

**DRAFT MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, MARCH 27, 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 Correll, and Commissioner Siefert. Commissioner Chandler was excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator.

**Minutes of the March 13, 2018 meeting**

Commissioner Siefert moved to approve the minutes of the March 13, 2018 meeting. Alderman Guzikowski seconded. On roll call: all voted aye, except Commissioner Correll who abstained. Motion carried.

**PUBLIC HEARING**

**SIGN APPEAL**

**JT PETRO**

**9502 S. HOWELL AVE.**

**TAX KEY NO. 907-9027-000**

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

Mayor Bukiewicz made three calls for public comment. Seeing none, the public hearing was declared closed.

**SIGN APPEAL**

**JT PETRO**

**9502 S. HOWELL AVE.**

**TAX KEY NO. 907-9027-000**

Zoning Administrator/Planner Wagner provided an overview of the sign appeal. He pointed out that this request is similar to what other gas stations have requested and have been approved elsewhere in the City to display an illuminated strip on either two or three sides of the fueling canopy. Zoning Administrator/Planner Wagner noted that this type of request will be taken into consideration at such time as the City's sign code is revisited.

Mayor Bukiewicz opened up discussion to the Commissioners.

Commissioner Correll stated that he is fine with this proposal.

Commissioner Siefert concurred with Commissioner Correll. He stated that there are a number of gas stations in the community that have an extra sign or two on their canopy and on the entrances to the building. He does not believe this would be a distraction to traffic.

Commissioner Correll believes the logo on the sign is important for brand recognition.

Commissioner Johnston asked if this is a 24-hour operation. Zoning Administrator/Planner Wagner did not recall.

Commissioner Johnston asked if the three sides should be called out in the Plan Commission's recommendation. Zoning Administrator/Planner Wagner agreed and stated that the approval should include mention of the northwest and south elevations.

*(Commissioner Hanna's comments were inaudible on the mics.)*

Mayor Bukiewicz stated he is fine with the setup, and that this is an improvement from what it was previously.

Commissioner Correll motioned that the Plan Commission approves the sign variance appeal for 9502 S. Howell Avenue. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**CONDITIONS AND RESTRICTIONS  
BOYLAND PROPERTIES OAK CREEK, LLC  
7008 AND 7018 S. 27<sup>TH</sup> 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 conditions and restrictions for automotive sales and service and a private car wash facility (see staff report for details).

Of particular note, Item 2(F) states:

*Prior to the approval of site and building plans for the development the applicant shall prepare and submit a certified survey map combining the properties. The right-of-way for any public street as illustrated on the Official Map within these properties shall be dedicated and the public improvements installed unless a variation or exception is granted by the Common Council pursuant to Section 14.180 of the Municipal Code.*

Planner Papelbon explained that this language is in the original conditions and restrictions that were previously approved by the Plan Commission. The Common Council did grant an exception to that and did allow them to enter into an agreement to construct a portion of the future road on their property to their property line at the time the rest of the road would be constructed out to 27<sup>th</sup> Street. This is something that the Common Council will have to reauthorize, and that is why this condition is still part of the conditions and restrictions.

Also of note is section 2(G), which references the purchase of the 0.4-acre parcel on the corner of 27<sup>th</sup> St. and Rawson Ave. Planner Papelbon stated that this was an item of discussion between the consultants, landowners and City staff regarding purchase of that corner piece. Some future development on that corner could include either gateway signage or an expansion of the current conditional use to incorporate that property. This will be discussed at a later time. This language is simply establishing an escrow so that there is some satisfaction on the City's end that the parcel will become part of the larger development.

Planner Papelbon stated that under item 3(C), the hours of operations include sales and service.

Edward Lisowski, 6988 S. 27<sup>th</sup> St., stated his concern about the proposed car wash on the property in that wet vehicles will be exiting out onto 27<sup>th</sup> Street. In the winter this will mean ice accumulation on 27<sup>th</sup> Street, which will be dangerous. Mr. Lisowski suggested that there be another outlet on Rawson Ave. rather than 27<sup>th</sup> St. because 27<sup>th</sup> Street is a major highway.

Mayor Bukiewicz responded that they do have an entrance off of Rawson Ave. The Wisconsin Department of Transportation has dictated where the driveway will be on the state highway. Also, the car wash is for private use. Any cars that will be washed will remain on the lot.

Commissioner Siepert stated that the conditions and restrictions look good.

Commissioner Hanna inquired about wetlands on the property. Planner Papelbon responded that there are wetlands on the property and they have been delineated.

Commissioner Hanna asked how the wastewater from the car wash is going to be handled and suggested it be part of the conditions and restrictions. Planner Papelbon responded that typically that is not a part of the conditions and restrictions because it is discussed at the site plan review level, and is part of the development agreement for the storm water management.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for automobile sales & service and a private car wash facility on the properties at 7008 & 7018 S. 27<sup>th</sup> St. and 2500 W. Rawson Ave. after a public hearing. Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW  
THE DICKMAN COMPANY  
10861 S. HOWELL AVE.  
TAX KEY NO. 955-1001-000**

Planner Papelbon provided an overview of the plan review for a proposed new industrial facility (see staff report for details).

Mayor Bukiewicz asked for questions from the audience or the applicant to address the Plan Commission.

Tony Sagan, 10925 S. Nicholson Rd, stated that a few years ago, this area was slated to be the “gateway to the city, and now there are big concrete walls being constructed. Mr. Sagan stated that he has his property almost sold. Mr. Sagan stated his concern with all of the changes over the years to the ultimate plan for this area of the city. He does not feel that the people living on Oakwood Road should have to look at a 40-foot wall from their backyard.

Mayor Bukiewicz stated that this area was always slated to be an industrial park once the land swap happened. Mr. Sagan stated that it was originally planned to be the County dump. Mayor Bukiewicz stated that when the land swap occurred, it was clear on the City’s Comprehensive Plan that it was going to be turned into an industrial park.

Commissioner Siefert stated his concern about the driveway that exits onto Highway 38 and the traffic going north. If a truck is coming out and they are not swift enough, there is going to be an accident. There is reduced visibility because there is a curve and a slight hill and then suddenly vehicles are right on top of that driveway. Commissioner Hanna responded that there is a “truck turning movement” plan. Commissioner Hanna agrees with Commissioner Siefert and feels the trucks should not be exiting onto Highway 38.

Commissioner Johnston stated that the location is restricted by the DOT. That is the access point for the substation and ATC coming through there. In the future, Howell Ave. may be widened to four lanes, but there are no plans at this time.

Commissioner Loreck asked what type of fencing will be used. Planner Papelbon answered that the plans call for chain link. There are no height or screening details at this time.

Adam Anderson, Architect, Briohn Design Group, LLC, 3885 N. Brookfield Rd., Suite 200, responded that the fence will be a 6-foot-high vinyl-wrapped chain link fence.

Commissioner Siefert asked if there is going to be any shrubs or trees along the south side of the fence. Mr. Anderson responded that he is working with staff on the landscaping/screening requirements. Planner Papelbon added that the proposed fence is going to be 21 feet off the south lot line. There is an existing tree line on the County property. However, there may need to be some additional changes to the landscape plan.

Mayor Bukiewicz stated that he likes the building from an architectural standpoint because it is broken up as much as it can be for what it is; an industrial warehouse. There is a fair amount of glazing and the panels visually break up the elevation.

Mayor Bukiewicz inquired about the storm water management. Commissioner Johnston responded that the drainage for the whole rear half of this lot is going back to pond 5. Everything from the front is going to the front detention pond that gets discharged into the ditch. That water runs south down the state highway to the Root River.

Mayor Bukiewicz asked if the ditches can handle that amount of water. Mr. Iskandarsjach, JSD Professional Services, W238 N1610 Busse Road, Waukesha, introduced himself as the storm water consultant for Sam Dickman and Briohn Building Corporation. He stated that the storm water plan was submitted and Phil Beiermeister, Environmental Engineer for the City, is in the process of reviewing it. Mr. Iskandarsjach concurred with Commissioner Johnston that the back half of the property will drain to an existing storm water detention that was part of the OakView Business Park. The (front half) east half will be handled by the new storm water plan that they are proposing on the eastern portion of the site.

Mr. Iskandarsjach stated that as far as the access point on Howell Ave., there was a Traffic Impact Analysis completed for this entire development and according to the report, they are only allowed one access point from Elm Rd. down to the County Line. That is why they are sharing that one access point with WE Energies. Also, if there is any development on the County land to the south, they will have to use that same access point. There is an existing easement on the far west end of this property where there will be access at that point.

Commissioner Johnston referenced the entrance coming into the site and trying to keep the cars and trucks separated from that same access point. He stated that it is getting more confusing having the island out in the middle. Commissioner Johnston asked if there is a significant reason for that or if it is merely trying to keep cars and trucks separated. Mr. Iskandarsjach responded that the purpose is to have the cars come in on the remains of the northern portion and the trucks will continue south.

Mr. Iskandarsjach added he is working on an adjustment of the accel/decel lane with the DOT.

Commissioner Johnston asked if the pathway on the property is going to continue through the driveway. Mr. Iskandarsjach responded that they are proposing a ramp, but they are still going to go through some striping because they will be revising that to more heavy-duty asphalt because trucks will be crossing it.

Commissioner Johnston stated that the CSM is going to be critical for this development and that has to be in place before the building permits are applied for.

Planner Papelbon stated that the applicant has called for chain link fence in their proposal and those details were just covered yet.

Also, as far as the retaining wall is concerned, if it is over 4 feet, it has to be engineered. That will have to be addressed whenever the plans are done. These are things that staff is going to need and will be discussed further, but are considered minor. The landscaping plan will come

back to Community Development unless the Plan Commission wishes it to come back for their approval. Commissioner Siepert stated his concern about having enough landscaping because this is an entrance into the City and that is one of the first things people will see. He further stated that sometimes the Plan Commission should review some of those landscape plans, and this is one of those times. Planner Papelbon responded that that should then be added to the recommended motion in the conditions.

Planner Papelbon added the suggested motion language change to condition 3 as follows:

*That the landscape plan is revised to incorporate required vegetation per Code and is brought back to the Plan Commission for final approval prior to the submission of building permit applications.*

Commissioner Loreck moved that the Plan Commission approves the site and building plans submitted by Sam Dickman, Jr., The Dickman Company, for the property at 10861 S. Oakview Parkway with the following conditions:

1. That all relevant Code requirements are in effect.
2. That copies of all access approvals and agreements shall be provided to the City prior to the submission of building permit applications.
3. That the landscape plan is revised to incorporate required vegetation per Code and is brought back to the Plan Commission prior to submission of building permit applications.
4. That the plans are revised to include details for the proposed chain link fence and gate around the outdoor storage area (see Condition 10 below).
5. That a copy of any wetland fill approval and/or permit from the Wisconsin Department of Natural Resources is provided to the City prior to the submission of building permit applications (see Condition 9 below).
6. That the plans are revised to include locations for all mechanicals, transformers, and utilities (see Condition 10 below).
7. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view (see Condition 10 below).
8. That the plans are revised to include details for any trash receptacles and the retaining wall (see Condition 10 below).
9. That a Certified Survey Map (CSM) conveying the required 15-foot-wide strip of land from the City-owned property and/or the required land on the adjacent Wispark property for the water and sanitary sewer laterals is submitted for review and approval through the City process prior to the submission of building permit applications. This CSM shall include a current and effective wetland delineation, and all required easement agreements. Copies of all approvals, permits, and agreements shall be submitted to the City prior to the issuance of building permit applications.
10. 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.

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

**CONDITIONAL USE PERMIT  
THE DICKMAN COMPANY  
10861 S. HOWELL AVE.  
TAX KEY NO. 955-1001-000**

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

Mayor Bukiewicz opened up the discussion to the Commissioners.

Commissioner Siefert asked if the diesel fuel being proposed to be stored has to have some type of containment. Asst. Fire Chief Kressuk responded that it depends on the quantity and the storage that they are going to be using on that site. He has not seen the plans for their fuel storage yet. When the City/Fire Department receives that information, it will be evaluated against standard codes to determine what would be needed.

Planner Papelbon stated that the entire area is going to be surrounded by a 6-foot fence and there is going to be a gate on the south side. The gate will be a controlled access point. Unless someone has that kind of access to opening the gate, the fence would have to be breached physically to get inside the site. Commissioner Hanna stated her concern that small children will be able to access the site by climbing over the fence and suggested razor wire (although that is not aesthetically pleasing). Planner Papelbon responded that razor wire is an option, as is increasing the height of the fence and adding landscape screening, but added that there may also be security cameras.

Mayor Bukiewicz asked if the proposed tent is going to be permanent. Planner Papelbon responded that her interpretation is that it is going to be permanent. The temporary part would be when they receive or ship out a tent for use. Mayor Bukiewicz expressed that he was not happy with a permanent tent for storage.

Mayor Bukiewicz invited the applicant to address the Plan Commission. The applicant was not in attendance. Planner Papelbon stated she would be in contact with the applicant for clarification of the permanent tent proposal. This does not affect the conditional use permit which is the subject at hand, but rather would be addressed in the conditions and restrictions stage. Planner Papelbon mentioned that staff will also be inquiring about their security measures and what they are willing to provide.

Commissioner Correll moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for outdoor storage of materials, vehicles, and equipment on the property at 10861 S. Howell Ave., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Commission's review at the next meeting (April 10, 2018). Commissioner Siefert seconded. On roll call: all voted aye. Motion carried.

**FINAL PLAT REVIEW  
MICHAEL KAEREK, MK/S-EP, LLC  
CARROLLVILLE CROSSINGS ADDITION #1 SUBDIVISION  
8781 S. 5<sup>TH</sup> AVE.  
TAX KEY NO. 865-0114-000**

Planner Papelbon provided an overview of the final plat being proposed for a new subdivision (see staff report for details).

Mayor Bukiewicz opened up the discussion to the Commissioners.

Commissioner Siefert asked if Outlot No. 5 will ever be developed. Planner Papelbon responded that there are no immediate plans for that to be developed with a park. Michael Kaerek, Kaerek Builders, 11600 W. Lincoln Ave., West Allis, confirmed that he will be leaving that lot undeveloped.

Eric Makarewicz, 8725 S. 6<sup>th</sup> Ave., expressed his concern about the construction traffic coming off of 5<sup>th</sup> Ave. and coming in on Cooper Ct. instead of coming through 6<sup>th</sup> Avenue. He requested a stop sign at Cooper Ct. and 6<sup>th</sup> Ave. to control speeding once the homes are built.

Mr. Makarewicz stated that when he built his home, there were very specific restrictions he had to follow such as how they had to build it and where their garages would be, etc. He wanted to know if these same restrictions would be in place for the new subdivision to keep the integrity of the neighborhood.

Mayor Bukiewicz stated his belief that if a resident wants a stop sign, it should be installed. Commissioner Johnston stated that from an Engineering standpoint, he does not believe a stop sign is warranted. It is a T-intersection and stop signs are not to be used to control speed per the Manual for Traffic Control Devices. Stop signs could have the adverse effect of giving people a false sense of security that vehicles are actually stopping at the stop signs, which often does not happen.

Commissioner Loreck moved that the Plan Commission recommends to the Common Council that the Final Plat for Carrollville Crossings Addition No. 1 submitted by Michael Kaerek, MK/S-EP, LLC be approved with the following conditions:

1. That an escrow is provided to the City prior to recording the Final Plat to cover the costs of the final lift of asphalt on the road until such time as it has been installed with certification by the Engineering Department. Details for this escrow should be coordinated with Assistant City Engineer Brian Johnston.
2. That a written agreement for the tree preservation easement is coordinated with the City and recorded with the Final Plat.
3. 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.

Mayor Bukiewicz asked Mr. Kaerek about the proposed restrictions for the new subdivision. Mr. Kaerek responded that they will be basically the same. Mayor Bukiewicz encouraged Mr. Kaerek to get together with the neighbors and spell that out before building commences.

**TEMPORARY USE  
FARM & FLEET  
501 W. RAWSON AVE.  
TAX KEY NO. 765-9046-000**

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

Discussion ensued regarding previous years' uses as far as hours of operation, size of trailers and number of trailers. The consensus was to limit the number to eight trailers.

Commissioner Siefert asked about the start date. Zoning Administrator/Planner Wagner responded that the start date is immediately after approval of the temporary use permit, however, the Plan Commission can state a specific date.

David Leslie, 8580 S. (*inaudible*) Dr., Assistant Manager, Farm & Fleet, stated that the reason they are requesting 12 trailers is that the last few years, they have had these 12 trailers to offer customer, but have only been approved for 8. They would like to be able to represent all of their selection.

Alderman Guzikowski asked if having 8 out there has affected their sales. Mr. Leslie responded that he does not have the metrics on sales, but between the 6 extra ones, on the east side of the building is where they store all of their trailers. If a customer wants to see one and not the other, they have to walk to the complete other side of the store.

Alderman Guzikowski suggested limiting the number of trailers to eight.

Mayor Bukiewicz stated he would not have a problem with twelve trailers.

Zoning Administrator/Planner Wagner proposed wording for the motion as follows:

That the Plan Commission approve a Temporary Use permit for the temporary display of 12 trailers at 501 W. Rawson Ave., located as presented, to expire on October 1, 2018 with a start date of April 1, 2018.

Alderman Guzikowski made a motion using the language as stated by Zoning Administrator/Planner Wagner. Commissioner Correll seconded. 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 7:24 p.m.

ATTEST:

  
\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

April 10, 2018  
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Date