



## PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions – Vehicle Rentals

Description: Review draft Conditions and Restrictions as part of a request for a Conditional Use Permit for vehicle rentals (U-Haul).

Applicant(s): Mohammad Abuain, Smart Wash LLC

Address(es): 1155 W. Anderson Ct. (1<sup>st</sup> Aldermanic District)

**Suggested Motion:** That the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for vehicle rentals on the property at 1155 W. Anderson Ct.

Owner(s): 1155 ANDERSON, LLC

Tax Key(s): 735-0006-000

Lot Size(s): 2.000 ac

Current Zoning District(s): M-1, Manufacturing

Overlay District(s): N/A

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Industrial

### Background:

At the April 11, 2023 meeting, the Plan Commission recommended Common Council approval of a Conditional Use Permit for vehicle rentals on the property at 1155 W. Anderson Ct. Staff has prepared draft Conditions and Restrictions for the Commission’s review.

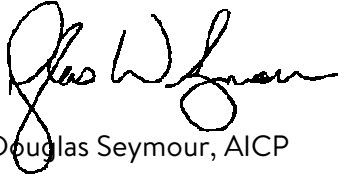
The Conditions and Restrictions reflect the requirements for the location, number and type of vehicles, and the initial duration of the Conditional Use Permit.

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. Should the Conditions and Restrictions not be recommended for Council approval, Plan Commissioners must provide the criteria per Code upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, including Conditions and Restrictions.

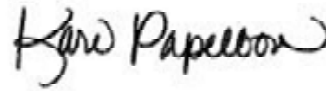
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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Senior Planner

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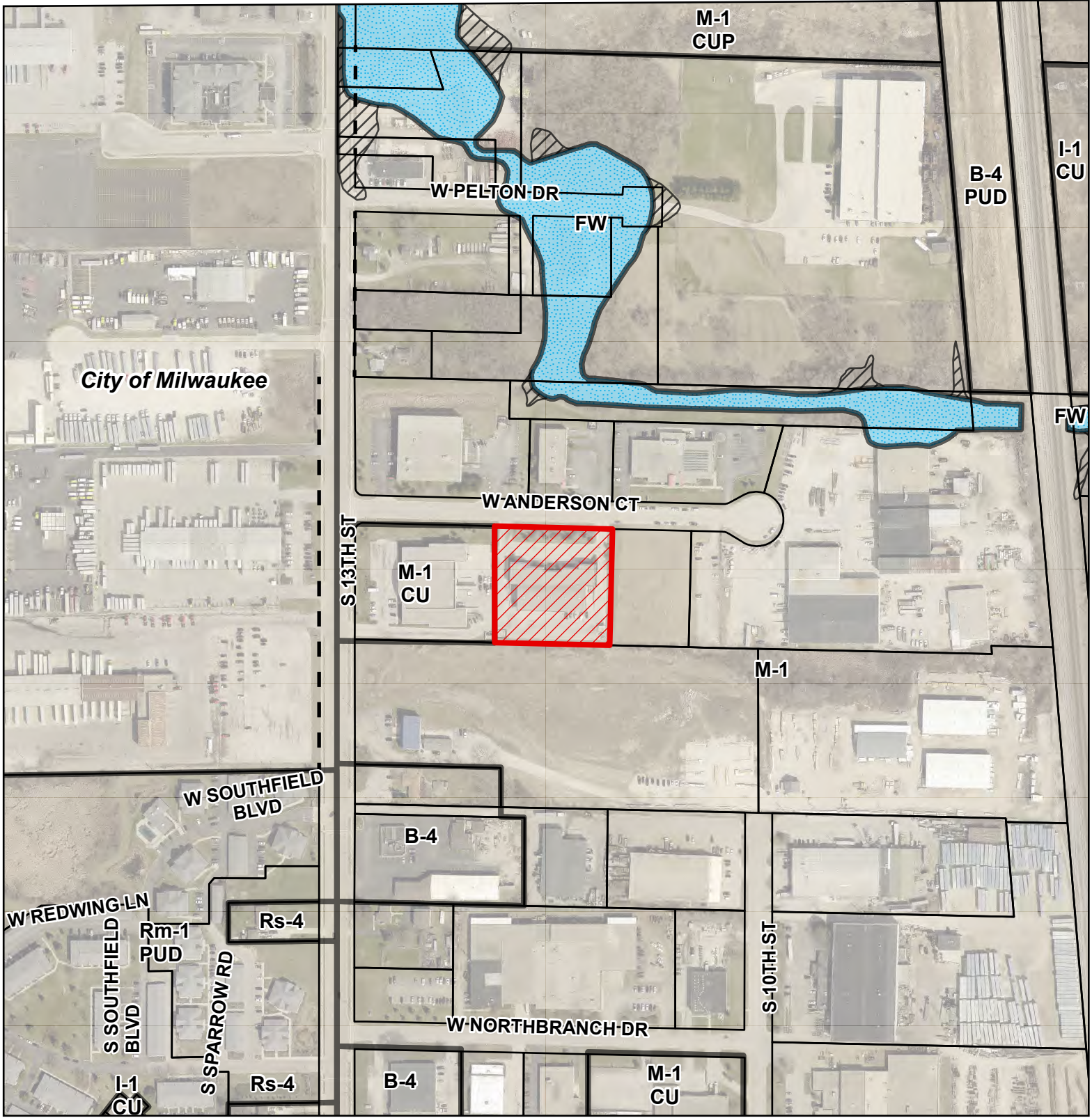
Attachments:

Location Map  
Draft Conditions and Restrictions

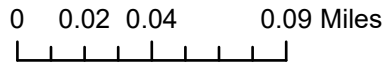
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# LOCATION MAP

## 1155 W. Anderson Ct.



Community Development



### Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 1155 W. Anderson Ct.

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

<b>Applicant:</b> Mohammad Abuain, Smart Wash LLC	<b>Approved by Plan Commission:</b> TBD
<b>Property Address(es):</b> 1155 W. Anderson Ct.	<b>Approved by Common Council:</b> TBD
<b>Tax Key Number(s):</b> 735-0006-000 (portion)	(Ord. TBD)
<b>Conditional Use:</b> <b>Vehicle Rentals</b> <b>(moving vehicles only)</b>	

1. LEGAL DESCRIPTION

COLLEGE PARK BUSINESS CENTER LOT 6 SW ¼ SEC 5-5-22 (2.000 ACS).

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 Permit shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. 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/phases
- 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 & type(s) of dwellings
  - 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**

- 1. Screening plan, including parking lot screening/berming
- 2. 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**

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. 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
  - d) Materials to be stored (interior & exterior)

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 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.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).

### **3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS**

- A. Uses allowed on this property shall be limited to those allowed by the M-1, Manufacturing zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. A maximum of three (3) rental moving vehicles and one (1) trailer shall be allowed on the property in striped and designated stalls on the southeast portion of the property as approved by the Plan Commission per Exhibit A. All vehicles shall be currently licensed and operable.
- C. No rental moving vehicle shall be parked or displayed outside of the area approved by the Plan Commission except for rental moving vehicles actively in transport or in the specific act of rendering a service. Any rental moving vehicles returned by customers shall be moved to the designated parking area during regular hours of operation, or by the beginning of operation the following business day for rental moving vehicles returned after hours.
- D. Rental moving vehicles shall not block or hinder required Fire Department access routes, hydrants, or building FDC.
- E. Landscaping per approved plans for the site shall be maintained.
- F. There shall be no outdoor storage, rental, or sale of equipment, merchandise, parts, supplies, or any other materials on the property.
- G. There shall be no autobody, automotive mechanical repair, or service station operations on the property.
- H. One (1) after-hours secure drop-box shall be allowed in a location approved by the Plan Commission as part of Site and Building Plan Review.
- I. Hours of operation for the rental moving vehicles shall be between 10:00 AM and 5:00 PM.
- J. All signs shall conform to the requirements of Sec. 17.0601 – 17.0609 of the Municipal Code (as amended).
- K. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- L. Solid waste collection and recycling shall be the responsibility of the owner.

M. 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 of rental moving vehicles shall not occur within customer parking areas on the north.**

**B. Parking is restricted to three (3) stalls for rental moving vehicles and one (1) rental trailer in striped and designated stalls in the location approved by the Plan Commission per Exhibit A. See Section 3 above.**

C. Parking and the shared driveway for this development shall be provided in accordance with Sections 17.0501 and 17.0503 of the Municipal Code (as amended), these Conditions and Restrictions (see Section 3 above), and plans approved by the Plan Commission.

5. LIGHTING

A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).

B. All light sources shall be fully shielded full cutoff fixtures directed downward.

C. The color temperature of the parking lot fixtures shall be limited to a maximum of 5,000 Kelvins.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

<b>Lot Standards (Minimum)</b>	
Lot Area	30,000 sq ft
Lot Width	150 ft
<b>Yard Setbacks (Minimum) (1)</b>	
Front	25 ft
Street Facing Side	25 ft
Interior Side	15 ft
Rear	25 ft
<b>Building Standards (Maximum)</b>	
Height	50 ft
Building Coverage	40%
Lot Coverage	70%
<b>Parking</b>	
<b>Rental Moving Vehicles</b>	<b>See Exhibit A</b>
<b>Transition &amp; Required Landscape Areas</b>	<b>See Sec. 17.0505</b>
<b>Notes:</b>	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed buffer.	

7. TIME OF COMPLIANCE

The operator of the Conditional Use Permit 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 Permit approval shall expire twelve (12) months after the date of adoption of the ordinance if building permits have not been issued for this use. The applicant shall re-apply for Conditional Use Permit approval prior to recommencing work or construction.

8. DURATION OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to **two (2) years** from the date of issuance of the Conditional Use Permit. The owner may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

9. 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.

10. 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 11 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.

11. REVOCAATION

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 a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. 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.

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Owner / Authorized Representative Signature

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Date

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(please print name)

EXHIBIT A

W Anderson Ct

299.00

