



PLAN COMMISSION

November 28, 2023

6:00 P.M.

Common Council Chambers

8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chauncey Chandler
Donald Oldani
Chris Guzikowski
Ashley Kiepczynski
Gregory Loreck
Fred Siepert
Christine Hanna
Matt Sullivan – ex-officio
Kari Papelbon – ex-officio

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

Find more information on agenda items at oakcreek.zoninghub.com.

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – November 14, 2023
4. Review and Discuss Report on Recent Common Council Actions
5. Review and Discuss Report on Recent Board of Housing and Zoning Appeals Actions – NONE
6. Review and Discuss Report on Recent Quarterly Parks & Recreation Commission Actions – Next report January 23, 2024
7. New Business
 - a. **CONDITIONAL USE PERMIT** - Review a request submitted by AVG Intermediate Holdings d/b/a Urgent Vet for a Conditional Use Permit for a veterinary clinic/animal hospital within the existing multitenant commercial building on the property at 8907 S. Howell Ave. (Tax Key No. 859-9042-001; *3rd Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/VKNNNYAHLD>
 - b. **CERTIFIED SURVEY MAP** – Review a certified survey map submitted by Laurie Helgason P.R., on behalf of the estate of Theresa Aghbashian, dividing the property at 3444 E. Ryan Rd. (Tax Key No. 870-9968-000; *3rd Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/Y3X93BG937>

Announcements & Adjournment.

Dated this 22nd day of November, 2023

Posted 11-22-23 jf

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 14, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 PM. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Kiepczynski, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Siefert, and Commissioner Chandler. Commissioner Carrillo and Commissioner Oldani were excused. Also present: Senior Planner Kari Papelbon, Alderman Kurkowski, and Assistant Fire Chief Mike Havey.

Minutes of the October 24, 2023, meeting

Alderman Guzikowski moved to approve the minutes of the October 24, 2023, meeting. Commissioner Hanna seconded. On roll call: Alderman Loreck and Commissioner Siefert abstained; all others voted aye. Motion carried.

**CONDITIONAL USE PERMIT
NORTH INVESTMENTS, LLC
9810, 9840, AND 9880 S. RIDGEVIEW DR.
TAX KEY NOS. 903-0010-000, 903-0011-000, AND 903-0012-000**

Alderman Loreck moved to hold item 7a to the January 23, 2024, Plan Commission meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Senior Planner Papelbon explained that holding the item would allow the applicants additional time to address some of the issues that came up during discussions with the Fire Department. Senior Planner Papelbon also stated there are some issues regarding what the uses will be within the building at 9880.

**CONDITIONS AND RESTRICTIONS
UW-MADISON EXTENSION MILWAUKEE COUNTY
1800 E. FOREST HILL AVE.
TAX KEY NO. 816-9989-000**

Senior Planner Papelbon provided an overview of the Conditions and Restrictions as part of a request for a Conditional Use Permit for proposed garden plots for rent on the property at 1800 E. Forest Hill Ave (see staff report for details).

Thomas Fons, 2000 E Forest Hill Ave:

"I'm the first house to the east of the existing plat. What I'm asking for, could you give me about 30 feet, keep the woods for privacy, for holding down the dust, and you guys installed five (5) electrical type units that help for the life of our underground sewer, they're there, they're 10 by 10 they were put in last year. They're right now, they're hidden from the woods. If you go with a garden all the way toward my house, I'm going to have them out and you're just going to totally take away the forest hill. I mean I've been there 26 years and I want to live my life here; I grew up in Oak Creek. Did construction right on the lot line of five (5) units, I was told they're an electrical unit that goes to the underground sewers and it maintains corrosion."

Mayor Bukiewicz stated they will remain.

Mr. Fons:

“I’m not asking for them, but right now the way that was mapped out if you go with a garden all the way to that end of the red line, you’re going to have them exposed, you’re going to have our neighborhood changed.”

Martin Ventura, 3415 N 55th Street, Milwaukee, explained this is a process that the organization is looking to return to compliance in the good graces of Oak Creek. Mr. Ventura stated they are not proposing any alteration of the forest line, simply permitting existing use. The site as it has existed for more than ten (10) years will remain unchanged per these plans.

Comments were made off the microphone.

Commissioner Siepert asked if the applicant would control who goes on the property or maintains the property throughout the season. Mr. Ventura stated the terms with the Milwaukee County Parks Department stipulate that the applicants will provide maintenance to the property in exchange for their occupancy there. Mr. Ventura said they conduct mowing, invasive species removal, and trash removal as needed. Mr. Ventura explained safety is a concern for everyone and they have historically offered gardeners an annual sticker that they can put on their car and that signifies those who have paid the program fee and are entitled to use that space.

Commissioner Siepert inquired what the fee is for people to use a plot. Mr. Ventura stated the fee for a 30x30 square foot plot is \$56 for the season and there are smaller denominations that will be rented out.

Comments were made from the audience that were not audible.

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 garden plots for rent on the property at 1800 E. Forest Hill Ave.

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

**CONDITIONS AND RESTRICTIONS
ST. JOHN PROPERTIES, INC.
517 E. RAWSON AVE.
TAX KEY NO. 766-9012-000**

Senior Planner Papelbon provided an overview of the conditions and restrictions as part of a request submitted by Jason Atkielski, St. John Properties, Inc. to rezone the property at 517 E. Rawson Avenue from A-1, Limited Agricultural to Lm-1, Light Manufacturing PUD. (see staff report for details).

Senior Planner Papelbon explained the City has a policy that all properties within 300 feet of the property boundaries of a proposal are given notice of any public item, however the alderperson for the district can request an increase in the 300-foot boundary to 600 feet. With this proposal in District 1 that was the request of the alderman of the district so all properties within 600 feet of the property boundaries of 517 E Rawson Avenue were provided with notice of the Plan Commission meeting.

Becky Encalada, 7366 S Quincy Ave:

“As I stated before, our concern was the letters that have come within reference to 600 feet of our property for the building that is already under way on Rawson Avenue. While we support growth of Oak Creek, we have no issue or no problem with that, with stores or whatever exactly is going to be going in there, but we did not want it in any way shape or form obviously to affect our property, as do none of the other people that live on our block, have that same concern. So, it didn’t make any sense to us, it wasn’t clear, the 600 feet made no sense, at least not in the letter. So like I said, while we support the growth of Oak Creek, we just don’t want anything to disrupt where we live because we live in a very peaceful, quiet neighborhood and we’re far enough away from Rawson Avenue still where we have quiet, but yet we can access it to obviously go shopping, and do things like that so we have no problem with the growth on Rawson Avenue, we just don’t want roads being chopped up or traffic coming through there to make different access to Rawson Avenue and those were our questions and our concerns to have that clarified.”

Mayor Bukiewicz stated the Plan Commission will cover that, however at this point, Ms. Encalada’s subdivision does not tie into the proposed development, it dead ends at Missouri.

Ms. Encalada:

“Okay, so that helps because like I said the letter just wasn’t exactly clear and that was really the only thing we wanted to mostly clarify and then just be part of the growth and the other things that you’re going to be discussing in the rest of this meeting and any future meetings coming up. So, that’s actually all we had concerns about.”

Commissioner Hanna asked the applicant what type of businesses are being proposed for the development. Jason Atkielski, 2000 Pewaukee Road, Suite A, Waukesha, explained the buildings are speculative multitenant buildings, so any businesses that come within the Zoning Code would be allowed.

Commissioner Hanna inquired if they would be small businesses. Mr. Atkielski confirmed it would be small businesses. Commissioner Hanna asked to confirm that it would not be a big shopping mall or anything large like that, that will attract more traffic. Mr. Atkielski stated it would not.

Alderman Loreck asked Mr. Atkielski if he anticipates this development will be like the one that is across Rawson. Mr. Atkielski said yes.

Commissioner Siefert asked if there would be any truck traffic in the proposed development. Mr. Atkielski said it would be minor, it would not be like a shipping hub or distribution. Mr. Atkielski also said it would be just small deliveries if tenants needed them.

Commissioner Chandler asked what the planned height of the building is. Mr. Atkielski stated 24 feet. Commissioner Chandler inquired if it would be two (2) stories. Mr. Atkielski clarified that it would be one story.

Commissioner Chandler asked Senior Planner Papelbon if there are any items in the Conditions and Restrictions for noise regulations or requirements. Senior Planner Papelbon stated there is a noise ordinance that is effective throughout the City and this development would need to comply with that ordinance.

Mayor Bukiewicz said regardless of what businesses go in the development there will be some type of trash pickup and he would like to keep it located as far away from the neighborhood as possible. Mayor Bukiewicz stated he is not sure if there will be central dumpsters or if they will be at each business. Mr. Atkielski stated there are dumpster corrals noted on the plans, there will be enclosures behind screen walls and then the trucks [*inaudible*].

Mayor Bukiewicz stated the Plan Commission should really limit pickup times. Senior Planner Papelbon explained the current noise Ordinance does not include trash pickup because it is understood that trash pickup is not a sustained noise activity, it is exempt from the Noise Ordinance.

Senior Planner Papelbon clarified that the site and building plan review will be back before the Plan Commission once the Planned Unit Development is approved by the Common Council.

Alderman Kurkowski thanked Senior Planner Papelbon for expanding the mailing of notices to 600 feet. Alderman Kurkowski said that the applicant had a neighborhood meeting about two (2) months earlier and there was about 30 people in attendance. The applicant laid out the plans. Alderman Kurkowski continued by stating the applicant has agreed to remove rentable space from each building to create a setback of 85 feet from the subdivision with berms and trees. Alderman Kurkowski explained Ms. Encalada called him earlier with concerns about flooding. Alderman Kurkowski assured her that the development is not allowed to make the flooding worse, they can only make it better or stay the same.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Lm-1, Planned Unit Development for the property at 517 E. Rawson Avenue after a public hearing.

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

PLAN REVIEW
BLVD
7951 S. 6TH ST.
TAX KEY NO. 813-9063-000

Senior Planner Papelbon provided an overview of the site, building, and related plan review for a proposed multifamily residential building (see staff report for details).

Commissioner Hanna asked what the reason is for the metal panels that are proposed by the applicant. Senior Planner Papelbon deferred to the applicant for answer.

Craig Pryde, KTG Y, 217 N Jefferson St, Suite 400, Chicago, Illinois stated the design is following similar characteristics to Emerald Row 1 and 2. Mr. Pryde explained the panels are more in the contemporary vein of architecture. Mr. Pryde continued by explaining to enclose the parking garage and to create an elevation to not emphasize the two-story base throughout the entire site they have taken the liberty of providing an artistic approach. Mr. Pryde also stated they chose the metal panels to try to work with the verticality of the building in other areas and the two different types of metal panel that have been selected or indicated gives a slightly artistic approach to breaking down the overall size of that wall.

Commissioner Hanna stated metal panels typically cost a little more, maintenance wise, than other materials. Commissioner Hanna asked if the applicants have considered a stone style brick to help blend the building into the nature preserve. Mr. Pryde stated they have looked at a number of different opportunities for the building and stated this one element of the building needs to be cohesive with the entire structure. Mr. Pryde explained some metal panels depending on the color may show some oxidation or slight change in color. Mr. Pryde stated they have selected whites and grays, which does not really show the deterioration in a metal panel. Mr. Pryde said they are trying to use the lightness of the color selection to de-emphasize the heaviness of a two-story base. Mr. Pryde also stated there will be some plantings at the base of the building that over time will soften the base of the building. Mr. Pryde explained that as someone moves around the base of the building, through the promenade or fire lane, and access to that, the building becomes a backdrop, not a focal point.

Commissioner Hanna recommended shielding the base with some trees that blend in with the rest of the preserve. Mr. Pryde said it would be difficult to plant shade trees in the available space adjacent to the fire lane.

Alderman Loreck asked if the Plan Commission is allowed to mandate specific types of landscaping. Senior Planner Papelbon stated the Plan Commission has the authority to approve landscape plans. Senior Planner Papelbon continued by stating in this proposal the building is right up against the path except more a small portion that she highlighted on the screen.

Alderman Loreck inquired if there is a type of ivy that could be planted that will cover the wall in green to help it blend in. Mr. Pryde stated in his 35 years as an architect doing a lot of projects like this, he does not think he has had one successful project of getting the ivy to grow up a wall more than five (5) feet.

Alderman Loreck asked if there are plans to put any type of retail in the proposed building. Senior Planner Papelbon clarified that storefront refers to the aluminum frame with the windows.

Alderman Loreck questioned what the ratio is of parking spots to units and if there is a plan for visitor parking. Mr. Pryde said he does not believe there is a requirement for visitor

parking, and he does not recall if they submitted a parking ratio for phase one with the 12 spots. Senior Planner Papelbon explained the parking ratio for phase one, including the 12 spots from this proposal, is 1.2 stalls per unit and the ratio for the proposed building is 1.43 stalls per unit when the on-street parking is included.

Alderman Guzikowski stated he is not really opposed to the look of the building materials on the back side.

Commissioner Siefert asked about the height of the building and the airport runway approach. Senior Planner Papelbon stated the proposed building is not as tall as the tower with the spire on the City Hall building.

Commissioner Siefert inquired if the proposed building would blend in with the sidewalk in the nature preserve. Mr. Pryde stated the path as it exists today is how the applicants envision it to be existing upon completion of the project, with the exception of tying in a sidewalk on the north side of the building to the north end of the path.

Commissioner Chandler asked if the proposed building will be apartments or condos. Mr. Pryde said they are apartments.

Commissioner Chandler inquired if the two levels of parking will cover all the tenants. Mr. Pryde confirmed that was correct and stated 1.43 is the ratio of parking spaces provided to the number of units in the building.

Commissioner Chandler asked to confirm that there is no plan for visitor parking. Mr. Pryde said yes, with the exception of the ones that would be on the street. Mr. Pryde stated he cannot speak for the developer, but it is not uncommon that the applicant can count those spots as a requirement, but they may not rent those spots.

Commissioner Chandler asked how many apartments there will be. Mr. Pryde replied 101 units and 140 bedrooms, so it is basically one parking space per bedroom.

Commissioner Chandler inquired why the building has two stories of parking above ground instead of one level underground or both underground. Mr. Pryde responded expense, it is far more expensive to take the same parking and dig a two-story hole.

Commissioner Chandler asked what the plan is for snow removal. Mr. Pryde stated he cannot speak specifically about that, but he suspects the plan that is in place for ER 1 and ER 2 will be the same for this proposal. Mr. Pryde also stated the amount of snow removal will be less than what is currently removed because the building will be replacing a surface parking lot, and the building will handle its own snow load and not have a removal process.

Commissioner Chandler questioned what the plan is for the temporary parking area and construction parking. Mr. Pryde said he believes the plan for the temporary parking spaces is to have them be absorbed back into ER 1 and ER 2 surface lots that are currently not being utilized. Mr. Pryde continued by stating the parking for construction employees is something the contractor will have to deal with. Mr. Pryde stated it is common for the contractor to work with adjoining property owners or areas and designate an area for contractors to park on.

Commissioner Chandler asked what the plan is for the mechanicals. Mr. Pryde said the intent is for the mechanicals to be on the roof of the building and screened. Mr. Pryde also stated he does not believe there is a plan to put any mechanical equipment on grade.

Commissioner Chandler noted the transformer identified on the plans. Mr. Pryde clarified that a transformer is not a piece of mechanical equipment, it is the location where the electrical company provides the main service to the building.

Senior Planner Papelbon asked the applicant if he brought material samples for the two metal panels. Mr. Pryde stated he did not. Mr. Pryde apologized and said he does not think they got the request in time to satisfy it.

Mayor Bukiewicz stated he would not go with ivy on that wall. Mayor Bukiewicz also stated a mural on the wall would not enhance the nature of that preserve and if anything, it would cheapen it up. Mayor Bukiewicz said he thinks the wall as it is presented, he likes it. Mayor Bukiewicz also said he thinks it is a very nice-looking building given the site and the challenges that came along with it.

Commissioner Chandler asked if the Plan Commission would be able to see the material samples before proceeding with the actual use of the material. Mayor Bukiewicz stated it would have to be an approved material. Senior Planner Papelbon said if the Plan Commission has questions about the materials and wants to see samples, the only option is to hold the item so the material can be brought in for review. Senior Planner Papelbon also stated if the Plan Commission is fine with it, staff can look at the material and see if there is any concern, but it is for the Plan Commission to determine.

Mayor Bukiewicz said in his opinion the Plan Commission has approved metal panels on other buildings. Senior Planner Papelbon clarified that staff were concerned because the materials said perforated, and they were unsure what that meant and did not have an example from a real-world installation.

Mayor Bukiewicz inquired if the motion could have a condition added for the approval of the acceptable metal panels by staff. Senior Planner Papelbon stated acceptable is at the discretion of the Plan Commission.

Mayor Bukiewicz stated if it is an approved building material, the Plan Commission has been through that. Senior Planner Papelbon clarified that it is an architectural element, so it is not necessarily an architectural material.

Mayor Bukiewicz inquired what was done on Forge and Flare. Senior Planner Papelbon said they used fiber cement.

Mr. Pryde clarified that the intent of the metal panel is to enclose the garage because it is not an open garage. Mr. Pryde stated he thinks as they are working through the design of the building it is going to be an insulated metal panel to provide some tempering for the garage interior, but the intent of the design and the perforation just creates a panel that is slightly darker.

Commissioner Hanna asked the applicant if he has used the panels on a similar building to show how the panels were used and what it looks like now. Mr. Pryde said he is sure they have, but he does not have anything with him.

Mayor Bukiewicz stated he is sure the panels have been used elsewhere in the City, but cannot think of an example off the top of his head. Senior Planner Papelbon said architectural metal panels are not unusual in the City, but the perforated one is the accent material, the decorative material and that is the part that staff has a question on because we do not have that in the City. Senior Planner Papelbon continued by stating staff would like to know what it looks like when it is installed, what does it look like after it has been installed for a couple of years, how the product wears, those are the types of things that staff is unfamiliar with, with this material and would like to have that kind of information and it is up to the Plan Commission to determine whether they would like to see that as well.

Mayor Bukiewicz said in his opinion based on what has been done at Emerald Row and Parterre he would not expect it to be a cheap build out and would be willing to say these panels are going to work okay for what they intend on.

Mr. Pryde asked if the Plan Commission would feel differently if it was a solid panel and not a perforated panel. Mayor Bukiewicz said he could not tell, and he thought they were solid panels by the rendering. Mr. Pryde said it makes it look darker and gray.

Mayor Bukiewicz asked if the Plan Commission can approve the wall calling it panels and then they bring in a choice of panels between perforated and solid. Senior Planner Papelbon said it is still going to be the Plan Commission's purview as to which one is approved. Senior Planner Papelbon continued by stating she does not want to take the Plan Commission's approval away by allowing staff to approve the materials.

Mayor Bukiewicz suggested approving the plan review with panels and when the panels come in later, the Plan Commission could then approve the type of panels. Senior Planner Papelbon clarified that is still an action item that would need to be brought before the Plan Commission to make an actual choice.

Commissioner Hanna inquired how long it would delay the project to require the applicant to come back for approval. Mr. Pryde stated the panels would not be ordered for a year, but the process to get to a panel order is what the approval pushes back.

Mayor Bukiewicz said he likes the quality of the first two products, and he trusts the third. Alderman Guzikowski stated he agreed with Mayor Bukiewicz.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Richard Barrett, BLVD, for the property at 7951 S. 6th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. No signs are included in this approval. Detailed plans for signage must be reviewed and approved by the Plan Commission prior to submission of sign permit applications.

3. That all parking lot lights meet the DTSMUPDD-approved specifications (pole, pole height, fixture, color), that all light sources are shielded and directed downward, and that the color temperature of the fixtures are limited to a maximum of 3,500 Kelvins. All lighting plans shall be reviewed and approved by the Electrical Inspector prior to issuance of permits.
4. That the landscape plans are revised to incorporate staff comments and Code requirements.
5. That the plans are revised to include locations for all mechanicals, transformers, and utilities. All mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
6. That the plans are revised to show the public sidewalk and easement connection to the public path (Emerald Preserve) on the west per staff comments. The revised easement shall be reflected on the Certified Survey Map and any easement documents prior to recording.
7. That all detailed, revised, and finalized plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Alderman Guzikowski seconded. On roll call: Commissioner Chandler and Commissioner Hanna voted no; all others voted aye. Motion carried.

**LAND ACQUISITION
CR DEVCO/HEYDAY
8830 S. 27TH ST.
TAX KEY NO. 857-9016-000**

Senior Planner Papelbon provided an overview of a proposal by CR Devco/Heyday for City acquisition of the property at 8830 S. 27th St.

An individual giving an address of 8810 S 27th Street, asked what the plans are for the property at 8830 S 27th Street. Senior Planner Papelbon stated the intention for the property is to be utilized for natural resource park purposes and it will not be developed into anything other than recreational or walking trails.

Barbara Linder, 2411 W Puetz Road:

“Now if this would become a park and you would want what? Anything that was zoned there before? I mean as far as what we had put in place, like at the back of our properties, we had it accessible, now if anything would be built and I know at certain points and times sometimes the parks are not kept and then they’ll use the resources. Is there any way that you can keep where we had put in place, where there is access to the back of our property, so we are not land locked in the back because that’s what would happen if you did that. So, we know if for any reason that land would become something else besides a park back there, we would have access. See we’ve got right now, we’ve got access, that we had put in place a place where each of our properties would have access to a road at some time if a road would decide to go through there and would those be taken off then?”

Senior Planner Papelbon stated this item is not a proposal to amend the Official Map, it is only for the City to acquire the property. Senior Planner Papelbon also stated there is no

plan for any change to the Official Map or future access in the area.

Mayor Bukiewicz said if he remembers correctly there is so much wetland on the property it is so hard to develop that the owners are asking the City to take the property. Mayor Bukiewicz reiterated that at this time it will be nothing more than woods and possibly walking trails.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council accepts the dedication of land at 8830 S. 27th St.

Alderman Loreck seconded. On roll call: all voted aye. Motion carried.

**MASTER SIGN PLAN REVIEW
F STREET OCLV, LLC
4005 E. LAKE VISTA PKWY AND 9116 & 9300 S. 5TH AVE.
TAX KEY NOS. 868-9005-000, 868-9006-000, AND 868-9994-002**

Senior Planner Papelbon gave an overview of a proposed Master Sign Plan for the Lakeshore Commons development (see staff report for details).

Alderman Loreck asked if the Master Sign Plan approval has anything to do with the leasing signage and the amount of time. Senior Planner Papelbon stated it is signage for the leasing office within the building.

Alderman Loreck referenced the retail sign types in the staff report and asked if it can be any of the sign types and inquired if the City typically tries to have similar sign types on the same building. Senior Planner Papelbon stated it allows for a little bit of flexibility with retail. Senior Planner Papelbon also stated that in this case she does not think there is necessarily a requirement for the retail signs to match the apartment or residential signs.

Alderman Loreck asked the applicant if they are pushing for a certain type of sign or if tenants would have different sign types. Katie Monachos, Rinka, 756 N Milwaukee St, Milwaukee explained there is no necessary plan for retail space in that building, there was just early discussions that, that would be the corner identified for retail space, so the applicant just wants the future flexibility. Ms. Monachos clarified it is not likely that there will be more than one retail space, if any.

Commissioner Siepert requested the total number of signs that would be installed. Ms. Monachos referenced the proposed wayfinding signs slide and stated it shows all the potential places the applicant would put the signs, but the reality is it would be about five (5) or six (6) signs throughout the development.

Commissioner Chandler asked the applicant if the wayfinding signs would have lights associated with them as well. Ms. Monachos stated the proposed signs do not have lights associated with them.

Alderman Loreck moved that the Plan Commission approves the Master Sign Plan submitted by Nick Jung, F Street OCLV, LLC, for the Lakeshore Commons development at 4005 E.

Lake Vista Parkway, and 9116 & 9300 S. 5th Ave., with the following conditions:

1. That all relevant Code requirements and conditions of the Traditional Neighborhood Development Planned Unit Development (TND PUD) remain in effect.
2. That all signs meet the minimum 10-foot setback requirement to the public rights-of-way and property lines.
3. That the Master Sign Plan is revised to eliminate all roof-mounted signage allowances.
4. That landscaping plans are provided for each monument sign in compliance with Code and PUD requirements and the Master Landscape Design Guide, and submitted for review by the Department of Community Development prior to submission of permit applications.
5. That lighting plans are provided to the Department of Community Development for each monument sign prior to submission of permit applications.
6. That all signs obtain permits prior to installation.
7. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

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

**TEMPORARY SIGN PLAN REVIEW
F STREET OCLV, LLC
4005 E. LAKE VISTA PKWY.
TAX KEY NO. 868-9005-000**

Senior Planner Papelbon provided an overview of a request for temporary signs for the Lakeshore Commons development (see staff report for details).

Katie Monachos, Rinka, 756 N Milwaukee St, Milwaukee, referenced the cluster of four (4) - A type signs at the main entrance and clarified that the intention is not to have all four (4) signs be up at the same time, but to allow flexibility during construction of the A8 buildings with no more than two (2) signs displayed at one time. Senior Planner Papelbon suggested that be included in the motion.

Commissioner Chandler asked what the end date would be for the proposed temporary signs. Ms. Monachos stated they propose that the end date be when construction is complete.

Commissioner Chandler inquired when the construction is scheduled to be completed. Ms. Monachos explained that phase one has two multi-family buildings that are not under construction yet; every other building type is under construction or complete. Ms. Monachos also stated if the A8 buildings are started in the spring it may be another year after that. Ms. Monachos said it is hard to say before they break ground when the end of construction would be.

Commissioner Chandler asked what phases the signage is for. Ms. Monachos said it is for phase one.

Commissioner Chandler asked the applicant to provide details about the size of the proposed signs. Ms. Monachos said the ground mounted signs would be a maximum of 4 feet by 8 feet and the other signs would be on the construction fencing and not restricted.

Alderman Loreck inquired what the signs are being used for. Ms. Monachos stated the signs would be to promote and share information about the single-family homes, future coming projects like the club house, and to amp up the future development and the draw for the development for future homeowners.

Alderman Loreck asked Senior Planner Papelbon if condition 2 would no longer be needed. Senior Planner Papelbon suggested that number 2 state, "that a maximum of two (2) of the A ground mounted banners 4'x8' at the intersection of Breakwater and Lake Vista Boulevard are approved". Alderman Loreck asked if it could be a maximum of three (3) so the other A. Senior Planner Papelbon explained the Plan Commission will make sure the two (2) are called out, two (2) in any of the locations at the intersection. Senior Planner Papelbon also stated the third one is fine as long as it meets the setback requirements.

Alderman Loreck asked Senior Planner Papelbon if there needs to be a specific date listed in the conditions of the motion. Senior Planner Papelbon stated she is still working on it, but at this time she has it as "that the temporary signs shall be removed within five (5) days of the end of construction for phase one".

Senior Planner Papelbon stated there are no changes to condition number 1. Senior Planner Papelbon said her suggestion for condition number 2 reads, "That a maximum of two (2) 4'x8' ground-mounted signs at the intersection of Breakwater and Lake Vista Boulevard and one (1) 4'x8' ground-mounted sign on the private development road, which we believe is called Cypress, as shown on the map are approved." Senior Planner Papelbon also stated for condition number 5 she came up with, "within five (5) days of the end of construction" and is open to suggestions.

Commissioner Hanna inquired what the completion date is for phase one. Senior Planner Papelbon stated the applicant is asking for an end date of the completion of all of phase one. Senior Planner Papelbon explained phase one still needs the club house, two more buildings, plus the townhomes on the north, and several of the residential buildings.

Commissioner Hanna asked to confirm the applicant is asking to keep the signs for all subphases until the entire phase one is complete. Senior Planner Papelbon confirmed that is correct. Commissioner Hanna asked when phase one is set to be complete. Senior Planner Papelbon stated she does not know, but predicted there is probably still at least two (2) years of construction.

Commissioner Hanna asked if there was a schedule provided. Ms. Monachos stated if construction of the two (2) A8 buildings starts in the spring some time, it will be about 12 to 15 months of construction and at that point the only building types that will be future construction will be single-family and attached villa homes.

Mayor Bukiewicz stated as construction finishes the construction fence, and the sign will come down.

Commissioner Hanna asked what schedule was provided to the contractor. Ms. Monachos said it depends on when the construction starts. Ms. Monachos also said it is very hard to say because some buildings have not started construction and the single-family and villas will depend on need and purchase.

Alderman Loreck moved that the Plan Commission approves the Temporary Sign requests submitted by Nick Jung, F Street OCLV, LLC, for the Lakeshore Commons development at 4005 E. Lake Vista Parkway with the following conditions:

1. That all relevant Code requirements and conditions of the Traditional Neighborhood Development Planned Unit Development (TND PUD) remain in effect.
2. That a maximum of two (2) 4 by 8 ground-mounted signs at the intersection of South Breakwater Boulevard and Lake Vista Boulevard and one (1) 4 by 8 ground-mounted sign on the private development road as indicated on the map as Cypress Drive are approved.
3. That all signs meet the minimum 10-foot setback requirement to the public rights-of-way and property lines.
4. ~~That Temporary Sign Permits with detailed locations are obtained for all non-construction fence-mounted signs prior to installation. One (1) permit may be issued for all wayfinding/information signs per construction phase.~~
5. That the temporary signs shall be removed within five (5) days of the end of construction.

Senior Planner Papelbon clarified that the “one permit for all wayfinding signs” is no longer relevant and suggested striking that portion of Condition 4. Alderman Loreck stated he would strike that portion as stated by Senior Planner Papelbon.

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

**CERTIFIED SURVEY MAP
FRONTLINE COMMERCIAL REAL ESTATE
9970, 10020, & 10040 S. 20TH ST AND 1850 W. OAKWOOD RD
TAX KEY NOS. 926-9977-001, 926-9978-001, 926-9979-000, AND 926-9036-000**

Senior Planner Papelbon provided an overview a Certified Survey Map request to divide and reconfigure the properties at 9970, 10020, and 10040 S. 10th St. & 1850 W. Oakwood Rd (see staff report for details).

John Schlueter, 7265 S. 1st Street, explained he owns the properties to the north and wanted a conservancy area which includes a pond and trees on the property to the south and would be happy to have that written into the PUD. The conservancy would be the sole use and they will provide screening and it would help with noise from the freeway.

Stacey Siekert, 10132 S Judith Pl:

“I guess now that you offered that, when you say the south property, what does that mean on this map. Looking at this map, when you say south property, what is considered south? What does south property mean to you?”

Mr. Schlueter showed on the map what he meant by south property.

Ms. Siekert:

“So, when you say south that’s all of the land behind our homes? As they exist.”

Senior Planner Papelbon drew on the map on the screen where the south portion is.

Ms. Siekert:

“We’re all concerned right? Like this is in my backyard, so I’d love to hear, what is the plan for my backyard?”

DJ Hamilton, 1850 W Oakwood Rd:

“That Lot 2, is still my property and I’m going to stay there.”

Ms. Siekert:

“Here? Like what we’re looking at right here? You’re in this house?”

Ms. Hamilton:

“Yes, I’m in this house, so this whole thing here, that’s still me, it’s just right here, is where it is.”

Ms. Siekert:

“Okay, so you’re going to sell this to them?”

Ms. Hamilton:

“Just that L-shape.”

Ms. Siekert:

“and then combine this corner with this.”

Ms. Hamilton:

“but to John’s point it’s all going to be trees except there will be a retention pond here.”

Ms. Siekert:

“and then the building will be in Lot 1?”

Ms. Hamilton:

“It will be in the back section, where the trucking company wanted to go. I put a tremendous amount of thought into this. When John came to me and proposed the idea of what he wanted to do out here, I wasn’t sure. My goal was just to build our house and retire and we wanted to stay there and we’re very close to that retirement right now. So, we still want to stay there, we want to retire, we don’t plan on moving

at all in the future, but what his thought is, is I don't want to see a trucking firm back there, I don't want to see what we saw, what we went through that last time over there. I would like to see something quiet back there, something that's going to be private and what he's offering up to us, all of us. Is that he is going to, the retention pond is something that he has to have. I had the luxury three times now, of going to his plant and checking it all out and everything, very quiet, there's really no noise going on out back at his plant there, but he's also in addition to that retention pond, he's going to be putting a lot of trees, I mean so like 100 trees or better up in that area, in that 3 and a half acres, that's going to give everyone that it's going up against a lot more privacy than what they currently have right now, nothing is going to be built there it's just going to be trees and that retention pond. It's going to be up at the top section. Who is in the very last house? Okay, Kailee and who is in the house next to you, Kailee? Okay, it's going to be right around in that area, but it's not going to be up against your property, so to speak there's going to be definitely a distance from you."

Comments were made from the audience, off the microphone.

Senior Planner Papelbon clarified that all public comments need to be on the microphone and the proposal for review is for the Certified Survey Map only; specific plans for the review of the development would come at a different meeting.

Ms. Siefert:

"No, that's fine, I think they go hand in hand. Like for me, if there was going to be a warehouse in my backyard, it's a deal breaker. So for me, I want to make sure we came to the first one to hear what it was before it was just a warehouse right against my swimming pool. Thank you."

Bob Tupper, 10218 S Judith Pl:

"Okay folks, I've been sitting here, two hours and 15 minutes. May I suggest something to you folks, if you don't mind. When you hold a meeting like this have like your proposals, eight proposals, say proposal 1, how many people are here? Three? Okay three. Proposal two, how many people are here? Two."

Mayor Bukiewicz:

"Okay, Bob let me stop you. We have to publish this agenda beforehand, and we have no idea how many people are going to be here on any given subject."

Mr. Tupper:

"Right, but this is how you find out how many people are here. Go through the list. 14 people for this particular proposal, let's do that first."

Mayor Bukiewicz:

"Who are we going to call two (2) weeks in advance?"

Mr. Tupper:

"No, not two (2) weeks in advance; do it tonight."

Mayor Bukiewicz:

"We have to post this publicly beforehand, sir. We don't have a magic crystal ball, so I'm sorry you've been waiting for two hours and 15 minutes."

Mr. Tupper:

"I know. No, but what I'm saying is, why couldn't you have started with your proposals and said we got 14 people for proposal G, let's do that first. Those people come up, talk, leave, now you got two, three people."

Mayor Bukiewicz:

"Sir, you could have been in and out of here in an hour depending on how things went. I can't help how the meetings go sometimes."

Mr. Tupper:

"Right. That's just my comment, I'm just, I just think it's"

Mayor Bukiewicz:

"I understand you're frustrated, believe me,"

Mr. Tupper:

"it's common sense."

Mayor Bukiewicz:

"We're sitting here for two hours and 15 minutes too."

Mr. Tupper:

"I understand that, but these are your jobs."

Mayor Bukiewicz:

"Everybody gets their podium and their time so thank you."

Mr. Tupper:

"Okay, thank you very much."

Wayne Modjeski, 10220 S Judith Pl:

"I see three different maps up there, what are we trying to do? Are we trying to do map 1, map 2, or map 3. I see the one map eliminates some houses on the end and stuff too. So, what is your proposal? Are you going to go bigger back there and take some of the houses away or because I see now, there's some houses that are available on that other lot and stuff. What are you guys going to do back there? Did

you guys buy this from Truck Country? How many buildings are you guys planning on putting back there just more like noise area, lighting, and stuff like that?"

Senior Planner Papelbon explained it is the same map with different areas that are highlighted and enlarged so people can see them. Senior Planner Papelbon continued by stating the blue box is just highlighting one area of the map and the orange box is highlighting the other lot that will be created. Senior Planner Papelbon also stated the other lots are in existence and developed with single-family homes. Lot 1 would be the proposed development lot if the item moves forward.

Mr. Modjeski:

"Alright, so that map on the left there, these are the houses?"

Senior Planner Papelbon stated the houses along Judith are existing, they are not part of the map, it is just showing the existing lots as adjacent to the proposal.

Mr. Modjeski:

"We have a major water problem back there on Judith Place and in back there by her house and stuff. When she built back there and stuff the City said that they're going to maybe do something about trenching out the pond back there for the holding pond and stuff and then we were going to see if we can get some of that water to run over to Oakwood Road and ever since she built the house and stuff back there, there's nothing that got done. It's nothing against her, but nothing with the City. I've been working with Kevin, I talked to Kevin numerous times and stuff and he was supposed to get some people out there to try to figure out how we can flow this water and stuff over there, it is a major water issue."

Mayor Bukiewicz stated he cannot speak to what went on and he is not sure which Kevin Mr. Modjeski spoke to, but usually when someone builds, they need to have a stormwater management plan. Mayor Bukiewicz also stated with Mr. Schlueter putting the pond in he would suspect it would get better.

Mr. Modjeski:

"Well because on Judith Place three quarters of the way up the road, all that water runs all the down to my house. All the way from the second house over to Oakwood Road all that water runs over to my house, and it goes back into a ditch, and it goes, it's supposed to be a holding pond back, which is overgrown, full of garbage and once it gets full, it floods her out back there. She couldn't do her basement and her garage floor because she had three (3) and a half feet of water back there in her driveway. I'm just saying that I think we should try to figure out what we can do about the water issues and stuff for that area."

Mayor Bukiewicz clarified that the agenda item for the Plan Commission to discuss is the Certified Survey Map. Mayor Bukiewicz continued by explaining that usually when a development like this takes place it is probably going to get better. Mayor Bukiewicz stated he cannot speak to how it got developed in the past or whose responsibility it is.

Janice Sleeth, 10190 S Judith Pl:

"I can tell you what happened. Across the street from us, somebody owned that property and while some of us were on vacation they had somebody dig a great big line of ditches and they put that holding pond back there because they owned in front of us and behind us at the time, she did not own it, she had nothing to do with it. Those people lost their contract because they were going to build all kinds of houses and the alderman at the time and I think it was the planning commissioner guy, they got fired. Okay, because that happened, you can go back and check, I might not have the right names or the exact position, but the alderman okayed that guy doing that and we had no idea, there was no paperwork sent to us or nothing. It's not your fault."

Mayor Bukiewicz reiterated that he cannot speak to who the former property owner spoke to. Mayor Bukiewicz also stated items like that have to be brought before plc and then move on to the Common Council if they proceeded, it was done of their own accord.

Ms. Sleeth:

"That's also eliminated the two (2) roads we were supposed to have in front of our house. We were supposed to have two (2) roads, instead of just the one little skinny one and the ditches was supposed to be in the middle. So, none of that happened. And then on Wayne's property. Okay, but that's what happened, that's why this is all bad water."

Ms. Hamilton:

"We're going to table this topic, my husband and I would like to bring this forward at another time."

Mayor Bukiewicz reiterated that the proposal is for the map and discussion needs to stick to the subject.

Ms. Hamilton:

"Exactly, so I'm going to ask the neighbors that, let's table that for now and we can do it another time."

Philip Haerle, 10255 S Judith Pl:

"I'm the second house on the residential across from the wetlands, which they're all kind of concerned about that in the first place and apparently the houses across from me, that's supposed to be a residential area. Is that correct? That's right across the road from his house, that was just speaking, it's behind his house. That's all wetlands that goes all the way to 94, so we all got this problem with water problems."

Mayor Bukiewicz:

"Okay, we're not going to go on about the water problems right now, we're going to stick to the map, to the CSM to redo it. Eventually, Mr. Schlueter, if this moves forward, will have to address his property,"

Mr. Haerle:

"I understand that."

Mayor Bukiewicz:

"So he can't have negative effects on your property. Whatever he does has to be engineered not to affect your property. What's happening now may help solve the issue"

Mr. Haerle:

"or make it worse."

Mayor Bukiewicz:

"No, he can't make it worse. Our engineers, they do what they do, Engineers do what they do, why it's that way now, unfortunately, it is that way now and it's not really his responsibility to completely clean it up, but make sure it doesn't get worse and to control what he does to make sure more flooding doesn't happen."

Mr. Haerle:

"I'm saying if he buys this other land behind that across from us is going to get worse because that's a wetland."

Mayor Bukiewicz:

"It's going to stay the same, if anything he's going to put a pond in and it make get better, but I'm not an engineer, I can't state that, but always the intent of doing this, is to make things better because if he is going to put a warehouse building and some parking lot, that's impervious, water is not going to absorb so we have to find a way to contain that water and then release it slowly, properly to where it's supposed to go."

Mr. Haerle:

"because the wetlands actually solve problems unless they try to reconstruct it or change it."

Mayor Bukiewicz:

"correct, but he wants to acquire the land to keep it natural, so he's not intending to build behind the homes."

Mr. Haerle:

"I got the understanding that he's going to, if he acquires that land, he's going to put a parking lot there."

Mayor Bukiewicz:

"No, on Lot 1 he will put the building, but he'll acquire that land from Ms. Hamilton."

Mr. Haerle:

"Where are the people going to park their cars?"

Mayor Bukiewicz:

"We're not there yet because there is a building and adequate parking has to be there, unfortunately, you had to sit here for two hours and 15 minutes to listen to parking issues here in the square. Every building that comes through, we examine parking, size of it, the use, and how many parking spots will be utilized."

Mr. Haerle:

"I understand that."

Kailee Kujac, 10108 S Judith Pl:

"I promise not to talk about water. At this point I understand we are just working on zoning. I just wanted to introduce myself and let you know that I would be the actual direct neighbor. I stood up here pregnant, I believe somebody offered me a chair, I had a baby on the way, I have two-year-old and I'm pleased to know that there won't be a tall building with people looking into my yard watching my kids play, or me, or anything like that. I do have concerns about pond, but I do understand water has to flow somewhere. At this point I just want to be able to be in contact with guys, I have open invitation on any information you can share with me to help this process go because I do understand this is going to get developed eventually, one way or another, and giving us the opportunity to have say in what is going to happen, my concern, we talk about that, where there's going to be trees, that's beautiful, I'm slightly concerned what will be next to me, but I know that will come at a future date."

Mayor Bukiewicz stated that is correct and there will be berms and things of that nature. Mayor Bukiewicz clarified that the proposed item is for a Certified Survey Map, not zoning. Mayor Bukiewicz also stated the intent is never to lessen the value of neighboring properties.

Ms. Kujac:

"Pretty much, I just really at this point, since everything happened, just introducing myself. We're literally like a family, we're all always looking out for each other, and these people came to me in my darkest times, the loss of my significant other, who is not looking, but he took his life on this property, so it's very concerning for me what's going to happen because it was the last place his soul touched this earth. I just appreciate you guys listening and I wasn't going to say all that, but I'm ripping the band-aid off, so I don't have to say it again."

Senior Planner Papelbon explained there are two options in the staff report for a motion. The first option is to hold the item based on the fact that typically the Official Map Amendment would occur prior to the Plan Commission reviewing a Certified Survey Map. Senior Planner Papelbon stated the second option would be to recommend approval to the Common Council with the suggested conditions of approval which includes that the Official Map is shown on the map prior to recording.

Senior Planner Papelbon reiterated there are two options. Senior Planner Papelbon explained the Official Map needs to be shown on the CSM before it is recorded. Senior Planner Papelbon continued by stating the Official Map shows the future street pattern, which as of right now is affecting Lot 1 and it needs to be shown. Senior Planner Papelbon also stated if the proposal is to amend the Official Map, that process needs to be completed before this map can be recorded. Typically, the Official Map Amendment process is completed before the Certified Survey Map is reviewed.

Mayor Bukiewicz moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John Schlueter, Frontline Commercial Real Estate, for the properties at 9970, 10020, and 10040 S. 20th St. & 1850 W. Oakwood Rd. be approved with the following conditions:

1. That the Official Map is shown on the map prior to recording.
2. That all wetlands and delineation information are included on the map prior to recording.
3. That all easements are shown on the map prior to recording.
4. 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 State Statutes, are made prior to recording.

Alderman Loreck seconded. On roll call: all voted aye. Motion carried.

Commissioner Siefert moved to adjourn the meeting. Alderman Loreck seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:35 PM.

ATTEST:

Kari Papelbon, Plan Commission Secretary

Date



Recent Common Council Actions

November 7, 2023

ITEM: 4

DATE: November 28, 2023

- **APPROVED** - Ordinance No. 3085, a Conditional Use Permit for community garden plots for rent at 1800 E. Forest Hill Avenue.
- **APPROVED** Resolution No. 12449-112123, accepting the donation of the property at 8830 S. 27th Street.

A handwritten signature in black ink that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP
Senior Planner

PLAN COMMISSION REPORT

Proposal: Conditional Use Permit Amendment – Veterinary Clinic

Description: Review a request for a Conditional Use Permit for a proposed veterinary clinic within a portion of the existing multitenant retail building on the property at 8907 S. Howell Avenue.

Applicant(s): AVG Intermediate Holdings, LLC d/b/a UrgentVet

Address(es): 8907 S. Howell Avenue (6th Aldermanic District)

Suggested Motion: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit to allow a veterinary clinic on the property at 8907 S. Howell Avenue after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission’s review at the next meeting (December 12, 2023).

Owner(s): GP-PCD Partners, LLC

Tax Key(s): 859-9042-001

Lot Size(s): 2.57 ac

Current Zoning District(s): B-4, General Business

Overlay District(s): N/A

Wetlands: Yes No **Floodplain:** Yes No

Comprehensive Plan: Commercial

Background:

The Applicant is requesting recommendation of approval for a Conditional Use Permit for a veterinary clinic within a portion of the existing multitenant retail building on the property at 8907 S. Howell Avenue. Veterinary clinics are Conditional Uses in the B-4, General Business zoning district.

Per the submitted information, the proposed UrgentVet’s operation would be within a 2,451 square foot space within the existing multitenant retail building at the southeast corner of Howell Avenue and Centennial

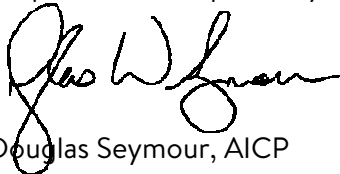
Drive. The redesign of this space would include five exam rooms, and in-house laboratory as well as a comfort room for owners and their pets. A pet relief area will be designated and signed appropriately within the existing landscape area east of the parking lot adjacent to Howell Avenue. Staff does not anticipate any negative impacts on adjacent businesses or properties associated with this use.

NOTE: The Commission’s initial review and recommendation of the proposed Conditional Use Permit is not an endorsement of any site, architectural, landscaping, or lighting plan that may be required as part of the final Conditional Use Permit. A more detailed review of any plans required by the Conditional Use Permit will be conducted by staff and the Plan Commission as required subsequent to the issuance of the Conditional Use Permit and accompanying conditions and restrictions.

Should the Plan Commission determine that the request for a Conditional Use Permit Amendment for a veterinary clinic is appropriate, Conditions and Restrictions will be prepared for the Plan Commission’s review at the December 12, 2023 meeting.

Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections 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, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

Prepared and Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

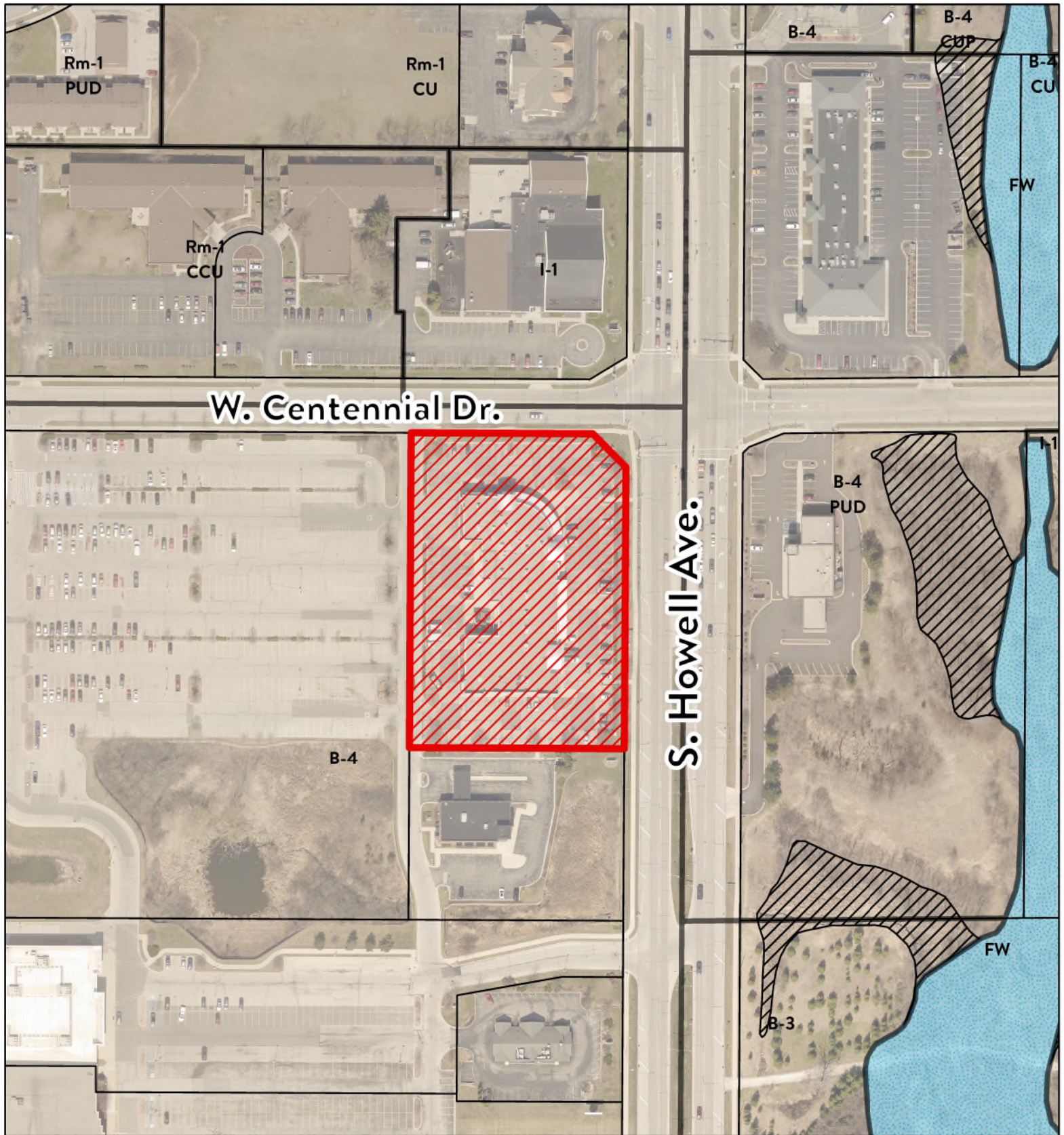
Attachments:

Location Map

Narrative & Addenda (6 pages)

Location Map

8907 S. Howell Ave.



This map is not a survey of the actual boundary of any property this map depicts.



Legend

HUSCH BLACKWELL

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October 27, 2023

VIA HAND DELIVERY

Mayor Bukiewicz and Members of Plan Commission
City of Oak Creek
8040 S. 6th Street
Oak Creek, WI 53154

Re: Application for Conditional Use Permit

Property Address: 8907 S. Howell Ave, Oak Creek, WI 53154.

Zoning District: B-4

Conditional Use requested: Veterinary Clinic

Applicant: AVG Intermediate Holdings LLC d/b/a UrgentVet

Parcel Owner: GP-OCD Partners LLC

Dear Mayor Bukiewicz and Members of the Plan Commission:

We represent AVG Intermediate Holdings, LLC d/b/a UrgentVet ("UrgentVet") in its application for a Conditional Use Permit ("CUP") in the City of Oak Creek (the "City"). We are pleased to present the following narrative on behalf of UrgentVet (<https://urgentvet.com>) for approval of its CUP to operate a veterinary clinic at 8907 S. Howell Ave, Oak Creek, WI 53154 (the "Property"). Enclosed and attached are the required submittals for the CUP.

The Property is located at the SE intersection of Puetz Road and Howell Avenue in an outlot at the shopping center anchored by Pick n Save. UrgentVet is enthusiastic about the potential to become a business partner in Oak Creek with this new business initiative. It believes the proposed location will serve the residents of Oak Creek. The Property is uniquely suitable for the proposed development, and that UrgentVet's business model fills an underserved need within the City.

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Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 2

I. CONTACT INFORMATION

Applicant:	Contact Individuals:
AVG Intermediate Holdings LLC d/b/a Urgent Vet 4301 Anchor Plaza Pkwy., Ste 350 Tampa, FL 33634	Rodney W. Carter 511 North Broadway, Suite 1100 Milwaukee, WI 53202-5502 Rodney.Carter@huschblackwell.com Dimitri Zografi 511 North Broadway, Suite 1100 Milwaukee, WI 53202-5502 Dimitri.Zografi@huschblackwell.com

II. NARRATIVE DESCRIPTION

A. Plan of Operation

UrgentVet is an affordable alternative to the emergency vet, offering treatment of mild illnesses and minor injuries that occur in domesticated dogs and cats. It is important to note that UrgentVet does not handle critical cases nor provide any type of animal boarding. As such, UrgentVet does not fall under the regulatory scope of Zoning Code § 17.0406.

In essence, UrgentVet serves as a crucial intermediary between traditional veterinarians and pet emergency hospitals, delivering significant cost savings of up to 40% for pet owners compared to visiting a standard pet emergency hospital. In addition to offering high savings, UrgentVet provides online check-in so owners can wait at home rather than in an overcrowded waiting room. UrgentVet is eager to make an investment in Oak Creek and provide local, skilled jobs at the facility.

B. Proposed Use

The Property for UrgentVet's operation is within a retail center owned by GP-OCD Partners LLC. UrgentVet intends to lease around 2,451 square feet of space, as outlined in Exhibit A. UrgentVet plans to thoughtfully redesign the premises to suit its veterinary practice needs, as illustrated in Exhibit B. These renovations will encompass an in-house laboratory with state-of-the-art equipment (digital radiography and ultrasound), five examination rooms, and a dedicated comfort room designed to provide a reassuring environment for pet owners.

Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 3

The proposed operations will mirror those of UrgentVet facilities across the nation. It will have no outstanding impact on noise, traffic, light pollution. UrgentVet will designate a pet relief in the grassy area located across the lot from the veterinary clinic's front door, as depicted in Exhibit C. To direct pet owners to the designated per relief area, UrgentVet will place signs in the parking lot, as shown in Exhibit D. Finally, UrgentVet will place a waste station in the area, as illustrated in Exhibit E, to ensure cleanness.

C. Hours of Operation

UrgentVet's hours of operation will be:

Monday – Friday	3:00PM – 11:00PM
Saturday and Sunday	10:00AM – 8:00PM
All Holidays	12:00PM – 8:00PM

D. Statutory Requirements for CUP

The Property is zoned as B-4 under the Zoning Code, allowing general business use. However, veterinary clinics within a B-A zone are subject to a Conditional Use Permit. UrgentVet will meet, and likely exceed, all criteria for obtaining a Conditional Use Permit as outlined in §17.0804(e).

First, under § 17.0804(e)(3)(a), the veterinary clinic poses no risk to public health, safety, or general welfare. Rather, it serves the welfare of the general public—most of whom own dogs or cats—during times of heightened anxiety when their beloved pets are unwell, and their regular veterinarians are unavailable.

Second, under § 17.0804(e)(3)(b), UrgentVet's presence will not hinder but rather complement the orderly development of the surrounding properties by adding another national tenant in a general business district already occupied by national tenants, as shown in the attached Site Plan Exhibit, contributing positively to the local business landscape. The proposal will not have a negative impact on property values, nor with the proposal impact the use and enjoyment of neighboring properties.

Third, in compliance with § 17.0804(e)(3)(c) and (d), granting UrgentVet a conditional use permit will not lead to increased traffic congestion or deficiencies in infrastructure such as utilities, parking, roadways, etc. Rather, UrgentVet's provision of online check-in is expected to

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission

October 27, 2023

Page 4

mitigate traffic and parking issues, as owners can wait at home until it is their turn. Finally, UrgentVet will follow all other applicable regulations as required under § 17.0804(e)(3)(e).

III. CONCLUSION

For the above reasons, we believe it is appropriate for the City to issue a CUP authorizing UrgentVet's proposal. We hope the Commission will agree that UrgentVet's proposed use will be an asset to the Howell Avenue corridor.

Thank you for reviewing the application in consideration of approving the CUP. We look forward to continuing the approval process with the City. We look forward to further discussing the application with you at the upcoming Plan Commission meeting.

Respectfully and sincerely,



Rodney W. Carter, *Partner*

Dimitri Zografi, *Attorney*

HUSCH BLACKWELL LLP

RWC/wp

Enclosures

cc: AVG Intermediate Holdings, LLC d/b/a UrgentVet

HUSCH BLACKWELL

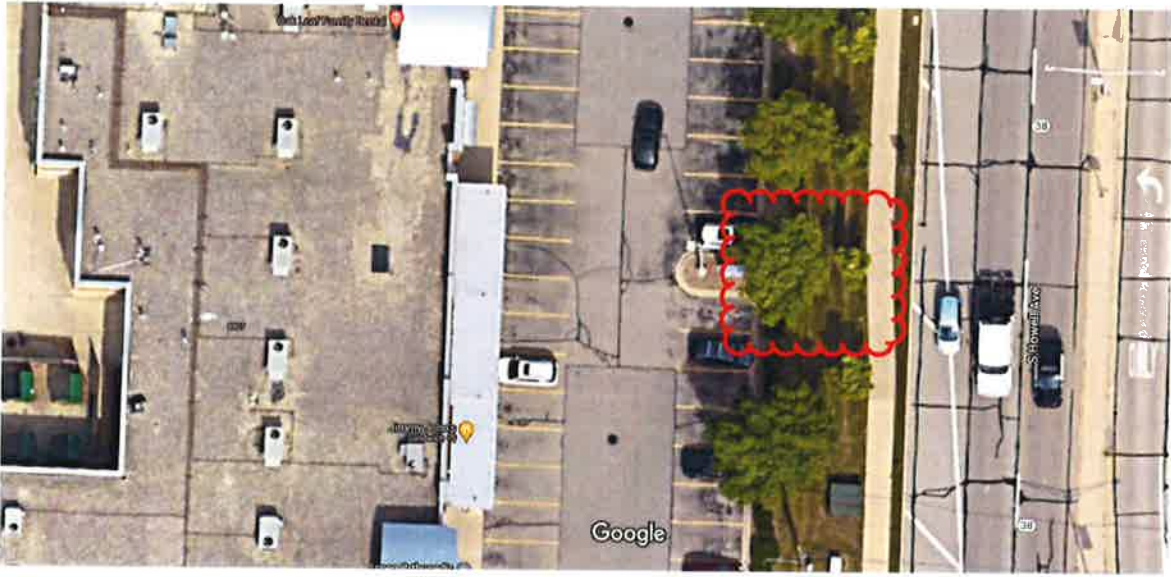
Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 7

EXHIBIT C

10/24/23, 9:28 PM

Google Maps

Google Maps



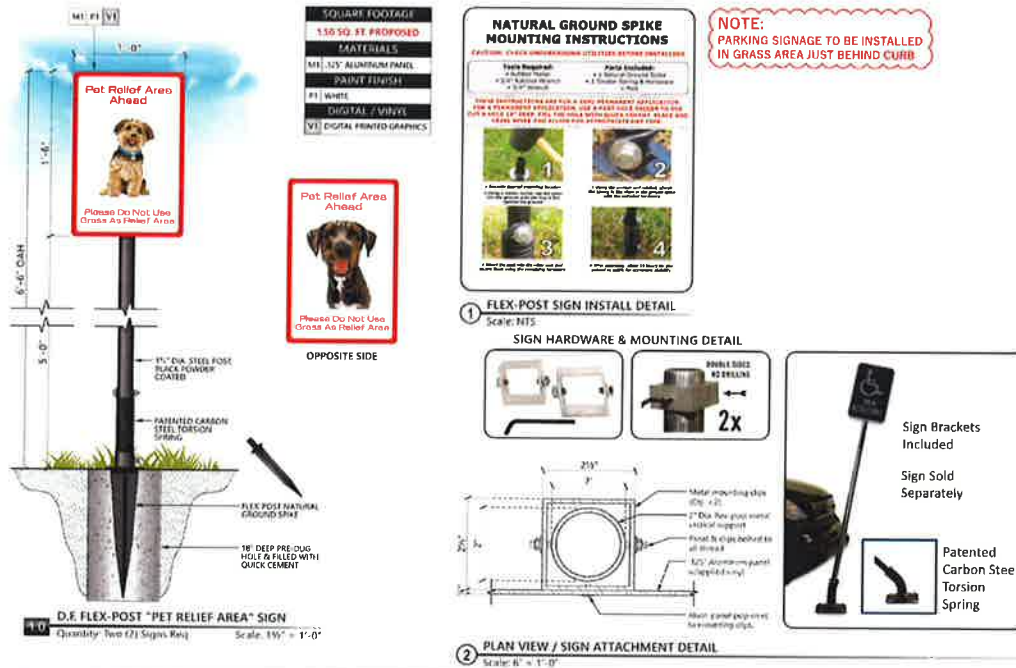
<https://www.google.com/maps/@42.8823186,-87.9128523,40m/data=!3m1!1e3?entry=ttu>

1/3

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
 October 27, 2023
 Page 8

EXHIBIT D



WEST COAST INK
 2231 S. Dupont Drive
 Anaheim, CA 92806
 800 855-9972

Project Name: Urgent vet
 Address: 1700 W 121st Ave Unit 1
 City, State, Zip: Englewood, CO 80020

Client Approval:
 Landlord Approval:
 Designer: Garcia, G

Salvo: (Rev 0)



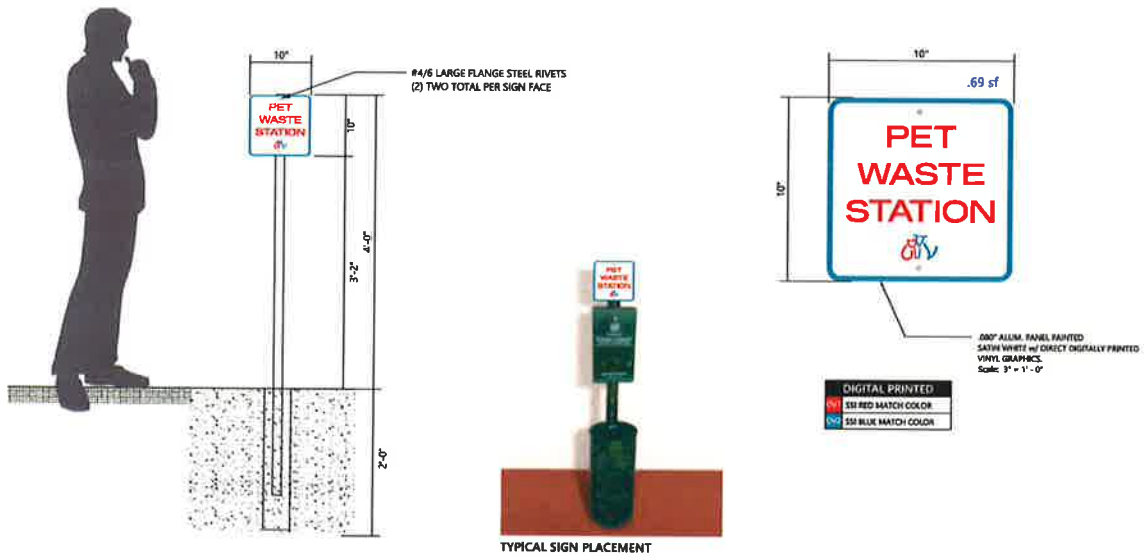
230290-02

Page 4 of 6

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
 October 27, 2023
 Page 9

EXHIBIT E



9.0 POST AND PANEL SIGN (PET WASTE STATION)
 quantity (1) SCALE: 1"=1'-0"

<p>WEST COAST HQ. 2231 S. Dupont Drive Anaheim, CA 92805 800-455-9972</p>	<p>PROJECT</p> <p>Project Name: Urgent Vet Address: 4700 W 121st Ave, Unit 1 City, State, Zip: Broomfield, CO 80000</p>	<p>Client Approval</p> <p>Landlord Approval:</p> <p>Designer: Justin D Sales</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Revision Notes</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/15/23</td> <td>Initial Design</td> </tr> <tr> <td>2</td> <td>08/15/23</td> <td>Client Approval</td> </tr> <tr> <td>3</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>4</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>5</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>6</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>7</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>8</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>9</td> <td>08/15/23</td> <td>Final Design</td> </tr> <tr> <td>10</td> <td>08/15/23</td> <td>Final Design</td> </tr> </tbody> </table>	Rev	Date	Revision Notes	1	08/15/23	Initial Design	2	08/15/23	Client Approval	3	08/15/23	Final Design	4	08/15/23	Final Design	5	08/15/23	Final Design	6	08/15/23	Final Design	7	08/15/23	Final Design	8	08/15/23	Final Design	9	08/15/23	Final Design	10	08/15/23	Final Design	<p>CLIENTS</p> <p>FOR DRAWING</p> <p> 220651-06</p> <p>Page 15 of 16</p>
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10	08/15/23	Final Design																																			



PLAN COMMISSION REPORT

Proposal: Certified Survey Map

Description: Review of a Certified Survey Map request to divide the properties 3444 E. Ryan Road

Applicant(s): Theresa Aghbashian

Address(es): 3444 E. Ryan Road (3rd Aldermanic District)

Suggested Motion: That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Theresa Aghbashian for the property at 3444 E. Ryan Road be approved with the following conditions:

1. 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.

Owner(s): Theresa Aghbashian

Tax Key(s): 870-9968-000

Lot Size(s): Lot 1 = 0.74 ac; Lot 2 = 0.89 ac

Current Zoning District(s): Rs-3, Single Family Residential

Overlay District(s): N/A

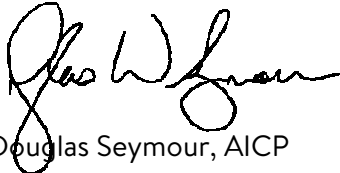
Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Single-Family Detached

The Applicant is requesting approval of a Certified Survey Map (CSM) dividing the property at 3444 E. Ryan Road into two (2) single-family residential parcels. Each of the proposed lots meets the minimum requirements for the Rs-3, Single Family Residential zoning district. Plan Commissioners will note that Lot 1 is currently developed with an existing residence. Lot 2 would be created to the north, taking access from Kinney Lane. Required rights of way for both Kinney Lane and Ryan Road will be dedicated as part of this CSM.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Certified Survey Map (CSM) with specified conditions, or that the Common Council not approve of the proposed CSM. Should the proposal 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.

Prepared and Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

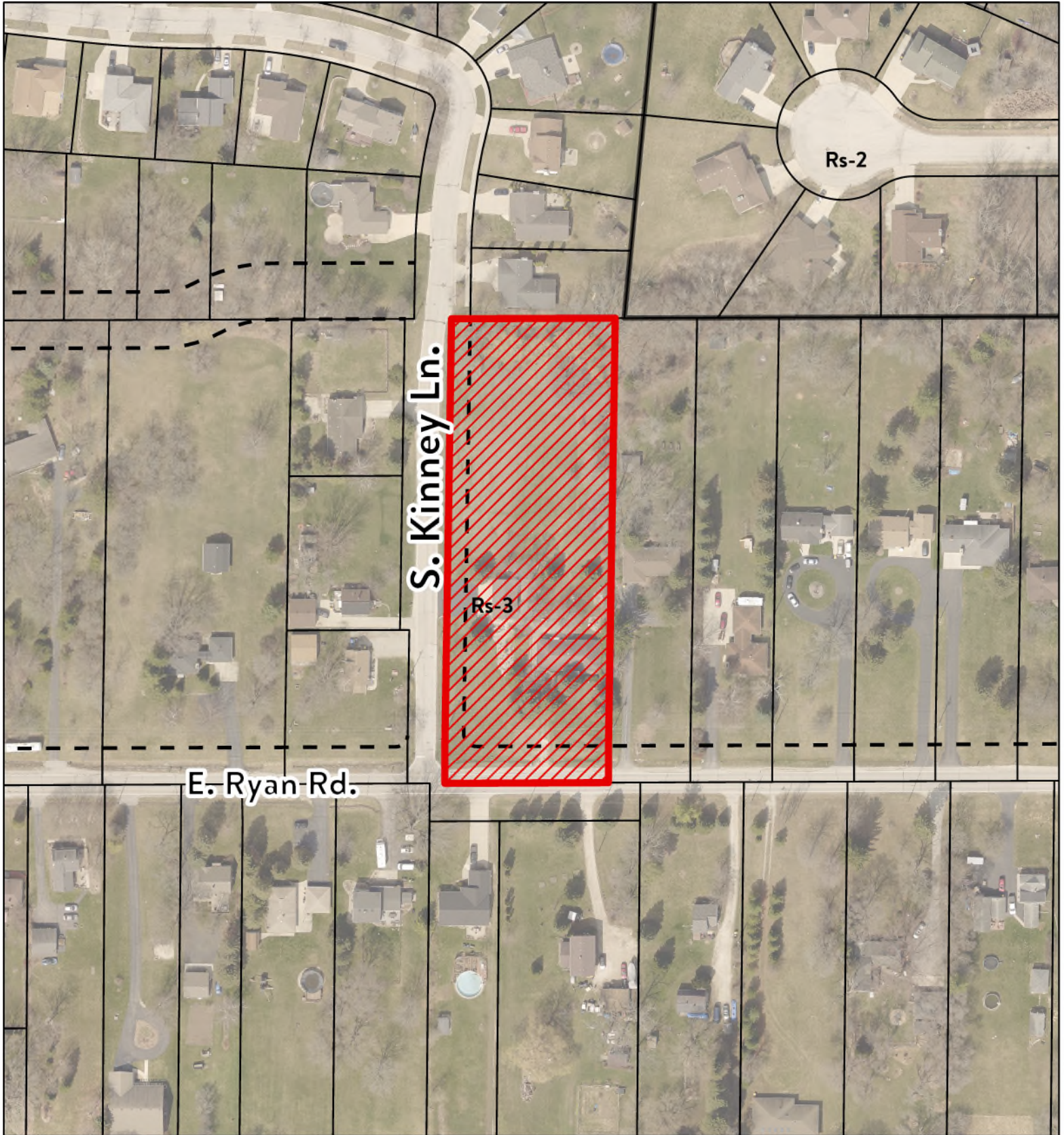
Attachments:

Location Map

Proposed CSM (3 pages)

Location Map

3444 E. Ryan Rd.



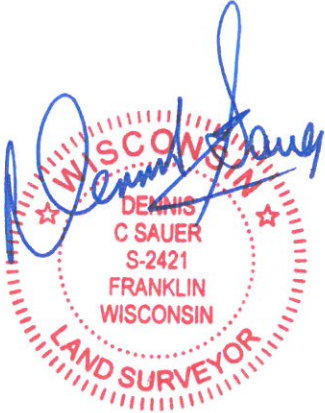
This map is not a survey of the actual boundary of any property this map depicts.



Legend

CERTIFIED SURVEY MAP NO. _____

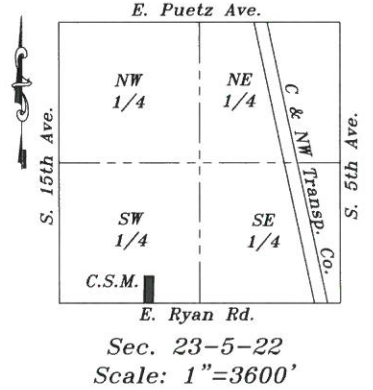
Being a redivision of part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



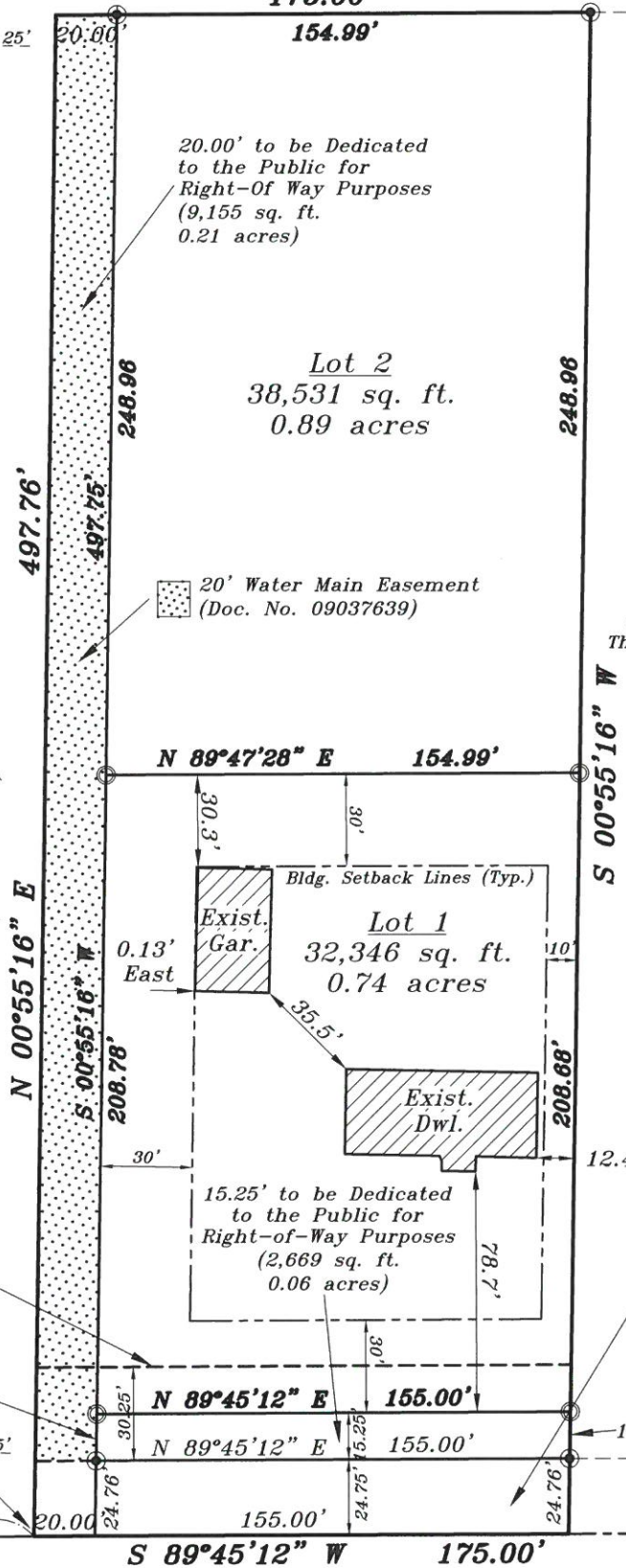
October 18, 2023
Rev. November 15, 2023

N 89°47'28" E Lot 13, Block 3
175.00' Northbrook Addn. No 1

VICINITY MAP



South Kinney Lane
(Var. R.O.W.)



Unplatted Lands
Thomas A. Gedemer



ZONING: Rs-3
BUILDING SETBACKS:
Front Yard = 30 ft.
Street Side Yard = 30 ft.
Interior Side Yard = 10 ft.
Rear Yard = 30 ft.

24.75' Right-of-Way Dedication
(As Monumented)
(4,331 sq. ft.
0.10 acres)

Southeast Corner
Southwest 1/4
Sec. 23, T5N, R22E
N: 324,984.64
E: 2,572,708.95
(Conc. Monu. w/Brass Cap)

Southwest Corner
Southwest 1/4
Sec. 23, T5N, R22E
N: 324,973.37
E: 2,570,091.35
(Conc. Monu. w/Brass Cap)

30.25'
Sanitary Sewer &
Watermain Easement
(Doc. No. 5134157)

N 89°45'12" E
1590.96'

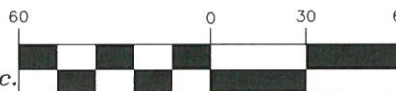
2617.78'
South line of the
Southwest 1/4,
Section 23-5-22

East Ryan Road
(Var. R.O.W.)

Prepared for:
Laurie Helgason
Christine Zinkiewicz
3444 East Ryan Road
Oak Creek, WI 53154

NOTES:
● Denotes iron pipe found and accepted.
○ Denoted 1" x 24" iron pipe set, weighing 1.13lbs/lin. ft. min.

GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

Prepared by:
Dennis C. Sauer P.L.S-2421
Metropolitan Survey Service, Inc.
8482 S. 76th St.
Franklin, WI 53132
(414) 529-5380

Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD27), with the South line of the SW 1/4 of Section 23, T5N, R22E having an assumed bearing of N 89°45'12" E.

CERTIFIED SURVEY MAP NO. _____

Being a redivision of part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a redivision of part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin. Bounded and described as follows:

Commencing at the Southwest corner of said Southwest 1/4; thence N 89°45'12" E along the South line of said Southwest 1/4 and the centerline of East Ryan Road, 1590.96 feet to a point of the intersection of the centerline of said East Ryan Road and the extended east right-of-way line of South Kinney Lane and the point of beginning; thence N 00°55'16" E along said east right-of-way line, 497.76 feet; thence N 89°47'28" E, 175.00 feet; thence S 00°55'16" W, 497.65 feet to the South line of said Southwest 1/4 and the centerline of East Ryan Road; thence S 89°45'12" W along the South line of said Southwest 1/4 and the centerline of East Ryan Road, 175.00 feet to the point of beginning. Excepting the South 40.00 feet and the West 20.00 feet to be dedicated for public right-of-way purposes.

Said lands containing 87,082 square feet (2.00 acres) including public right-of-way dedications.

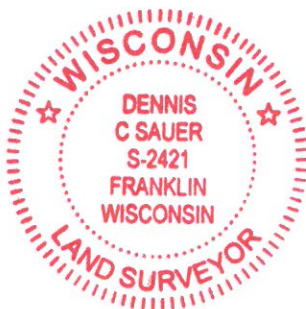
That I have made such survey, land division and map by the direction of Laurie Helgason and Christine Zinkiewicz, owners of said land.

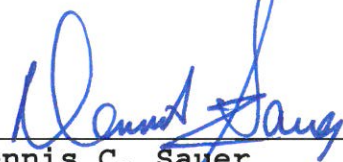
That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek in surveying, dividing and mapping the same.

October 18, 2023
Date

Rev. November 15, 2023





Dennis C. Sauer
Professional Land Surveyor S-2421

PREPARED FOR:
Laurie Helgason
Christine Zinkiewicz
3444 East Ryan Road
Oak Creek, WI 53154

PREPARED BY: Dennis C Sauer
Metropolitan Survey Service, Inc.
8482 South 76th Street
Franklin, WI 53132

CERTIFIED SURVEY MAP NO. _____

Being a redivision of part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE OF DEDICATION

We, Laurie Helgason and Christine Zinkiewicz, as owners, do hereby certify that we have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek.

WITNESS the hand and seal of said owners this _____ day of _____, 20__.

Laurie Helgason

Christine Zinkiewicz

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20__, Laurie Helgason and Christine Zinkiewicz, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION APPROVAL

APPROVED by the Plan Commission of the City of Oak Creek on this _____ day of _____, 20__.

Daniel J Bukiewicz, Chairman
City of Oak Creek

Kari Papelbon, Secretary
City of Oak Creek

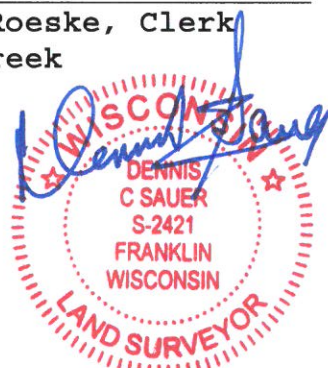
COMMON COUNCIL APPROVAL

APPROVED and DEDICATION ACCEPTED by the Common Council of the City of Oak Creek on this _____ day of _____, 20__, by Resolution No. _____.

Daniel J Bukiewicz, Mayor
City of Oak Creek

Catherine A. Roeske, Clerk
City of Oak Creek

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, P.L.S. S-2421



October 18, 2023
Rev. November 15, 2023