

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, AUGUST 28, 2018**

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

**Minutes of the August 14, 2018 meeting**

Alderman Guzikowski moved to approve the minutes of the August 14, 2018 meeting, as amended. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP  
SIKH TEMPLE OF WISCONSIN  
7502, 7512 AND 7518 S. HOWELL AVE.  
TAX KEY NOS. 781-9032-000, 781-9031-000, 781-9993-000**

Planner Papelbon provided an overview of this CSM request. (See staff report for details.)

Seeing as there were no comments or questions, Mayor Bukiewicz called for a motion.

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by the Sikh Temple of Wisconsin, for the properties at 7502, 7512, and 7518 S. Howell Avenue be approved, with the condition 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 Chandler seconded. On roll call: all voted aye.

**PLAN REVIEW  
GOFF'S COLLISION REPAIR CENTERS  
161 W. MARQUETTE AVE.  
TAX KEY NO. 782-9039-000**

Planner Papelbon provided an overview of this plan review for an addition to the existing building. (See staff report for details.)

Seeing as there were no comments or questions, Mayor Bukiewicz called for a motion.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Angela Goff-Chmura, Goff's Collision Repair Centers, for the property at 161 W. Marquette Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That landscaping plans are submitted for review and approval by the Department of Community Development prior to the submission of building permit applications.

3. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

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

## **PLAN REVIEW**

### **HSI PROPERTIES, LLC/APPLE TOWER DEVELOPMENT**

**8300, 8304, 8310 AND 8380 S. 27<sup>TH</sup> ST. AND 8730 S. ORCHARD WAY**

**TAX KEY NOS. 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000**

Planner Papelbon provided an overview of the plan review request for a multi-family development. (See staff report for details.)

Tony DeRosa, HSI Properties, 18500 W. Corporate Drive, Brookfield, WI, gave a presentation on the building design, club house and overall site.

Eric Harmon, AG Architecture, 1414 Underwood Ave., WI, stated that the site plan and overall exterior of the building builds off of what they had done for Drexel Ridge Apartments. He then went on to describe the exterior building colors and materials and site layout.

Commissioner Siepert stated that on the far east side of the property, there is a road that comes in, Orchard Way. It looks like it is a dead-end road. Commissioner Siepert asked if it was going to create a problem for the Fire Department as far as access is concerned. Asst. Fire Chief Kressuk responded that they have looked extensively at the access to this site. There are multiple access points into this development. The far east side presents a minor challenge to the Department because of the limited access to the easternmost buildings. The general response patterns to this location will be off 27<sup>th</sup> St. The subdivision would be a last resort for emergency crews to make an entrance into there. Overall, the Fire Department finds the access to be adequate.

Commissioner Siepert asked if they would like to have a cul-de-sac at that end just to make it easy if they did have to turn around and get out. Commissioner Siepert stated he was referring to the far southeast corner at the end of the road. It looks like there are parking stalls and he is wondering if there would be adequate room if the Fire Department had to turn around. Asst. Fire Chief Kressuk responded that code stipulates that essentially at the end of one-way stretches, there has to be a Fire Department approved turn-around. There were one or two at Drexel Ridge Apartments and they were able to work it out with the developer with merely the addition of an asphalt pad or some other turnaround along the side of a building. Certainly, a cul-de-sac would be nice. He assumes there are some restrictions on what can go in that space. Asst. Fire Chief Kressuk stated they will be working with the developer to make sure that they have adequate turn-around at that point. The initial set of plans provided access out to Orchard Way at that location. That was prime for the Fire Department, but completely understanding the dynamics of the situation, the Fire Department would be willing to work with that closed off and develop some type of Fire Department approved turn-around. Mr. DeRosa added that one of the items that he discussed with Asst. Fire Chief Kressuk was if these buildings are going to be sprinklered. While they are not required by code, these will be sprinklered buildings and that is how the Fire Department got comfortable with the plan that was being presented.

Commissioner Siepert asked how many stalls will be installed in front of the garages. Mr. DeRosa stated it has either 8 or 12 garages depending on the size of the building. So each apron in front

of it is an additional space. Mr. DeRosa stated that there is a lower parking ratio at Drexel Ridge than is being planned for this development, and there have been no parking availability issues there.

Commissioner Siefert asked where the visitor parking is. Mr. DeRosa stated there are a number of spaces reserved by numbers. They have a whole parking program whereby certain spaces are dedicated to specific apartments with a number on them. There will be other parking stalls for guests.

Commissioner Chandler asked what type of units these will be. Mr. DeRosa responded that they will be market rate apartments.

Alderman Loreck asked if there is any type of berming between this development and the adjoining subdivision/single-family residences. Mr. DeRosa responded that the current grading plan does not reflect berming. He added that there are a lot of trees and landscaping on this project and it is a large property. He would be more than willing to move things around if there are sensitive spots such as a certain site line that a neighbor wants to review. They would be happy to discuss ways/locations for berming with the residents. Andrew Vickers, City Administrator, reminded the Commission that on some of the original versions of this site layout, the buildings were orientated more of a broad side versus perpendicular to these homes, so that was a huge improvements not having the weight bear down on those adjacent residences.

Commissioner Johnston asked that the property lines are marked out so there is no impact to the east during construction, specifically Falk Park. Commissioner Hanna asked how they are going to be dealing with this. Mr. DeRosa responded that the Milwaukee County letter specified a request to stake the property line, and that is not an issue at all.

Commissioner Hanna asked about the impact of stormwater. Mr. DeRosa responded that the property to the east is owned by the County and this development does not impact the County land in any fashion. They will not be grading on the property. The development limits are within the boundary lines of the property. Also, the County's wetlands start 80 feet east of the property line and their hard surface setback is about 19 feet.

Arden Degner, 8540 S. Pennsylvania Ave., stated that he has been a proponent of sidewalks and he sees a spread walkway to the community building, but inquired where the sidewalk would be on 27<sup>th</sup> Street. He mentioned that there is a sidewalk in front of their other development on Drexel Avenue and the taxpayers paid for it originally. He asked if sidewalk in this area is required. Commissioner Johnston responded that there is not a sidewalk in this area. It is not required and it would not connect up to anything because there are no other sidewalks along 27<sup>th</sup> Street at this time. Mr. Degner stated that that is a terrific omission because Drexel Avenue was not a state highway, but sidewalk was installed for the convenience of the people and the use of that is surprising along Drexel Avenue. He stated that this area should have sidewalk because eventually, this will be filled up and will have to meet the other properties that are north on 27<sup>th</sup> Street.

Mr. Degner asked if the fiber cement board is only for garage construction or is it going to be a part of the construction of the apartment units. Mayor Bukiewicz responded that they will use that material as siding on the actual buildings as well as the garages. It is standard for homes throughout the area. Mr. Degner added that fiber cement board has very poor qualities and he has not had good experience with this material. He stated his concern about the wear and tear on this type of material and the appearance of the buildings in the future. Mr. DeRosa responded

that they did not meet the ordinance of 65% masonry on the buildings at Drexel Ridge either, and that the Plan Commission has the ability to look at the design in its totality. That requirement, along with vinyl siding, is an acceptable exterior product. Plan Commission approval is needed for what he considers an upgrade to go from vinyl to a fiber cement board requirement.

Asst. Fire Chief Kressuk stated that it should be noted that the Fire Department is very appreciative of the efforts that they have put in in dealing with fire suppression in these buildings. The prevention aspect of getting that suppression system in place is a huge benefit to the residents of that complex and to the fire fighters.

Alderman Loreck asked if there is additional lighting throughout the complex or is the lighting just on the buildings. Mr. DeRosa responded that there are street poles and lights. Orchard Way is a public street and there is a certain city light and photometric that they must follow. They will have the same light poles that they used in Drexel Ridge. They are not seeking to over-light the area, but just provide enough that it serves its purpose and nothing more.

Mayor Bukiewicz stated he concurred with Alderman Loreck's comments on enhanced landscaping to protect the four homes that exist on the south side. As far as the fiber cement board issue, building products have changed over the years. However, this product is the trend and it is a heavier product.

Mayor Bukiewicz asked about the progress with the State to get access on the south side. Mr. DeRosa responded that they have been very receptive. They have gone back and forth with plans and City engineering has been copied on those discussions. Mr. DeRosa is not anticipating any issues. It is more just a matter of cleaning up some plans and the permit will hopefully be issued in the next couple of weeks.

Commissioner Chandler asked if the proposed monument signs are compliant. Planner Papelbon responded that the monument sign is not part of this review because if it does meet all code requirements, it just needs a permit. It does not need Plan Commission approval. Staff is fine with it being backlit as presented.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Tony DeRosa, HSI Properties, LLC, for the properties at 8300, 8304, 8310, & 8380 S. 27<sup>th</sup> St. and 8370 S. Orchard Way with the following conditions:

1. That all relevant Code requirements are in effect.
2. That the Certified Survey Map approved by the Common Council June 19, 2018 is recorded prior to submission of building permit applications.
3. This approval shall become null and void should the sale of the properties not occur per the Conditional Use Permit.
4. That a copy of any wetland fill approval and/or permit from the Wisconsin Department of Natural Resources is provided to the City prior to the submission of building permit applications.
5. That copies of all access approvals and agreements shall be provided to the City prior to the submission of building permit applications.

Planner Papelbon interjected that there was a request for condition number 5 to be changed to “prior to the issuance of building permit applications. Such request is in conformance with conditions and restrictions.

Alderman Loreck amended his motion to include in condition number 5: “prior to the issuance of building permit applications.”

Alderman Loreck continued with his motion.

6. That the exterior stone and brick veneer meets the minimum 4-inch thick requirement per Code.
7. That the plans are revised to include locations for all mechanicals, transformers, and utilities (see Condition 10 below).
8. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view (see Condition 10 below).
9. That all required Common Council approvals for the use of native seed mix are obtained prior to the submission of building permit applications.
10. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

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

**PLAN REVIEW  
HILLWOOD ENTERPRISES, LP  
9700 S. 13<sup>TH</sup> ST.  
TAX KEY NO. 905-9993-003**

Planner Papelbon provided an overview of this plan review request for a distribution and warehouse facility. (See staff report for details.)

The following are citizen comments.

Maureen Willms, 991 W. Leeds Ct., asked what the timeline will be on the construction of the park, and if there will be a traffic light or roundabout on 13<sup>th</sup> St. She also mentioned that the trucks would not be allowed to go south on 13<sup>th</sup> St., but would be encouraged to use the Ryan Road ramps. She wanted to know if that will stay the same when the Elm Road ramps are done or would the traffic go south completely. She also stated that school buses will be added to the traffic once school starts. Another concern was the aesthetics of the fence and she suggested something a little bit nicer than a chain link fence around the property since it is so close to a residential area. She also wanted to know why the truck entrance so close to the residential area when they have such a large property to work with.

Arden Degner, 8540 S. Pennsylvania Avenue, stated he has concerns about traffic in a TIF area. Since TIF funding is able to pay for items within a ½ mile of it, does that mean that the residents of Oak Creek through the TIF will pay for a four-lane entrance/exit ramp? Certainly when there is this volume of trucks and cars, this is just a culmination. The FedEx project was already

approved and along with that comes a ton of cars. This is already a truck stop. Why is this not being considered as a cost for this particular developer instead of laying it on the taxpayers?

Steven Brasch, 913 W. Ryan Rd., stated he is concerned about the entrance for Ryan Road onto the property. When people are going east on Ryan Road into the building area, the lights would shine into his windows. He wanted to know if there is going to be a division between the park and his property.

Jadranka Bilandzija, 1050 W. Dover Dr., stated that her house is right before the wetland. She asked if there was a solution for the water that is coming down because of the proposed barrier between this development and her property. Her concern is the possibility of flooding in her backyard due to the water running down from the proposed berm.

Brian Schrader, 910 W. Finch Ct., concurred with the previous statements about flooding. He stated that the water that comes from the south end of that property goes through a small creek that goes all the way down to his backyard. Mr. Schrader wanted to know how we are differentiating the park or the bike trail from the truck parking. Where will the access be to the park?

Andy Kirchen, 1100 W. Dover Ln., stated his main concern is going to be the height of the berm and what is going to be planted on top of it. He is also concerned about who is going to be servicing and keeping up the park. He stated there should be a barrier between the berm and the houses to make sure the water flowing down from the berm does not flood their properties.

Mike Dudzik, 1350 W. Daniel Ln., stated his concern is traffic, because there will be three exits going out to 13<sup>th</sup> St. All of the employees are going to exit out that way with only one exit out to Ryan Road. He wanted to know if there is any feedback from the State of Wisconsin on Ryan Road with regard to grades on those streets. He does not understand why there is only one exit to Ryan Road, because that is non-residential and putting traffic out onto 13<sup>th</sup> Street, including the proposed 1,700 employees. That is going to be a problem.

Hashim Hasanin, 10110 S. Hampton Dr., stated his concern about the parking as it was mentioned that the trucks will be parking on the south side. The south side is very close to the subdivision. What are the consequences of operating these trucks at the south side of the subdivision, such as pollution and noise? Also where are they going to be entering the parking lot from 13<sup>th</sup> Street? That will also cause congestion and many problems in traffic. He suggested that since the railroad is on the east side, why not have the parking behind these buildings. If there is a possibility for the fence. Using just the fence will make it look worse. Will there be tall trees to cover as much as possible from these buildings between 13<sup>th</sup> Street and the project. It is very important that they have a good view and avoid noise and pollution.

The following comment was emailed:

Ed and Yvonne Siira, 1500 W. Lois Lane:

“It appears that the site plan at the main semi-truck access is located on the south end of the development where the guard house is located and that the load leading out to Ryan Road is now merely an access road. At the initial informational meeting that they had attended a month ago, the exact opposite was discussed where the main semi-truck access came off of Ryan Road controlled by a signalized intersection. Why is all the semi-truck traffic being brought in so far south where all the single family residential is located? Having semi-trucks enter in and off of exit

and enter off of Ryan Road seems to make more sense from a planning perspective. If the southern proposed semi-truck access point is allowed, is there a way for the City of Oak Creek to implement and enforce a rule that could prohibit semi-trucks from traveling south onto 13<sup>th</sup> Street from this development? How with all of the trucks associated with the development will it impact air quality to the residential areas? We don't have a neighborhood park delineated in the plan yet, so "where is it located?" is the question. What concessions, if any, has the developer made with the plan to display sensitivity and consideration towards the neighborhood to the south? Will 13<sup>th</sup> Street be reconstructed as a part of this development? And then the intersection of Ryan Road is already very difficult to get through at various times of the day right now. All this additional traffic will make this intersection even worse."

The citizen concerns were addressed as follows:

### **PARK**

Mr. Vickers stated that as part of this business park, the assemblage of land involved, the County and the City partnered with the developer of the park to swap some lands and enable this business park to be built. The City's contribution to the partnership was to build a neighborhood park. This area has been underserved from a park and recreation standpoint. The City has looked for a decade or more to place a park in this area of the City. Ultimately, that park and the features of that park are going to be what the neighbors in that area want it to be. The planning process will take place next year with maybe construction the following year. The City does not have to wait for a specific time within the life of this TIF district where funds are available from development or anything like that. The City can get started on the park right away. What is in that park is what the residents who will be using it mostly will like. There is approximately \$350,000 in the TID project plan for the development of the neighborhood park. The term "neighborhood park" is really a definition. The City is not expecting this to be a destination park; therefore, a large parking lot is not being envisioned. This will be a County park that the City builds and maintains.

### **TRAFFIC**

Mr. Vickers stated that it would be wonderful to have a TIA now to show exactly what features are going to be improved from a 13<sup>th</sup> Street and Ryan Road standpoint. That area will be improved. Traffic will be generated in this area. Having the hindsight of the TIA would be great, but it is not syncing up from a timeline perspective of the City's commitment from an entitlement standpoint to the landlord and ultimately this large user. He stated that if the TIA was available, that is exactly what the developer would build to make sure that their traffic is not causing congestion at this intersection and the general area. There has been a team of engineers from the County, City and State who will tell the developer exactly what it is they need to build to make sure traffic isn't an issue. That plan takes into consideration this specific user or the specific business park, but it looks at a larger area and what traffic demand may be out until 20 years. So it is not just the narrow focus on this project, but a much longer view. Various entities are dictating to the City and developer what would need to be built. There will be improvements such as widening and capacity building on 13<sup>th</sup> and Ryan. The City will contact the neighbors and let them know exactly what is being planned once that is known.

### **ORIENTATION OF THE BUILDING/ACCESS ON 13<sup>TH</sup> ST.**

Mr. Vickers stated that this is a very large building. Although it is a rather large site, there can only be a north/south orientation or east/west orientation. The original plans showed an east/west orientation. That would mean the broad side of this building and all of those dock bays that are

on the eastern side of the building would be facing the neighborhood. The attempt was to have the best visual aesthetic, turn the building perpendicular to the neighbors, as opposed to broadsiding the neighbors and really trying to match the aesthetic of those dock bays by coupling them with the railroad bed and not making the neighbors look at that for time and memorial. There were considerations in the traffic impact analysis as well that necessitated 13<sup>th</sup> Street being the preferred truck route. The City will do absolutely everything possible to make sure that truck traffic is not going south and essentially have to make right-hand turns out of their parking lot and go north to the Ryan Road interchange. There are design elements that can be put in place to make sure trucks are not being routed to the south past the neighborhood. There is no timeline at all as to when the Elm Road interchange is going in. This is a good opportunity to make sure that the improvements that are being made to prevent the trucks from going south can remain. Mr. Vickers stated that there will be development agreements in place with the business park developer and Hillwood Enterprises. Those agreements will ensure that those developers, at any cost, build to what the TIA builds to. This will be a contractual agreement.

### **STORM WATER DRAINAGE**

Commissioner Johnston stated that the berm that goes along the south side is not part of this particular site plan. This plan does not include that berm being constructed along that south property line and the north side of English Aire. There are four detention ponds on this site that are being constructed to detain and slow down the water. All that water is being discharged to the wetlands in the southeast corner. Commissioner Johnston stated that all of it goes to the north to the creek, not to the wetlands. When they get to the south, the drainage issue will definitely be addressed as far as water coming off the berm into the backyards.

Hashim Hasanin stepped to the podium to speak again. He stated that there are many semi-trucks coming out of Kwik Trip now and 13<sup>th</sup> Street is his only access. There are so many trucks now coming out from Kwik Trip and all the trucks from this new development will be added and this is going to be a real problem. He stated that this issue is being made to look easy and it is not. He recommended that another solution be found for the trucks that are coming into the Kwik Trip to avoid this congestion. Mr. Vickers stated that the County and State are involved in the design process and they do not have to contribute any funds to the reconstruction of the intersection. They are not, from a budgetary standpoint, going to shortcut design to save money. The business park partners are paying for this roadway initially, so the County and State will present an objective analysis and they will going to tell the City what it is going to take so that traffic isn't congested, but rather improved from the condition out there now.

Property owner (name and address inaudible) asked what the definition is of a truck. Does it refer to just semis or are other types of delivery trucks? If you keep the semis from going south that is fine. But if there are 50 box trucks going south every hour, it is just as bad as having the semis. Mayor Bukiewicz stated that Elm Road is scheduled to go in, but there is no timeline right now. There is no access from 13<sup>th</sup> to Elm Road at this time. When getting on and off at Elm Road, it would have to be done at 27<sup>th</sup> Street.

Carmen Bevas, 10145 S. Hampton Dr., stated that the back of her lot is on 13<sup>th</sup> Street. She sees semis coming from PPG or wherever they are coming from. When they drive on that road, her house shakes. Her concern is about having four lanes on 13<sup>th</sup> Street. Mayor Bukiewicz stated that when he mentioned four lanes earlier in the meeting, he was using that as an example of what may be required of the City by the County and State. However, the reconstruction will be in whatever form the County and State requires. Ms. Bevas asked if they are going to stop the four lanes at Oakwood Road or before Oakwood Road. Mayor Bukiewicz responded that that is not



known at this time because the traffic analysis is not complete. Mayor Bukiewicz reiterated that the earlier reference to four lanes was used as an example as an example. Ms. Bevas stated that they will be taking part of her land. Mayor Bukiewicz stated that if that happened, she would be compensated for that piece of land. She stated that she is not very happy with what is going on. She can see herself looking at a four-story building from out her window because she has a two-story house. Ms. Bevas inquired if she will be able to see the landscaping on that property. She referenced the Amazon building in Kenosha and all you can see is concrete. She doesn't see landscaping at that location. Mayor Bukiewicz responded that it will not be the same as there will be a four-story building and it will be a different view of what they are looking at now. However, the City will make every effort with the berms and trees to protect the residents of English Aire.

Greg Scovitch, Hillwood, 9525 N. Bryn Mawr, Rosemont, IL stated that from a timing perspective, they started this process a year ago when the park was originally intended to be a multi-site development. When the large user theory came into play, they approached the DOT and asked them if they could revise the existing phase I traffic impact analysis and they granted that, but they asked for a tremendous amount of information about the user and the load that he was going to be introducing to the network as it was compared to the previously-assumed development. They have had many conversations with the State and County and both have approved Phase I. The Phase I part of the TIA is confirming that they are studying the appropriate area that is going to be impacted by not only this load, but the load that is going to be introduced for future developments through 2039.

Mr. Scovitch continued by saying that phase II takes that load and spins the engineering component as to what physically needs to happen to support this load. They are currently in the middle of the phase II document. They will be getting a better sense of what the infrastructure improvements are going to look like at the conclusion and acceptance of this Phase II report.

John Bieberitz, Traffic Analysis and Design, Cedarburg, Wisconsin stated that they are in the process of doing the Phase II TIA. They are almost in the draft stage of the report. Once everyone reviews it on the project team, it will be submitted to WisDOT, Milwaukee County and the City of Oak Creek. By State statutes, they have up to 90 days to review and respond. Typically, it has been between 30 to 45 days for their review and comment period.

Mr. Vickers asked why the utilization of 13<sup>th</sup> Street versus Ryan Road for the truck traffic. Mr. Scovitch stated that the user is sensitive to the traffic situation. He needs product coming in and out of the facility and wants to make sure there is no interruption to their service.

Mr. Scovitch stated that with regard to the orientation of the building, they went to great efforts to re-divert a lot of that traffic in. It is difficult to see in the small exhibits, but the improvements they have done promote traffic leaving the site through the cul-de-sac.

Mr. Scovitch stated that the truck entrance does create a lengthy access road along the southern limit of the building. What is important to a user is to promote counter clockwise movement around the building. It provides for a safer environment for the truck drivers and for the associates located in the yard. The counter-clockwise movement is used because the operator of the truck is backing into the dock position and never has a blind turn. The operator is looking over his left shoulder and backing into the position. If it were a clockwise orientation, they would have a blind turn, which creates a less safe environment.

Mr. Scovitch continued by saying that the area for queuing tractor trailers is vastly limited on the north side and the cul-de-sac. They wanted to avoid any potential for any deliveries backing up and queuing into public right-of-way. Locating the access road on the south provides a much

longer queuing section so that they aren't queuing tractor trailers onto public right-of-way. Those are a couple of reasons why they orientated the building in the fashion that they did to promote the truck traffic down 13<sup>th</sup> Street.

Mr. Bieberitz stated that what they are proposing from a traffic standpoint is that to be a four-lane divided section as well as signalized with Ryan Road to promote that as the main entrance to the facility. It was also be heavily signed as the main entrance, and will also be the main entrance for employee traffic to and from the building. That whole section from Ryan Road south to the building parking lot will be a four-lane divided roadway. The points of access to 13<sup>th</sup> Street will be two-lane only and signed appropriately.

Mr. Scovitch stated that the user is very sensitive to both pollution and noise. They did not have to, but they did commission a noise impact study for internal records. They have also located all of the receptors in and around the development. While there are no ordinances that they found relative to noise pollution from an industrial development, they will maintain a personal 50-decibel receptor limit.

Mr. Scovitch stated that the user is very sensitive, very forward, and very progressive relative to environmental quality and they are instituting (across the nation) a number of initiatives relative to green building. They want to limit the amount of pollution generated by this facility. They want those trucks in and out of the facility as quickly as possible so there is no down time for the tractor trailer.

Adam Artz, 15850 W. Bluemound Road, Brookfield, WI, stated that this facility is not necessarily going to be directing water to the south and water will be directed to the farm field north to the Oak Creek. There are a significant amount of ponds on this site to detain the water, slow it down and clean it up. They will be a dramatic improvement to the water quality as compared to a raw farm field every year. These ponds are all wet bottom ponds, so they will do their part to clean the water from a sediment loading standpoint.

Commissioner Johnston stated that the entrance/exit on Elm Road is part of the North-South Corridor project that the DOT is doing. That project has been awarded to Walsh Construction. The overall project will be starting for the North-South Corridor, north segment, the middle of September. The Elm Road interchange itself will be under construction next year. Mr. Vickers added that there is not an easterly connection from Elm Road interchange to 13<sup>th</sup> Street.

Commissioner Johnston stated that the park development is not part of this site plan. It is part of the overall development, so there are no plans for that yet to address any questions comments.

Mayor Bukiewicz stated that there are no plans for trees or a berm at this point, but the City will make every effort to protect the citizens in the area.

Commissioner Hanna stated her concern with approving a development without seeing a TIA first.

Mike Faber, Capstone Quadrangle, Milwaukee, WI, developer of the park, stated that when they effectuated the swap with the County, the stones that were mentioned by a property owner are all quarried stones that were the bridge abutment for where the railroad passed in the exact spot that this cul-de-sac road. The railroad went through there from 1872 to 1906 before it was moved to the east. When they were negotiating for the acquisition of this land, he saw that as a great opportunity to keep that history alive and they plan to harvest those quarried stones and use them to create a small gathering space in the pocket park that is planned to be north of the creek on

the east side of that cul-de-sac road. The primary purpose is not a recreational park, but rather it is a pocket park because it is so very small. It is simply a space where they will try to keep certain pieces of history of this land including who Ryan Road was named after. The Railroad formally going through in the same stop and the stones (having been abutments for that railroad crossing and the history of the land ownership. Most of the large pieces of land here were in these families for over 100 years. They want to build a monument to tell and keep this history alive.

Mayor Bukiewicz stated that with regard to bike and path trails, Director Seymour was here at the last meeting and explained that there is a proposed bike trail on the east side of the tracks by FedEx. In all likelihood, that bike trail would run alongside the tracks on the west side and then access the park from the back side of it.

Mayor Bukiewicz asked Mr. Vickers to explain about the funding for the Elm Road interchange. Mr. Vickers stated that it is part of the TIA. They are now redoing Ryan Road interchange now. Hopefully, the State will build that to capacity for future development in the area. The tax increment utilization may have been a little mischaracterized. The City of Oak Creek is not paying for these improvements. These will be paid for by the tax increment associated with this large user parcel. That is the way the tax increment mechanism works. The property taxes from the new building from within this business park or some bounded area will be paying for the improvements, whatever those improvements are to the 13<sup>th</sup> St. and Ryan Road, not the general fund of the City.

Mayor Bukiewicz mentioned the citizen comments on the chain link fence and they would probably be looking at something a little better than that.

Andy Kirchen, 1100 W. Dover, asked if there is a timing aspect to the berm area that it will be up and done before the large user starts building. Mike Faber responded that the berm along the south edge is absolutely part of their plan. They have submitted a grading plan to the City for that property. It is separate from the plan submitted to the City for the large user parcel. After receiving comments from the City, they are revising that plan and it is their intention to build all of the grading on that site as soon as the large user moves forward with their site. It will be done before they build any buildings on that land to the south. If the large user starts this fall, they will be complete with their grading yet this fall as well. Some of the landscaping will have to be put in place on that berm in order to stabilize it, but other landscaping will have to wait until spring depending on how the end of the season goes.

Mayor Bukiewicz opened up discussion from the Commissioners.

Commissioner Siefert asked what the volume of truck traffic will be on a daily basis. Mr. Scovitch responded that from a trucking standpoint, on an hourly basis during the peak morning and peak afternoon hours during the non-peak season about 10 trucks. On a daily basis, it is about 210 truck trips; 105 trucks exiting and 105 trucks entering.

Commissioner Chandler stated that the building looks rather plain. Mr. Scovitch explained that the building is made up of precast concrete. There is material handling equipment sensitive to natural illumination, which challenges the introduction of windows on the elevated platforms. It is best that they try to avoid introducing natural illumination through windows. They are trying to figure out how to accomplish that through other opportunities, be it paint or additional reveals in the precast, as they are also trying to enhance the aesthetic of the building. They did introduce faux windows on the north which is fronting Ryan Road and wrapping around to the west, which is at the corner of 13<sup>th</sup> and Ryan Road.

Alderman Loreck asked why floors 2, 3 and 4 are referred to as “elevated platforms.” Mr. Scovitch responded that technically, they are removable. If at a later date, the user’s operations change where they didn’t need that elevated floor area, they have designed the building such that those floors could be moved at a later date.

Mayor Bukiewicz asked if the three access point on 13<sup>th</sup> Street were proposed by the County and State or were the agencies requested to use these access points in their traffic impact analysis. Mr. Scovitch responded that they asked the DOT to start there in their analysis.

Mayor Bukiewicz asked, with the four-lane entrance on Ryan Road, why there is a need for the two on 13<sup>th</sup> Street. Mr. Scovitch responded that it is certainly helping with circulation in and around the building in the event of an emergency. It is also there to provide alternate means for associates to leave. Mr. Vickers clarified that the southernmost ingress/egress is one way. Mr. Scovitch responded that the trucks will be entering and existing through a controlled access point; that controlled access being a guard shack.

Commissioner Carrillo stated that the faux windows on the north elevation are important to break up the elevation, but inquired about the glazing requirements. Planner Papelbon responded that the minimum glazing requirements are for Drexel Town Square. The City does require, as part of the regular Code, articulation of the building and for the façade to be broken up if it is more than 100 lineal feet. That can be done through recesses and projections, windows, introduction of other architectural features, changing color or materials. As long as there is some type of break up, that is allowed per Code. There is no minimum window requirement unless it is in Drexel Town Square.

Commissioner Johnston addressed the landscaping questions. He stated that the building itself is roughly 1,000 feet back from 13<sup>th</sup> Street. There is roughly 300 or 400 feet of natural area grass, detention ponds, landscaping that is going to be between 13<sup>th</sup> Street and the start of the parking lot. The parking lot is also going to be 4 feet lower than what 13<sup>th</sup> Street is. The eye view should be over that parking lot so the residences will be over that parking lot so they are not seeing a sea of concrete along 13<sup>th</sup> Street. They are trying to get a lot of landscaping along 13<sup>th</sup> Street to shield that as much as possible. Also, they are seeking to get a lot of trees in the parking lot islands to try to mask that parking lot as much as possible.

Commissioner Chandler sought clarification of the TIA relative to access points. Mr. Bieberitz explained that the TIA is done in two phases. The first phase submittal has been completed and it includes all the traffic count data, where the traffic is expected to come to and from, and where that traffic will be assigned to each driveway. The DOT and County approved that already so they are not going to require another access point to be added or changed. The access points on the present plan are what they will be moving forward with. The questions now center on how many lanes, where should traffic signals go, what improvements are needed at 13<sup>th</sup> and Ryan Road, and the interchange, etc. The number of access points and where they are located has already been approved by the County and the DOT already. Mr. Bieberitz added that the purpose of the TIA is not to determine if this will work or not, but to determine what improvements are needed to allow this intersection of the study area to operate within DOT acceptable levels. DOT acceptable levels are within their design standards and they have to follow and adhere to. The County has also adopted those design standards. They have to be able to ensure through the analysis that everything meets the requirements up to the year 2039. These are ultimate build-outs, not just for this business park.

Commissioner Chandler sought clarification that there is not at this time a possibility of trucks using the Ryan Road access except in cases of an emergency. She wanted to confirm that all traffic will come off of 13<sup>th</sup> Street, except in case of an emergency because this analysis has already been done stating that. Mr. Bieberitz responded that truck traffic for this facility will be utilizing the southern driveway on 13<sup>th</sup> Street. In instances where there is an emergency situation, trucks will be allowed to use the access off of Ryan Road, but that would be a case-by-case or as-needed basis.

Planner Papelbon stated that conditions 5 and 12 do not prohibit changes to the plan based on what the requirements of the TIA would present. Commissioner Johnston stated that it is a gated parking lot, so the flow of traffic will be going out and in through the guard shack. There is a gate across that north road that will be closed around the trailer parking around the back side of the building.

Commissioner Chandler asked if there will then not be a backup of trucks along 13<sup>th</sup> Street. Commissioner Johnston responded that this is just the trailer parking and access for the loading docks.

Mr. Schrader approached the podium again. He stated that for safety reasons that the trucks would have to do a counter-clockwise rotation. If they could do the same thing coming off of Ryan Road, there should be no reason why they have to come off of 13<sup>th</sup> Street and have to do the counter clockwise rotation. With today's technology there should be no reason why they can't come in off of 13<sup>th</sup> and exit through Ryan Road through a gate with a camera that can be operated by the controller at the gate at the guard shack. Mr. Scovitch responded that the sensitivity to counter-clockwise movements is that as it relates to backing into the trailer stall with the trailer behind is a standard design element in an industrial warehouse development. The counter clockwise movements are to protect everyone in that critical reverse function backing into a dock. However, they will be exiting in a clockwise direction back through the guard shack. At that point, they won't be backing into a position, they will be pulling a trailer out and the movement is much safer and predictable by the operator.

Michelle Gibbs, 1504 W. Daniel Lane, stated that she understands about the traffic and the trucks coming and going, but what about the 1,000 employees. Will they be encouraged to go north exclusively?

Mike Dudzik approached the podium again. He stated that he attended a meeting where it was stated there will be 350 trucks. Mr. Bieberitz responded that during the non-peak season, there will be 210 truck trips per day. During the peak season for three or four weeks, it is 360 truck trips.

Ms. Bilandzija approached the podium again. She stated that no one asked about lights in the parking lot. Mayor Bukiewicz responded that there are lighting requirements for stray lighting with cut-offs. Mostly likely they will be LED's, which shine directly down, however, it should not be straying into the windows of the residences.

Commissioner Chandler asked if condition number 7 covers the berm situation on the south side. Planner Papelbon responded that one of the berms is not actually on this property so that can be taken off the table right away. As far as the rest of it, grading and landscaping plans are required. Between those two, the required berm will be covered.

Mr. Scovitch requested that condition #3 relative to FEMA approvals be revised to remove approval of floodplain and limit it to just floodway. Planner Papelbon asked the applicant if he would open to getting a CLOMR (Conditional Letter of Map Revision). Adam Artz, Pinnacle Engineering Group, 15850 W. Bluemound Road, stated that the reason for the comment change was per the meetings early on where the City has the approval authority on the flood fringe. The floodway is FEMA's ultimate jurisdiction, so it is just a clarification. The CLOMR process itself is a conditional letter which is the exact same process as a LOMR, it is just before you start the construction. If you wanted to go to FEMA, it would be the LOMR process following construction, not the CLOMR before construction. Those floodplain computations have been submitted to Engineering, they have received comments and they've addressed something to actually take it to one step beyond and not count some volume that could be counted.

See as there were no more questions or comments, Mayor Bukiewicz called for a motion.

Commissioner Johnston moved that the Plan Commission approves the site and building plans submitted by Donald Schoenheider, Hillwood Enterprises, LP, for the property at 9700 S. 13<sup>th</sup> St. with the following conditions:

1. That all relevant Code requirements are in effect.
2. That all plans shall be revised to comply with required setbacks per the PUD Conditions and Restrictions and the Municipal Code.
3. That copies of all FEMA approvals for the modifications to the floodway shall be provided to the City prior to the submission of building permit applications.
4. That copies of any wetland fill approvals and/or permits from the Wisconsin Department of Natural Resources shall be provided to the City prior to the submission of building permit applications.
5. That copies of all access approvals and agreements shall be provided to the City prior to the submission of building permit applications.
6. That the public trail easement on the east side of the property is incorporated into all plans.
7. That the landscape plan is revised to incorporate required vegetation, and submitted for review and approval by the Director of Community Development prior to the issuance of building permit applications.
8. That the plans are revised to include details for all trash enclosures, retaining walls, and the guard shack.
9. That the plans are revised to include locations for all mechanicals, transformers, and utilities.
10. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view.
11. That the plans are revised to include details for any trash receptacles and the retaining wall.

12. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

Commissioner Siepert seconded. On roll call: Commissioner Johnston, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, and Commissioner Siepert voted aye. Commissioner Hanna, Alderman Guzikowski, and Commissioner Chandler voted no. Motion carried.

**TEMPORARY USE PERMIT  
BRANDED STEER  
1299 W. COLLEGE  
717-9002-001**

Zoning Administrator/Planner Wagner provided an overview of this temporary use permit. (See staff report for details.)

Commissioner Johnston expressed his concern about this operation taking place on College and 13<sup>th</sup> Street. Mayor Bukiewicz stated that it is kind of different for the City, but it is the Harley Davidson anniversary celebration and it is only a three or four day event and only comes once every few years, so he is okay with it.

Commissioner Siepert motioned that the Plan Commission approve a Temporary Use permit for the temporary sales of Harley Davidson apparel in the parking lot located at 1299 W. College Avenue with the following conditions:

1. Sales are limited to the area within the tent area identified on the site plan.
2. Hours of operation will be from 11 a.m. until 10 p.m.
3. Permit is valid August 29, 2018 through September 3, 2018.

Commissioner Chandler asked if anything needs to be added about signage. Zoning Administrator/Planner Wagner responded that the applicant did not indicate that there would be any kind of signage that was being proposed. Dennis Giannopoulos, 1243 Carrington Road, Hubertus, WI owner and operator of the Branded Steer stated and he does the tent sales every five years in the parking lot. He stated that there would be no signage.

Commissioner Hanna seconded. On roll call: all voted aye, except Commissioner Johnston. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siepert seconded. On roll call: all voted aye. The meeting was adjourned at 8:33 p.m.

ATTEST:

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

September 11, 2018  
\_\_\_\_\_  
Date