

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, SEPTEMBER 26, 2017**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Commissioner Loreck, Alderman Guzikowski, Commissioner Correll, Commissioner Siepert and Commissioner Chandler. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development; and Mike Kressuk, Assistant Fire Chief.

Minutes of the September 12, 2017 meeting

Commissioner Dickmann moved to approve the minutes of the September 12, 2017 meeting. Commissioner Siepert seconded. On roll call: all voted aye, except Commissioner Loreck, who abstained. Motion carried.

**PLAN REVIEW
US CELLULAR
2330 E. RAWSON AVE.
TAX KEY NO. 731-9982-001**

Planner Papelbon reminded the Commission that at the last meeting this item was held to revise the plans so that they can be revised to be compliant with all setback requirements. As of the morning of this meeting, staff received plans showing compliance; therefore, staff is satisfied with the plans that have been submitted. If the Plan Commission is also satisfied, a suggested motion has been provided as follows:

That the Plan Commission approves the site and building plans for the proposed wireless telecommunications pole and associated equipment on the property at 2330 E. Rawson Avenue subject to conditions 1 through 5.

Commissioner Correll moved that the Plan Commission approves the site and building plans for the proposed wireless telecommunications pole and associated equipment on the property at 2330 E. Rawson Ave., with the following conditions:

1. That all building and fire codes are met.
2. That all equipment buildings/boxes, equipment areas, and the pole meet all required setbacks.
3. That all revised plans (site, building, fence details, 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. That all mechanical equipment, transformers, and utility boxes are screened from view.
5. That the final site grading and drainage plans (if applicable) are approved by the Engineering Department.

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

**CONDITIONS AND RESTRICTIONS
JT PETROLEUM, LLC
9502 S. HOWELL AVE.
TAX KEY NO. 907-9027-000**

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

Planner Papelbon also mentioned that the conditions and restrictions are a little bit shorter than they usually are. There is a statement now that is going to take the place of some of the lengthy conditions and restrictions that have been incorporated in the past: Section 2 (A) - All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.

Commissioner Dickmann asked about Section 3 (A), referencing outdoor storage, specifically fuel. Planner Papelbon responded that in the past there have been requests for outdoor storage of propane, and that is what "fuel" is referring to.

Mayor Bukiewicz asked Asst. Fire Chief Kressuk if he had any concerns. Asst. Fire Chief Kressuk responded that he did talk to the applicant after the last meeting. They did discuss some of the needs that the Fire Department would want to get involved in early in the process of the reconstruction. The tanks are inspected by the State of Wisconsin, so there are multiple agencies involved in making sure this gas station is safe.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for a gasoline service station with convenience store and two (2) underground fuel tanks on the property 9502 S. Howell Ave., after a public hearing. Commissioner Dickmann seconded. On roll call: all voted aye.

**CONDITIONS AND RESTRICTIONS
OLD FOREST STUDIO
8660 S. MARKET PL.
TAX KEY NO. 823-0029-000**

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

Mayor Bukiewicz asked the applicant if she has been in contact with the City's Health Department (Sanitarian). Meredith Hall, 2648 N. Farwell, Milwaukee, WI, responded that she has been in contact with the City Sanitarian so that she can get an inspection and paperwork going as soon as the November 7, 2017 public hearing is done.

Commissioner Correll moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for a licensed tattoo and/or body piercing studio on the property at 8660 S. Market Pl., after a public hearing. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT
OLYMPIC REAL ESTATE HOLDINGS
10450 S. OAKVIEW PARKWAY
TAX KEY NO. 955-1019-000**

Planner Papelbon provided an overview of the request to allow freight yard/freight terminal/trans-shipment depot uses on the property (see staff report for details.)

Debbie Tomczyk, Reinhart Boerner, 1000 N. Water Street, Suite 1700, Milwaukee, WI, stated that it would be much appreciated if there is any way they could keep things moving as they have tenants that are ready to come online. Anything that can be done to expedite the process would be appreciated.

Commissioner Chandler asked if there will be sufficient parking with the three tenants for this building. Planner Papelbon responded that without knowing exactly what the tenant needs are, it is going to be up to the landowner to determine how those parking stalls are vetted out for each

of the proposed uses. If they are confident that the existing parking is going to be sufficient for those users, that is something that will be between the landowner and the tenants.

Commissioner Chandler confirmed with the applicant that they do not need outdoor storage. Such was confirmed.

Mayor Bukiewicz asked if staff had any concerns on the dolly storage. Planner Papelbon responded that there are designated trailers stalls for truck parking. There are eight or nine docks for Pilot Freight, and an additional bank of docks for the remaining tenants. As long as everything is parked in a stall, there is no concern. All pallets must be stored inside or disposed of.

Commissioner Johnston asked about the hours of operation. Planner Papelbon responded that the hours of operation are 6:30 a.m. to 10:00 p.m. seven days a week.

Commissioner Dickmann moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot uses on the property at 10450 S. Oakview Pkwy., after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (October 10, 2017). Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

PLAN REVIEW
FAITH BAPTIST CHURCH
8519 S. 13TH ST.
TAX KEY NO. 830-9990-000

Planner Papelbon provided an overview of the request for a school addition to the existing church building (see staff report for details.)

Tom Schermerhorn, Excel Engineering, 100 Camelot Dr., Fond du Lac, WI, stated they have had an expanded growth of their school so they are looking at an addition to address that. They did not have a gym in the old building, so they have a need for that additional space as well.

Mr. Schermerhorn stated that as far as parking is concerned, the church is not in session at the same time as the school, so they don't feel the need for the additional alternate 14 parking spaces that are shown on the plan.

Mr. Schermerhorn stated that as far as calculations of buildings materials, the north elevation is at 26% instead of 25% for metal siding as a secondary façade element on the building. If that 1% is a make-or-break deal, he could adjust that façade percentage.

Mr. Schermerhorn stated they are looking to match the materials with the existing building, and then showed the Commission material samples.

Mayor Bukiewicz asked if there will be bus service. Dean Noonan, Pastor of Faith Baptist Church, 8519 S. 13th St., stated that they do have bus service, which will pick up 26 of the 86 students.

Commissioner Dickmann asked if the road shown going into the site is proposed or if it was being shown because it is an officially mapped street. Planner Papelbon responded that it is part of the officially mapped street pattern, but the church and school would not be constructing or utilizing that future road. They already have access off of 13th Street.

Commissioner Dickmann asked if there is adequate space for a fire lane. Asst. Fire Chief Kressuk responded that they reviewed preliminary drawings of the site plan. The site plan does show access to the majority of the structure. The Fire Department is satisfied with the proposed access.

Commissioner Correll stated he does not have a problem with the 25% versus 26% building materials.

Commissioner Correll asked if staff feels more parking is needed. Planner Papelbon responded that that was the initial assumption. However, there are criteria in the Code that allow the Plan Commission to make a modification to those requirements. There is a consideration that the church will not be in session at the same time as the school. If the Plan Commission feels that the information provided by the applicant with regard to busing and hours of operation for the two uses are satisfactory, they can approve of a reduction per Code requirements, and therefore, require that the 19 stalls that the applicant is requesting to construct be part of the plan.

Commissioner Johnston asked if an item needs to be added to the conditions regarding the parking. Planner Papelbon responded that if the Plan Commission wishes to have a requirement that the 19 parking stalls north of the addition be constructed at the time of the addition construction, and that the 14 future stalls remain future stalls, they can certainly have that as part of the conditions. Otherwise, they would be approving the site plan as proposed, which is showing 19 stalls to be constructed, 14 stalls as future.

Mayor Bukiewicz stated he does not have an issue with the 1% overage (visible perimeter material) on the north elevation. It is a nice looking building.

Mr. Schermerhorn stated that the additional 14 parking stalls are in the alternate. Stormwater is set up to accommodate that, so that if those stalls were added in the future, the stormwater is already in place. It would be an easy addition.

Commissioner Correll moved that the Plan Commission approves the site and building plans for the addition to the existing building located at 8519 S. 13th St., with the following conditions:

1. That all building and fire codes are met.
2. That the exterior brick veneer meets the minimum 4-inch thick requirement per Code.
3. That all revised plans (site, building, landscaping, lighting details, elevations, 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. That all mechanical equipment (ground, building, and rooftop) is screened from view.
5. That the final site grading, drainage, and stormwater management plans are approved by the Engineering Department.
6. That the final photometric and lighting plan is approved by the Electrical inspector prior to the issuance of building permits.
7. That all water and sewer utility connections are coordinated with the Oak Creek Water & Sewer Utility.

Commissioner Siefert seconded.

John Behlke, 8506 S. 13th St., asked if it is just a school being put up back there now or is the church being brought more towards the north. Mayor Bukiewicz responded that the church is going north with the addition. Mr. Behlke stated that the paperwork he received stated that it is just a school being added onto. Mayor Bukiewicz responded that it is an entrance to the gymnasium. It is going to be connected to the church. Mr. Schermerhorn stated that the addition, as it goes to the north, is mostly classroom and administration space as an extension to the north end of the current building. Behind that is the gymnasium.

Mr. Behlke stated that there is a lot of traffic on 13th St. and he is very concerned about the safety of children in the area. The construction in the area is also a concern for him as far as the children are concerned. Alderman Guzikowski stated that there is already a bus in use.

On roll call: all voted aye. Motion carried.

PLAN REVIEW

FEDEX

500 W. OPUS DR.

TAX KEY NO. 924-9012-000

Planner Papelbon provided an overview of the request for site, building, landscaping, and lighting plan approval for the FedEx Freight facility (see staff report for details.)

A late submission arrived showing a revised site plan; however, staff had not had an opportunity to determine whether or not previous concerns have been addressed.

Director of Community Development Doug Seymour stated that the conditions and restrictions do not require construction of the trail and pedestrian walkway on the west property line. They do require the provision of a 20-foot easement and that has been provided per the site plans. Director Seymour stated his concern that the proposed grading of the site complicates and makes it more costly for the City to come in at a later date and install that bike trail. The 3:1 side slope of the graded edge of the easement is obviously not good for a bike or pedestrian trail.

Director Seymour continued by saying that while the City is not looking for FedEx to construct that trail, they also do not want the FedEx development to impede the construction of that trail through their grading plan. Therefore, it is staff's recommendation through the site planning process that a closer look be taken such that the easement be left in or made to be in a condition that would be conducive for the provision of those facilities within that trail easement.

Director Seymour stated that they do show no storage in the easement and that would include storage of snow within that easement. There are discussions to be had around the location of that easement and the grades, but that is something that was put forward to the applicant. In essence of that same email of the afternoon of the meeting, a proposal was made with respect to landscaping, deferred landscaping, of that site and in some cases doing some payment in lieu of landscaping the entirety of that easement area. To date, Director Seymour has not seen anything to suggest that the changes they are making to the grades on that site as part of the grading plan are conducive to the long term establishment of pedestrian and recreation trails in that easement.

Director Seymour asked Commissioner Johnston, with respect to his knowledge of the existing grades on the site, if he would characterize that easement area as relatively flat right now. Commissioner Johnston responded that it is relatively flat right now. It appears that it is about 8 feet higher than the existing grade with the contours coming down through there. If there was a significant slope, it would be hard to accommodate a trail.

Director Seymour stated that as the City works to implement the Parks and Open Space Plan with respect to the trail connections, there are challenges constructing bike and pedestrian facilities in this area making, and making connection between with what has been done in the OakView Business Park and down through the Root River and expanding that trail network. There have been some initial discussions about whether it is better to have that trail location on the west side of the tracks for various reasons. There are complications and challenges whether it is done on the west or east side. At this time, staff has not developed a detailed proposal to relocate that and as such, would be in favor of maintaining the easement as proposed in the Parks and Open Space Plan.

Brian Randall, Friebert, Finnerty and St. John, 330 E. Kilbourn Ave., Milwaukee, WI, spoke on behalf of the applicant. He introduced the principals involved in the project and showed a slide presentation regarding landscaping, fencing and building materials of the project.

Mr. Randall stated that the conditions and restrictions require them to landscape outside of their fence along the bike trail easement. They are proposing 5 shrubs and one tree per 35 feet along the west side of their property to a point where the grades become challenging. They could keep going north and plant the landscaping. They have been working with their landscape architect and the City Forester. They know the value of going forward, so their suggestion is to deposit that value into a fund (if the City makes it an escrow for the future of that trail or a park or recreation or other use) for planting trees somewhere else; that would be fine. They are starting to balance the interests of the unlikelihood that a bike trail will ever go there. Maybe it will and maybe there are funds to add the additional landscaping, but they would propose that this would be a better use for the money. Otherwise, they will continue planting 5 shrubs and 1 tree per 35 feet.

Mr. Randall proposed that the mechanical building stay as metal and not brick.

Mr. Randall is asking that the reference to the grading on the west property line be removed.

Mr. Randall stated that everything else that Director Seymour stated was true. It is true that the conditions and restrictions require an easement and they are showing that. It is true that the City's Parks and Open Space Plan from 2013 shows this as a dotted line, a theoretical location of where it could go. It would make sense to have it on the edge of a property. They are proposing putting this per that dotted line in the 2013 Plan. It was never contemplated that they would build it. They are by no means piling up the dirt to cause problems for anyone, but they have on their entire site to level and balance. The site is low in the northeast corner and the other properties around them are higher. As they go west, their property is lower. To balance the site, they have to build up the west side of their property. To make it cost effective, they have a 3:1 slope. If there is a bike trail in the future, it could be excavated and a retaining wall could go in.

Mr. Randall stated that this project is in a TIF district. They are not looking for any project costs whatsoever to do this project. They are paying for the \$250,000 traffic signal at Opus and Oakwood. They are doing the final lift of asphalt on Opus Drive, which may be more than a final lift of asphalt, which will cost approximately \$150,000. They are doing the water main easement and looping the water main around for an approximate cost of \$52,000. They are relocating the sanitary sewer in the middle of the site for another \$50,000. They are already slated to put into the public infrastructure \$502,000, and there is no TIF request for that.

Mr. Randall stated that they are asking the Plan Commission to look at the overall value proposition of what they are presenting and most importantly, they are in a TIF district. The incremental value that goes in when this facility starts paying their taxes (and they want to start construction immediately), is going to be incremental value already on site. On January 1, 2018, there will be incremental value already on site and there would be a transactional value as well. The City will have funds coming in that if it needs to earmark some of those funds out of this TIF district, it may have funds to deal with the future bike trail and maybe a retaining wall or a new location on the west side of the railroad tracks. TIF district funds are allowed to be used within a half mile of the district boundaries and even if the boundary stops at the railroad tracks, that could be a cost under the TIF district. The solution that staff has recommended of just FedEx taking care of the issue of a bike trail that may never happen (after spending \$502,000 on the other things and delivering \$29 million of value to the City) is not possible.

Mr. Randall stated that the 20-foot easement for their property line and their \$29 million value has a land value of \$321,000. So they are throwing in on the bike trail because the City does not have

to condemn that. They do not have to extract that from FedEx in a sale or purchase it. It works for them to keep it as an easement.

Director Seymour stated that their proposed grading plan makes it difficult for anyone to come in at a later date and construct an effective pedestrian or bike trail. Director Seymour thinks it would be appropriate that it be included as a project cost, because it is the applicant's decision to do the grading plan in such a manner that creates the extraordinary extra costs for excavation and possibly retaining walls. Director Seymour stated that the assessed value will be less than \$29 million as stated. If FedEx were willing to entertain a minimum assessed value that would cover the additional potential costs to the City to re-excavate and provide that bike trail, the City can proceed as indicated. Director Seymour would not suggest that the cost be deferred to a future date because it is grading the site in the manner they have chosen that creates the situation. They should be responsible for the future increment.

Commissioner Chandler asked if the landscaping requirements were being met. Mr. Randall responded that they are being exceeded. He brought up the landscaping as compensation for being allowed to construct metal buildings. The staff report states that the landscaping is appropriate. The first version (August 29, 2017) plan set did not have the landscaping there. It is required and proposed to be adjacent to the residential area. There are no trees in that location because that is where the water main easement is. The Oak Creek Water and Sewer Utility has a restriction on trees in their easements. They will have shrubs, landscaping and then they have the non-barbed wire fence. The only place they don't have landscaping per the conditions and restrictions is the north extension of the future bike trail. There are five bushes and one tree for every 35 feet and about halfway up. Given the grades, they are proposing not to install that. The trail cannot go in because of the grades, however, the trail may never go in. It is a dotted line on a map and it doesn't connect to anything.

Commissioner Chandler asked if the issues with Engineering have been resolved. Planner Papelbon responded that they are still in progress.

Director Seymour stated that he does appreciate some of the things that the applicant is willing to do with respect to looping the water main, the final lift of asphalt, and relocating the sanitary sewer. While those are normal development costs, nonetheless, the bike trail is a benefit that would accrue to the district and to the City. He again suggested settling on a minimum assessed value over and above what they expect the base value to be that would cover the cost of that additional excavation, perhaps with a retaining wall and physical installation of a bike trail. Director Seymour stated that that may be a workable solution.

Director Seymour stated that if the Commission is concerned that the approval of the site plan would give them an easement which is not usable, they should write that into the condition of approval that the costs associated with the future excavation and development of the bike trail be incorporated into the development agreement and covered by a TIF development agreement with the applicant. He would be comfortable with that solution.

Commissioner Johnston stated that as far as the path is concerned, that can be incorporated into the development agreement. He cautioned that with doing that, the agreement will remain open for that one item. The agreement will not be able to be closed out as long as that path/trail item is open. This will affect potential future sales with an open development agreement.

Commissioner Johnston stated that it will be a significant cost to build a retaining wall. The landscaping that is being planned will more than likely be removed for them to grade that out and build a retaining wall and construct a path along that route. These are all things that can be worked on.

Commissioner Johnston stated that as far as a fund for landscaping that is not getting installed at this point, it is up to the Commission as to what they feel is going to be needed. Most of it will be removed if that trail ever went in there.

Commissioner Johnston cautioned that while he is fine with the proposed metal paneled buildings, future development can develop there and they could be exposed to the site. The wooded lots can also be developed. Then this is an accessible road that more traffic is going to be on.

Commissioner Johnston stated that no trees can be placed in the water main easement. There are heavy shrubs going through that easement.

Commissioner Johnston asked about the parking lot lighting as it looks like there are lights around the detention pond. Bill Thomas, Architect, responded that FedEx requires that everything be lit to one foot candle to the fence line because of security reasons. Commissioner Johnston stated that the photometric plan will be reviewed so that there is no light loss off the site.

Commissioner Dickmann stated that the guard shack needs to be updated to be brick.

Mayor Bukiewicz stated that the applicant has done their due diligence regarding the fences. He stated that the guard shack should definitely be brick. As far as the maintenance building, he is okay with that being metal. Mayor Bukiewicz is not concerned about the landscaping, but is with the trail. The trail is part of the Parks and Open Space Plan and is set up to hook up into OakView at some point. Mayor Bukiewicz asked if the trail could be filled in so that the grade difference is only a few feet instead of 8 feet. Commissioner Johnston responded that they cannot do that without a retaining wall, given the tight space to maintain the 3:1 slope to the railroad right-of-way to their parking lot.

Commissioner Dickmann asked staff what other changes should be made to the conditions of approval. Director Seymour asked Commissioner Johnston is there is an agreement for the Opus Dr./Oakwood Rd. traffic signals. Commissioner Johnston responded there is a reference to the agreement under condition of approval item 11. Director Seymour suggested adding excavation and future construction of the bike trail along with landscaping to the conditions of approval.

Planner Papelbon summarized that the office and the pods are showing cement panel, which is an acceptable building material. It is all of the metal that is not acceptable. So the Plan Commission would be making an exception regardless of whether or not it is in the visible perimeter for the use of metal panels. The acceptable building materials per Code says that only 25% of the visible façade can be metal panel. Otherwise, it is supposed to be constructed of compliant materials. The Plan Commission would be approving an exception for the mechanical building to be entirely metal. The Plan Commission would be approving an exception for the dock building outside of the pods and office to be metal panel. Commissioner Chandler asked why they are choosing to use metal panels. Mr. Wagner responded that the metal panel is a standard product of FedEx Freight. They like to dress up their offices and the pods with a much better looking material.

Planner Papelbon's recommendation for Condition #5 is to leave it as was presented in the staff report. For Condition #7, go with the proposed condition that the guard shack is revised to meet acceptable exterior building materials. For condition #9, to exclude the wording after Engineering Department. For condition #11: That a development agreement and/or TIF finance agreement be entered into with the City for the design and construction of intersection improvements and signalization at Opus Dr. and Oakwood Rd., and the design, excavation, grading, construction, and landscaping for the public trail, which may include a minimum assessed value to address the additional potential costs for the trail, prior to the issuance of building permits.

Commissioner Johnston asked if anything needed to be including regarding the metal panels on the main building. Planner Papelbon responded that there needs to be a ¾ majority Plan Commission approval.

Mr. Randall wanted to clarify the inclusion of the word “construction” in item #11. He wanted to make sure the intent is clear that it is not to construct the trail. Director Seymour responded that if it truly is a cost to the (TIF) District, that the construction costs would be eligible construction costs and he would want to keep the word “construction” in the condition. He recognizes that it is a different situation when requiring them as part of the conditional use permit to privately finance construction of the trail itself, but this is within the district. It is an eligible cost. If there is project revenue within the district to cover that, he sees no reason why it cannot be eligible for that. Mr. Randall stated that he heard Mr. Seymour say that the TIF could pay for the construction of the trail. That they are in agreement with. The issue that they are talking about is the minimum assessed value that will be ascribed to them that then would pay for that. The original conditions and restrictions simply referred to the easement and not building the trail. He understands now that the grading issue is what they are being asked to address that their site and building plans present which relate to the easement. By having the word “construction” in there, it’s related to the minimum assessed value. At no point would that ever take away from the ability of the City to use it as a project costs for the construction of the trail.

Commissioner Dickmann moved that the Plan Commission approves the site and building plans for the proposed FedEx facility located at 500 W. Opus Dr., subject to the following conditions:

1. That all building and fire codes are met.
2. That all equipment parking stalls are clearly identified on the plans in conformance with Conditions and Restrictions.
3. That all parking areas and future parking areas meet all setback and buffer requirements.
4. That all revised plans - site, building, landscaping, lighting, fencing details, retaining wall details, 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 the revised landscape plans meet the requirements established in the approved conditional use permit.
6. That permits and approvals are obtained for all proposed signs.
7. That the guard shack is revised to meet acceptable exterior building materials requirements per Code.
8. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view.
9. That the final site grading, drainage, erosion control, and stormwater management plans are approved by the Engineering Department.
10. That all water and sewer utility connections and requirements are coordinated with the Oak Creek Water & Sewer Utility.
11. That a development agreement and/or TIF finance agreement be entered into with the City for the design and construction of intersection improvements and signalization at Opus Drive and Oakwood Road and the design, excavation, grading, construction, and landscaping for the public trail, which may include a minimum assessed value to address additional potential costs for the trail, prior to the issuance of building permits.
12. That the final photometric and lighting plan is approved by the Electrical inspector prior to the issuance of building permits.

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

**CERTIFIED SURVEY MAP
OAK CREEK WATER AND SEWER UTILITY
9175, 9235 & 9325 S. 5TH AVE. AND 3953 & 3975 E. AMERICAN AVE.**

TAX KEY NOS. 869-9006-000, 869-9995-004, 869-9995-003, 869-9997-001, 869-9998-003

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

Ron Pritzlaff, Oak Creek Water and Sewer Utility, stated that they submitted this about a year and a half ago in anticipation of a water treatment facility project. They ran into problems with the PSC (Public Service Commission) and they have not authorized the Utility to construct the project. However, they believe they are at the point where the approval could be imminent. A meeting is scheduled on October 4, 2017 where they will get that answer.

Commissioner Correll moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Ron Pritzlaff, Oak Creek Water and Sewer Utility, for the properties at 9175, 9235, and 9325 S. 5th Ave., and 3953 and 3975 E. American Ave. be approved, with the following conditions:

1. That the signature page is updated to reflect the current Plan Commission Chair and Mayor's name.
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, except Commissioner Siefert, who abstained. Motion carried.

CONDITIONAL USE PERMIT

OAK CREEK WATER AND SEWER UTILITY

9175, 9235 & 9325 S. 5TH AVE. AND 3953 & 3975 E. AMERICAN AVE.

TAX KEY NOS. 869-9006-000, 869-9995-004, 869-9995-003, 869-9997-001, 869-9998-003

Planner Papelbon provided an overview of the request for water treatment facility water storage and high service distribution pump facilities (see staff report for details.)

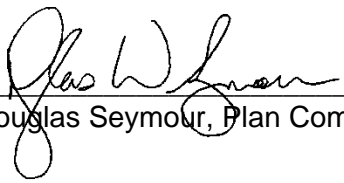
Ron Pritzlaff, Oak Creek Water and Sewer Utility, gave a presentation of the proposed water treatment facility water storage and high service distribution pump facilities.

Commissioner Dickmann asked if further expansion for water services is extended to other communities, such as Waukesha, if this facility will need to be expanded as well. Mr. Pritzlaff responded that the demand projection they have put together includes Waukesha. The project they are proposing will handle their current demands out to 20 years as well as Waukesha. There would have to be some expansion should any other community wish to receive Oak Creek water.

Commissioner Johnston moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for water storage and high service distribution pump facilities on the properties at 9175, 9235, & 9325 S. 5th Ave., and 3953 & 3975 E. American Ave. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (October 10, 2017). Commissioner Chandler seconded. On roll call: all voted aye, except Commissioner Siefert, who abstained. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siefert seconded. On roll call: all voted aye. The meeting was adjourned at 8:35 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

10/10/17

Date