

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, DECEMBER 12, 2017**

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

Minutes of the November 28, 2017 meeting

**CERTIFIED SURVEY MAP
BRADLEY SCHMIDT
810 E. OAKWOOD RD.
TAX KEY NO. 922-9047-000**

Planner Papelbon provided an overview of the request for a certified survey map.

Brad Schmidt, 7981 S. 20th Street, stated that presently this is a single-family lot and all buildings have been razed. The driveway will come off of Shepard Avenue.

Discussion ensued regarding driveway setback.

Commissioner Johnston stated that City staff can work with the developer on the layout of the driveway. For safety concerns, it is always best to keep the driveway as far away from an intersection as possible. If there are any turning/stopping movements there, there isn't a driveway to contend with.

Mr. Schmidt stated that the driveway that is currently there is coming off of Oakwood Road as far as the demo of that driveway. It is pretty much gone with the demo of the house, but the culvert is still there. Mr. Schmidt asked if it is his responsibility to remove that.

Mr. Schmidt asked if that has to be completed if the CSM is recorded. Commissioner Johnston responded that if it is not totally demolished now, meaning that the ditch is still flowing and that it is not impeding the water flow in that ditch, it can be done with the house construction.

Planner Papelbon stated that that would not be a condition of this CSM approval.

Mr. Schmidt stated that he did forward over an updated survey. Planner Papelbon confirmed that it had not been corrected. Planner Papelbon stated that this doesn't have to be corrected when it goes to council, but will have to be corrected before being submitted back to the city for recording.

Debbie Daehn, 840 E. Oakwood Road, asked what types of homes would be constructed. Mr. Schmidt responded that there will be two ranch homes.

Commissioner Correll moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Bradley Schmidt for the property at 810 E. Oakwood Road, be approved, submitted to the following conditions.

1. That the existing driveway crossing the northwest portion of Lot 1 is removed/relocated in conformance with all applicable requirements of the Municipal Code as part of the building permit process.

2. That all proposed new residential structures are sited in accordance with the average front setback requirements of Section 17.0604, and the corner lot requirements of Section 17.0605.
3. 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.

PLAN REVIEW
ENTERPRISE RENT-A-CAR
561 W. COLLEGE AVE.
TAX KEY NO. 718-9002-000

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

Arden Degner, 8540 S. Pennsylvania Avenue, asked if sidewalks are required on County roads. If not, he requested that sidewalks be installed along College Avenue so that access would be provided for any pedestrians trying to access this property. Commissioner Johnston responded that when this business went in, the sidewalks were extended along College Avenue.

Keane Kehoe, 513 W. College Ave., stated his concern about the fuel tank being that there are no fire hydrants in the area. He stated that they have had nothing but issues since Enterprise moved in there, including garbage blowing around, noises, and unloading trucks throughout the night. He stated that he has complained to everybody and nobody seems to do anything about it. He stated that he got the Police Department involved because there are constant car alarms, horns blowing, mulch has settled underneath the fence so all the garbage passes through under the fence. He is constantly picking up garbage. If you drive down MATC's road, you can see all the garbage blowing from that parking lot. The wetlands go right up to the end of that parking lot. That is all sloped. There is no drain. If there is a spill, it is going right into the wetland. Mayor Bukiewicz responded that they have to meet State standards for an above ground tank.

Mr. Kehoe stated his concern about the quality of employees in that they seem reckless.

Alderman Guzikowski stated he has been on the Council for three years and does not recall this issue being brought up at a Council level. Mr. Kehoe stated he spoke to his alderman and it was recommended they he call the police department. The police department told him to contact his alderman.

Dave Komasa, 531 W. College Avenue, stated he has three 2x8 tens 10' long along the back fence to keep the garbage from blowing underneath the fence. The car hauler drivers drop the ramps, hook them up, drag the chains across the ramps and it wakes him up at night. He stated they should be on the west side of the parking lot, not next to his house. He stated they were not supposed to park any cars along the fence or trucks. There is nothing there now, but all summer long he had to close his windows because of the diesel smell. Somebody backed into the fence and knocked the center horizontal bar loose and knocked out a panel and it needs to be fixed. They didn't say anything to their employees. Mr. Komassa further stated that putting the tank in above ground is going to be an accident waiting to happen.

Mayor Bukiewicz stated that although there is a list of concerns, they are not on the agenda. As long as it was brought up, however, the concerns will be addressed. Jim Flowers, representing Enterprise Rent-A-Car, stated that he appreciates the concerns brought up and that Enterprise takes neighbor concerns very seriously. They have changed the operation on site in the past 12 months. They used to have the airport operations there. They now have some administrative

support there along with a truck rental division. Some of the concerns with noise, etc., they have diligently worked with their employees and anyone coming on the site to avoid alarms. Regarding the fuel tank, they are working with the installer that is certified with the State of Wisconsin. They do satisfy the codes in making sure it is within the proper distances from the property line as well as the building. They also meet security and spill regulations, everything they are putting in place, they are meeting or exceeding. They will not have fuel deliveries. They are taking the used vehicles, reclaiming that fuel out of the vehicle into the tank, and reusing that for brand new vehicles that are being delivered. All of the safety equipment that they are putting in there is to ensure that they do not have a spill. If there was to be a spill, it would be minimal at most and anything that they would have there, spill kits, training, etc. should easily be able to contain that.

The reason they moved the location of the tank to the west side of the property is to meet the minimum setback from the property line and minimum setback from their building. The placement is so that the employees would be closer to the building. If there was an emergency, it would be a quicker way for them to obtain the ability to call for emergency help.

Commissioner Siepert asked what the spill containment factors are. Mr. Flowers explained that the tank is double-walled. If over time, the initial tank did leak, there is a containment in place. It also has a leak detection probe that will notify them with a visual alarm because they are required to do monthly and weekly inspections on the tank. There are two pumps on this tank; one that draws the gasoline out of the used vehicles and a filling pump, where they will dispense into a brand new vehicle. If there was an emergency, there is an emergency shut-off switch. The amount of fuel that they are dealing with is minimal. If a spill did occur, they have a spill kit. The kit allows them to contain any spill with a containment sock. They can immediately place it down to stop any leaking or dropping of gasoline on the ground, as well as absorbent pads that they can throw away.

Mr. Flowers stated that as far as crash protection, they are required to have concrete bollards, which is essentially a crash protection post around that tank to make sure the vehicle can't get through and hit the tank.

Mr. Flowers stated that he is going to take all of the concerns back to Enterprise and they will be addressed. He stated that the trash is very concerning, especially in an open space like that. They definitely want to be a good neighbor and clean up any of that and also to prevent anything from getting underneath that fence.

Mr. Flowers stated that as far as smell of transport trucks that do come in, they have a direct communication with them to make sure they are aware of where they are operating and the fact that they are unloading at nighttime, they do set perimeters of when they are open and when they are allowed to unload. He stated that they are not allowed to unload 24 hours per day. He stated that he will definitely be communicating with them to make sure that they are operating within that unloading time. They open up around 7 a.m. and close down at 5 p.m. for deliveries. There should not be any night deliveries.

Alderman Guzikowski asked if there are cameras on the property. Mr. Flowers responded yes.

Commissioner Correll stated his concerns of allowing a change of operations to someone that may or may not be following what is needed. He wanted to see more assurances allowing more operations. To him, this sounds like more issues on top of what is already a problem. Commissioner Correll asked if there would be a contact person at Enterprise that the neighbor could contact.

Zoning Administrator/Planner Wagner stated that City staff has addressed the issues that the residents have brought up. Enterprise has complied. Regarding the mulch under the fence, they

brought in more mulch and maybe the mulch has eroded from 2 years ago. They have posted signs stating that they are not to be using vehicle alarm FABs to locate vehicles in the parking lot. They have taken steps to address those concerns. If they have come back up again, Zoning Administrator/Planner Wagner has not heard of any complaints. If they have come back up again, he has not heard any complaints. Mr. Flowers added that vehicles from their airport operation which are open until 11 p.m. each day may drop off a vehicle later that night that is being stored there. It may occur every once in a while, but there shouldn't be any activity in the building at that point. Mr. Flowers added that he can extend his contact information to the neighbors if any concerns come up.

Mr. Flowers mentioned that within the last 12 months Enterprise added a fuel operation to their airport operation from Milwaukee. So they are experienced with what they are supposed to be doing safety-wise, inspection-wise and training for their employees. This is a much smaller scale to what they have already done. He is confident that by using a certified installer and the on-site training program that they can make sure they are operating as safely as possible.

Mr. Flowers then described the process for using the tanks for removal of fuel from cars.

Mayor Bukiewicz asked Zoning Administrator/Planner Wagner how the issues that the neighbors brought up were going to be handled. Zoning Administrator/Planner Wagner responded that he looked into the City's case management system that was started in 2015 and there are no cases regarding that property. Looking into the old case management system before that, there were concerns about the garbage and the erosion of the mulch so that there were headlights that were shining through into the two residential houses there. There were concerns about alarms being used to locate vehicles. They were also moving cars around on the lot after 10 p.m. Zoning Administrator/Planner Wagner stated that every time he has contacted the business regarding these concerns, they have made steps to correct the issues, so those complaints are closed.

Keane Kehoe, 513 W. College Avenue, stated they did clean up the part that is alongside the building. They ignored the back section where most of the garbage was coming underneath the fence. As far as the posted signs prohibiting car alarms, they fell off the fence a year and a half ago. As far as not complaining the last couple of years, he gave up. Mr. Kehoe asked for contact information so that he can contact Enterprise directly and not have to bother the police.

Commissioner Correll moved that the Plan Commission approves site plans for one (1) above-ground fuel storage tank on the property at 561 W. College Ave., with the following conditions:

1. That all building and fire codes are met.
2. That copies of all State approvals and/or permits are submitted to the City.
3. That all spill containment features are submitted to the City Inspection, Engineering, and Fire Departments for review.
4. That stormwater and grading plans (as required) are submitted for final approval by the Engineering Department prior to issuance of permits.

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

PLAN REVIEW
ZUND AMERICA, INC.
8142 S. 6TH ST.
TAX KEY NO. 813-9039-000

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

Planner Papelbon noted that there is a concern regarding parking setbacks being insufficient per current LM-1 district requirements. However, there is a text amendment that was recently reviewed by the Plan Commission to reduce those setbacks in the LM-1 district. If that is approved by the Common Council during the public hearing, then the proposal will meet the new setback requirements for parking.

Tom Stacey, Architect with Epstein Uihlein, 333 E. Chicago St., Milwaukee, gave a background of Zund America and the use of the proposed building materials (rain screen).

Mr. Stacey clarified the landscape screen walls are actually plant material. However, there will be all natural material placed there to screen equipment that has to land on some portion of the building, normally the street side.

Commissioner Siepert stated he likes this and it is a good plan. He also likes the fact that the City is allowed to use their parking as overflow for Drexel Town Square.

Commissioner Correll stated he really likes the building. It is unique and fits what could go there.

Commissioner Correll asked if the allowance of less parking than is required for that size building goes with the property going forward, or is it just for this use. Planner Papelbon responded that the approval would be for this site plan as is. If the use of the property were to change, it would come back to the Plan Commission for review again. If the use changes in the future, there might be some overlap component with Woodman's.

Commissioner Chandler asked if all the materials were compliant, except for the cement board. Planner Papelbon responded, yes to the cement board and she had a question with the cement panel. Planner Papelbon asked if this product is similar to an EFIS product. Mr. Stacy responded, no. It is a compressed cementitious product, whereas EFIS is an applied synthetic over an insulation board. They like to stay away from that product as much as they can. The insulation layer is concealed by a waterproofing membrane that is invisible to anyone because the cement board is the decorative rain screen. Whereas, EFIS is the insulation layer as well.

Commissioner Chandler asked which part incorporates the cement. The concrete and the boards are all shown as gray. Mr. Stacy responded that the pattern is created just by a color change and joints in the panel itself. Mr. Stacy stated that it is going to look, smell and feel like concrete. It is a thinner product, but it is more efficient use of material. Planner Papelbon stated that it is for Plan Commission's consideration of these building materials to determine if they are acceptable. Mr. Stacy mentioned that the owner's initial concept for the building was to express each component of the building distinctly. The office reads as one kind of element, the warehouse is another, and the showroom/demonstration is the third component.

Commissioner Chandler asked if there are any changes that need to be incorporated for the shared access with Woodman's. Planner Papelbon stated that there won't be changes on the Zund property. There is a resolution for the Plan Commission's consideration in another agenda item that would address that.

Commissioner Loreck asked if they would be using pavers in their parking lot. Mr. Stacy responded that they are not proposing a porous pavement. They did initially consider that as a means of storm water runoff management, but they are well within standard engineering practice for storm water runoff as is.

Mayor Bukiewicz stated that this is one of the most unique buildings he has seen in a long time. Standup concrete panels are pretty much standard through the industry of what is going on. He really likes the use of the glass and the product is distinct. He does not have a lot of reservation

about the product they intend to use. He stated that the building is very well laid out and will be a really nice addition to what is going on and he stated that this is a great buffer going from commercial office district, what leads over to Forest Hill, which is mainly manufacturing. You could not have blended it better.

Commissioner Loreck moved that the Plan Commission approves the site and building plans submitted by Chris Nicholson, Zünd America, Inc., for the property at 8142 S. 6th St. with the following conditions:

1. That all building and fire codes are met.
2. That the plans are revised to include details for the proposed dumpster and generator enclosure, and that a more durable material, such as composite, is used for the gate.
3. 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.
4. That one (1) monument sign per street frontage is approved. Detailed plans for signage shall be required prior to issuance of sign permits.
5. That all mechanical equipment (ground, building, and rooftop) is screened from view.
6. That final lighting plans, consistent with the standards for Drexel Town Square businesses, indicating luminaire type, pole type, color, and height are submitted for final approval by the Director of Community Development, upon written recommendation of the Electrical Inspector prior to submission of building permit applications.
7. That stormwater and grading plans are submitted for final approval by the Engineering Department prior to issuance of permits.
8. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

Alderman Guzikowski seconded. On roll call: all voted aye.

**PLAN COMMISSION RESOLUTION NO. 2017-08
AMENDED PARKING REQUIREMENTS
WOODMAN'S PROPERTY AT 8131 S. HOWELL AVE.**

Planner Papelbon provided an overview of the Plan Commission resolution regarding amended parking requirements (see staff report for details).

Commissioner Siepert moved that the Plan Commission adopt Resolution No. 2017-08, modifying parking requirements for the Woodman's Food Market at 8131 S. Howell Avenue to require a minimum of 715 parking spaces. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**SIGN PLAN REVIEW
OAK CREEK FRANKLIN JOINT SCHOOL DISTRICT
340 E. PUETZ RD.
TAX KEY NO. 826-9026-001**

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

Commissioner Johnston stated he has a concern about the size of the letters in the LED sign.

Lou Kristoferson, VJS Construction, 4340 E. Puetz Road, stated that LED letters can be anywhere from 2" to 11". Commissioner Johnston stated that it is difficult to see the letters as you're going

down the road because they are so small. He wants to make sure the sign is actually legible once they start using this sign.

Commissioner Chandler asked if the sign is similar to the high school sign for the 9th grade campus. Mr. Kristoferson responded that it is exactly the same.

Commissioner Siefert moved that the Plan Commission approve the sign plan for the Oak Creek Senior High School at 340 E. Puetz Road. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**SIGN PLAN REVIEW
EVCAP OAK CREEK, LLC
120 W. TOWN SQUARE WAY
TAX KEY NO. 813-9045-000**

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

Mayor Bukiewicz stated that with the way they set up the buildings with the patio, they get a different type of building and he likes the setup. Zoning Administrator/Planner Wagner stated that the way the developer is designing the buildings, there will be three customer entrances. That is why there is the walkway on the north and south side to accommodate that. However, there could be a chance that it would not be maximized to have four signs on all sides. If they meet the height and the size standards, they will be able to do that. That is why the developer proposed the sign plan the way they did. They designed the entrances the way they did to maximize their ability to do this. They are not asking for any variance and are working within the rules that the City has established.

Commissioner Johnston asked if there are any regulations on where the monument sign is placed. Zoning Administrator/Planner Wagner responded that Drexel Town Square is allowed to have a primary ground sign along there, plus a secondary ground sign. They could actually have two, but they are just proposing the one along Howell Avenue. Commissioner Johnston stated that people driving by the sign will not be able to read it because the wording is too small.

Commissioner Correll moved that the Plan Commission approved the Master Sign Plan for the multitenant commercial buildings at 120 W. Town Square Way. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siefert seconded. On roll call: all voted aye. The meeting was adjourned at 7:44 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

January 9, 2018
Date