

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, MAY 28, 2024**

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

**Minutes of the May 14, 2024, meeting**

Commissioner Siefert moved to approve the minutes of the May 14, 2024, meeting. Alderman Guzikowski seconded. On roll call: Mayor Bukiewicz abstained; all others voted aye. Motion carried.

**CONDITIONAL USE PERMIT  
AMER MASOUD, VISTA MOTORWERKS, LLC  
9555 S. CHICAGO RD.  
TAX KEY NO. 912-9993-00**

Senior Planner Papelbon provided an overview of the request for a Conditional Use Permit for automotive sales and indoor showroom within an existing multi-tenant building at 9555 S. Chicago Rd. (see staff report for details).

Amer Masoud, 9555 S. Chicago Rd., Oak Creek WI 53154, the applicant, stated his eagerness to bring the property into compliance with the current code.

Mayor Bukiewicz asked if, as a tenant of the property, Mr. Masoud would be willing to take on the financial burden to bring the entire property into compliance to which Mr. Masoud answered in the affirmative.

Commissioner Hanna sought confirmation that Mr. Masoud is only renting a portion of the building and asked how the other tenants of the building will be monitored for compliance. Mr. Masoud confirmed his business is one (1) of two (2) in the building and Senior Planner Papelbon explained that staff has the requirement to continue monitoring the property due to the past violations and briefly explained the process of following up on an active violation. Commissioner Hanna then asked if the business will be run by appointment only, if that method is successful, and how many employees are planned to be on-site during the operating hours. Mr. Masoud explained that by appointment is an efficient way to run a small business like the one being proposed and two (2) employees would be on-site in total.

Commissioner Oldani asked for clarification that all outstanding violations would be the property owners' responsibility to which Senior Planner Papelbon answered in the affirmative. Commissioner Oldani appreciated the 'good faith' in which Mr. Masoud is acting in, but pointed out that in the recent past the Plan Commission denied a different applicant the same permit because the property was not up to code.

Commissioner Siefert asked if staff and the applicant have met to discuss what is needed to bring the property into compliance to which Senior Planner Papelbon answered in the affirmative. Commissioner Siefert stated the violations do not seem to have been addressed yet. Discussion

between Commissioner Siefert, Senior Planner Papelbon, and Mr. Masoud were had regarding who is responsible for correcting the violations, the misunderstanding of the landscape requirements made by the previous tenants, the current condition of the property, and the improvement work the applicant has been able to do. Commissioner Siefert asked if the violations would need to be corrected before granting the applicant the permit to which Senior Planner Papelbon answered in the negative; explaining that if approved, the corrections to the violations would be written into the Conditions and Restrictions of the permit but if the permit is not approved, communication and work must be had with property owner directly.

Assistant Fire Chief Havey commented that any vehicle stored indoors for sale would have to have a drained fuel tank and a disconnected battery.

Mayor Bukiewicz appreciated the applicant taking on the responsibility of correcting the violations while stating it is the City's chance to have them be corrected. Commissioner Hanna asked if the other tenant of the building would be included in the corrections, to which Senior Planner Papelbon answered in the negative; re-iterating the property owner is responsible for these corrections and the applicant is simply offering to do the work instead.

Commissioner Kiepczynski asked for confirmation that the violations of the property are the issue, and the use of the space is acceptable. Senior Planner Papelbon gave a more in-depth explanation of events that lead to the new proposed Conditional Use Permit and reminded the Commission a Conditional Use Permit may be revoked if the Conditions and Restrictions are not met. Commissioner Oldani suggested the applicant have either a plan or a list of already completed tasks for presentation at the Conditions and Restrictions meeting on June 11.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for vehicle sales for Vista Motorwerks on the property at 9543 S. Chicago Rd. (tenant space address: 9555 S. Chicago Rd.) after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (June 11, 2024).

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

**PLAN REVIEW**  
**KRAIG SADOWNIKOW, AMERICAN COMPANIES**  
**9293 AND 9297 S. 13<sup>TH</sup> ST.**  
**TAX KEY NOS. 877-9025-000, 877-9026-000**

Senior Planner Papelbon provided an overview of the site and related plans submitted by Kraig Sadownikow, American Companies, for an amendment to the access and driveway affecting the properties at 9293 and 9297 S. 13<sup>th</sup> St. (see staff report for details).

Commissioner Kiepczynski stated the engineering department has been working with the designer of the proposed new location of the access road to find the best option for the stormwater displacement solution. Commissioner Hanna asked what the closest intersection would be to the new location, if the drive would be public or private, and if an easement will be needed for the drive. Senior Planner Papelbon answered the closest intersection is several parcels away at 13<sup>th</sup> St. and Ryan Rd., the location of the entrance would be across from the Aldi Warehouse parking lot, the driveway would be private, and it would need an easement agreement.

Commissioner Oldani moved that the Plan Commission approves the site plans submitted by Kraig Sadownikow, American Companies, for the properties located at 9293 and 9297 S. 13<sup>th</sup> St. with the following conditions:

1. That all relevant Code requirements and conditions of Plan Commission approval dated September 13, 2022 remain in effect.
2. That the dimensions of the proposed driveway and change to the impervious surface are included on the plans.
3. That all stormwater requirements are coordinated with the Engineering Department. Any additional reviews and/or permits that may be required as a result of stormwater improvements shall be obtained prior to issuance of a driveway permit and commencement of work.
4. That copies of all approvals and/or permits from the Milwaukee County Department of Transportation are provided to the City prior to submission of a driveway permit application.
5. That all easements, including for signs, are included on the plans.
6. That an updated landscape plan is provided to the Department of Community Development for review and approval prior to the submission of a driveway permit application.

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

**CERTIFIED SURVEY MAP  
BRAD SCHMIDT  
9600 S. HOWELL AVE.  
TAX KEY NO. 907-9982-000**

Planner Perez provided an overview of the request to divide the property at 9600 S. Howell Ave. (see staff report for details).

Brad Schmidt, 1686 Blue Spruce Ln., Hartland WI 53029, the applicant, asked what was needed to update the Tree Inventory and if there are specific trees that should be planted. Senior Planner Papelbon stated the submitted Inventory shows the removed trees, not the details regarding the trees that will be planted, and further information will be provided to him.

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Brad Schmidt for the property at 9600 S. Howell Ave. be approved with the following conditions:

1. That the Tree Inventory and Replacement Plan is updated per Code and submitted to the Department of Community Development for review and approval prior to recording the Certified Survey Map.
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.

**CERTIFIED SURVEY MAP  
WILLIAM NELSON, THE CELLAR  
800 AND 812 W. OAKWOOD RD.  
TAX KEY NOS. 925-9991-000 & 925-9005-000**

Planner Perez provided an overview of the Certified Survey Map combining the properties at 800 and 812 W. Oakwood Rd. (see staff report for details).

Commissioner Siefert asked why the two (2) properties are being combined. Dan Scherer, N1724 Riggert Rd., Fort Atkinson WI 53538, speaking on behalf of the applicant, stated Mr. Nelson is looking to add a paved parking surface for his patrons at his establishment. Mayor Bukiewicz confirmed there is no planned development happening on the site, just the paved parking pad.

Ken Trudeau, 910 W. Oakwood Rd.:

*"The neighbor. I thought on the last one he said he was gonna expand the kitchen towards us."*

Mayor Bukiewicz confirmed there will be some expansion of the kitchen to the west, but the acquisition of this land is just for the parking pad. When the expansion plans come to Plan Commission, a notification will be sent.

Mr. Trudeau:

*"Okay, which would be the east side. Okay, thank you. Okay, Awesome. Thank you, guys, very much."*

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by William Nelson, The Cellar for the properties at 800 & 812 W. Oakwood Rd. be approved with the following conditions:

1. That the floodway boundaries are depicted on the map separately from the flood fringe boundaries.
2. That the wetland delineation details, including the delineator, date, and bearings and distances for the boundaries, are included on the map prior to recording.
3. That all pages of the CSM are provided to the City for review prior to finalization for recording.
4. That the Preservation Restrictions shown on Page 4 of the Certified Survey Map are removed prior to recording.
5. 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.

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

**REZONE  
WILLIAM NELSON, THE CELLAR  
800 W. OAKWOOD RD.  
TAX KEY NO. 925-9991-000**

Planner Perez provided an overview of the request to rezone the property at 800 W. Oakwood Rd. to B-2, Community Business (NO CHANGE to FW, Floodway, FF, Flood Fringe, or C-1, Shoreland Wetland Conservancy districts) (see staff report for details).


Commissioner Siefert moved that the Plan Commission recommends to the Common Council that the property at 800 W. Oakwood Rd. is rezoned from M-1, Manufacturing to B-2, Community

Business (NO CHANGE to FW, Floodway, FF, Flood Fringe, or C-1, Shoreland Wetland Conservancy districts) after a public hearing.

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

Commissioner Oldani moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 6:53 PM.

ATTEST:

  
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Kari Papellbon, Plan Commission Secretary

6-11-24  
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Date