



PLAN COMMISSION REPORT

Proposal: Conditional Use Permit with Conditions and Restrictions

Description: Review a request for a Conditional Use Permit with conditions and restrictions for a contractor's office/shop and contractor's yard.

Applicant(s): Criselda DeLeon, Safeway Transportation Services Corporation

Address(es): 6925 S. 6th Street, Suite 100 (1st Aldermanic District)

Suggested Motion: That the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a contractor's shop/office and contractor's yard at Safeway Transportation Services Corporation, an existing business located at 6925 S. 6th St., Ste 100, submitted by Criselda DeLeon, Safeway Transportation Services Corporation after a public hearing and subject to Conditions and Restriction.

Owner(s): Ursa Oak Creek LLC

Tax Key(s): 735-9045-000

Lot Size(s): 9.89 acres

Current Zoning District(s): M-1, Manufacturing

Overlay District(s): N/A

Wetlands: ☒ Yes ☐ No Floodplain: ☒ Yes ☐ No

Comprehensive Plan: Business Park

Background: The Applicant is seeking approval of a Conditional Use Permit to operate a contractor's office/shop and contractor's yard at 6925 S. 6th Street, Suite 100. The property, along with all adjacent parcels, is zoned M-1 Manufacturing. Under this zoning designation, a contractor's office/shop and contractor's yard are permitted as Conditional Uses. It has recently come to the City's attention that Suite 100 of the existing building is currently occupied by Safeway Transportation Services Corporation, without a Conditional Use Permit.

The Applicant occupies approximately 13,000 square feet (Suite 100) of a roughly 35,000 square-foot building. Of this space, the majority—approximately 6,800 square feet—will be dedicated to servicing buses and passenger vans. Services will include, but are not limited to, fluid changes, brake repairs, tire mounting, scheduled preventative maintenance, and general mechanical work as needed. Approximately 4,900 square feet will be used for office operations, while the remaining 1,300 square feet will serve as warehouse storage.

The outdoor storage area will accommodate buses and passenger vans contracted to provide transportation services for Milwaukee Public Schools. As indicated in the site plan, this area will be confined to the eastern third of the rear parking lot, located north of the building. The storage area is not visible from any public roadways. A maximum of 21 buses and six (6) passenger vans will be stored outdoors at any given time, with no other materials or equipment stored outside.

The business office will operate from 5:00 AM to 6:30 PM and employs five (5) office staff members and two (2) technicians. An additional 22 drivers report daily to pick up their assigned bus or passenger van for transportation services.

The proposed site plan includes a total of 113 parking spaces. Of these, 41 spaces (13 in the front and 28 in the rear) are designated for Suite 100. According to the Municipal Code, a total of 103 parking spaces are required for the combined existing and proposed uses across Suites 100 through 500.

Plan Commission may recall that portions of the outdoor storage area at the rear of the building are surfaced with crushed recycled asphalt rather than traditional pavement. This condition is linked to past environmental remediation efforts on the site. A previous use had resulted in soil contamination, prompting the Wisconsin Department of Natural Resources (WDNR) to require the removal of approximately 18,000 cubic yards of contaminated soil. While this removal addressed the majority of the issue, some contaminated soil was allowed to remain under specific conditions. To ensure long-term compliance, a deed restriction was recorded in September 2004. This restriction is binding on current and future property owners and stipulates that any excavation, grading, or placement of structures or improvements within the area covered by crushed recycled asphalt must be preceded by a soils management plan and may require the WDNR to reopen the case file. As a result, any approval of Conditional Use Permits for outdoor storage—such as that permitted under the contractor’s yard use—must comply with the terms of the deed restriction. Crushed recycled asphalt may continue to be used in these areas, provided that any expansion or alteration of parking or storage areas aligns with the conditions outlined in the recorded deed restriction.

If the Commission determines the proposed Conditional Use meets the requirements of the Municipal Code, a public hearing may be scheduled as early as August 19, 2025. Staff has also prepared Conditions and Restrictions for review (attached). An approval of the Conditional Use Permit, along with Conditions and Restrictions, does not constitute approval of a site plan and architectural review. A separate site plan and architectural review approval will be required.

Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

Respectfully submitted & approved by:



Kristi Laine
Community Development Director

Prepared by:



Todd Roehl
Senior Planner

Attachments:

Draft Conditions and Restrictions

Location Map

Narrative with Site Plans, Figures, and Photos (5 pages)

City of Oak Creek – Conditional Use Permit (CUP)

Conditions and Restrictions

Applicant: Safeway Transportation Services Corporation

Property Address: 6925 S 6th Street, Ste 100

Tax Key Number(s): 735-9045-000

Conditional Use(s): Contractor's office/shop and contractor's yard

Recommended by Plan Commission: TBD

Approved by Common Council: TBD
(Res. TBD)

1. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. Any plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of any building permits.
- C. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- D. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required, and/or as specified by these Conditions and Restrictions.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

2. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Only the designated area shown on the approved site plan for outdoor storage in accordance with these Conditions and Restrictions is allowed on the property. Other uses permitted by the zoning district, in accordance with other applicable Sections of the City of Oak Creek Municipal Code and these Conditions and Restrictions, are also allowed on the property.
- B. Parking areas for outdoor storage of buses and passenger vans shall be as shown on the approved site plan. Parking/storage buses and passenger vans outside of these approved areas is prohibited.
- C. Outdoor storage shall be limited to a maximum of 21 buses and six (6) passenger vans. No other materials or items shall be stored outdoors.
- D. Hours of operation shall be 5:00 AM to 6:30 PM, Monday through Friday.
- E. Any change to the occupancy of the site or building shall conform to all Building, Fire, and Municipal Code requirements, as amended.
- F. Solid waste collection and recycling shall be the responsibility of the owner.
- G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

3. BULK AND DIMENSIONAL STANDARDS

Bulk and dimensional standards shall comply with Chapter 17, Article III of City Municipal Code, as amended.

4. PARKING AND ACCESS

A. Parking for this development shall be provided in accordance with Sections 17.0501, 17.0502, & 17.0503 of the Municipal Code, as amended.

B. All new off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base or crushed recycled asphalt, subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. Existing recycled asphalt parking - storage areas may remain, provided that any expansion or alteration of those parking areas must be consistent with any deed restrictions that may affect the property.

5. LIGHTING

Any plans for new or replacement outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Section 17.0509 of the Municipal Code, as amended.

6. SIGNAGE

A permit shall be required prior to the display, construction, erection, or alteration of any proposed sign(s). All signs must comply with Chapter 17, Article VI of the City Code and applicable sections of the building code as adopted by the City, as amended.

7. PERFORMANCE STANDARDS

The use must comply with performance standards as stated in Section 17.0510 of Municipal Code, as amended.

8. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the resolution authorizing this Conditional Use. This Conditional Use approval shall expire within twelve (12) months after the date of adoption of the resolution if building or occupancy permits have not been issued for this use.

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month

period, the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of Paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCATION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code, as amended.

12. ACKNOWLEDGEMENT

The approval and execution of these Conditions and Restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these Conditions and Restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns subject to Paragraph 11 above.

Property Owner / Authorized Representative Signature

Date

(please print name)

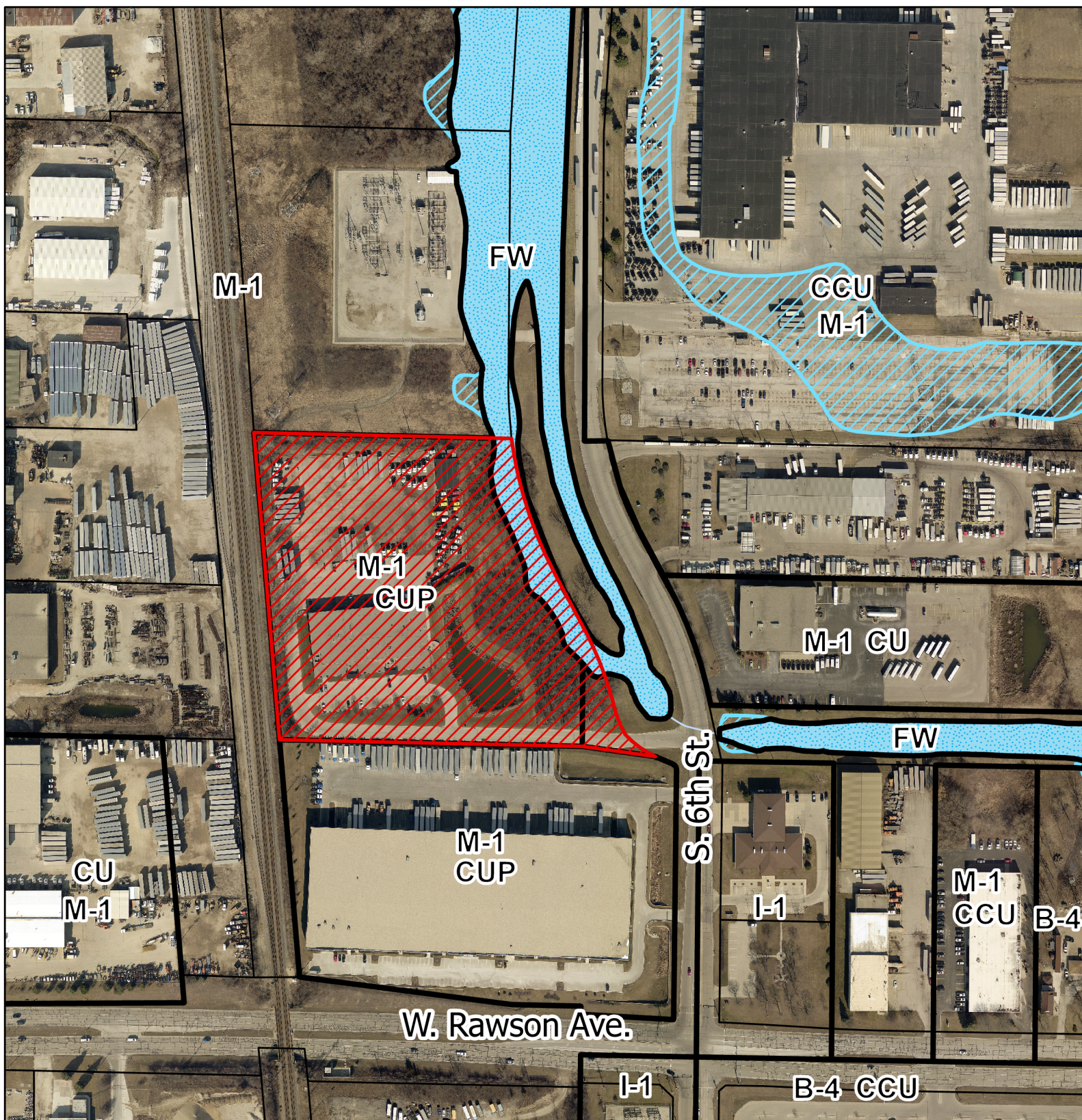
Tenant / Authorized Representative Signature (if applicable)

Date

(please print name)

Location Map

6925 S. 6th St.



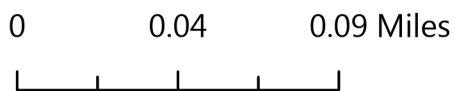
This map is not a survey of the actual boundary of the property this map depicts

Legend

-  Zoning
  FloodFringe2024
 - - Official Street Map
  Floodway2024
 Parcels
  6925 S. 6th St.



Community Development





Description for CUP for 6925 S 6th Street, Oak Creek WI

Company: Safeway Transportation Services Corporation

Property is to be used for office use, parking and maintenance of school buses. To provide transportation service for Milwaukee Public Schools. We are applying for a conditional use permit as a contractor for shop, office and yard use, please see details below.

Hours of Operation: M-F 5:00AM – 6:30PM

Office Use: (4,900 square feet of office space)

Office used for general administrative and clerical duties, dispatching buses and personnel, safety, training and management.

Office personnel staffing level consists of 5 employees daily with breakdown as follows:

- (1) General Manager
- (1) Asst. Manager
- (1) Safety / Training Manager
- (2) Dispatchers

Driver Personnel consists of the following:

- (22) Drivers – Report to pick up buses daily to provide transportation services.

Vehicle Parking:

28 parking spaces in the rear for vans and personal vehicles (see depiction of breakdown on site parking plan attached & below):

21 bus parking spaces

As depicted in sketch East of blue dotted line. Buses and vans parked in the rear of 6925 S 6th Street and office personnel to park in front of the property in the parking lot. Drivers to park in spaces in front / rear Breakdown of vehicles as follows:

- (21) School Buses
- (6) Passenger vans



(22) Personal Vehicles

Buses and vans would be in and out of facility 2x per day consistent with school route schedules as they pick up and drop off in both mornings and afternoons.

Maintenance: (6,800 square feet of maintenance space and 1,350 square feet parts storage)

Maintenance in garage space will consist of preventive maintenance and routine repairs and minimal parts storage. This would include but is not limited to fluid changes, brake repairs, mounting tires, scheduled preventative maintenance and general maintenance as necessary. Shop personnel include the following:

(2) Technicians

Site Parking Plan (Safeway's Portion):
(Document submitted in application email as an attachment)



Purple: 21 Bus Parking Spaces

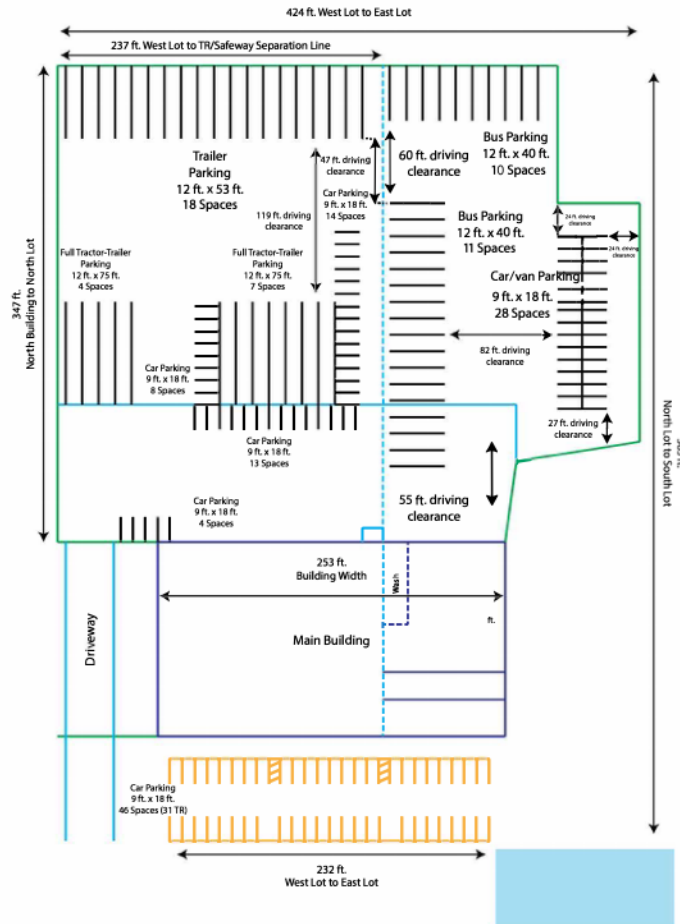
Blue: 6 Passenger Van Parking Spaces

Yellow: 28 Personal Vehicle Parking Spaces

Red: There are 46 spaces total in the front, Safeway Uses 13 spaces near the entrance of their office area.

Total Passenger Vehicle Parking: 41

Site Parking Plan (Entire Site):
(Document submitted in application email as an attachment)



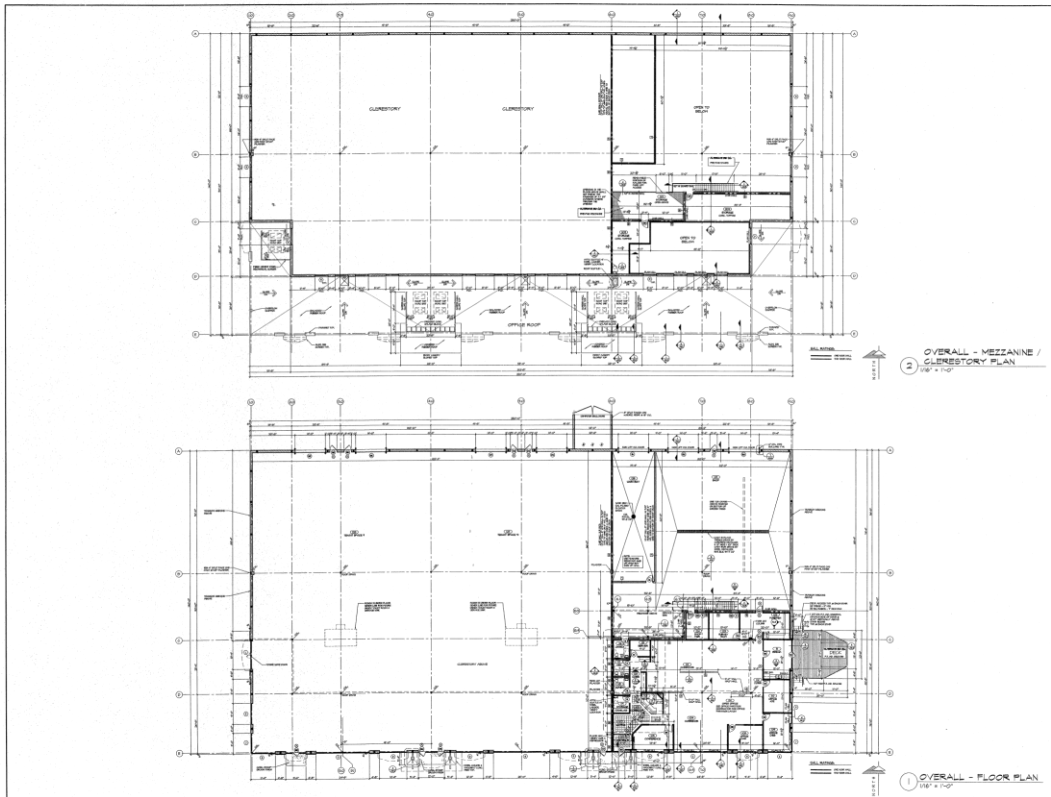
Required Parking:

Auto Repair: 1 per 300 SF
6,800 SF: 22 spaces
Office General: 1 per 300 SF
4,900 SF: 16 spaces
Warehouse Storage: 1 per 1,500 SF
1,350 SF: 1 spaces

Total Required: 39

Safeway		Transport Refrigeration	
Personal Vehicle	22	Personal Vehicle	39
Passenger Van	6	Passenger Van	0
School Bus	21	Trailer	29
Common Area Parking Lot (Front)			
Total Building Parking			
Personal Vehicle	107		
Van	6		
53' Trailer	29		
Total Parking Spaces			

Office and Shop Floor Plan:
(Document submitted in application email as an attachment):



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Sheet Title
OVERALL FLOOR & MEZZANINE PLAN

Issued For: _____ Date: _____

Date: 09-29-2009
Job No: 09-141.000
Drawn By: RJA
Sheet No: A1.1