

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 26, 2024**

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

Minutes of the February 27, 2024, meeting

Commissioner Siepert moved to approve the minutes of the February 27, 2024 meeting. Alderman Loreck seconded. On roll call: Commissioner Carrillo, City Administrator / Engineer Sullivan, and Commissioner Oldani abstained; all others voted aye. Motion carried.

PUBLIC HEARING

SIGN APPEAL

WILLIAM GUST, MILWAUKEE YARD

7727 S. LONGWATER DR.

TAX KEY NO. 784-9034-000

Planner Perez read the public hearing notice into record, and provided an overview of the request for variances to allow the applicant to install one (1) 18-foot-tall monument sign on the property at 7727 S. Longwater Dr. (see staff report for details).

Mayor Bukiewicz made the first, second, and third calls for public comment. Seeing none, he closed the public hearing.

PUBLIC HEARING

SIGN APPEAL

WILLIAM GUST, MILWAUKEE YARD

7727 S. LONGWATER DR.

TAX KEY NO. 784-9034-000

Commissioner Carrillo asked if the top-most image shown on the monument sign will move or be video.

Scott Boese, Bauer Sign and Lighting, 17414 W. Cleveland Ave., New Berlin, WI 53151, stated that the image will not move, but could be digitally updated to show events taking place in the building.

Commissioner Carrillo asked if the image will be changed periodically and would not digitally rotate. Mr. Boese confirmed that the sign will be updated and will not have a rotating movement within the screen.

Commissioner Carrillo asked if there are other tenants in the four (4) available rentable spaces of the building, and if not, whether filling those spaces is still planned. A representative from Milwaukee Yard stated that the spaces are not leased yet, but they are still planned on being leased.

Alderman Loreck stated his opinion that the sign is an appropriate height, and asked if both sides of the sign will be lit. Mr. Boese answered in the affirmative.

Alderman Loreck asked if the Milwaukee Yard building will block the light that will come from the north side of the sign, facing the existing apartments (Hub13). Mr. Boese stated that the building will block the light to that community.

Commissioner Siepert asked if the sign will be illuminated all the time. Mr. Boese stated that the top-most image will be, but the illuminated tenant panels could be turned off.

Commissioner Chandler asked for more information regarding why the location for the monument sign was chosen. Mr. Boese explained that the original planned location for the sign was further south, by the parking lot, but that the location was not within the property boundaries. The new location, between the fence and the edge of the parking lot, was then chosen so parking spaces in the lot would not be removed, and access to power at this location would be much easier.

Mayor Bukiewicz stated his approval for the height variance, and that he was not concerned about the light affecting the residential community to the north.

Commissioner Siepert moved that the Plan Commission approves a sign variance allowing the installation of one (1) 18-foot-tall monument sign on the property at 7727 S. Longwater Dr.

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

**TEMPORARY USE PERMIT
CASIE ERTL, CE FARMS
7501 S. HOWELL AVE.
TAX KEY NO. 782-9036-000**

Planner Perez provided an overview of a request for a Temporary Use Permit for a temporary garden center in the parking lot at 7501 S. Howell Ave. (see staff report for details).

Commissioner Oldani moved that the Plan Commission approves the Temporary Use Permit request submitted by Casie Ertl, CE Farms, for the operation of a garden center in the parking lot on the property at 7501 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all garden center activities shall be located within the portion of the parking lot as per the proposed map.
3. That operations shall occur between 9:00 AM and 6:00 PM Monday through Saturday, and between 9:00 AM and 4:00 PM Sunday.
4. That signage for the operation is limited to one (1) 32 square-foot sign and one (1) 12 square-foot sign. Each sign shall meet setback requirements, shall be placed so that drive aisles and parking stalls remain unobstructed, and shall be stored within the tent area during non-business hours.
5. That a tent permit is obtained prior to operation.
6. That the Temporary Use Permit shall be valid between April 15, 2024 through July 15, 2024. The property shall be restored to its pre-temporary use condition by no later than July 17, 2024.

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

CONDITIONAL USE PERMIT
ALLY ARNETT, CREATIVE PRODUCTIONS DANCE STUDIO
7040 S. 13TH ST.
TAX KEY NO. 735-9038-000

Senior Planner Papelbon provided an overview of a request for a Conditional Use Permit for an indoor health/athletic/recreation facility on the property at 7040 S. 13th St. (see staff report for details).

Commissioner Chandler asked what the security measures are for kids and adults coming in and out of the building.

Melony Pederson, 2816 E. Texas Ave., Milwaukee WI, 53207, explained that there will be a manned reception desk at the entrance of the space to keep track of who is coming and going.

Commissioner Siefert stated his concern about not enough parking for the patrons when the building has more occupants, or the dance studio is at a peak time. Ms. Pederson stated that at the studio's existing location there are fewer parking spaces available, and are shared with even more tenants. Parking at that location is not an issue for any tenant. Any large events will be held at schools, not in this space.

Alderman Guzikowski asked what types of activities will be happening in the space. Ms. Pederson answered that mostly children's dance classes will take place, with some adult barre or yoga classes.

Assistant Fire Chief Havey stated further evaluation will still be needed to ensure the use and occupancy load of the dance studio will match the existing fire suppression system. Mayor Bukiewicz asked if the evaluation would delay the applicant from occupying the space, to which Assistant Fire Chief Havey answered that it may. The use in the building is changing from a business to an assembly and that the type of fire suppression system needed will have to be based on the new occupancy load.

The Plan Commission ruled in the affirmative for the following Findings of Fact:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, and other necessary site improvements have been or are being provided.
4. Measures have been or will be taken to provide adequate ingress and egress and designed to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.

5. The conditional use conforms to all applicable regulations of the district in which it is located.

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for an indoor health/athletic/recreation facility on the property at 7040 S. 13th St., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (April 9, 2024).

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

**CONDITIONAL USE PERMIT
RICH HANSON, CITYSWITCH-II-A, LLC
1805 E. COLLEGE AVE.
TAX KEY NO. 721-8992-000**

Senior Planner Papelbon provided an overview of a request for a Conditional Use Permit for a telecommunications tower on the property at 1805 E. College Ave. (see staff report for details).

Commissioner Chandler asked if the proposed chain-link fence would need any screening, to which Senior Planner Papelbon answered in the negative.

Commissioner Siefert asked if the facility will be on the railroad's property or easement.

Rod Carter, Esq., Hush Blackwell, 511 N. Broadway, Milwaukee WI, 53202, confirmed that the facility is on railroad property, and that the Applicant will be leasing the proposed space from the railroad.

Alderman Loreck asked how close to College Ave. the fence and monopole will be. Atty. Carter stated his belief the correct address of the project should be 1850 E. College Ave., to which Senior Planner Papelbon stated the address will be verified.

Commissioner Hanna asked if there is any concern about the monopole from the surrounding residents.

Andrew Flowers, Senior Real Estate and Construction Manager with AT&T, 1000 Commerce Drive, Oak Brook IL, 60523, stated that the correct address is 1805 E. College Ave., and that the location is by the mail facility and the railroad tracks. There are no residential properties in the area.

Commissioner Hanna asked if the proposed fence and barbed wire designating the area will be enough to deter people. Mr. Flowers explained that the barbed wire is usually enough - the pole itself has no climbing pegs for the first 20-25 feet, and the equipment at the base is locked. If the locks are opened, an alarm will sound, and the authorities will be automatically notified.

Commissioner Oldani confirmed with the applicant and Senior Planner Papelbon the address of the facility will be 1805 E. College Ave., and asked where along the property will the pole be located. Mr. Flowers provided a more detailed description.

The Plan Commission ruled in the affirmative for the following Findings of Fact:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, and other necessary site improvements have been or are being provided.
4. Measures have been or will be taken to provide adequate ingress and egress and designed to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.
5. The conditional use conforms to all applicable regulations of the district in which it is located.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit to allow a telecommunication tower and associated equipment on the property at 1805 E. College 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 (April 9, 2024).

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

**COMPREHENSIVE PLAN AMENDMENT
WILLIAM NELSON, THE CELLAR
800 & 812 W. OAKWOOD RD.
TAX KEY NO. 733-9991-001**

Senior Planner Papelbon provided an overview of the proposed amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020, last amended December 20, 2022) that would change the Land Use Plan and category from Single-Family Attached to Commercial for the properties at 800 & 812 W. Oakwood Rd. (see staff report for details).

Richard Grams, 980 W. Canterbury Ct.:

"My property abuts this. Where are they going to get in to address that little piece they want to keep residential?"

Senior Planner Papelbon explained that the property is currently developed with a home.

Mr. Grams:

"Okay. This is zoning..."

Senior Planner Papelbon explained that the request is to change the Comprehensive Plan category to guide what the parcel could be used for in the future.

Mr. Grams:

“So, it is now and we are leaving it. I didn’t understand that. Because there is a detention pond right next to me and there is some land in there the City owns, right? That’s not up for this. Okay, thank you.”

Commissioner Chandler asked if the properties identified as Single-Family Detached have been built or are planned. Senior Planner Papelbon explained that the area is already developed with single-family homes.

Commissioner Chandler asked if there would be buffers in place if a commercial use wanted to move into the area. Senior Planner Papelbon gave a brief overview of the options, stated that the presence of floodway on the properties limit what can be built.

Commissioner Oldani, Alderman Guzikowski, Mayor Bukiewicz, and Assistant City Administrator / Engineer Sullivan stated their support for staff’s recommendation to change 910 W. Oakwood Rd. to Single-Family Detached.

Alderman Loreck asked if the proposal to extend the parking lot [onto 800 W. Oakwood Rd.] is to pave the grass and gravel that is already parked on by customers. William Nelson, 811 E. Elm Rd., confirmed that such will be the plan.

Alderman Loreck asked if there are plans for the back, northern portion of the property, to which Mr. Nelson answered in the negative.

Alderman Loreck moved that the Plan Commission adopts Resolution 2024-01, amending the Land Use Plan category in the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020; last amended December 20, 2022) from Single-Family Attached to Commercial (no change to the Floodway category) for the properties at 800 & 812 W. Oakwood Rd., and from Single-Family Attached to Single-Family Detached (no change to the Floodway category) for the property at 910 W. Oakwood Rd., following review and adoption by the Common Council.

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 6:58 PM.

ATTEST:



Kari Papelbon, Plan Commission Secretary

4-9-24

Date