

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, May 14, 2019**

Alderman Guzikowski called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Alderman Loreck, Alderman Guzikowski, Commissioner Oldani, and Commissioner Siefert. Mayor Bukiewicz, Commissioner Carrillo, and Commissioner Chandler were excused. Also present: Kari Papelbon, Planner, and Director of Community Development Seymour.

**Minutes of the April 23, 2019 meeting**

Commissioner Siefert moved to approve the minutes of the April 23, 2019 meeting. Commissioner Hanna seconded. On roll call: all voted aye, except Alderman Loreck and Commissioner Oldani abstained. Insufficient votes for approval – will be reviewed at the May 28, 2019 meeting

**PUBLIC HEARING**

**COMPREHENSIVE PLAN AMENDMENT**

**UPDATE PLANNED LAND USE CATEGORY AND MAP FROM “SINGLE FAMILY RESIDENTIAL” TO “MIXED RESIDENTIAL”**

**8100 AND 8146 S. 27<sup>TH</sup> STREET AND 8100 S. ORCHARD WAY  
TAX KEY NOS. 810-9012-001, 810-9005-000, AND 810-9013-001**

Planner Papelbon read the public hearing notice into the record.

Alderman Guzikowski made a first, second, and third call for public comments. Seeing none, the public hearing was declared closed.

**COMPREHENSIVE PLAN AMENDMENT**

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Planner Papelbon provided an overview of the request to change future land use from “Single Family Residential” to “Mixed Residential”. (See staff report for details).

Alderman Loreck explained he hears from a lot of residents that there is concern over the amount of multi-family development coming into the City. A lot of residents would like to see more space available to single family homes. Part of the Comprehensive Plan is to inventory available single family lots. Alderman Loreck continued by stating he would be hesitant to change the Comprehensive Plan from single family homes to mixed use, especially because a multifamily development is going just south of this one.

Commissioner Siefert asked Planner Papelbon if the zoning for this property is the same as the land to the south of this property. He also inquired if that zoning was changed recently.

Planner Papelbon explained this is not a zoning request; it is a Comprehensive Plan Amendment request. The current zoning is Single-Family Residential and possibly Agricultural. This is asking

for the Comprehensive Plan to be amended to be consistent with the Comprehensive Plan has been amended for Mixed-Residential in the area.

Commissioner Siefert asked for confirmation on the zoning of the land to the south.

Planner Papelbon explained that the land to the south is zoned Mixed-Residential.

Alderman Guzikowski expressed that he shares Alderman Loreck's concerns and he is also concerned over the density, especially with HSI going on the neighborhood.

Planner Papelbon explained the area to the south, Colonial Woods, has always been zoned for Multi-Family Residential uses. This is not a rezoning request, but this area has been identified as being appropriate for these types of residential uses in the past.

Director of Community Development Seymour explained this was originally the second phase of the Colonial Woods Condominium project. When the project was not completed the land reverted back to its original zoning. Director of Community Development Seymour continued to explain the Comprehensive Plan supports mixed types of residential uses in these types of areas. If this area comes back for rezoning the Plan Commission will be committed to a more thorough review of density and site related issues.

Alderman Loreck asked if the entire parcel is zoned Agricultural right now.

Planner Papelbon explained there are actually three parcels that will be involved, which creates a mix of zoning. Planner Papelbon reiterated that the zoning is separate from this Comprehensive Plan Amendment.

Alderman Loreck inquired if the current Comprehensive Plan has this area planned for Single-Family and the history behind that given there is Business and Multi-Family all around this area.

Director of Community Development Seymour explained this area was subject of a few studies that were done years ago as part of the development for the Apple Creek Subdivision. At that time this area was identified for Multi-Family and similar uses. Also at that time the alternative did show some single family residential within that corridor. There have been a number of studies since then. The 27<sup>th</sup> Street plan allows for mixed residential uses. Single family residential is the Comprehensive Plan designation that remains from the 2002 Comprehensive Plan.

Alderman Guzikowski explained if this would come back up for the next step, he is concerned over the density and there are too many units.

Commissioner Siefert asked for clarification that the Plan Commission is just voting on amending the Comprehensive Plan from Single-Family to Mixed Development.

Alderman Guzikowski confirmed.

Planner Papelbon also confirmed, but corrected Mixed Development to Mixed-Residential.

Commissioner Siefert moved that the Plan Commission adopts Resolution 2019-02, amending the Comprehensive Plan and Planned Land Use map to reflect the changes in land use from "Single Family Residential" to "Mixed Residential" for the properties at 8100 and 8146 S. 27th St. and 8100 S. Orchard Way following review and adoption by the Common Council.

Commissioner Hanna seconded. On roll call: all voted aye except Alderman Loreck and Alderman Guzikowski who voted no.

**REZONE AND PLANNED UNIT DEVELOPMENT  
MODHOME LLC  
10730 S. HOWELL AVE  
TAX KEY NO. 973-9997-000**

Planner Papelbon provided an overview of the request to rezone the property at 10730 S. Howell Avenue from A-1, Limited Agricultural to Rd-1, Two-Family Residential with a Planned Unit Development (PUD). (See staff report for details).

The applicant, Jeremy Samatis, 670 N Park Blvd, Glen Ellyn, Illinois, did a short presentation of the project which included five styles of Single-Family houses. (See staff report for details).

- Some of the amenities include:
  - Club house
  - Large pool
  - BBQ grilling pavilion
  - Gated dog park and dog washing station
  - Community trail connects to Oak Leaf Trail
  - Open floor plans
  - 9' Foot ceilings
  - Fireplaces
  - Smart home features: keyless entry, Wifi thermostats, 24/7 security and fire monitoring
  - Quartz countertops
  - Energy star appliances
  - Manufactured wood floors
  - Luxury bathrooms
  - Efficient furnace and Central Air
  - Laundry rooms with full size washer and dryer
- He gave national and local statistics of the benefits of access to a home without the obligations of ownership.
- Listed benefits to residents
- Provided a background of the developer

Steve Sorenson, 479 Golf Hill Court Road, Green Lake, Wisconsin, von Briesen and Roper, explained he is present to address the concept and advantages of this project. He explained this is a condominium project so it will be maintained and managed by a single management company to create uniformity and the City will not be responsible for any maintenance. Mr. Sorenson continued to explain that he spoke with Alderman Loreck and Mayor Bukiewicz and made changes to gear this project to Oak Creek, which lead to the single family home instead of the multi-family units or duplexes. He compared the cost of these homes to the cost of a new apartment in Oak Creek.

Commissioner Hanna expressed concern over the density of the homes in this project.

Mr. Sorenson explained it is less than the allowable density per Oak Creek Ordinance; 160 units is the allowable density in this complex.

Alderman Guzikowski explained it does seem denser, but these are homes and has a more residential feel.

Commissioner Hanna reiterated that the overview makes it look very dense and without measurements it is hard to know how close the houses are.

Mr. Sorenson clarified that this is not meant to duplicate a single-family residential neighborhood; this is a condominium or PUD project. This is meant to be affordable and quality housing. The development is meant to balance the costs of new single-family homes and still maintain all the required clearances from other houses, roadways, and the property lines. He explained this is for people that do not want to live in a multi-family condominium project or apartments, but does not have the resources or desire to maintain a lot in a regular subdivision at that level.

Commissioner Hanna asked Planner Papelbon if they are required to hold a public meeting to notify the public of the rental options going in that area and what is happening.

Planner Papelbon explained part of the notice is notice for this meeting. Any review that comes before the City has a notice that goes along with it. They are not required to do a public information meeting before they submit anything everybody does get notice of this.

Mr. Sorenson explained himself and the developers are happy to talk with the community about this project.

Commissioner Hanna explained she is concerned about the rental option verses the ownership option.

Mr. Sorenson explained the option to buy is available. He continued to explain that Oak Creek has no developments like this and marketability studies say this is the type of project that would work well in Oak Creek.

Alderman Loreck asked about the proposed rental costs of these units.

Mr. Sorenson stated the estimate is \$2,000 a month for a two bedroom and \$2,500 a month for a three bedroom.

Alderman Loreck inquired if this specific concept has been used somewhere else.

Mr. Sorenson explained ModHome has not done this other places, but it has been done other places.

Alderman Loreck asked if there is study on the turnover of tenants for these types of units verses multi-family complexes.

Mr. Sorenson specified there would not be a study on this specific type of project because it doesn't exist, but there are similar projects in areas of senior citizens. In those types of areas the turnover rate is very low and usually occurs due to death.

Director of Community Development Seymour asked if the leases would be 12 month leases or month to month leases.

Mr. Sorenson confirmed the leases would be 12 months and they wouldn't offer month to month leases.

Alderman Loreck questioned what if the association fee would be included in the rent and what it would cover.

Mr. Sorenson explained the renters only pay rent and everything is handled for them.

Alderman Loreck asked if the renters are allowed to put things up in their yards.

Mr. Sorenson explained there are limited common areas that surround the facility where chairs could be out, but most of the land would be referred to as common area.

Commissioner Siepert asked if the houses are modular homes and would not have a basement.

Mr. Sorenson confirmed this.

Commissioner Siepert inquired if the applicant is aware of condition of the soil at this location.

Mr. Sorenson referred to the engineer for the project.

Dan Janke, Kapur and Associates, 7711 North Port Washington Road, Milwaukee, stated he is not the environmental engineer, but there is a phase two study being done right now.

Commissioner Siepert asked if the applicants are aware that it is a land filled area.

Mr. Janke stated he knows the south side of the site has some of that, but the phase two study will address all the soil.

Commissioner Siepert questioned if these would be strictly rental units that will not be sold.

Mr. Sorenson explained that every unit is going to be sold and the owner can rent the facility. The project will start out with their company owning all of the units and they will sell them so people can buy the units. The market they are aiming for is the rental market. These are condominiums so someone or multiple people will own all these units. The condominium association will run the whole project and will be in charge of all maintenance and lawn upkeep.

Dave Dudor, 10670 S. Howell Avenue:

*"Most of the questions that I have were answered by the presentation. However, is there any concern that this property is in the 100 year flood plain? I don't know if that's a concern or not that has any bearing on it. I guess that's the last question that I had on my list."*

Mr. Janke explained the flood plain and the flood way are on the eastern portion of the site and will not be disturbed. Flood plain storage, volume, and flood way boundary are all the same. They are maintaining a minimum of a 15 foot setback from any FEMA mapped flood way.

Eric Kotecki, 10765 S. Christina Court:

*"We bought our house about three years ago; nice quiet neighborhood. All owners as far as we know of, our concern is renters too. Renters don't seem to care about properties"*

*nearly as much as homeowners do. The capacity seems outrageous too, 20 acres to fit 87 homes, that's going to be packed in pretty tight. Noise is going to go up, constant lawn mowers and snow blowers, I know one property management is going to take care of it, but that's a lot to take care of. Rather than hearing one snow blower go by on our single block, that's six more roads or eight more roads to plow. I'm concerned about wetlands too because we have water that builds up close to our property as it is or on our property as it. Are all these new homes are they going to drain towards Howell or when it rains it's all got to go somewhere? Those are my main concerns and rental properties, rental properties; single family homes are never good. Thank you."*

Alderman Guzikowski said questions would be held until the end.

Andrea Kultgen 10723 S Christina Court:

*"Our main concern is definitely echoing the wetland, the entire area back there is absolutely prone to flooding. The drawings you're rendering this pathway looks to be literally through our backyards. So it is concerning that the traffic, any foot traffic from these rental properties, that of course are rental verses owned would be coming through the neighborhood and are people who are tenants turning over very frequently. Again, owned homes, we have plenty of family friends that are looking for lots to buy in Oak Creek to build homes and own them, but not necessarily rental. I'm absolutely opposed to that."*

Alderman Guzikowski explained that buying land to build a typical house on is cost prohibited and that's why developers are looking to do projects like this. We are still trying to build traditional neighborhoods, but the cost of doing business like that is not as easy as one would think.

Director of Community Development Seymour stated, density is a concern, but the Comprehensive Plan shows this land as two-family residential or duplexes. Director of Community Development Seymour believes the minimum lot size for those types of homes in the zoning code is about a third of an acre. On paper this proposed plan actually has fewer units than what would be allowed under the current Comprehensive Plan designation for two-family residential.

Nichole Kotecki, 10765 S. Christina Court:

*"I didn't even want to come tonight, and my husband told me, 'No, we need to do this,' and when you guys popped that picture up there, I almost cried. We bought this house and there is a beautiful farm behind there, I sit there and do my dishes and I look at this barn and imagining staring at 87 houses is outrageous. You talked about how you lived in Chicago or you live in Chicago, I used to live in Chicago, I don't live in Chicago anymore, if I wanted to live in a house where I turned around and I looked out a window and saw another window or that many houses I would still live in Chicago. I cannot believe that there aren't more people here and I kind of remember the paperwork saying this meeting was open to people within, I think it was 350 feet. I don't think we would have this less of a turn out had all of the neighborhood been notified. I'm ready to cry right now, I cannot believe that this is something that's going to possibly happen; I wouldn't even want to live in Oak Creek anymore or that area if this happened. I am going to cry, I'm sorry, but yes the water damage back there, we see the flooding in spring, it is really bad and I can only imagine, I know you guys probably hear engineers have all your information and stuff like that, but I can tell you from experience that it's going to go somewhere and it's going to go on my kids' playset and it's going to go, I just can't imagine it, it's sad."*

Alderman Guzikowski asked Planner Papelbon what the square footage for notice distribution is.

Planner Papelbon explained the City code states for public hearing notices we notify people within 300 feet of the proposed project. For this project notifications went a little outside of that 300 foot rule. Alderman Gehl recently informed planning staff that for the public hearing before the Common Council, should this item move forward, the area for notification will be expanded so additional people would be notified.

Jim Steffens, 10724 S. Christina Court:

*“Evidentially, these letters only went out to people on Christina Court because we happen to be on the back side of this. I mean there is just so much, in the spring we see the Root River flooding, and the minute you add all this, acres of concrete that waters going to go right in our backyard. Not only adding the traffic, I mean you have a business complex on the other side, now we got FedEx, and then you’re going to have all this traffic from a condo thing, with twice as many buildings as there should be on that piece of land. I think this is just ridiculous and then on top of it, renters are notorious for destroying areas, just because they don’t care, they know they can go in and live in this nice place for a year and then they walk out and then somebody else comes in. I just think this is just a horrible, horrible idea.”*

Director of Community Development Seymour stated he would not characterize any group of people as being notorious for destroying an area.

A resident made remarks or asked questions off the microphone.

Director of Community Development Seymour explained providing specific examples would be more appropriate than making sweeping generalizations.

Alderman Guzikowski asked the applicant to help answer the benefit of rental, people taking care of their property verses people that don’t own the property and will not be inclined to take care of it.

Mr. Sorenson explained the renters are in no way responsible for maintaining the property; the owners will be responsible for maintaining the property. All of the proposed units will be owned and the management company that the owners hire will be responsible. The renters will not have the ability to do anything to be sloppy because they are not responsible for anything. There will be rules regarding the way cars are parked and what can be placed outside. There will be rules like a condominium property. This is a marketing concept that can work in this community because of the need for housing in the community. Mr. Sorenson stated he can provide statistics on housing developments and the pressure for this type of housing. There will be reserved funds to make repairs to the homes.

Commissioner Hanna asked the applicant, if after hearing all the comments, if he would be open to investigating the approach of just having the ownership part of the plan without the rental portion.

Mr. Sorenson explained they had looked at that approach a great deal; however, the cost of buying the properties eliminates a huge portion of the market that is looking for housing in the community.

Commissioner Hanna pointed out that Mr. Sorenson said he was planning to sell all the properties anyway.

Mr. Sorenson said they will sell over time as the demand resolves and the project will take place in two phases to keep the project cost effective. This project will keep the quality up because of the single management company.

Alderman Guzikowski asked for the best qualified person to address the issue of drainage.

Mr. Janke explained there is a flood way on the property, but the developers will follow the strict ordinance set by the city of Oak Creek. Right now, everything does drain to the south east corner of the site, which is where a proposed wet detention basin will be that will treat the water; 80% total suspended solids or pollutants removal. This will hold the flow and reduce it. According to City code the development cannot increase the water to the flood way area, but must reduce it. Phil Beiermeister, environmental design engineer with Oak Creek, has reviewed the model and concurred with the proposed wet detention basin.

Alderman Guzikowski asked where the outflow was located.

Mr. Janke explained it would flow to the south east because that cannot be changed, but it would reduce the flow by using private storm sewers and holding the water.

Alderman Guzikowski called for residents wishing to speak.

Nichole Kotecki, 10765 S. Christina Court:

*"The other thing I wanted to mention, you're talking about doing two phases, so that's two years of you guys doing construction in our backyard. My husbands a third shifter so now you're also affecting his quality of life because he's not going to be able to sleep with you guys building there constantly. I can tell you there already doing construction right across the way on that new building, I'm not sure the address, but it's kiddie-corner over there, we hear it, we hear it all day. When they're working on it, we hear it so telling me that you're going to work on 44 house for the first year and then another 43 houses for the next year, that's, I mean would you like to hear that every day? I mean it's outrageous, I'm sorry, that's it."*

Alderman Guzikowski asked Ms. Kotecki what do you think the neighbors thought when the neighborhood you live in was being built.

Nichole Kotecki, 10765 S. Christina Court:

*"I understand that."*

Alderman Guzikowski continued they were probably feeling the same angst and uneasiness, but sometimes you have to look at the big picture. The farm owner, as a business, has to sell it; they're doing it for a reason too. It does make life difficult for you for two years, especially with sleeping patterns and jobs, but the quality of life is going to be much better when it's all said and done.

Nichole Kotecki, 10765 S. Christina Court:



*“And I’m not sure how many houses they built at one time, I kind of think it wasn’t 87 at one time, just considering the cul-de-sac is only a small amount. 87 is a big number.”*

Alderman Guzikowski stated he understands and thanked Ms. Kotecki. Alderman Guzikowski asked for other speakers.

Suzi Rzeplinski, 10851 S. Christina Court:

*“We bought our home not even a year and a half ago, purposefully because it’s in a cul-de-sac, it’s private, it’s quiet and we chose to invest quite a bit of money into Oak Creek because we believe in it and the community and the family values of it. So, seeing an 87 single home development go in behind my property that I have to look at through my kitchen, dining room, living room, master bedroom, and master bathroom every day is very upsetting to me and makes me question the investment we made here in Oak Creek if that were to go into place. Also the fact that 87 single family homes times three people per home that’s a lot of people, that’s a lot of vehicles, that’s a lot of traffic and we wanted a quiet neighborhood, which we have right now and there are a lot of neighbors here speaking up. I mean there’s not that many homes on Christina Court, over half the people on the street are here saying what they’re thinking. So, I just really want to encourage you to listen to the neighbors and the residents who already are here and already invested in Oak Creek and to take that into consideration when you consider this development.”*

Jim Block, 103 E. Elm Road:

*“This project here will change the view out of my rear window as well. I was just curious, on the map it shows unit 87 drawn quite a bit smaller than unit 80 does this drawing indicate which one of the houses you get abutting my property?”*

Director of Community Development Seymour explained he will not speak for the applicant, but there are five different housing types that are shown.

Jim Block, 103 E Elm Road:

*“Is this drawn to scale? Right, I saw there are five different style homes, so does this indicate that unit 87 may be a smaller unit than unit 80, as a for instances.”*

Director of Community Development Seymour explained the regulatory document, which would be similar to the general development plan that was provided with the staff report. There will be letters on the regulatory document to indicate what type of unit can be built in each spot. They are bound by what is shown on the plan.

Jim Block, 103 E. Elm Road:

*“Can I ask also, how close to the lot line, to the north would the new homes be? How many feet south of the lot line?”*

Director of Community Development Seymour stated he believes it to be 30 feet, which is the same as the zoning on the adjacent residential parcels and the same as what would have been for the two-family homes that would be allowed under the current Comprehensive Plan amendment.

Alderman Guzikowski asked for anyone else asking to speak.

Suzi Rzeplinski, 10851 S. Christina Court:

*"I forgot my most important point. For reference, based on the density of the homes, you can see the plot lines of the homes on Christina Court in the dark green on the right there's about, it's hard to see, but I think there's about six to eight properties of single family homes for where you've got 12 or more if you count the street going across the top of the page and then down the right, I mean there's over 12 units there, so there's 12 units where you've got six to eight homes and so your observations about how dense it is based on the size of that property and the fact that I stare at that lot every single day that I'm home, I think it's very concerning the density and just how much it's actually going to affect the quality of life of everyone who's already living there."*

Alderman Guzikowski asked for any other comments or questions.

Kristine Patzer, 115 E. Elm Road:

*"Just had one question, I know there's going to be walking trails, are the walking trails going to be available for people that live in the area, not just for the residents?"*

Alderman Guzikowski explained the trails will be connecting up to the Oak Leaf trail so anyone will be allowed to use them.

Kristine Patzer, 115 E. Elm Road:

*"And then the buildings that are there, the two homes and the barn, how will those be removed? Will they be burned? Has that been decided?"*

Alderman Guzikowski stated he is unsure if they have an answer for that. Right now, they don't know if the property has been bought or sold, they could still be in that stage of the progress.

Alderman Guzikowski asked for any last questions.

Josh Kultgen, 10723 S. Christina Court:

*"I just had a follow-up question about the trails, are those planned to be lit trails?"*

Alderman Guzikowski stated they would not be; there are no lit trails in the City.

Josh Kultgen, 10723 S. Christina Court:

*"Right, I was just wondering, just in case because if we had those lit that would be absolutely a deal breaker because then that's lighting up everyone's backyard and even worse than all the houses there would be all the lit trails."*

Alderman Guzikowski again asked for other questions or comments.

David Paro, 159 E. Elm Road:

*"I just, kind of a cautionary thing too you guys, both me and my wife are police officers and generally speaking when you see rental properties your calls for service go up through the*

*roof. It's just, actually we have theory within law enforcement it's called broken window theory, if you have a broken window and you're not taking care of it yourself you don't own that specific property generally speaking crime comes into that community. With Oak Creek being what it is and the amount of rental properties that we've allowed into it over the past couple years, I wouldn't be very surprised that this strain that you're going to put on your law enforcement community with the calls for service, especially with a building of this magnitude. Just on a side note as well, both me and my wife we bought our home three years ago, we're 30 years old, we're new, this is the first home that we built or bought. Just looking at if I had the option of either spending \$2,000 a month on a rental property or spending \$2,000 a month on buying a new home, there's no question to ask that I would buy a new home for that equity in itself. What is to say that there's no really no places in this community except for Drexel Town Square that you can rent a rental property for \$2,000 a month, that is a very, very high cost. What happens when these rental properties all sudden have to reduce the amount that they are renting these out to \$1,000, to \$900, \$800 a month and you get the different people throughout the community that are going to eventually come into these places, now you got to look at the vast majority of these homes that surround this property are in the high \$200,000, \$300,000 mark, those are very high end homes for Oak Creek and I think you would do nothing, but decrease the value to those homes and the surrounding community when you put rental properties into these areas."*

Alderman Guzikowski asked for any other questions or comments from the audience. Seeing none he asked the commissioners.

Commissioner Siefert stated that the concept is great and he likes the idea, but the selected location is not right for that development. The development would bring in more traffic to the area and the soil has been filled so it might cause problems for the development.

Commissioner Oldani asked the applicant why the owners would not be living out of state.

Steve Sorenson, 479 Golf Hill Court Road, Green Lake, Wisconsin, von Briesen and Roper, explained they could, but the owners that have already been identified don't live out of state.

Commissioner Oldani sought confirmations that owners have been found for all 87 homes.

Mr. Sorenson confirmed they have found owners for all 87 homes.

Commissioner Oldani asked for clarification that it will be seven to eight owners and they are local.

Mr. Sorenson confirmed it will be seven to eight owners and some are local, but cannot disclose their locations. Mr. Sorenson also corrected that they do not own the land yet; they have an offer to purchase the land. Mr. Sorenson explained if they do not build on this property they will not purchase the land because it is zoned for duplexes with a higher density.

Commissioner Oldani asked the applicant to explain the process. If there is an issue with a renter is there a board that will handle the complaints?

Mr. Sorenson confirmed there is a condo board and there will be two managements groups. The home owners or residents would make up the homeowners' group and owners make up the condominium association. This project cannot be compared to a rental project because this

project is a one of a kind with a 20 or 30 year plan.

Planner Papelbon asked if there were any comments or questions on the proposed conditions or restrictions that were included in the Plan Commission packet.

Commissioner Siepert inquired about the high powered wires that are going through the property on the south end.

Mr. Sorenson explained they are out of the easement and checked with WE Energies.

Nichole Kotecki, 10765 S. Christina Court, asked a question inaudibly while off the microphone.

Alderman Guzikowski stated, *"It's going to be underground."*

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves the rezoning of the property at 10730 S. Howell Ave. from A-1, Limited Agricultural to Rd-1, Two-Family Residential with a Planned Unit Development (NO CHANGE to FW, Floodway or C-1, Shoreland Wetland Conservancy zoning districts) after a public hearing.

Commissioner Hanna seconded. On roll call: all voted aye, except Commissioner Hanna, Commissioner Oldani, and Commissioner Siepert who voted no. The motion failed.

Director of Community Development Seymour explained this is a recommendation to the Common Council. The applicant and any property owner are entitled to a public hearing before the Common Council. If this moves to a public hearing the City will notify the expanded notification area per Alderman Gehl.

## **PLAN REVIEW**

### **SUMMIT CREDIT UNION**

**7869 S. 13<sup>TH</sup> STREET (LOT 2 OF CSM APPROVED OCTOBER 16, 2018 TO BE RECORDED)  
TAX KEY NO. PORTION OF 784-9993-002**

Planner Papelbon provided an overview of the request for a plan review for a proposed financial institution with a drive-through facility. (See staff report for details).

Commissioner Siepert stated he liked the concept and thinks it will work well in that development.

Commissioner Hanna asked if there has been a traffic analysis done on this location.

Planner Papelbon confirmed a traffic analysis has been done.

Commissioner Hanna inquired about the level of service for that analysis.

Planner Papelbon stated she is not sure of the level of service, but the road will be constructed to meet those demands.

Alderman Loreck stated this is a good looking building.

Commissioner Siepert moved that the Plan Commission approves the site and building plans submitted by Greg Polacheck, Summit Credit Union, for a portion of the property at 7869 S. 13th St., with the following conditions:

1. That all relevant Code requirements are in effect.
2. That the CSMs approved by the Common Council on July 17, 2018; October 16, 2018; and February 18, 2019 are recorded prior to the submission of building permit applications.
3. That a signed copy of the Conditions and Restrictions approved by the Common Council on April 1, 2019 is submitted to the Department of Community Development prior to submission of building permit applications.
4. That copies of all access approvals and agreements shall be provided to the City prior to the submission of building permit applications.
5. That the exterior brick veneer meets the minimum 4-inch thick requirement per Code.
6. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view.
7. That all required easements are included on the plans prior to the submission of building permit applications.
8. That all revised plans (site, building, landscaping, trash enclosure 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.

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

**PLAN REVIEW  
RYAN COMPANIES  
7869 S. 13<sup>TH</sup> STREET (LOT 2 OF CSM APPROVED TO BE RECORDED)  
TAX KEY NO. PORTION OF 784-9993-002**

Planner Papelbon provided an overview of the request for a plan review for a proposed neighborhood hospital facility. (See staff report for details).

Alderman Loreck expressed his opinion that he likes the new building. Alderman Loreck asked the applicant about the drastic change in design.

Renee Kubesh, Eppstein Uhen Architects, 333 E. Chicago Avenue, Milwaukee, there was a change in architects. The previous architects did not have a tenant lined up, but when the current architects came on board they had a commitment with Froedert being the tenant so they were able to customize the design to Froedert's style and the style of Drexel Town Square.

Commissioner Siefert inquired what Froedert intends to do with their current building in Drexel Town Square.

Ms. Kubesh apologized and explained she does not have answer to Commissioner Siefert's question because she is not a Froedert employee.

Director of Community Development Seymour explained they are complimentary facilities that will serve patients differently. The Drexel Town Center facility is more out patient and urgent care. This facility is for patients that need some hospital care, but do not require the resources of the Wauwatosa facility.

Alderman Guzikowski expressed his opinion that he does like the look, but is concerned with the pedestrian traffic as noted in the staff report and the fire hydrants. Alderman Guzikowski inquired if the fire department had any comments or questions.

Assistant Fire Chief Kressuk explained there was some concern with access and fire protection, but they are working with NFPA coverage standards. Fire hydrant lay out needs to be thought out for the whole development. The fire department is going to work on this with each developer as each submittal comes in.

Commissioner Siepert asked Commissioner Sullivan if a right turn lane into the facility would be added on 13<sup>th</sup> Street to add more access.

Commissioner Sullivan clarified that the traffic impact analysis done for this development and the development to the north identifies two locations for entrances on 13<sup>th</sup> Street. The northern entrance is proposed to have a signal. The City and the developer are working with the County. The County will install signals when they deem it appropriate. The southern entrance will be a right in and left in entrance off of 13<sup>th</sup> Street, with no exit heading north. The engineers have looked over the traffic impact analysis and feel comfortable with it.

Commissioner Siepert inquired if this will be included with the current work on 13<sup>th</sup> Street.

Commissioner Sullivan explained this will occur in the future.

Commissioner Siepert expressed a concern over delays again in the future caused by having to make these changes later.

Commissioner Sullivan clarified that they are looking for alternatives to tearing up the pavement to minimize the impact on the traveling public.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Nick Kaminski, Ryan Companies, for a portion of the property at 7869 S. 13<sup>th</sup> St., with the following conditions:

1. That all relevant Code requirements are in effect.
2. That the CSMs approved by the Common Council on July 17, 2018; October 16, 2018; and February 18, 2019 are recorded prior to the submission of building permit applications.
3. That copies of all access approvals and agreements shall be provided to the City prior to the submission of building permit applications.
4. That the exterior brick and stone veneer meets the minimum 4-inch thick requirement per Code.
5. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view.
6. That all required easements are included on the plans prior to the submission of building permit applications.
7. 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. Motion carried.

## **PLAN REVIEW**

**WISCONSIN KENWORTH  
9350 S. 22<sup>ND</sup> STREET  
TAX KEY NO. 877-9018-000**

Planner Papelbon provided an overview of the request for a plan review for an addition to the existing parking area at 9350 S. 22<sup>nd</sup> Street (See staff report for details).

Alderman Loreck asked if the addition will affect the storm water management.

Planner Papelbon explained the addition of the parking stalls will require green infrastructure, but the re-pavement will not. The City environmental engineer looked over the plans and everything for the storm water management was in place with the exception of the green infrastructure.

Commissioner Siepert asked the applicant if the new addition would be fenced in.

Steve Kruit, 3210 S. 149<sup>th</sup> Street, New Berlin, stated the entire area is currently fenced in. Mr. Kruit also mentioned there is a berm between their property and the apartment complex.

Alderman Guzikowski explained as long as nothing is done to disturb the berm, this is a good addition for the company.

Commissioner Siepert moved that the Plan Commission approves the site plans submitted by Steve Kruit, Wisconsin Kenworth, for the property at 9350 S. 22<sup>nd</sup> St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That a detailed landscape plan for the expanded parking areas is submitted for review and approved by the Director of Community Development prior to submission of permit applications.
3. That all revised plans (site, building, landscaping, east elevation, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of permit applications.

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

Director of Community Development Seymour explained the vote on the first item, a Comprehensive Plan amendment for Decker Properties, did in fact cause a failed motion. The state statute requires a majority vote of the entire Plan Commission. The vote was a 4-2 vote, which does not make up a majority vote for the Plan Commission of nine people.

Mr. Sorenson came to the podium to address the staff report they received for this Plan Commission meeting. The staff report indicated, if the Plan Commission should not recommend approval the "Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit (if necessary)." Mr. Sorenson inquired if he would be receiving those code sections.

Alderman Guzikowski said the applicant has the option to go right to Common Council and referred to Director of Community Development Seymour for a more complete answer.

Director of Community Development Seymour based on the comments from the commissioners and the dialog, planning staff can make note of the deficiencies or conditions and let the applicant know.

Mr. Sorenson asked for clarification that Plan Commission did not make a motion to disapprove; it was just a motion to approve that did not pass.

Alderman Guzikowski confirmed this inquiry.

Commissioner Siefert moved to adjourn the meeting. Commissioner Oldani seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:54 p.m.

ATTEST:

  
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Douglas Seymour, Plan Commission Secretary

5-28-19

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Date