

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, SEPTEMBER 24, 2019**

Alderman Guzikowski called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Guzikowski, Commissioner Siefert, and Commissioner Chandler. Mayor Bukiewicz, Alderman Loreck, and Commissioner Oldani were excused. Also present: Kari Papelbon, Planner and Laurie Miller, Zoning Administrator/Planner.

**Minutes of the September 10, 2019 meeting**

The minutes were not provided in the Plan Commission packets. Approval will be held until the October 8, 2019 meeting.

**CONDITIONS AND RESTRICTIONS  
MEDICAL SUPPORT SERVICES, INC.  
140 E. RAWSON AVE.  
TAX KEY NO. 733-9991**

Planner Papelbon provided an overview of the Conditions and Restrictions for a physical and occupational therapy clinic. (See staff report for details).

Of particular note, Planner Papelbon mentioned the hours of operation. The Applicant's submittal showed hours of operation as Monday through Friday, 7:30 a.m. to 6:30 p.m. What that does not include are potential hours where staff could be onsite before and after appointments. Staff would like the Commission's consideration of amending those hours to allow for a little more flexibility, perhaps 7 a.m. to 7 p.m., or if the Commission has any other suggestions.

Planner Papelbon stated that the site is currently under construction, and, typically, the Conditional Use Permit requires the commencement of operations within 12 months of the date of adoption of the approval ordinance by the Common Council. Since there is some flexibility in when the construction for the building will be completed, that is something for the Plan Commission to decide if this should be extended - 24 months, 36 months, etc.

Commissioner Hanna asked if the hours of operation include the cleaning operations. Planner Papelbon stated that hours of operation apply to when the facility is open, and do not typically apply to cleaning/maintenance staff. However, there could be patients that arrive a few minutes early and stay a few minutes late. Allowing a little bit of flexibility would allow staff to be onsite outside of those particular hours of operation.

Commissioner Sullivan mentioned that in order to gain occupancy of the building, there are a few issues that need to be addressed, such as grading, completion of the ponds, and other things of that nature. He asked the Applicant if he will be able to get that done in 12 months.

Dustin Atkielski, 3441 Bark Lake Road, Hubertus, responded that yes, they are looking at completing the project before the end of the year for the original construction of the shell building. They are looking to submit permits for this tenant space because the shell of the building is completed already. They plan on working on the improvements for this alteration during construction of the actual site, but within 12 months. If they don't have it done in that time, they will probably not have this tenant. Commissioner Sullivan asked if that includes the third building

completion. Mr. Atkielski stated it does not. It would just be the completion of buildings B and C and the required site improvements.

Planner Papelbon stated that there is an alternate option if it looks like the completion of the site is not going to be within 12 months. The Applicant can apply for an amendment for an extension of that time period prior to the expiration of the Conditional Use Permit.

Commissioner Siepert asked Mr. Atkielski if he concurred with the 7:30 a.m. to 6:30 p.m. time element. Mr. Atkielski responded that those are the hours that the tenant provided to him, but if the Commission is willing to give them a little bit of a buffer in the hours of operation, that would be appreciated.

Alderman Guzikowski asked how the hours of operation change will be handled in the Conditions and Restrictions. Planner Papelbon responded that staff will incorporate the changes.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for a clinic within the multitenant building on the property at 140 E. Rawson Ave., after a public hearing.

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

**CONDITIONAL USE PERMIT AMENDMENT  
BRIAN SCHOENLEBER  
7801 S. PENNSYLVANIA AVE.  
TAX KEY NO. 779-9010-000**

Planner Papelbon provided an overview of a request for a Conditional Use Permit Amendment to the Time of Compliance section for a Community Based Residential Facility, including the background for the previous approvals in 2016 and 2018. (See staff report for details.)

Commissioner Chandler asked for more information on the six-month extension. Joe Frederick, 1422 N. 69<sup>th</sup> St., Wauwatosa, WI, stated that six months is longer than they would need, and therefore, would be adequate.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves an amendment to the existing Conditional Use Permit extending Section 7, Time of Compliance to a deadline of six (6) months of the date of adoption of the amendment ordinance for the property at 7801 S. Pennsylvania Avenue, after a public hearing.

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

**PLAN REVIEW  
OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT  
340 E. PUETZ RD.  
TAX KEY NO. 827-9028-000**

Planner Papelbon provided an overview of the plan review for additions to the Oak Creek High School career and technical education center, parking lot, and for a performing arts & education center. (See staff report for details.)

Commissioner Siepert asked about the timetable for completing this project, and what steps they are going to take to complete it.

Andrew Chromy, Chief Business and Finance Officer, Oak Creek-Franklin Joint School District, responded that construction on this addition would start next summer through the 2020 calendar year, and finish in the summer of 2021 to be ready for the 2021-2022 school year.

Commissioner Siepert asked if they would be able to handle the parking problems because of the existing extra-curricular activities and now they are adding soccer. He asked if the parking lot will be completed prior to building the auditorium. Mr. Chromy responded that the parking lot will not be completed because some of the parking area will be used as a staging area for the construction. They will be able to operate on a day-to-day basis as far as school is concerned; however, there will be some disruption during Friday night football games.

Commissioner Siepert stated his concern for the neighborhood during the school activities and during the school day, and that the parking will extend even further into the surrounding neighborhoods. Mr. Chromy responded that this will not affect student parking whatsoever. Student parking is located on the west side of the building. The parking lot that is being affected is teacher parking and after-school activities related to football. This would amount to about 4 or 5 nights during the fall from a football standpoint.

Commissioner Chandler asked for more information about the additions. Mr. Chromy stated that they currently have an auto repair shop that does not really allow for auto repairs as the bays for cars cannot lift cars or they will crush the ceiling because of height restrictions. What they are proposing is a typical-type auto shop that you would take your car to. The students will be able to get a car off the ground and do some work on it.

Regarding CTE, they currently have about double the number of students they had when the CTE program was instituted and in high demand, in the same amount of space. They are looking to elaborate on that space so they can accommodate the number of students requesting to take those classes.

Regarding the performing arts education center, they currently have a theater at the high school that seats 200 people. The high school has 2,200 students. They are proposing 850 seats. The back is not completed. They are going to do an alternative bid for an additional 150 seats. It does not change the plan whatsoever. Those have already been sized into this. The Board had approved 850 seats with the ability to request what the 150 additional seats would cost.

The areas around that particular piece are all things that are growing. Robotics is very huge. At the last school board meeting on the 9<sup>th</sup>, there were 35 students in attendance discussing traveling all over the United States with their robotic projects.

They do not have a proper stage for 70 to 90 children that participate in drama classes. The green room and other spaces are things that a growing high school need.

Commissioner Chandler asked for information about landscaping.

Jason Christianson, Neilsen-Madsen & Barber, 1458 Horizon Boulevard, Racine, stated that right now there two landscaping plans that are part of the building addition and remainder of the parking lot. The landscaping for the other part of the parking lot was already approved. He stated that staff is looking for a plan with the proper screening. If they need to approve some additional

screening along Puetz Road, they can certainly do that. Planner Papelbon mentioned that it would be helpful if there was one landscape plan that showed the treatment for the entire parking lot. Mr. Christianson stated that that can be provided.

Planner Papelbon stated that if they can get a complete plan that shows the entirety of the parking lot, they can put this item on for the next Plan Commission meeting (October 8) so that they have Plan Commission approval for the whole thing. That way, there will be no question about what is being approved.

Alderman Guzikowski stated that it has been some time since any changes have been made to the high school. From his perspective, the performing arts and some of the other improvements are impressive and necessary.

Commissioner Chandler asked for information on the traffic safety changes that will be implemented. Mr. Chromy stated he cannot provide specifics, but Nexus and the School District's team will work with the Fire Department to ensure that everything is up to Code, and all regulations are met.

Alderman Guzikowski asked if the motion needed to include language about the landscaping plan being presented in its entirety. Planner Papelbon responded that if the Plan Commission wishes to see the entire landscape plan showing the whole parking lot in one treatment, there is one additional condition that could be added, and that is:

*"That the landscape plan includes the entire parking lot and is reviewed and approved by the Plan Commission at the October 8, 2019 meeting."*

This would be condition #6.

Planner Papelbon recited the motion as follows:

That the Plan Commission approves the site, building, and landscape plans submitted by Andrew Chromy, Oak Creek-Franklin Joint School District, for the property at 340 E. Puetz Rd. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the exterior brick veneer meets the minimum 4-inch requirement per Code.
3. That the plans are revised to include locations for all new and relocated mechanicals, transformers, and utilities. All mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
4. That all water and sanitary connection requirements are coordinated with the Oak Creek Water and Sewer Utility prior to submission of permit applications.
5. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.
6. That the landscape plan includes the entire parking lot and is reviewed and approved by the Plan Commission at the October 8, 2019 meeting.

Commissioner Carrillo so moved. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

**TEMPORARY USE PERMIT  
BOYLAND PROPERTIES  
2420 W. RAWSON AVE.  
TAX KEY NO. 737-9095-000**

Zoning Administrator Miller provided an overview for the request for a temporary use permit to allow temporary storage of inventory vehicles for sale. (See staff report for details.)

Debbie Litzow, 2413 W. Rawson Ave.:

*"I'm right across the street from the cars that are already being stored there. Couple of weeks ago, I went out with more than four garbage bags to fill up. It's turned into kind of like a junkyard. They haven't kept the grass cut like they used to. The old owners, before they sold it, would come out there and trim, you know, and cut everything down. It was weeds, but it looked okay from the street. Um, they're not doing that, so all the trash from 27<sup>th</sup> and Rawson is getting blown up against their bushes and weeds, so it's becoming a junk yard. Now with the cars there with the weeds growing up around them and they are right up against the street, it really doesn't look good. And when we were talking and listening to when you were going through what the dealership would look like and how it's going to be one of the first of the commercial properties in that corner that we wanted it to look nice and show off the community, it is not showing off the community. It is embarrassing. So that's just from my other side of the road and I don't have real high standards. So, I thought some of those cars out there tonight were the neighborhood that is actually next to them, but apparently not. I'm sure they're not happy."*

Commissioner Carrillo saw the site and thought there was a festival going on as it was so far away from the dealership going in. She stated that yes, it does not look good. It definitely needs to be a paved surface or be moved somewhere else, but those residents cannot be happy with that.

Commissioner Siepert stated his concurrence that this does not fit the area for parking these cars temporarily. They requested a 100 to 150 vehicles, and now they're talking a maximum of 50 vehicles for the so-called conditional use. He sees this as a conflict with the people in the surrounding neighborhoods and the City. Also, as he drives along 27<sup>th</sup> Street, he sees that there are multiple properties available for parking vehicles. He believes there are other areas in the vicinity of the dealership that they could accomplish the storage of vehicles.

Commissioner Chandler asked for more information on how you would prep the area for these cars.

Tim Grayman, 7020 S. 27<sup>th</sup> St., stated that he came in front of the Plan Commission to see what was needed first off. It was not their intention to be an eyesore. They had a situation where they purchased back the All-Star Dealership Honda and have an overstock problem. They own the property so the quickest and fastest thing to do is move it there. Once they got their hand slapped, they reached out to the City and are now in the temporary use process. They understand the City's concerns, but they were hoping they had some leeway to use their own property.

Alderman Guzikowski stated that that is one way of looking at it, but he is not sure that storage of vehicles is really going to fit in that area. He stated that the applicant made some assumptions

here. Right out of the gate, they are not being a good neighbor and taking care of what is there. Mr. Grayman said they hired a lawn service once they received a notice from the City for the outer parcel. Alderman Guzikowski stated it should not have taken getting a notice from the City. They should have been out there looking at what is going on there. It shouldn't have been drawn to their attention by the City based on a concern from a neighbor. Mr. Grayman concurred and stated that they rectified it.

Debbie Litzow, 2413 W. Rawson Ave.:

*"Isn't there a standard that grass has to be cut down to. Like for the City of Milwaukee, I know I have rental properties and I get cited if the renters are not keeping it trimmed. So as of this morning, it wasn't meeting that standard from what I'm used to for the standard."*

Commissioner Chandler asked if the Applicant is before the Plan Commission to get a better understanding of what to do and the recommendations from Planning. Mr. Grayman stated they have heard the recommendations and they understand what to do.

Commissioner Chandler asked what is going to change and what their plans are going forward. Mr. Grayman responded that the City does not want the cars parked there so they are going to remove the cars.

Planner Papelbon stated that there are two options. If the Applicant wants to withdraw at this time, they can do that. Unfortunately, since they have been under review, there wouldn't be a refund possibility. The other option is for the Plan Commission to make it clear that this is not an approved use. If they are looking to make this a denial situation, the Plan Commission should provide the motion in the affirmative and then cast their votes. If nays outnumber the ayes, then that motion fails and the approval fails as well.

Commissioner Hanna moved that the Plan Commission approves the Temporary Use permit for temporary storage of inventory vehicles for sale at 2420 W. Rawson Ave. with the following conditions:

1. A minimum 15-foot setback shall be maintained from any property line adjacent to a residential district. Parking shall be located outside of all wetland boundaries and buffer areas, shall be located outside of storm drainage and utility easements, and shall maintain a 30-foot setback to all existing rights-of-way.
2. All vehicles within the approved vehicle storage area shall be parked on temporary concrete parking panels. No vehicles shall be parked on grass or gravel.
3. There shall be a maximum of 50 vehicles stored on the property in the approved vehicle storage area.
4. Delivery of vehicles shall only be via access points on W. Rawson Ave. or 27<sup>th</sup> St. only. There shall be no access from West Cedar Street or South 22<sup>nd</sup> Street. Delivery or removal of vehicles shall be between 8:00 a.m. and 5:00 p.m. Monday through Saturday.
5. There shall be no lighting, advertising, or any other signage in the approved vehicle storage area.
6. There shall be no sales of vehicles from the approved vehicle storage area.
7. The Temporary Use Permit for temporary storage of vehicles shall expire on March 31, 2019. The property shall be restored to its original condition – all vehicles and concrete pads removed, vegetation replaced/replenished – within 14 calendar days following the expiration of the Temporary Use Permit.

Commissioner Siepert seconded. On roll call: all voted no. Motion failed.

**CANCELLATION OF MEETING  
NOVEMBER 26, 2019**

Commissioner Siepert moved to cancel the November 26, 2019 Plan Commission meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 6:48 p.m.

ATTEST:

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Douglas Seymour, Plan Commission Secretary

9-25-19  
Date

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