

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, AUGUST 13, 2013

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Alderman Bukiewicz, Mayor Scaffidi, Alderman Michalski, Commissioner Correll, Commissioner Siefert and Commissioner Chandler. Also present were Peter Wagner Planner/Zoning Administrator, Kari Papelbon Planner, and Assistant Fire Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the July 23, 2013 regular Plan Commission meeting. Commissioner Johnston seconds. Roll call, all voted aye with the exception of Mayor Scaffidi and Commissioner Correll who abstained. The minutes were approved as submitted.

Significant Common Council Actions

There were no comments or concerns from the Commission.

**Right-of-Way Vacation – Steve Mark, Midwest Development Corp.
324 E. Forest Hill Avenue
Tax Key No.: 814-9011**

Ms. Papelbon explained to the Commission the applicant submitted a request for a right-of-way vacation along the southern portion of property at 324 E. Forest Hill Avenue. The right-of-way is a total of 3,345 square feet. Adding the square footage allows the applicant to create conforming building lots and creates a straight right-of-way consistent with adjacent parcels to the west.

Commissioner Chandler questioned how this might affect the neighboring property. Ms. Papelbon stated it would not affect the neighboring properties.

Marlene Olbrantz, 327 E. Forest Hill Avenue, questioned how this would affect future sidewalks and road improvements. Commissioner Johnston explained there would be more than enough room to improve the road and add sidewalks.

Commissioner Correll moved that the Plan Commission recommend to the Common Council that the right-of-way of a portion of 324 E. Forest Hill Avenue be vacated after a public hearing and with the condition to correct any technical errors on the map prior to recording.

Commissioner Siefert seconds. Roll call, all voted aye. The motion to approve carries.

**Certified Survey Map – Steve Mark, Midwest Development Corp.
324 E. Forest Hill Avenue
Tax Key No.: 814-9011**

Ms. Papelbon explained to the Commission the applicant was requesting a certified survey map for 400 E. Lily Drive to create 3 building lots and one outlot at 324 E. Forest Hill Avenue. Each parcel meets the minimum lot width and area requirements for the zoning district; however, it should be noted that this is a required step proper to the subdivision of Outlot 1.

Alderman Bukiewicz questioned what the plan was for the buildings on lot 3. Mr. Kalvin Klimeck, Pioneer Engineering, explained all of the buildings would be razed.

Alderman Bukiewicz questioned if the grading plan would take into account the soils to deal with stormwater. Mr. Klimeck explained they would be submitting a detailed grading plan for the entire development to include both certified survey maps and the preliminary plat. The Engineering Department would be able to see it as one big picture and all of the easements will be shown on the grading plans.

Tim Chamberlain, 101 Oakfield Drive, expressed concern for the stormwater with the development and completing the storm sewer along Alisa Lane.

Mr. Steve Mark, Midwest Development Corp., explained they would love to complete the entire development and the biggest problem is they do not own all of the land to complete the development. They are going to try and acquire the balance of the land and complete the improvements.

Mr. Chamberlain questioned if they did not complete it and the existing residents continue to have water problems, would the City buy out the property owners. Mayor Scaffidi stated he lived somewhat close to this development and he has two sump pumps running and he is not near a low land area. It is the nature of the City they live in.

Alderman Bukiewicz moved that the Plan Commission recommend to the Common Council that the certified survey map submitted by Steve Mark for the property at 324 E. Forest Hill Avenue be approved with the following conditions:

1. Update the map to correct technical errors.
2. Update the map to depict the Lily Drive right-of-way along the northern property line of the proposed Outlot 1 prior to recording.
3. Update the map to depict the 1-foot-wide utility and drainage easement along the western property line of the proposed Outlot 1 prior to recording.
4. Submit a detailed grading plan for review and approval by the City of Oak Creek Engineering Department prior to recording the certified survey map.
5. Update the map to illustrate a minimum front setback of 40 feet on each of the lots prior to recording the map.
6. That a paved turnaround area be required on Lots 1-3.

Commissioner Johnston seconds. Roll call, all voted aye. The motion to approve carries.

Certified Survey Map – Steve Mark, Midwest Development Corp.
400 E. Lily Drive
Tax Key No.: 814-0256

Ms. Papelbon explained to the Commission the applicant was requesting approval of a certified survey map to create two outlots at 400 E. Lily Drive. Each parcel meets the minimum lot width and area requirements for the zoning district; however, it should be noted that this is a required step prior to the subdivision of Outlot 1.

Commissioner Chandler questioned if Lily Drive would be connecting with Glenfield Drive. Ms. Papelbon explained it would not be going through as part of this CSM but as part of the preliminary plat for the next agenda item.

Alderman Bukiewicz moved that the Plan Commission recommend to the Common Council that the certified survey map submitted by Steve Mark for the property at 400 E. Lily Drive be approved with the following conditions:

1. Update the map to depict the officially mapped roads through the property prior to recording.
2. Update the map to depict the Lauree Lane and Alisa Lane access and utility easements as 60 feet wide through the proposed outlots prior to recording.
3. Update the map to depict the right-of-way along the northern boundary as required for the certified survey map for 324 E. Forest Hill Avenue.
4. Update the map to correct any other technical errors.

Commissioner Siefert seconds. Roll call, all voted aye. The motion to approve carries.

**Preliminary Plat – Oakwood Village Addition No. 2
324 E. Forest Hill Avenue & 7400 E. Lily Drive
Tax Key No.: 814-9011 & 814-0256**

Ms. Papelbon explained the applicant was requesting approval of a preliminary plat approval for the Oakwood Village Addition No. 2 subdivision. Eight new building lots and one outlot will be created by this subdivision. Outlot 1 will contain stormwater infrastructure and Outlot 2 will not be subdivided at this time and is not part of this application. The properties are located in the Rs-3, Single Family Residential District. All lots in the proposed subdivision appear to comply with minimum lot size and width requirements.

Alderman Michalski questioned the total number of buildable lots. Mr. Klimeck stated there would be eleven buildable lots and Outlot 1 would be the stormwater management pond. Alderman Michalski questioned what the plan was for Outlot 2. Mr. Klimeck explained it would be a continuation of the development once agreements are in place for the land.

Alderman Bukiewicz requested a requirement that Lily Drive be completed before an additional phase begins. Mr. Mark stated he would love to see the entire development completed but from a financial standpoint, they are doing what they can on Lily. If they do reach an agreement with the other property owners one way or the other they would be willing to complete Lily Drive all the way through. Alderman Bukiewicz commented he would like to see Lily complete with curb, gutter and top coat at least to Alisa Lane. Mr. Mark mentioned their intentions were to raze the buildings and grade the entire parcel and put the pond in place as soon as possible so they are not adding to anybody's problems.

Commissioner Siefert questioned if they were going to work with the land owners to complete the road. Mr. Klimeck explained the right-of-way has already been dedicated and will be a full road dedication.

Commissioner Correll questioned at what point do they address improving the situation for the existing homeowners. Commissioner Johnston explained they are not required by law to take in all the other water from the existing subdivision. It will help the situation that currently exists and they have been working with Mr. Beaumont on improving the area. The big improvement will happen with the next phase of the subdivision that will require an additional pond or an addition to the proposed pond.

Alderman Michalski questioned where the second pond would be located if a second phase was developed. Commissioner Johnston pointed out the low point of the area as the most likely place for the additional future pond.

Mr. Mark Beaumont, 300 E. Forest Hill Avenue, requested the Plan Commission help him with his water problems. He expressed concern for the way the area looks currently.

Mr. Tim Chamberlain, 101 E. Oakfield Drive, questioned what the requirement was to finish the road when the development first was approved. Commissioner Johnston explained this was never phased as part of the development. He was not sure why this was allowed to be the last phase, but this was never planned or platted to be a development up until this point. Mr. Chamberlain expressed concern for the road not being completed at this time.

Ms. Olbrantz, 327 E. Forest Hill Avenue, questioned where the water from the pond was going to drain to and expressed concern for the water flooding the properties on the south side. Commissioner Johnston explained the pond will release the water slower than what it currently does from the development. It slows the water down which will then flow underneath Forest Hill and go to the storm sewer system that runs to the south. Ms. Olbrantz questioned how they release the water. Commissioner Johnston explained there is an outlet pipe with a small hole that releases the water and it is all calculated for how the water is released.

Alderman Bukiewicz moved that the Plan Commission approve the preliminary plat for the Oakwood Village Addition No. 2 at 324 E. Forest Hill Avenue and 400 E. Lily Drive, subject to the following conditions:

1. That all County requirements are incorporated into the final plat prior to submittal for Plan Commission review.
2. That all technical corrections are made prior to final plat submittal.
3. That a development agreement be entered into between the owner and the City to specify that Lily Drive be completed to Alisa Lane and the responsibility for and the timing of public improvements.
4. That the final grading, drainage, and stormwater management plans are approved by the City Engineer.

Commissioner Dickmann seconds. Roll call, all voted aye. The motion to approve carries.

**Certified Survey Map – DJ Hamilton
1850 W. Oakwood Road
Tax Key No.: 926-9016**

Ms. Papelbon explained to the Commission the applicant was requesting approval of a certified survey map that would designate the parcel that was considered an outlot to a buildable lot. The parcel meets the minimum lot width and area requirements for the zoning district.

Mr. Ken Survi, 10040 S. 20th Street, questioned what would be going on the property. Ms. Papelbon stated it would be a single family residence.

Ms. Janice Sleeth, 10190 S. Judith Place, expressed concern for the water drainage for the area and wanted the owners to be aware that there would be standing water on the parcel. She also expressed concern for there being enough land for an entrance to the parcel.

Alderman Michalski commented the swale for the area was cleaned out in the last year to be more efficient.

Assistant Fire Chief Mike Kressuk explained access to subdivisions was very important to the Fire Department. The gravel roads were put into place to facilitate emergency vehicles in the absence of an actual road. Judith is a one entry road and does present unique circumstances to the Fire Department. He does not want to correlate that to this property. He does not have any problems with access from Oakwood Road.

Commissioner Johnston explained some of the issues with water and the access easements along Judith Place and how they intend to manage the situation in the future.

Mr. Wayne Modjeski, 10220 S. Judith Place, expressed concern for the wetland pond near his home and stated it was supposed to be a temporary pond. He also expressed concern for the water problems in the area. Commissioner Johnston explained the situation with the ponds on the property and also explained they now have access easements to maintain the ponds.

Mr. Ken Survi questioned where the house was going to be located on the lots and expressed concern for water or drainage from the property going towards the north end towards his property.

Alderman Michalski commented the residents in the neighborhood would like to make sure the ponds are cleaned out and in the past they have not been able to gain access, now they should have the ability to clean out the ponds which should help with some of the water issues in the area.

DJ Hamilton owner of the subject property commented they did have some water problems on the property because there were some broken field tiles. The field tiles were fixed and they are aware of the zoning classifications to the north. They will access the property from Oakwood and will build a home in the middle of the property.

Commissioner Dickmann questioned if they did not approve the certified survey map would they have the ability to access the ponds in the future. Commissioner Johnston stated the access comes with the certified survey map approval.

Alderman Michalski questioned if the ponds were correctly located for the property. Commissioner Johnston explained for a single family home being built on the lot the ponds are improving the situation that is currently out there. It is not ideal to have the ponds but at least they have an easement with them and they can improve them a little bit.

Alderman Michalski moved that the Plan Commission recommend to the Common Council that the certified survey map submitted by DJ Hamilton for the property at 1850 W. Oakwood Road be approved subject to any technical corrections being made prior to recording.

Commissioner Dickmann seconds. Roll call, all voted aye. The motion to approve carries.

Plan Review – WE Energies
4500 E. Elm Road
Tax Key No.: 963-9995-001

Ms. Papelbon explained to the Commission the applicant was requesting approval of site, building, and landscaping plans for a proposed 1600 square foot unheated accessory storage building. The building meets all lot area and width, building height and area, and setback requirements. Storage within the building will be for vehicles and equipment.

Commissioner Chandler questioned why they were going with the metal walls.

Alderman Bukiewicz commented you would not be able to see this building from the road and he has no problems with the proposal.

Commissioner Siefert moved that the Plan Commission approve the site and building plan for the property at 4500 E. Elm Road with the following condition:

1. That all building and fire codes are met.

Commissioner Correll seconds. Roll call, all voted aye. The motion to approve carries.

Temporary Use – Monopole (Fulton Technologies, Inc.)
2611 W. Sycamore Avenue
Tax Key No.: 715-0169

Mr. Ron Pritzlaff, Water & Sewer Utility, explained to the Commission the Utility was painting the water tower and there were four cell phone carriers that utilized the tower. In order to paint the tower they need to have the antennas removed. Part of that is to move them to a temporary pole.

Mayor Scaffidi questioned if there was ever a chance the temporary pole could become permanent. Mr. Pritzlaff stated there was no chance that would happen.

Commissioner Carrillo questioned if the new logo would be painted on the tower. Mr. Pritzlaff explained the tower would be a light blue with the words Oak Creek in black and the word Wisconsin below it to match the new logo as much as possible.

Commissioner Correll moved that Commission approve the temporary use of a monopole at 2611 W. Sycamore Avenue from August 5 through October 31, 2013 with the condition that the pole be removed within 10 days following the completion of the water tower repainting/refurbishment, or no later than November 10, 2013 (whichever is sooner).

Commissioner Siefert seconds. Roll call, all voted aye. The motion to approve carries.

Commissioner Carrillo moved to adjourn. Commissioner Correll seconds. Roll call, all voted aye. The meeting was adjourned at 7:37 p.m.