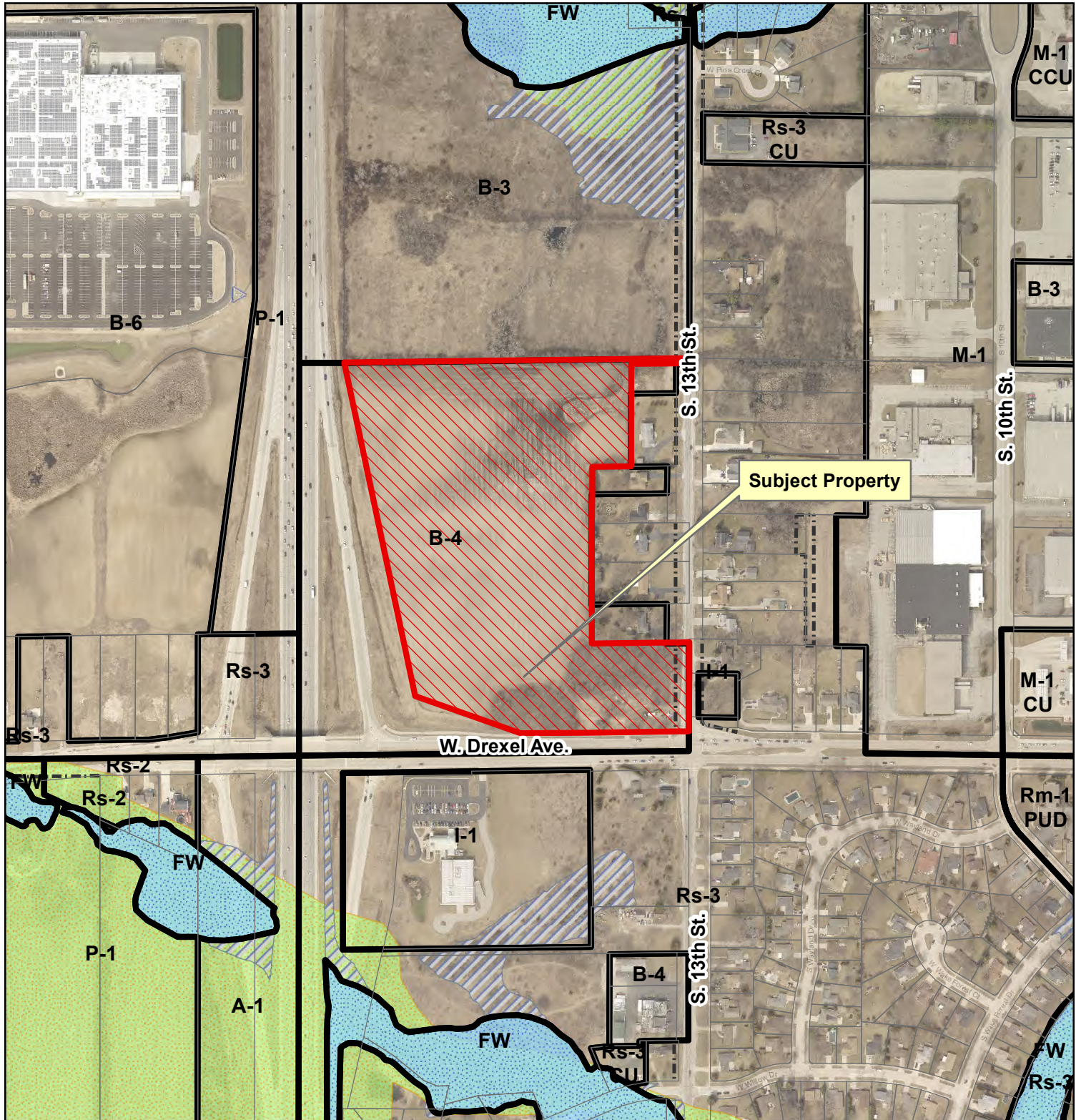
Kari Papelbon, CFM, AICP
Planner

Attachments:

Location Map
Draft Conditions and Restrictions

Location Map

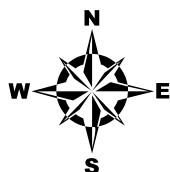
Portion of 7869 S. 13th St.



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



Department of Community Development



Legend	
	Portion of 7869 S. 13th St.
	Officially Mapped Streets
	Floodway (2008)
	Floodplain (2008)
	Environmental Corridor

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

Applicant: Summit Credit Union
Property Address: Part of 7869 S. 13th St.
Tax Key Number(s): Part of 784-9993-002
Conditional Use: **Financial institution with drive-through facility**

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

1. LEGAL DESCRIPTION

Lot 2 of a Certified Survey Map to be recorded, being part of the Southeast ¼ of the Southeast ¼ of Section 7, Town 5 North, Range 22 East, City of Oak Creek, County of Milwaukee, State of Wisconsin. Cont. 1.3008 acres.

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 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) and future expansion
 - ii) Number of employees
 - iii) Number of all parking 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 & mature sizes, and types of plantings
- c) Percentage open/green space

3) Building Plan

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- 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

C. 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 or occupancy permit.

D. 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.

- E. A landscaping plan must be submitted for review and approval by the Plan Commission prior to the issuance of a building or occupancy permit. Landscaping, in accordance with the approved plan must be in place prior to the issuance of an occupancy permit.
- F. 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 2(B) above, and/or as specified by these Conditions and Restrictions.
- G. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- H. Prior to the issuance of any building permits for the lot, all Certified Survey Maps affecting the property shall be submitted for recording.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. One (1) financial institution with drive-through facility in accordance with these Conditions and Restrictions is allowed on the property. Other uses permitted by the zoning district, in accordance with other applicable Sections of the City of Oak Creek Municipal Code (as amended) and these Conditions and Restrictions, are also allowed on the property.
- B. Hours of operation shall be as follows:

	Lobby	Lanes*
Monday through Thursday	9:00 AM – 5:00 PM	8:00 AM – 6:00 PM
Friday	9:00 AM – 6:00 PM	8:00 AM – 6:00 PM
Saturday	9:00 AM – noon	8:30 AM – 1:00 PM

*The ATM lane may be available 24 hours per day, 7 days per week.

- C. There shall be no more than three (3) drive-through/ATM lanes.
- D. There shall be no outdoor storage (except trash receptacles within an enclosure or enclosures approved by the Plan Commission) or display of any kind.
- E. No pole signs, pennant flags, light pole flags, permanent detached banners, or flashing/blinking signs shall be permitted as part of this development.
- F. Solid waste collection and recycling shall be the responsibility of the owner.
- G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended) and these Conditions and Restrictions (see Section 3 above).
- B. All drive-through lanes shall provide sufficient space for at least four (4) waiting vehicles and no queuing spaces shall preclude the use of any parking spaces, nor shall any queuing take place in the public right-of-way.
- C. Access to South 13th Street (CTH V) via a shared drive in accordance with executed agreements and access management plans is subject to the review and approval of Milwaukee County. Such approval shall be provided to the City prior to the issuance of any building permits.

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. BUILDING AND PARKING SETBACKS*

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure(s)	25 ft	25 ft	15 ft
Accessory Structure(s)*	25 ft	20 ft	20 ft
Off-street Parking	10 ft	0 ft	0 ft

**No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards.*

7. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use approval shall expire within twelve (12) months after the date of adoption of the ordinance if building or occupancy permits have not been issued for this use.

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 Permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 10 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. REVOCATION

Should an applicant, their heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving Conditional Use Permit 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)

DRAFT

EXHIBIT A: CONCEPTUAL SITE PLAN

(For illustrative purposes only. Detailed plans in accordance with these Conditions and Restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)

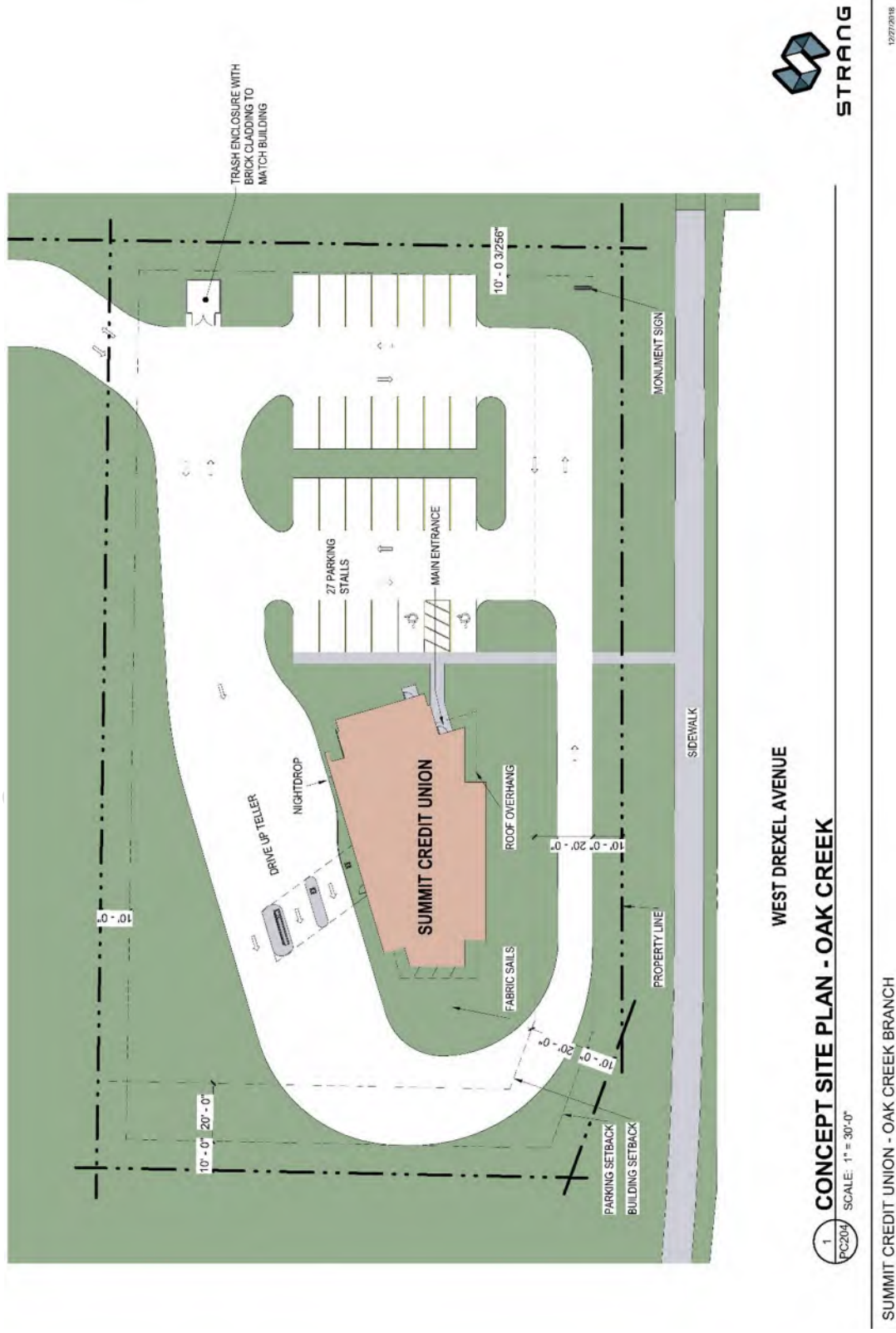
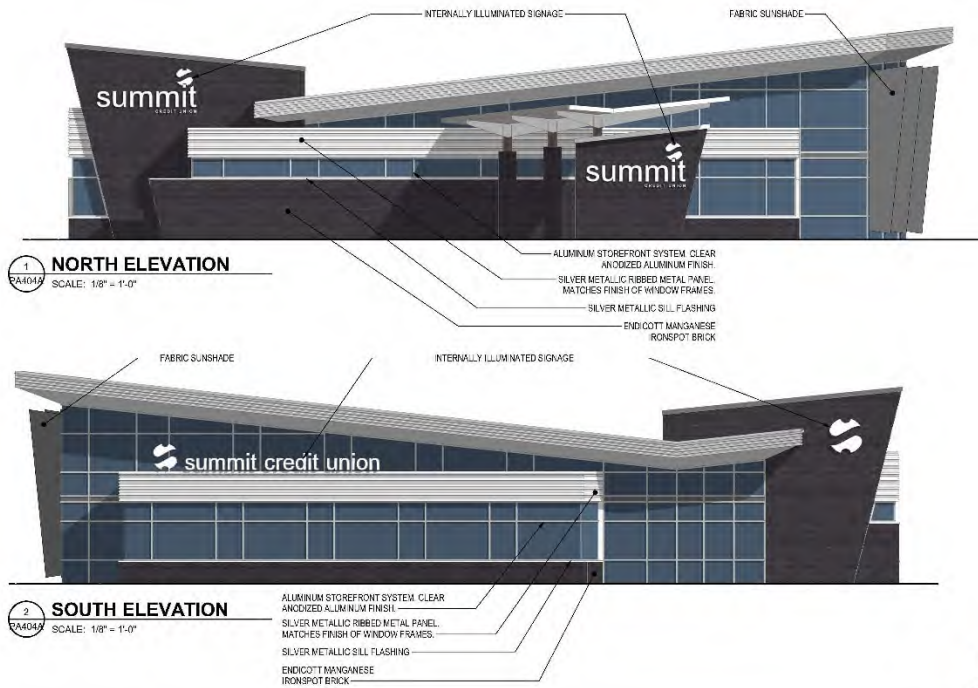


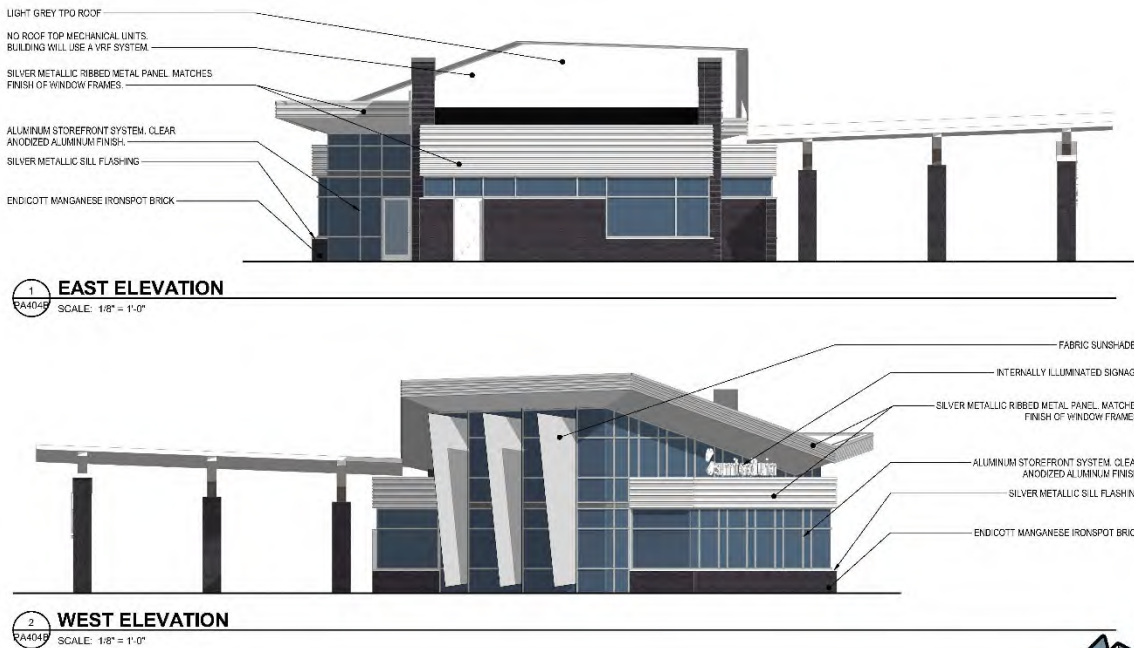
EXHIBIT B: CONCEPTUAL ELEVATIONS

(For illustrative purposes only. Detailed plans in accordance with these Conditions and Restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)



SUMMIT CREDIT UNION - OAK CREEK BRANCH

1/22/2018



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1/22/2018