

**DRAFT MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, JULY 25, 2017**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Carrillo, Commissioner Loreck Alderman Guzikowski, Commissioner Correll, and Commissioner Siepert. Commissioner Chandler and Commissioner Johnston were excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator/Planner.

**Minutes of the July 11, 2017 meeting**

Commissioner Dickmann moved to approve the minutes of the July 11, 2017 meeting. Commissioner Siepert seconded. On roll call: all voted aye, except Commissioner Loreck abstained. Motion carried.

**PUBLIC HEARING**

**SIGN APPEAL**

**AZURA, LLC**

**8772 AND 8774 S. MAYHEW DR.**

**TAX KEY NO. 860-9033**

Zoning Administrator/Planner Wagner read the public hearing notice into the record.

Mayor Bukiewicz made a call for public comment.

Matthew Lyons, 4220 Conservancy Dr., Brookfield, WI stated that it was a little bit unclear when reading the code. There is no specific reference to the number of signs, so he was surprised that he had to get a variance. He interprets the code that the approval for 48 SF for one sign or a total of 96 SF, 6' high and 10' from the street. His intent is to comply substantially and require much less total signage than what is required by the code. The two signs in total would have an aggregate of 13 SF versus the allowed 96'. The height is 6' and they are 10' from the property line. They are just trying to have one sign at each of their entrances.

Mayor Bukiewicz made a second and final call for public comment. Seeing none, the public hearing was closed.

**SIGN APPEAL**

**AZURA, LLC**

**8772 AN D8774 S. MAYHEW DR.**

**TAX KEY NO. 860-9033**

Zoning Administrator/Planner Wagner provided an overview of the request (see staff report for details).

Commissioner Correll stated that based on the size and the proposed location, the two smaller sized signs are more appropriate. There are two buildings and there should be two signs. Commissioner Siepert and Mayor Bukiewicz concurred.

Commissioner Siepert asked if the signs would be lit up. Mr. Lyons responded that they will have ground-mounted flood lights shining on the sign.

Commissioner Correll moved that the Plan Commission approves a variance to allow for the installation of two residential development signs for the parcel located at 8774 S. Mayhew Dr. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

## **PLAN REVIEW**

### **ALL STAR HONDA**

**7008 AND 7018 S. 27<sup>TH</sup> ST. AND 2500 W. RAWSON AVE.**

**TAX KEY NOS. 737-9989-001, 737-9988-001, 737-9037-001**

Planner Papelbon provided an overview of the request (see staff report for details).

Arden Degner, 8540 S. Pennsylvania Ave., stated that 20 years ago car dealerships were forbidden from 27<sup>th</sup> St. He appreciates the response from the City of Franklin to this proposed development. They said from a technical standpoint, they would encourage the Oak Creek Plan Commission to consider removing overhead doors, fully screening them, requiring community amenities, increasing the building height, and design to at least a fully functioning and safe pedestrian system for the entire site. He does not to “cheapen” 27<sup>th</sup> Street with a development with metal siding and garish colors. He would like it to be an appealing site. The City of Franklin is encouraging an upscale development on 27<sup>th</sup> Street. Mr. Degner stated that this is a complete change from the City’s standards and particularly, there are no pedestrian walks on Rawson Avenue. He stated that this is a catastrophe waiting to happen for Oak Creek and Franklin on 27<sup>th</sup> Street.

Mayor Bukiewicz read the following comments into the record from Bill Wakefield, 2231 W. Cedar Street:

*“There are 14 homes using well water within approximately 300 yards of the proposed dealership. We know for a fact that the underground water won’t get any better with the dealership runoff of petroleum products. Can Oak Creek offer us a deal to connect to the City Water?”*

Response: Although there was not a representative from the Oak Creek Water and Sewer Utility present, Mayor Bukiewicz stated that the City does not take into consideration bargaining, but if residents want City water or sewer service, they can discuss that with the Utility. Mayor Bukiewicz stated he thinks they are hooked into sewer on Cedar Street.

Zoning Administrator/Planner Wagner stated that this issue should be discussed with the City’s Engineering Department. Mayor Bukiewicz stated that businesses have to work within the perimeters of the state to contain hazardous material.

*“Do you have a model of this building that we can see? If not, can you show us architectural drawings?”*

Response: (Architectural renderings were redisplayed for the audience.)

*“How soon will they be building the dealership?”*

Jerry Cousin, 5097 30<sup>th</sup> Court, Kenosha, WI responded that they are looking to get started as soon as possible.

*“As shown on the notification map, is the City planning to build roads in the neighborhood near All Star GMC?”*

Planner Papelbon stated that those roads are future roads. There are no immediate plans other than the one that would potentially connect up to Ridgeview in Franklin. Some discussion would

have to occur with the landowners, WisDOT, Milwaukee County and with the Cities of Franklin and Oak Creek to determine whether or not the roadway layout that was agreed upon several years ago is still valid considering the presence of wetlands in the area. Planner Papelbon stated that at this time, there are no plans for that road.

Commissioner Dickmann addressed Mr. Degner's comments regarding the City forbidding car dealerships to be built on 27<sup>th</sup> Street. Commissioner Dickmann stated that the City didn't want them on 27<sup>th</sup> Street. They didn't want it to look like Milwaukee is looking on 27<sup>th</sup> Street now. Commissioner Dickmann stated that Oak Creek has worked with Franklin to develop 27<sup>th</sup> Street, but Drexel Town Square came first. The City did not forbid them, but not too many of them.

Planner Papelbon stated that the date of Franklin's letter does not include a review of the latest plans before the Plan Commission this evening. Perhaps now, they may have a different perspective.

Commissioner Correll stated that in the early 2,000s, the City spent a lot of time considering what should be done with 27<sup>th</sup> Street. 27<sup>th</sup> and Rawson is arguably the ugliest corner in the City for a long time. Commissioner Correll stated that the dealership is meeting the City's standards, but at the same time appreciate the City of Franklin's concerns. Other uses have not come about for this land during that time.

Alderman Guzikowski stated overall, it is a very good-looking plan.

Commissioner Loreck asked if the planters were too shallow to plant trees. Dave Stava, 332 N. Hawthorne Lane, Engleside, IL project manager in charge of the design and construction, stated that the planter boxes are going to be 30 inches high. Any higher than that and they will have code problems. The planter boxes will be 4 feet deep with flowers. Within that will be sprinkled trees and bushes.

Commissioner Dickmann asked if there was any more follow-up with removing the building that was on the corner. What is the potential for that property? Planner Papelbon responded that the applicant would be interested in purchasing that property from the State whenever it becomes available. At this time, the State has not approached them yet. If they do wish to purchase the property, a CSM would need to be done to combine it with the rest of the applicant's property.

Ed Lisowski, 6988 S. 27<sup>th</sup> Street, stated that he is concerned with the runoff flooding his property. Mr. Stava responded that Graef is doing the engineering for this project. They are going to make sure that any of that water gets in to those detention ponds and not other properties or the street. It should not be a concern as there are two big ponds there. The property will be loaded with catch basins, all pitching towards those ponds. The water will be slowly released out of those ponds into the stormwater management system.

Commissioner Dickmann asked about the parking of vehicles on Rawson Avenue. Mr. Stava responded that they're best displays tend to be on street frontage, so 27<sup>th</sup> Street or Rawson Avenue. Those cars will rotate in and out a lot. Planner Papelbon stated that there is a minimum requirement for employee parking that must be maintained at all times.

Commissioner Dickmann moved that the Plan Commission approves the site and building plans submitted by Jerry Cousin, All Star Honda, for the properties at 7008 & 7018 S. 27<sup>th</sup> St. and 2500 W. Rawson Ave. with the following conditions:

1. That all building and fire codes are met.
2. Access to this property from 27<sup>th</sup> St. requires approval by the Wisconsin Department of Transportation. Copies of all approvals and/or permits shall be provided to the Department of Community Development and Engineering Department.
3. Access to this property from Rawson Avenue requires approval by Milwaukee County. Copies of all approvals and/or permits shall be provided to the Department of Community Development and Engineering Department.
4. That all final plans (site, building, landscaping, lighting, etc.) are submitted in digital format for review and approval by the Department of Community Development **prior to the submission of building permit applications.**
5. That all mechanical equipment (ground, building, and rooftop) is screened from view.
6. That final lighting plans indicating luminaire type, pole type, color, and height are submitted for final approval by the Electrical Inspector prior to submission of building permit applications.
7. That stormwater and grading plans are submitted for final approval by the Engineering Department prior to issuance of permits.
8. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

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

**CERTIFIED SURVEY MAP  
ALL STAR HONDA  
7008 AND 7018 S. 27<sup>TH</sup> ST. AND 2500 W. RAWSON AVE.  
TAX KEY NOS. 737-9989-001, 737-9988-001, 737-9037-001**

Planner Papelbon provided an overview of the request (see staff report for details).

Commissioner Correll moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Jerry Cousin, All Star Honda, for the properties at 7008 & 7018 S. 27<sup>th</sup> St. and 2500 W. Rawson Ave. be approved with the following conditions:

1. That all easements and wetlands are shown and clearly labeled on all pages of the CSM prior to recording.
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.
3. That a Memorandum of Understanding between the applicant and the City of Oak Creek, including the dedication of the future right-of-way, the acquisition of a wetland fill permit, and construction of the road at their cost on their property is submitted for review and approval by the Department of Community Development and the Engineering Department.
4. That all access to the property is approved by the Wisconsin Department of Transportation and Milwaukee County.

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

**SIGN PLAN REVIEW  
BENTLEY'S PET STUFF**

**7940 S. 6<sup>TH</sup> ST. (SUITE 103)  
TAX KEY NO. 813-9054**

Zoning Administrator/Planner Wagner provided an overview of the request (see staff report for details).

Commissioner Siefert moved that the Plan Commission approve the sign plan submitted by Bentley's Pet Stuff for Suite 103 of the building located at 7940 S. 6<sup>th</sup> Street. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**SIGN PLAN REVIEW  
BARRE DISTRICT  
7978 S. MAIN ST. (7966 S. MAIN ST. TENANT ADDRESS)  
TAX KEY NO. 813-9050**

Zoning Administrator/Planner Wagner provided an overview of the request (see staff report for details).

Commissioner Siefert moved that the Plan Commission approve the sign plan for one wall sign and one eye level sign on the west elevation for the tenant space at 7966 S. Main Street. Alderman Guzikowski seconded.

Craig, Dig-It-All Sign Company, 1405 16<sup>th</sup> St., Racine, WI asked about the signage on the west elevation. Their brand and logo has a rectangular border around the entire piece. They condensed that to just behind the lettering, which is displayed in the 12' x 18". The applicant would like to know if it is possible to maintain the logo and brand the way it was developed with the square behind it. Zoning Administrator/Planner Wagner stated that the concern is to have the glazing cover not more than 10%. If the applicant can demonstrate that it is not more than 10%, the City can work with that. The way it is submitted right now, it is compliant. It was a 10% issue when blocking out the whole section in white. That is why there was discussion on trying to reduce it. He asked if they keep it within the 1.5, which 12 x 18 rectangle would be, would that be acceptable.

Zoning Administrator/Planner Wagner stated that right now when it comes to signage, number and size are looked at, but not content. He can come back with a design and still meet the 10% requirement. That can be approved at staff level if he comes back with a sign that meets code.

On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP  
ST. MATTHEW'S CONGREGATION  
9261, 9303, 9329 AND 9348R S. CHICAGO RD.  
TAX KEY NO. 869-9973-000, 869-9972-002, 869-9971-000 AND 870-9978-002**

Planner Papelbon provided an overview of the request (see staff report for details).

Mayor Bukiewicz read the following comment into the record from Charles Surrett, 3501 E. American Avenue:

*"Parts of the provided map are inaccurate, for example Carrollton ends at American, but the map shows it continuing to the power lines."*

Planner Papelbon responded that staff will look at that as it could just be a mapping error.

Commissioner Correll moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by St. Matthew Congregation for the properties at 9261, 9303, 9329, and 9348R S. Chicago Rd. be approved, with the following conditions:

1. That all easements are shown and clearly labeled on the map prior to recording.
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.

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

**REZONE  
ST. MATTHEW'S CONGREGATION  
9261 AND 9348R S. CHICAGO RD.  
TAX KEY NO. 869-9973-000 AND 870-9978-002**

Planner Papelbon provided an overview of the request (see staff report for details).

Commissioner Dickmann moved that the Plan Commission recommends to the Common Council that a portion of the property at 9261 and 9348R S. Chicago Rd. be rezoned from Rs-3, Single Family Residential and Rs-2, Single Family Residential to I-1, Institutional after a public hearing. Commissioner Correll seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW  
OAK CREEK KNIGHTS BASEBALL  
ABSENDSCHNEIN PARK  
1321 E. DREXEL AVE.  
TAX KEY NO. 815-9997**

Planner Papelbon provided an overview of the request (see staff report for details).

Commissioner Siefert asked if they are going to put water and sewer into this facility. Planner Papelbon responded that she does not see the need for water and sewer for this building.

Mayor Bukiewicz stated this is long overdue and it is a nice looking building.

Mayor Bukiewicz stated that they may need lights for this building and that the applicant should check with the City's Building Inspection department. Steve Bautch, 3264 E. Lindy Lane, Oak Creek, stated that their electrician met with the City inspector and there is power right next to the dugout on the north side. There is enough power to feed some LED lights in the building.

Commissioner Dickmann moved that the Plan Commission approves the site and building plans submitted by Katherine Kawczynski, VJS Construction Services, for the property at 1321 E. Drexel Ave. with the following conditions:

1. That all building and fire codes are met.
2. Masonry material shall be installed on the exterior of the first floor. All masonry/stone shall be installed in conformance with the minimum 4-inch thick requirement per Code.
3. That all final plans (site, building, lighting, etc.) are submitted in digital format for review and approval by the Department of Community Development **prior to the submission of building permit applications.**

4. No structure shall be constructed on top of or near the sanitary sewer without indemnifying the Oak Creek Water and Sewer Utility and MMSD from damage caused by routine maintenance and repair operations. Siting and agreements shall be coordinated with the Oak Creek Water and Sewer Utility.
5. That all mechanical equipment (ground, building, and rooftop) is screened from view.
6. The cost for any extensions of electric or other utilities shall be borne by the Applicant.
7. That final lighting plans, if applicable, are submitted for final approval by the Electrical Inspector prior to submission of building permit applications.
8. A facility maintenance agreement between the City of Oak Creek and the Oak Creek-Franklin School District shall be executed prior to issuance of building permits. The agreement shall incorporate and clearly address City ownership, public usage, and storage allowances.

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

**PRELIMINARY PLAT  
CREEKSIDE MEADOWS SUBDIVISION  
9349 E. NICHOLSON RD. AND 1200 E. RYAN RD.  
TAX KEY NOS. 873-9998-002 AND 873-9006-006**

Planner Papelbon provided an overview of the request (see staff report for details).

Mayor Bukiewicz asked why Outlot 7 is not a buildable lot. Planner Papelbon responded that it has to do with the presence of floodplain on the property. There is a requirement for FEMA to review this. They issue a conditional letter of map amendment based on fill. That is what will be required for Outlots 7 and 5 to become buildable lots. There just needs to be that approval or the conditional approval from FEMA before these lots can be considered buildable lots.

Mayor Bukiewicz stated that it is a really nice looking plan and is excited that another subdivision is being built.

Mayor Bukiewicz asked why a name change is being considered for this subdivision. Planner Papelbon responded that Creekside is a popular name in the City. To avoid any confusion, especially with emergency response, staff recommended that they change the name.

Commissioner Siepert asked how many lots can be on a cul-de-sac. Planner Papelbon responded 15. The Fire Department has reviewed this plan and to her knowledge, they do not have any objections. The Fire Department will make sure there is always access for any phasing that will be done.

Mayor Bukiewicz asked if there will be sidewalks. Planner Papelbon responded yes, sidewalks are required on one side of the road (east and south sides of road B, south side of road A, and north side of Golden Lane.)

Mayor Bukiewicz asked if Outlot 5 is not buildable, would it be possible to do a neighborhood park. Planner Papelbon responded that an Outlot is not developable, but discussions about what can be done with it can take place at a later date. Planner Papelbon stated that there may be at least one buildable lot out of Outlot 5.

Commissioner Correll moved that the Plan Commission approves the preliminary plat for the Creekside Meadows (to be renamed East Brooke Village) submitted by Mike Kaerek, The Orchard of Mukwonago, LLC, for the properties at 9349 S. Nicholson Rd. & 1200 E. Ryan Rd., with the following conditions:

1. That all revisions to the plat – subdivision name, street names, easement widths, notations, etc. – are submitted to the Department of Community Development prior to submission of permit applications and commencement of work.
2. That all required Development and Stormwater Agreements and Land Use Permits are coordinated with the Engineering Department.
3. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.
4. That all reviewing agency comments, if any, are incorporated as required.

Alderman Guzikowski seconded.

Planner Papelbon asked if the Plan Commission wanted to address the easement or dedication of the creek area. It would have to be identified on the plat. It is up to the Plan Commission whether or not the dedication is required as opposed to an easement. There is an easement on the other side for the school. The dedication would allow a little bit more in terms of access to the property, but would have to be coordinated with the applicant.

Dave Tanner, Korndorfer Homes, stated he is fine with the dedication of that area.

Mr. Tanner stated he is okay with the cul-de-sac islands. They would be happy to landscape them and make them part of the homeowner's association maintenance requirement. Planner Papelbon stated that that could be added as a provision to the plat to include the cul-de-sacs as outlots. The dedication of the creek area would then be condition number 5.

Commissioner Correll added the following condition to this motion:

5. Formal dedication of the easement to the City.

Abe Pondikati, 9281 S. Nicholson Road, stated that if Outlot 4 is expanded, he is going to get even more runoff in his yard than he has now. Planner Papelbon responded that what is shown on the preliminary plat is a delineation of what is in existence. Tony Zanon, Pinnacle Engineering, 15850 W. Bluemound Road, Brookfield, responded that it was determined to be an existing pond. Outlot 4 is going to remain open space. They are not going to do anything with it. There will be no impervious area on Outlot 4. All of the downspouts on the homes will be connected to storm sewer and that will be piped to the pond. The front of the lots will drain out towards the road into the pond.

Mr. Tanner continued by saying they have a concept grading plan that shows a 25-foot-wide drainage easement behind Outlot 7 that eventually will be a lot. They will have a swale behind Lots 63, 64 and 65, which will bring runoff from east to west and it will be picked up in a field inlet behind Lot 66. That will be piped to the storm water pond that is on the other side of the street. The same thing will occur with Lots 62 and 61. There will be a swale that takes that towards Lots 60, 59 and 58.

Planner Papelbon clarified that condition number 5 should read:

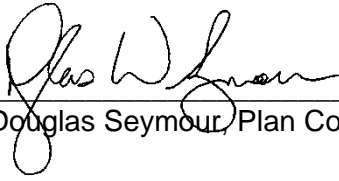
5. Dedication of the easement area to the City.

Commissioner Correll concurred. Alderman Guzikowski concurred. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Correll seconded. On roll call: all voted aye. The meeting was adjourned at 7:41 p.m.



ATTEST:



\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

8/8/17

\_\_\_\_\_  
Date