

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, OCTOBER 24, 2023**

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

Minutes of the October 10, 2023, meeting

Alderman Guzikowski moved to approve the minutes of the October 10, 2023, meeting. Commissioner Hanna seconded. Commissioner Carrillo and Commissioner Oldani abstained. All others on roll call voted aye. Motion carried.

**CONDITIONAL USE PERMIT
MARTIN VENTURA, UW-MADISON EXTENSION MILWAUKEE COUNTY
1800 E. FOREST HILL AVE.
TAX KEY NO. 816-9989-000**

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

Martin Ventura, 3415 N. 55th St. Milwaukee, WI 53216, the applicant, thanked the commission for their assistance in this process. Mr. Ventura wanted to correct one item from the submitted materials, stating the dimensions of the wash pack and shed are to be measured in feet, not in inches. Commissioner Chandler asked if this will be the second year in which the garden plots have been used. Mr. Ventura explained the area has been in use as rentable garden plots since 2012, but as the use had been out of city compliance, the requested conditional use permit will correct the oversight from 2012.

Thomas Schulz: 2040 E. Forest Hill Ave.:

"I own the property that is directly to the west, the wooded area. There is actually two (2) little lots there but the woods are connected to my property on 2040 so it abuts the easement that this garden is on. The garden is an exceptional use of this space and this property. I have never – I have lived there for quite a while, and I have never had any complaints about the operation. However, the one comment I would like to make is I think the seasonal water supply should be improved. It is currently just a PVC flexible pipe that goes from the hydrant that is by the easement and it kind of winds around and goes back into the property. It is often leaking, and it is just not the best solution to get irrigation up to that property. Something more permanent is probably – would be better, for that property anyway. But I have no complaints, I have no objection to the use. They have been exceptional stewards of the property in the time I have lived there."

Meg Clark: 829 Manitoba Ave., South Milwaukee WI, 53172:

“Hi, good evening, so a neighbor of Oak Creek. I had gardened at Rawson Avenue; this year is the first year at Forest Hill. Everyday I’m in such appreciation – gratitude, for having the opportunity to be out there and grow affordable, nutritious, fresh things for my husband and myself and get some exercise at our age and learn how to be a part of this amazing community. Thank you, thank you, thank you for the opportunity to do that this year and we are hoping for years to come. That’s what I wanted to say. Thank you.”

Jack Lavin: 1007 E. Townsend St., Milwaukee WI, 53212:

“I’m one of the few fortunate micro-farm gardeners out there. My cousin began probably about seven (7) or eight (8) years ago and it has just been this pretty amazing oasis minutes from the city. Just an incredible space. I don’t really have much more to say, seeing your responses and listening to you, I don’t think I need to try to sell on the benefits to the Oak Creek community of community agriculture program. But I would like to say just a few things. I really enjoy just your general vision statement. You know, beginning with ‘seeking to be a regional leader’ and as we are moving forward as this experiment of human beings – I mean we are currently learning more and more about the benefit of nature. Obviously, whole, fresh foods. Having that in the Oak Creek community really is a benefit to obviously us gardeners, but I think the homeowners nearby as well - much different if there is Walmart or something. Nothing against Walmart but, I think it really adds a lot of value to the community. As far as the community goes, for years we were out there and there really wasn’t much happening as far as other gardeners. I realize now, I don’t understand fully the administrative stuff, but on the one hand it was kind of nice being ignored because it was this little solitude space – again minutes from the city. But it was missing community, and once I heard that Rawson Avenue gardens were closing and more gardeners were going to be coming, my initial response was a little selfish. I was like, ‘man, this is my little garden monastery sort of a thing.’ However, I’ve already met some incredible people. We share phone numbers, share emails, and talk about gardening techniques. The increase of gardeners out there has really brought a lot of energy and hopefully we are allowed to stay for a while, but I think this discussion out in the open is a good thing because sustainability going forward for us as gardeners would not be possible without the full support and encouragement of the community. Finally, just going forward – looking to the future. Being part of the south shore area, I think we all know that water is important, and it will be more and more and the real estate around the entire great lakes, if it’s not already, will become probably the most expensive real estate in the world. Having community agriculture present will be, and currently is, a big draw for people. I think the water of the lakes is going to bring people here. Having agriculture and the opportunity to garden and being part of a community that is officially recognizing and supporting agriculture, I think really goes a long way in putting a real positive taste of Oak Creek, and just this region, in people’s minds. Thank you very much.”

Ken Sepchek, 777 N. Van Buren St., Milwaukee WI, 53202:

"I have been gardening at Forest Hill for two (2) years, I have had a lifelong interest in gardening. It's an amazing opportunity for me, my grandkids are involved with me, and they are learning I feed a lot of people. I'm a teacher and I grew a lot of excess produce this year. I fed my students; I fed other people that work in our department and many of them who are not paid well. So, it's a valuable resource for them. I have a neighbor who works at Children's Hospital, and if I have excess – and I do – I give her a large box of produce and she takes it to the hospital, and you know - you don't go to Children's Hospital and have a celebration, but it is something that lifts the parents' spirits. She offers them vegetables – have a free shopping trip. So, I think that's a great benefit for the community. You have heard about all the advantages of growing our own produce, we are all pesticide free, we are not damaging the ground water, we are not trucking lettuce from California, we can grow it right here in Oak Creek. It's a carbon saving mechanism – to have gardening in the community, and it just improves the quality of life for everybody, I think. I really appreciate the opportunity to be able to work here, Oak Creek is a beautiful community and I want to thank the board here."

Commissioner Hanna supported the idea of installing a better and more efficient irrigation system than the currently used PVC pipe. Commissioner Carrillo stated, as the manager of the city's farmers market, she is very interested in working with the farmers next year. Alderman Guzikowski supported the use. Mayor Bukiewicz stated his hopes to have another community garden in the city in the future.

Commissioner Oldani moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for garden plots for rent on the property at 1800 E. Forest Hill Ave., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (November 14, 2023).

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

**MINOR LAND DIVISION/LOT LINE ADJUSTMENT
IVAN VASILJEVIC, NORTH INVESTMENTS, LLC
9810, 9840, AND 9880 S. RIDGEVIEW DR.
TAX KEY NOS. 903-0010-000, 903-0011-000, AND 903-0012-000**

Senior Planner Papelbon provided an overview of the requested Certified Survey Map combining the properties at 9810, 9840, and 9880 S. Ridgeview Dr. (see staff report for details).

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Ivan Vasiljevic, North Investments, LLC, for the properties at 9810, 9840, and 9880 S. Ridgeview Dr. be approved with the following conditions:

1. That the Plan Commission signature block includes the Plan Commission Secretary.

2. 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.

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

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

Senior Planner Papelbon provided an overview of the request for a Conditional Use Permit for autobody/automotive mechanical (truck and trailer) repair and truck parking on the properties at 9810, 9840, and 9880 S. Ridgeview Dr. (see staff report for details).

Gary Billington, 175 W. Summerhill Pl., representing the applicant, explained the applicant purchased the property last year, found the issues with city compliance, and are working toward correcting those items to bring the property and their use(s) into compliance.

Commissioner Hanna's and Commissioner Carrillo's comments were inaudible.

Commissioner Kiepczynski stated seeing the corrective actions being taken is encouraging and a step in the right direction. Alderman Guzikowski stated his support of the staff's decision to not support the request as submitted. Commissioner Oldani stated his support to hold the item for a future meeting to give the applicant time to make more adjusting to the submitted request. Commissioner Chandler asked if the feedback from the applicant that was given to staff is adequate. Senior Planner Papelbon answered that more questions are still unanswered, however the corrective actions that have been provided are very helpful. Senior Planner Papelbon went on to support Commissioner Oldani's suggestion to hold the agenda item. Mayor Bukiewicz stated the property is a work in progress and supported holding the agenda item for a future meeting.

Mr. Billington stated the applicant's only request is to fully understand exactly what needs to be done and will be meeting with Assistant Fire Chief Havey regarding the need for a sprinkler system in the existing building on the south end of the property. Commissioner Chandler asked if the list Senior Planner Papelbon provides to the applicant would need to be a permanent part of the progress of this item, to which Senior Planner Papelbon explained the future Conditions and Restrictions of the Conditional Use Permit would be that list and will be very clear and specific.

Discussion between Commissioner Chandler, Mr. Billington and Senior Planner Papelbon was had to clarify the applicant's next steps to bring the property up to compliance.

Commissioner Oldani moved that the Plan Commission hold the agenda item for future consideration until the November 14, 2023 Plan Commission meeting.

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

**MINOR LAND DIVISION/LOT LINE ADJUSTMENT
RICHARD BARRETT, BLVD
7951 & 7971 S. 6TH ST.
TAX KEY NOS. 813-9063-000 AND 813-9062-000**

Senior Planner Papelbon provided an overview of the requested Certified Survey Map reconfiguring the properties at 7951 & 7971 S. 6th St. (see staff report for details).

John Casucci, 7461 Lakeside Heights Ct. Oconomowoc WI, 53066, the land surveyor, stated he will answer any questions.

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Richard Barrett, BLVD, for the properties at 7951 & 7971 S. 6th St. be approved with the following conditions:

1. That all easements are clearly shown and labeled on the map.
2. That the Plan Commission signature block is updated to the current Plan Commission Secretary.
3. That the Common Council signature block includes an area for the approval resolution number.
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 Statutes, are made prior to recording.

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

**REZONE / PLANNED UNIT DEVELOPMENT
JASON ATKIELSKI, ST. JOHN PROPERTIES, INC.
517 E. RAWSON AVE.
TAX KEY NO. 766-9012-000**

Senior Planner Papelbon provided an overview of the request to rezone to and establish a Planned Unit Development on the property at 517 E. Rawson Ave. (See staff report for details).

Jason Atkielski, 2000 Pewaukee Rd., Waukesha WI, 53188, the applicant, stated the Lm-1 district, with a few other considerations, would work well of the property.

Mike Piechowski, 251 E. Rawson Ave.:

"I live right across the street from the St. John's at 140 Rawson Avenue and I do have some concerns. One of the things that you need to take into consideration is you are dropping this business right in the middle of homeowners. If you look at the zone - where the homes but-up against, right here, you got at least 14 homes that are going to be (inaudible) right on the lot line of this - these businesses. I can tell you this, I live

across the street from this business, and it does affect how your living space is and there is a lot of noise that is generated by these businesses. Part of that is because if you have people that- you're going to have hundreds of cars going in and out of that property every day. You are going to have, just like I have, and you can't help it but, we have an exercise place by us and people come with their fast cars, and they like to rev their engines and show off their friends' motorcycles and I don't have that 100 feet behind me. These businesses do affect the homeowners and you have to take that into consideration. When they build these things, there is going to be noise, there is going to be lights, snowplows. We have snowplows, they come across the street, they plow in the middle of the night – back up horns going on. Garbage trucks coming in every day picking up garbage, that is the noise. You have semi's coming in there, you have all this activity all the time and that does affect the living space. You have got to remember now; these people here have – that was a farm field. They don't have any of that. This will drastically affect their quality of life because they will have this here. If you consider this, and up to now, this commission hasn't denied St. John's anything. Everything he asks for that was across the street by me, that we came up with concerns, it was allowed. A lot of these things weren't taken into consideration. That's the thing you have to understand, if you look at where you are putting this thing, it is right in the middle of homes there. It is going to change everyone's lifestyle over there and if you decide to do this you should make sure that the berms are high enough, so these homes aren't affected by this. You have got to remember – putting landscaping, little bushes, there is not going to stop the lights, it is not going to stop the noise, you are going to need something substantial.”

Mayor Bukiewicz stated that is why the development has to get approval from the planning commission.

Mr. Piechowski:

“I'm just trying to explain to you that I've been down this – seen this before and a lot of these things aren't taken into consideration; with the lights, the noise, the trucks, the backup horns, all these things are going to affect the – plows dragging across the street when they're plowing – all this stuff affects the homeowners. I just want to – you have to think about that, how would you like that if somebody built something like that in your backyard? This is going to be a busy place, it's a busy place across the street from me with all the businesses and now they are putting up the third building. The traffic, now on Rawson Avenue there is going to be more traffic going in and out. It's going to change everything, this is not just one small little dentists' office or something like this, this is a major complex with hundreds of cars and lots of things going on. That's what I wanted to say, thank you.”

Mayor Bukiewicz stated traffic studies will be done.

Norma Mahr, 612 E. Missouri Ave.:

“I am one of the residents that are butting up against the farm and our concern; there is two (2) homes on Missouri Avenue and at this point in time – been there 40 years – my neighbor's basement constantly floods whenever it rains, or we have heavy snowfall with the melt and my home is surrounded by water. So, we are wondering

what – I don't see it addressed on that map we originally received, what the drainage – what the resolution for that drainage is there.”

Mayor Bukiewicz stated any future drainage system built will usually help rectify those issues.

Mrs. Mahr:

“Well, it looks like the retention pond is on the other end of the (inaudible)”

Mayor Bukiewicz stated the topography of the area and where the water currently drains is considered in those decisions. Commissioner Kiepczynski stated the stormwater for this property will be reviewed and uniform strict standards will be upheld.

Mrs. Mahr:

“Okay, thank you.”

Lena Hamm, 7279 S. Shepard Ave.:

“My back deck and my back yard looks directly across Quincy street into what is now a field. I have owned the property for seven (7) years and chose that location to move from a different city to raise my children because it was quiet, and it was safe, and a very small neighborhood. I am not interested in having a commercial - large commercial, business park type environment right next to the neighborhood where we live, where my kids are riding their bikes, and we are walking our dog and that sort of thing. The noise is obviously a concern as well as living in the middle of a construction site for however long it takes them to develop the property. I, being one of the people that would be affected, along with my children, I just – I'm not interested in living next to those businesses or having all of the traffic that would come along with them. We have no control over who is coming and going, and if the roads do connect with the subdivision that, obviously, would bring a lot of people that really have no business driving through our neighborhood right past our houses and would be a potential safety concern for a single mother. I just ask that you take that into consideration.”

Mayor Bukiewicz asked if the potential road would go to Howell to which Senior Planner Papelbon stated the proposed road would go west, to an undeveloped, planned subdivision.

Mrs. Hamm:

“But we are the very next turn. So, with a large development, with that many tenants and that size coming back further, even past my house, it's very likely that there would be traffic from that development – even just people confused or driving around checking things out – it's just a very quiet, very safe place to live and my neighbors and I appreciate that. That's a lot of the reason why we have the property that we have. Thank you.”

Linda Wilson, 7275 S. Quincy Ave.:

“That pond is in our backyard. We went to the previous meeting, and I got the impression that it was going to be smaller businesses that would go in those buildings like the ones that are on Rawson now. Did I hear right, someone said something about a hotel?”

Mayor Bukiewicz confirmed a hotel would not be allowed.

Mrs. Wilson:

“Okay. The one thing I want to say to this gentleman is - at that meeting - and he was there, the alderman said there is going to be something built behind us. So, I don’t know if we don’t approve something like this going in our backyard, is there in fact at some point something else that’s going to go in there, no matter what we say. Eventually, something is planned by the city for that property, am I right?”

Mayor Bukiewicz stated the city plots out the city for what they think is appropriate and explained much heavier manufacturing could go into this property as it is zoned now, rather than the lighter and smaller options in the new zone being proposed.

Mrs. Wilson:

“Did I hear right, where you showed that road on the west side of the property. Did you say there is going to be a subdivision going on the other side?”

Mayor Bukiewicz and Senior Planner Papelbon confirmed that a subdivision was planned from 1928, but no plan to develop those lots have been submitted.

Mrs. Wilson:

“Because they are already - on Howell, there’s already some like tall business buildings. (Inaudible) there’s a couple like, what I would consider it being business park buildings, pardon?”

Mayor Bukiewicz asked if what being referenced is Mahn’s Court.

Mrs. Wilson:

“Yeah, so you’re saying there might be – at some point there could be a subdivision (inaudible)?”

Mayor Bukiewicz stated someone could propose that and Senior Planner Papelbon explained the process that would be gone through in that case.

Mrs. Wilson:

“I just had one question for Jason. At the meeting previously, we were told they were- I think he said it was required, that they have, I think it was 33 or 35 feet from our lot

line to where their buildings start but they were going to give us like 85 feet. Since then, I've heard it went back to thirty-some feet. It makes a big difference that extra fifty-some feet and having – like he pointed out, something larger as a noise buffer (inaudible)."

Mr. Atkielski stated the size of the buildings were decreased to increase the buffer to 85 plus feet to give more green space between the buildings and the residential homes, fences and landscaping were added to meet code as well, and the existing wetland will help collect water and will remain untouched.

Commissioner Chandler asked what types of tenants to expect at this location. Mr. Atkielski answered that offices, small electrical companies, small retail, personal trainers, light manufacturers, and small engineering firms all have interest in spaces like this. Commissioner Oldani asked if there is any statement from the alderman of this property whether they support this development or not. Senior Planner Papelbon explained the alderman for this location felt that if the concerns and the questions for the neighborhood, staff, and plan commission can be addressed through Conditions and Restrictions they would support the development, but there is nothing more formal to present.

Commissioner Oldani then confirmed the current zoning of part of the property is Agricultural to which Senior Planner Papelbon confirmed, adding there is a house on the property. Commissioner Oldani went on to say he would rather see the property zoned residential but encouraged the residents to talk with their alderman about their concerns. Commissioner Hanna asked if the property was purchased for the reason to develop it to which Mr. Atkielski answered in the affirmative. Commissioner Hanna asked if the property was planned to be retail before the residential neighborhoods were established to which Senior Planner Papelbon explained the Comprehensive Plan of the city identifies several properties to be business park uses in the future. Commissioner Hanna stated her lack of support for the location for this development due to the uses presented and the safety aspects brought forth by the residents. Senior Planner Papelbon clarified there will be no road connection between this development and the existing subdivision. Mr. Atkielski asked what specific uses were of concern to which Commissioner Hanna listed shopping center, daycare for animals and funeral homes. Mr. Atkielski clarified that is a presented list of what will not be allowed at this location and reiterated the uses previously mentioned. Commissioner Hanna asked if there will be any outside storage needed to which Mr. Atkielski answered in the negative. Commissioner Hanna then asked if business hours have been set to which Mr. Atkielski answered in the negative and Commissioner Hanna suggested the applicant address the noise concerns of the residents.

Commissioner Hanna made additional comments that were inaudible.

Senior Planner Papelbon then clarified the general types of Conditions and Restrictions that may be presented for this development in the future. Commissioner Hanna recommended some tenants be coffee shops or retail as the surrounding area is residential.

Mr. Piechowski:

"I like to comment on a couple things. One of the things we talked about – Steve and what his feelings were about this project, and he was all for it. And he made a comment

like, made a comment to us, more like a great tax base that way we could hire more, because we need more police and more firefighters. With this tax base we could pay for that, so that was one of his comments. So, you could see where he is at. The other thing with the thing that I was against - they put an ambulance service in across the street from us. Which has, I'm going to guess right now, probably six (6) to eight (8) ambulances parked there and they are coming in and out of this property 24/7. They also have – they put a lab in for testing for tissue samples or whatever. That's 24 hour a day service. When this property across the street was proposed to us, this was supposed to be a nine (9) to five (5) operation. Now the ambulance service, it was agreed that they would not – because we were right across the street and there is only one entrance in and out of this place, that they would not turn their sirens on unless they went to Howell and (inaudible). Well, most part they do but a lot of times they don't so sometimes at four (4) o'clock in the morning they like to light up their ambulances and obviously wake me and my wife up. I already called Superior Ambulance once and mentioned that to them.”

Mayor Bukiewicz stated the City needs to be notified of that, not Superior Ambulance.

Mr. Piechowski:

“I would appreciate that, thank you. When I called them, he got very belligerent with me and said, ‘you don't have to call me, and I'll take care of it.’ These are the things that – issues that when you let this type of operation in an area, these are the problems you are going to have. Who is going to take care of these things? Like I said, the same thing with snowplowing (inaudible). So those are the issues you have when you allow this type of business within a residential area. Thank you.”

Mayor Bukiewicz stated this development is very uncomfortable, but as the owners of the property, the applicant has the right to develop it. He went on to acknowledge the affect it will have on the neighborhood, explain a tax base is not why the city does things but because they are positive for the city, promote growth and support families, and how he would love to see the land be used as a single-family residential development, but that was not what was presented. Mayor Bukiewicz continued by stating the lab at 140 E. Rawson works a second shift, not 24 hours. Mayor Bukiewicz stated he would like to see the east side of the property be well blocked off for the residents and the lighting be contained to the property. Mayor Bukiewicz then confirmed with Commissioner Kiepczynski that Missouri Ave. will dead end with this park, but if a subdivision were to go here, the road would have to connect with the possibility of additional roads for emergency access. Mayor Bukiewicz then asked if this development would ever tie into Mahn's Court to which Senior Planner Papelbon answered in the negative, explaining there is not a good connection point.

Mayor Bukiewicz and Senior Planner Papelbon then briefly explained the flexibility of a planned unit development, what it can do, and how Conditions and Restrictions help to give developments specifics to work within. Commissioner Oldani stated his sympathy for the residents, strongly suggesting that the tenants be mindful of the homes surrounding the property. Commissioner Hanna reiterated her suggestion that some tenants be a draw for the residents to gather there like a coffee shop.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the property at 517 E. Rawson Avenue be rezoned to Lm-1 Light Manufacturing, with a Planned Unit Development after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at their next meeting (November 14, 2023).

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:51 PM.

ATTEST:



Kari Papelbon, Plan Commission Secretary

11-14-23

Date