

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 13, 2018**

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

Minutes of the February 27, 2018 meeting

Commissioner Siepert moved to approve the minutes of the February 27, 2018 meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT
BOYLAND PROPERTIES OAK CREEK, LLC
7008 AND 7018 S. 27TH ST. AND 2500 W. RAWSON AVE.
TAX KEY NOS. 737-9989-001, 737-9988-001 AND 737-9037-001**

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

Dave Stava, project agent for Custom Facilities representing the Boyland Auto Group, stated that they are proposing a Class A building. Mr. Stava stated that they have broken up the site lines and made it look more pleasing, so it is not merely a white box building.

Edward Lisowski, 6988 S. 27th St., stated his concern about the driveway adjacent to his driveway. He feels this will be dangerous coming in and going out of there.

Mr. Lisowski asked who was going to supervise the water drainage. Commissioner Johnston responded that the driveway is located on the property on 27th St. per WisDOT requirements, so that is the only place they can place the driveway on that property. Mr. Lisowski asked what the address was on that driveway. Planner Papelbon responded that the address is 7018 S. 27th St. Commissioner Johnston stated this is not adjacent to, but is the next property south about 150-200 feet of where Mr. Lisowski's driveway is. Commissioner Johnston continued that it is access restricted across that frontage. There is another access point on Rawson roughly 400 feet east of the intersection. Those are the only two places that they are allowed to have access points at this time. Mr. Lisowski asked if the driveway could be moved down further.

Rose Corry stated that they cannot have the driveway right next to her property. Mayor Bukiewicz responded that the driveway access (approved by WisDOT) is 150 to 200 feet from her driveway. Mr. Lisowski asked if it could be put further away. Commissioner Johnston responded that with the WisDOT regulations right now, it can't be further than that. WisDOT stated that this is where it is going to be because they don't want to get too close to the intersection causing issues for the intersection as well.

Commissioner Johnston stated that the drainage will go into a stormwater pond. It will not run off onto the adjacent site. It is going to a pond so the drainage will be released at a slower rate rather than just running off the property. Commissioner Johnston stated there are two ponds on the property to the east of where all of the pavement is.

Alderman Guzikowski asked about the berm location. Mayor Bukiewicz responded that the berm is on the north to buffer the property. The applicant is proposing enhancing the landscaping there

to buffer the Lisowski's home. They will be trees, bushes and landscaping as per the recommendation of the City Forester. Mr. Lisowski asked how wide the buffer will be. Commissioner Johnston responded that the property line to back-of-curb where the parking is going to be is about 20 feet. That is the area that will be landscaped. Mr. Lisowski asked if there could be more than that. Planner Papelbon stated that if the buffer is greater than 20 feet, they applicant will lose the first row of parking. Mr. Lisowski stated that this will decrease the value of his property.

Ms. Corry stated she pays \$15,000, almost \$300 taxes per year, so they are entitled to some property. They have plans for that property. Mayor Bukiewicz responded that this is not infringing on their future development. Mayor Bukiewicz stated that they won't have the water issue, if anything, this is supposed to improve the water issues there with the two ponds and the drainage to Rawson. Also, they are trying to beautify it and provide that buffer so if the time ever comes and they decide to develop their land, it will be enhanced by what is going up.

Mr. Lisowski stated he is concerned about the back-end drainage that goes toward Cedar St. Mayor Bukiewicz responded that the ponds will hold the water and let it go as a prescribed rate, but it is going to go to Rawson Ave. Commissioner Johnston stated that the wetlands and drainage that Mr. Lisowski is concerned with by Cedar St. are not getting anywhere near that. They are not changing anything over in that end. Commissioner Johnston stated that it is going to drain to the ditch that runs along the properties facing onto Rawson Ave. That is where the ponds will discharge to.

Arden Degner, 8540 S. Pennsylvania Ave., stated he is interested in the 27th Street area. Across the street there are doctors' offices. It is an urban area, therefore, sidewalks should be provided both on 27th St. and Rawson Ave. Mr. Degner asked why this isn't required as well as the public improvements of the street now. Mayor Bukiewicz responded that as far as the sidewalks on 27th Street streetscape plan, there is a joint plan going with Franklin. Some of the amenities started to go in, such as benches and decorative walls and information boards. The sidewalk did go in along 27th St. Commissioner Johnston added that the sidewalk was extended along the north side of Rawson Ave. to tie in with the existing sidewalk that is down by the homes.

Mayor Bukiewicz stated that as far as addressing the plotted road along 27th Street, that will be addressed if/when it ever goes in. Those amenities are looking to be provided.

Mayor Bukiewicz stated that there was a meeting for the Conditional Use Permit a while back, but the Conditional Use expired. The City held them to pretty high standards because this is a premier corner. The garage doors are now glass. The City asked for the extra building height to meet the 27th Street overlay plan. They spruced up the sides of the building with color and upgraded/increased the landscape. Planner Papelbon stated that there were a few changes to the building itself, such as a larger building footprint. They were asked to put in some of the changes on the north and east side that were in the original plans. They did change the south elevation on their own, and made it look a little bit more like the original plans for the building that had those changes in colors and materials. The height of the parapet was also raised to ensure the mechanicals were going to be screened, even though the building itself is only going to be a single-story instead of a two-story. Also, the applicant added a canopy over the entrance to the service center and that bumped out the building a little bit. It will provide somewhat of a block to those doors, although those doors will still maintain the glass panels to make it look more like windows. Those things were changed and maintained in these revised plans. Mayor Bukiewicz stated that the awning over the service bay improved the appearance of the building and gives it a nice look. Mayor Bukiewicz stated he feels this is going to be a very nice addition to this corner going forward.

Mayor Bukiewicz stated that the State currently owns the northeast corner of 27th and Rawson. Eventually they may sell it and All Star or the City may have a chance to buy it. They are escrowing money so if the opportunity comes, the money is there to purchase it and then something can be done jointly for the benefit of all on that corner.

Mr. Lisowski asked if the State will be making part of that corner available for turning onto 27th Street. Commissioner Johnston responded that there already is a turn-lane there, and they (WisDOT) are not going to add another one. Mr. Lisowski suggested that it be expanded from Rawson Ave. to 27th Street. Commissioner Johnston stated that is not in the plans at all.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for automotive sales and service and a private car wash facility on the properties at 7008 and 7018 S. 27th St., and a portion of 2500 W. Rawson Ave., after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (March 27, 2018). Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP
WISCO HOTEL GROUP
6440 S. 13TH ST.
TAX KEY NO. 717-9009-000**

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

Todd Winkler, President and CEO of Wisco Hotel Group, explained that Wisco refinanced the hotel together with a package of other hotels. It was a rather large deal and was put in a bond. Knowing that there is a little bit of land that could someday hold a retail establishment on that site, they wanted to separate that from the loan that was being made. They currently have no plans for that lot, but when they do, they will come back before the Plan Commission to make it happen. This CSM is merely a request to get this piece of land off the books of the bank.

Commissioner Siepert asked Mr. Winkler if he has spoken with the OC Water and Sewer Utility and discussed this plan or what has to be done. Mr. Winkler responded that they have not yet, but they understand that things have to be done at some point. They own all the land around it, so easements will not be an issue.

Commissioner Hanna asked if this is going to be a conditional approval based on Lot 1. Mr. Winkler responded that they are requesting that the CSM be approved and any development be based on the Plan Commission's approval. This will be a freestanding site.

Commissioner Johnston added that they are creating a lot that could end up not being developed with this layout, without illegal connections to the sewer. There is also no wetland delineation done on this property, which is a requirement of CSMs. Commissioner Johnston stated that there is a lot of information that is being assumed for this CSM as this may not even be a buildable lot with the floodplain and wetland that is on it. Commissioner Johnston stated he would be more comfortable if this were to be called an outlot.

Mr. Winkler stated that if they kept this lot as part of the bond and they want to develop it later, the ability to get it released from the bond is very complicated. This is why they want it released prior to the bond. It is packaged with 12 hotels for financing purposes and they want to separate this lot from that package. Mayor Bukiewicz asked if it makes a difference if it is labeled an outlot or a lot. Mr. Winkler responded that he did not think so.

Mayor Bukiewicz asked about the wetland delineation. Planner Papelbon responded that historically the City has required that the wetlands are delineated and depicted on the map prior to recording. While staff is aware this CSM is being requested for financial purposes, there was a suggestion made in the report that Lot No. 1 could be considered an outlot until such time as the development would occur, then they could come back and ask for that lot to be changed. There is still going to be a requirement that whenever the wetlands get delineated, the map has to be updated anyway. If the Plan Commission is more comfortable saying that Lot No. 1 has to be an outlot, that is up to the Plan Commission's discretion. The wetland delineation can be done at a later date. Mr. Winkler stated that the month of May is when they can start delineating wetlands. Mr. Winkler agreed to delay this until they get it delineated. Planner Papelbon stated that Condition No. 1 can be changed to say:

1. That the wetland delineation is depicted on the map prior to recording.

Commissioner Johnston stated he is fine with the wetlands, but an illegal connection for the water line is being created with Lot No. 2, unless there is some kind of sliver of land to accommodate that water service so that it comes through. The lateral cannot cross a property line, so it has to be a contiguous strip of land to get to the main. Commissioner Johnston added that the lateral coming off of 13th Street is toward the south end of the property.

Planner Papelbon stated that Condition No. 3 states that says the applicant will work closely with the Water and Sewer Utility for the requirements, but that it has to be reflected on the map prior to recording.

Commissioner Loreck moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by William Zanetis, Wisco Hotel Group, for the property at 6440 S. 13th St. be approved, with the following conditions:

1. That the wetland delineation depicted on the map is updated and included on the map prior to recording.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, corrections required for compliance with the Municipal Code and Wisconsin Statutes, and the following are made prior to recording:
 - a. That the map is updated to include the floodplain reference to LOMR Case No. 16-05-0269P effective September 23, 2016.
 - b. That the signature page is updated with a signature line for Mayor Daniel J. Bukiewicz as Plan Commission Chair, and Douglas W. Seymour as Plan Commission Secretary.
 - c. That the signature page is updated with the Common Council Resolution Number.
3. That the Applicant works closely with the Oak Creek Water and Sewer Utility for all water and sanitary sewer requirements, and that the map reflects the requirements prior to recording.

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

**MINOR LAND DIVISION
DENNIS AND LINDA COUNARD
3404 AND 3420 E. COUNTY LINE RD.
TAX KEY NOS. 969-9004-004 AND 969-9012-002**

Planner Papelbon provided an overview of the minor land division request to combine two adjacent properties (see staff report for details).

Commissioner Chandler asked for more information on why the properties are being combined. Dennis Counard, 3404 E. County Line Rd., responded that he wants to put up a garage and as the lots stand now, that is not possible.

Commissioner Loreck moved that that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Dennis and Linda Counard for the properties at 3404 and 3420 E. County Line Rd. be approved, with the following condition:

That any 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.

**TEMPORARY USE
OZINGA READY MIX CONCRETE
841 W. RAWSON AVE.
TAX KEY NO. 764-9051-000**

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

Commissioner Hanna asked where the projects will be located. Justin Kratochvil, Ozinga, responded that the forecast for the demands of work in the Milwaukee County area south into Racine with FoxConn is unprecedented. Currently, they have several projects in process with the BMO Harris corporate center, Drexel Apartments, the Hyatt by the Buck's arena and General Mitchell International Airport. The temporary portable batch plant is to deal with the overflow from the existing plant. It is a central mix plant, which they currently use to satisfy the demands of the contractors and the customers that are building in Milwaukee and Racine. For consistency purposes, they would like to have a secondary batch plant there.

Commissioner Siepert asked about the hours of operation. Mr. Kratochvil responded that typically they run 6 a.m. until approximately 6 p.m. There may be some night operations with WisDOT specifying the timeframes of which the concrete may need to be.

Commissioner Chandler asked if there have been any reported issues or concerns. Zoning Administrator/Planner Wagner responded no. They had a concrete batch plant in the City in 2011 and there were no issues or concerns or issues with traffic utilizing Rawson Avenue for the projects that they had.

Commissioner Siepert moved that the Plan Commission approves the Temporary Use permit for a temporary concrete batch plant at 841 W. Rawson Avenue with the following conditions:

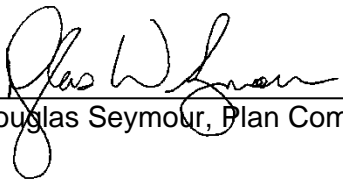
1. That the temporary use shall expire on December 31, 2019.
2. That the property is returned to its original condition.

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

On roll call: all voted aye. Motion carried.

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

ATTEST:



Douglas Seymour, Plan Commission Secretary

March 28, 2018

Date