

MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, SEPTEMBER 10, 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 Siepert and Commissioner Chandler. Also present were Peter Wagner Planner/Zoning Administrator, Kari Papelbon Planner, and Battalion Chief Tom Jonson.

**Significant Common Council Actions**

There were no comments or concerns from the Commission

Commissioner Dickmann moved to approve the minutes of the August 13, 2013 regular Plan Commission meeting. Commissioner Siepert seconds. Roll call, all voted aye. The minutes were approved as submitted.

Alderman Bukiewicz moved to approve the minutes of the August 27, 2013 regular Plan Commission meeting. Commissioner Johnston seconds. Roll call, all voted aye. The minutes were approved as submitted.

**Plan Review – Pasa Ece, Wisconsin Granite Depot  
6720 S. 27<sup>th</sup> Street  
Tax Key No.: 737-9038**

Ms. Papelbon explained to the Commission the applicant was requesting approval for a chain-link fence around a portion of the existing parking area to the east and south of the building at 6720 S. 27<sup>th</sup> Street. Since this proposal is reducing the number of available parking spaces on the property, the Applicant is also seeking a modification to the minimum parking requirement in Section 17.0403.

Alderman Bukiewicz explained he has worked with the tenant to clean up the outside storage and provide some screening. They are not prepared to add on to the building at this time and are trying to come up with ways to screen the outdoor storage. He is not concerned with reduced parking for the site because of the change in the type of retail sales. Mr. Wagner explained there are two different issues at hand. First, the fence: the applicant would like a fence to protect their property and their building. Staff was not aware of the full amount of outdoor storage taking place. They were told if they would like a fence on the back of their property they would need to get a modification to the parking requirements as well as the approval from the Plan Commission for the amount of screening that would be required for a fence in a commercial area. The applicant applied for the fence and that was when staff became aware of the full extent of the outdoor storage. They were informed they would have to come up with a plan to deal with the outdoor storage. They have installed a fence without an approved fence permit. The applicant was aware the fence could not be installed without an approval from the Plan Commission. It was explained to him that no action would be taken immediately on code enforcement for the outdoor storage if he would apply for a conditional use permit with the Plan Commission to consider if the use was appropriate for the site. At this time we are separating the outdoor storage from the fence. The question would be will they need a fence if the Commission decides not to approve the outdoor storage.

Mayor Scaffidi requested clarification if the fence was installed without the proper permits and approvals. Mr. Wagner stated that was the case, the fence has been installed and the applicant was aware that a permit would be required.

Mayor Scaffidi questioned why the owner installed the fence before getting all of the proper approvals. Mr. Pasa Ece, 6720 S. 27<sup>th</sup> Street, explained he has had \$50,000 in material stolen from the property. They have lots of tiles stored outside and it is easy for people to steal them from the back side of the building. The majority of the main fence was done before the issues arose. Mayor Scaffidi explained the complications come from not getting approval for the outside storage from the Plan Commission and Common Council. He questioned if the thefts were reported to the police. Mr. Ece stated he did not report it to the police. Mayor Scaffidi explained when you have a theft you report it to the police. The reason they have codes are because they have standard set for businesses within the City. Going ahead with the outside storage without getting the proper approvals they have assumed all risks.

Commissioner Chandler questioned if the reduction in parking spaces would meet the minimum standards for parking for the square footage of the building. Ms. Papelbon stated the original approval was for 90 parking spaces and 5 handicap parking stalls. The issue is not whether it meets the minimum code, but changing the original approval. Based on the information submitted by the applicant the spaces are no longer needed for retail use. Commissioner Chandler clarified if this would meet the minimum originally required by the code for the building. Ms. Papelbon stated it would not and that is the reason for the modification request.

Commissioner Dickmann stated the fence was not completely done on the north side. Also, he noted it would be easy to steal from the outside storage and he could not believe the amount of material stored outside because of that fact. They don't need as many parking spaces as the original business, and he does not have a problem with the modification for the parking. He agrees the fence should not have gone in before receiving all approvals.

Commissioner Correll questioned if this was an appropriate business for the site. Commissioner Dickmann explained the site seems more organized at this time than it has been in the past.

Mayor Scaffidi questioned if there were materials that were stacked above the height of a six-foot fence. Mr. Ece stated they have reorganized the material, and at this time there is not any material stacked above the height of the fence.

Mr. John Fredrick, 6705 S. 26<sup>th</sup> Street, commented he can see things stacked at least twelve feet high, if not higher. Mayor Scaffidi questioned if the height was lowered to six feet. Mr. Fredrick stated there would need to be some type of screening and a lower height. Mayor Scaffidi stated the proposal included slats in the fence for screening. Mr. Fredrick stated he had other suggestions such as arborvitae or something that gets some height. Mr. Ece stated he was open to suggestions.

Mr. Bob Gibbons, 6711 S. 26<sup>th</sup> Street, suggested all of the Commissioners go to 26<sup>th</sup> Street and take a look at what is stored out at the site. There is a lot of clutter on the outside and the crates are stacked six high. The material should be located indoors or screening provided.

Mayor Scaffidi commented they could have avoided some of the slating issues if they would have put up a nice wood fence that was decorative.

Alderman Bukiewicz commented this was not a parking issue for him, but the fence is going to be too low and it should have been a wood fence. He questioned what the cost would be to install an additional brick wall with a gate. At that point they wouldn't be so worried about what was being stored when the conditional use came forward. He would like to find a compromise between the business and the neighbors.

Commissioner Siefert questioned the height of the existing chain link fence. Mr. Ece stated it was six feet high, and he could lower his entire inventory below the fence. They will try to liquidate the material. He apologized to the neighbors and the Commission, he was not aware he could not store materials outside.

Alderman Michalski questioned the hours of operation and the process of moving the slabs around the site. Mr. Ece explained the showroom was open 8 am to 7 pm Monday through Friday, but the fork lift moves 8 am to 5 pm.

Alderman Michalski commented if \$50,000 in material was stolen, he understands the urgency on the fence, but would have filed a police report for much less loss in inventory. Mr. Ece explained it was not happening at night. The fence was very expensive and he would prefer not to have one, but he needs to protect his material.

Commissioner Chandler questioned if other businesses use chain link fence for security screening of materials. Mr. Wagner explained they don't regulate the material on security fences. Typically security fences are chain link and the most affordable. With privacy slats you have the ability to create some privacy. They don't require security fences to be made out of wood, masonry, or vinyl. They can typically regulate the height and the level of opacity. It is up to the Commission to determine if the fence is acceptable or if they should do something to increase the screening. If the chain link fence is not appropriate on this site, then maybe the privacy slats are not sufficient. Then the applicant will have to come up with a different type of screening. Typically used in chain link fencing are the slats.

Commissioner Chandler questioned if the fence was the main source of security or would they be incorporating anything else. Mr. Ece stated it was the main form of security.

Commissioner Correll questioned if there was room for additional extensive landscaping alongside the fence. Mr. Wagner stated there was room for trees and shrubs, but was not sure if there would be room for a berm.

Mr. Gibbons stated the grass along his property line was cut once during the summer. The owner has had some problems with getting somebody to cut the grass. The bushes are a mess and in the past he asked permission to cut the bushes. He is against slats and a chain link fence.

Mayor Scaffidi questioned if the applicant was aware one of the conditions of approval would be to come up with a landscaping plan that would, from his point of view, completely obscure the fence from view.

Commissioner Correll commented he would like to see the landscaping but questioned where they would be at if it was not maintained. Mr. Ece explained they hired a landscaping company and they did not show up for three or four weeks, and then it was too late to get a company to come out. They then maintained the lawn themselves.

Mayor Scaffidi again questioned if they would be willing to slat the fence and put in green screening and maintain it. Mr. Ece stated he was willing to do those things.

Commissioner Dickmann questioned if the neighbors were having any problems with noise from the business. Mr. Gibbons stated it was not a problem.

Alderman Michalski questioned if there were any particular type of slats they could say he had to have in the fence. He expressed concern for being able to see the material behind the fence. Mr. Wagner explained there were different levels of privacy that the slats can provide. He is not familiar with the specs on the slats. Possibly the applicant can provide something from the company that provides the opacity levels of different types of slats.

Alderman Bukiewicz thought they were missing the point that the fence would be ugly to the building and to the neighbors. They need to do something aesthetic for the neighborhood besides a slated fence. He is not comfortable going with this fence without knowing what is going to happen with the conditional use. He does not want the neighborhood subject to this. It is a tough blend between the neighborhood and the commercial, and there needs to be a good buffer.

Mayor Scaffidi also felt it was odd they were talking about screening something they may not even allow in two weeks. Mr. Wagner explained the applicant talked about protecting the building and his property from skate boarders and people damaging the building. He held up the fence permit when it came through because they require the Plan Commission to approve any opacity level of any fence in a particular commercial or manufacturing development, and also the parking that is going to be reduced as a result. Take the whole outdoor storage factor out, and if a business came in requesting a fence it would be up to the Plan Commission to approve the opacity of the fence.

Mr. Ece stated he could put up finished pictures of kitchens on the fence so the residents would not have to look at the fence but a hard type of banner. Mr. Wagner stated temporary advertising of that type is limited per year and would not be an option.

Mr. Gibbons would personally like to see a wood fence along the north end, at least along the residential side.

Commissioner Chandler questioned if the applicant would be willing and open to a wood fence. Mr. Ece stated he would be.

Alderman Bukiewicz commented he would like to go back and have a meeting with the neighbors, and find out if they are comfortable with the fence and get a definite plan.

Commissioner Carrillo questioned where the block fence was located that was mentioned. Alderman Bukiewicz explained it was located along the loading docks. It is a rock face block that would be better on the residential sides than the chain link.

Mr. Gibbons stated he was fine with the block on the north and the east end, but it goes to the parking lot conditional use. If the Plan Commission is not going to let him have anything, he would rather not have a fence there at all.

Alderman Bukiewicz commented it was inevitable that he was going to have to store product, maybe not the amount he currently has because he is over inventory.

Commissioner Dickmann commented he could have a six foot fence, but if he piles the material you will still see it. They need to add something to the recommendation.

Mr. Gibbons stated he would rather have a six-foot fence along the north end along his property.

Commissioner Siefert suggested to hold the motion until they could come back with a definite plan.

Alderman Bukiewicz would like to have a meeting and make sure all parties are agreeable with the results.

Mayor Scaffidi directed the item held for two weeks. He stated no further work should be done on the fence, and a meeting should be arranged with the neighbors and the residents.

**Official Map Amendment – St. Mary & St. Antonious Coptic Orthodox Church  
1521 W. Drexel Avenue  
Tax Key No.: 811-9998-001**

Ms. Papelbon explained to the Commission the applicant was requesting approval to modify the officially mapped street on their property at 1521 W. Drexel Avenue in anticipation of an addition to the existing building.

Mayor Scaffidi questioned if the applicants have contacted the neighbors. Mr. Armanias 8651 S. Ventana Drive explained they contacted the property owners by mail on August 24, 2013, and they did not receive any response to the letter.

Commissioner Chandler questioned if the road would be remapped or disappearing altogether. Ms. Papelbon explained the application was for an amendment to move the street over; however, if the adjacent property owners were amenable to removing the street pattern it would go away.

Alderman Michalski questioned if the City sent out any notices to people who might be affected by this change. Ms. Papelbon explained they did send out notice of the application and did not hear from any of the neighbors.

Commissioner Dickmann questioned if the applicants were aware that there are existing utilities that would have gone along the street. Commissioner Johnston stated from the proposed plans that they have seen there is not an issue. He also pointed out the property owner to the south had talked about donating the land to the City because of the floodplain and floodway located on the parcel.

Alderman Bukiewicz stated as the Alderman for the district he has not heard from a resident on this issue.

Commissioner Correll moved that the Plan Commission recommend to the Common Council that the Official Map for the North 20 acres of the East ½ of the Northeast ¼ of Section 18, Town 5 North, Range 22 East, be removed as illustrated after a public hearing.

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

**Plan Review – Jim Airoidi, Airoidi Brothers**  
**6930 S. 6<sup>th</sup> Street**  
**Tax Key No.: 734-9021**

Ms. Papelbon explained to the Commission the applicant was requesting approval for a proposed 5,760 square-foot, single-story addition to the eastern portion of the existing building at 6930 S. 6<sup>th</sup> Street. Six new overhead doors will be installed on the north and south of the addition to accommodate semi-trucks.

Mr. Jim Airoidi, 6930 S. 6<sup>th</sup> Street, explained the reason for the expansion was to get truck trailers inside the building to work on them.

Commissioner Dickmann commented there was a lot of equipment on site and expressed concern for the addition messing up the parking on site. Mr. Airoidi explained they are a truck leasing company and this will make their process quicker freeing up some congestion.

Commissioner Siepert moved that the Plan Commission approves the site and building plans for the property at 6930 S. 6<sup>th</sup> Street with the condition that all applicable fire codes are met.

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

**Plan Review – Doug Shulta, Butcher Block**  
**9340 S. Chicago Road**  
**Tax Key No.: 869-9959**

Ms. Papelbon explained to the Commission the applicant was requesting site plan approval for a proposed 20' x 11'7" detached, exterior walk-in cooler on a concrete pad, located on the northern side of existing building at 9340 S. Chicago Road. A proposed 18-foot-long panel extension of the existing building will screen the walk-in cooler from South Chicago Road.

Mayor Scaffidi questioned if the panel that extends to the north was just fascia for the building. Ms. Papelbon explained it would part of the building itself, actually extending the siding of the building out. It would match the existing building. Mr. Doug Shulta, 9340 S. Chicago Road, explained it would match the front of the building, would come out 18 feet, and will block the cooler from view.

Mr. Wagner explained this cooler will replace a current a box off a truck. Staff recommended extending the screening of the building further along so when you drive down Chicago Road you will not see as much as you currently can see.

Commissioner Chandler questioned what would secure the extended siding. Mr. Shulta explained there would be 4 x 4 posts and it would be attached directly to the building. Commissioner Chandler questioned if it would be able to with stand wind and weather. Mr. Shulta stated it would be buried down to the frost line and concreted in.

Mr. Arden Degner, 8504 S. Pennsylvania Avenue, commented this looked like it was being plastered onto the building. He would like to see something done a little better with a commercial building.

Commissioner Correll agreed it would be an improvement and would help screen the existing coolers on site.

Commissioner Carrillo questioned if this would be taking away from existing parking spaces. Mr. Shulta stated it would not be taking away parking spaces at all.

Commissioner Dickmann moved that the Plan Commission approve the site and building plans for the property at 9340 S. Chicago Road with the condition that all applicable fire codes are met.

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

**Certified Survey Map – City of Oak Creek**  
**9170 S. 5<sup>th</sup> Avenue**  
**Tax Key No.: 868-9998-002**

Ms. Papelbon explained to the Commission the certified survey map for the utility corridor at 9170 S. 5<sup>th</sup> Avenue was submitted for the Lake Vista redevelopment project, and required for the Voluntary Party Liability Exemption (VPLE) through the Wisconsin DNR. The rules of the VPLE program require that the area enrolled in the program be a separate and distinct parcel. Lot 1 will be enrolled in the program, Outlot 1 will not.

Commissioner Correll moved that the Plan Commission recommend to the Common Council that the certified survey map for 9170 S. 5<sup>th</sup> Avenue be approved subject to all technical corrections being made prior to recording.

Commissioner Siepert 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 7:11 p.m.