

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, APRIL 23, 2019**

Alderman Guzikowski called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, City Engineer Simmons, Commissioner Carrillo, Commissioner Siepert and Commissioner Chandler. Mayor Bukiewicz, Alderman Loreck, and Commissioner Correll were excused. Also present: Kari Papelbon, Planner.

**Minutes of the March 26, 2019 meeting**

Commissioner Siepert moved to approve the minutes of the March 26, 2019 meeting. Commissioner Hanna seconded. On roll call: all voted aye, except Commissioner Chandler, who abstained. Motion carried.

**Minutes of the April 9, 2019 meeting**

Commissioner Siepert moved to approve the minutes of the April 9, 2019 meeting. Commissioner Hanna seconded. On roll call: all voted aye, except Commissioner Chandler, who abstained. Motion carried.

**PUBLIC HEARING**

**COMPREHENSIVE PLAN AMENDMENT**

**UPDATE PLANNED LAND USE CATEGORY AND MAP FROM “PLANNED INDUSTRIAL”  
TO “PLANNED BUSINESS”**

**1001 W. RYAN RD. AND LOT 4 OF CERTIFIED SURVEY MAP NO. 9085 (ADDRESS TBD)  
TAX KEY NOS. 905-9995-001 AND 905-9010-000**

Planner Papelbon read the public hearing notice into the record.

Alderman Guzikowski made the first call for persons wishing to speak.

Chuck Koehler, 901 W. Ryan Road:

*“This area was recently rezoned to the Planned Industrial and I’m curious as to why this wasn’t done at that time? And what is planning to go in here now that you’re planning rezone it at this time?”*

Planner Papelbon suggested answering all questions at the close of the public hearing.

Alderman Guzikowski made a 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 “Planned Industrial” to “Planned Business”. (See staff report for details).

Alderman Guzikowski asked Mr. Koehler if that answered his questions from the public hearing?

Mr. Koehler responded off microphone.

Chuck Koehler, 901 W. Ryan Road:

*"I understand the mechanics behind this, but I also see two job trailers sitting at that property for the last month so something is going to go and it's almost like we're just changing the zoning or changing the Comprehensive Plan to make this just walk right through and that's my concern. Is that's what's going to happen or what's the process here as to what's going in? Because it's almost like we're closing the door after the horse is out is what it looks like to me. I just want to clarify that there's going to be some public input as to what may or may not go in on that corner."*

Alderman Guzikowski explained when Ryan Business Park went in the Common Council voted to make this land a business park. By changing this land over to the plan we have now that fits in line with the use they want to use it for. He continued by saying Mike Faber from Ryan Business Park is in attendance, if he would like to speak.

Chuck Koehler, 901 W. Ryan Road:

*"But originally that property was zoned agricultural and the reason the City had done that is that they could kind of control the development, I get that. And it was changed to "Planned Industrial" because of the Ryan Business Park and that was a process and that walked through also. Now we're changing zoning again, but we're really not getting information the neighbors in that area as to what's going in and it's almost like once the zoning is changed anything can just go and I thought the idea of that is to have some neighbor input because I live right in the heart of that and I plan stay there so I want to have some input as to what's going in, as it should be. So that's the reason for my appearance here tonight."*

Planner Papelbon clarified the process by explaining this would change the Comprehensive Plan so we can proceed to the next step if the Plan Commission and Common Council approve of this step. The next step would be rezoning, and at that point we would be looking at a more specific plan for these properties and probably the other properties along Ryan Road that have been acquired. The two properties in this proposal are the only ones that need to be changed back to "Planned Business" in the Comprehensive Plan. There will be public input and public hearings for any kind of rezone or conditional use that may be presented. Planner Papelbon deferred to the applicant, Mike Faber, for any additional questions for the Plan Commission.

Mike Faber, Capstone Quadrangle, N17W24222 Riverwood Drive, Waukesha, explained when they first proposed to rezone the subject properties the first step was to ask for a Comprehensive Plan change. This would allow land that was previously park land to be considered for "Planned Industrial". The subject parcels were not held by Capstone when the Plan Commission and Common Council changed the Comprehensive Plan back in July, 2018. The land was acquired due to being only 300 feet deep off of Ryan Road. The developers would be able to combine those parcels with the parcels acquired from Milwaukee County and the other property owner on Ryan Road to make this land deeper and more useable. At the City Planning Staff's request Capstone created marketing materials for these properties. With these materials Capstone suggests that any type of retail use could go in such as, hotels, banks,

shops, or any kind of use that finds itself that the intersection next to a full four way interchange with the freeway is a likely type of business user. Part of property is already zoned as B4- for highway business; this would extend the parcels to the natural barrier of the creek and would make it more likely that they will find more high quality retail to fit the site. The marketing materials also suggest uses that could be industrial, but given the purchase price typical industrial won't work financially. If industrial would come in it would have to be a more headquarters type industrial with a heavy office type component or research and development type. It would have to be a user that would care about the exposure to the full intersection of 13<sup>th</sup> and Ryan. The odds are 80% likely that the market will respond with higher quality retail uses. It would be best to find a higher end user that would value that location and use most or all of site. He thinks it's suitable for the public to weigh in on whether Planned Business is a suitable use for this site.

Commissioner Siefert asked Planner Papelbon if this change will go into the new Comprehensive Plan the City is developing now.

Planner Papelbon confirmed this and all changes to the Comprehensive Plan previously and moving forward will be incorporated into the Comprehensive Plan that will adopted later this year.

Alderman Guzikowski asked Mr. Koehler again if that answered his questions better.

Chuck Koehler, 901 W. Ryan Road:

*"(inaudible) Mr. Faber's intentions are great, he's got good ideas. The only concern I have is that once this is rezoned, can anything walk through there or does it still have to go before the City for approvals? Because once you change the zoning then anything that fits in that zoning area is allowed without any input, is that correct?"*

Alderman Guzikowski stated that it still has to come before Plan Commission.

Planner Papelbon explained that any rezone request would come before the Plan Commission and the Common Council. Any Conditional Use will also come before the Plan Commission and the Common Council. Once those are approved, the site and building plans would need to come before the Plan Commission for approval.

Chuck Koehler, 901 W. Ryan Road:

*"So the purpose of this is just to adopt it into the Comprehensive Plan? Zoning is not taking place at this time?"*

Planner Papelbon confirmed that rezoning is not taking place at this time.

Commissioner Siefert moved that the Plan Commission adopts Resolution 2019-01, amending the Comprehensive Plan and Planned Land Use map to reflect the changes in land use from "Planned Industrial" to "Planned Business" for the properties at 1001 W. Ryan Rd. and Lot 4 of Certified Survey Map No. 9085 (address TBD) following review and adoption by the Common Council.

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

**CONDITIONS AND RESTRICTIONS  
WINGSPAN DEVELOPMENT GROUP LLC  
7581 S. 13<sup>TH</sup> ST  
TAX KEY NO. 784-9998-001**

Planner Papelbon provided an overview of the Conditions and Restrictions for a Multifamily Residential Planned Unit Development at 7581 S. 13<sup>th</sup> Street. (See staff report for details).

Commissioner Hanna asked how the developers plan to address the wetland area.

Planner Papelbon explained there is one section of wetland fill that has been proposed near the club house, and the development road into the development. The remaining wetlands will be undisturbed. The majority of the wetlands are in the northeast corner that will not be part of the development.

Commissioner Hanna asked if they were planning to compensate for the disturbed areas.

Planner Papelbon stated they are planning to apply for a wetland fill permit, which she believes to be about 19,000 square feet.

Commissioner Hanna asked a question regarding the floodplain that was inaudible.

Planner Papelbon explained the floodplain will not be affected by the proposal.

Commissioner Hanna asked a question that was inaudible.

Planner Papelbon specified the floodplain is in the northeast corner.

City Engineer Simmons explained there are no real concerns regarding storm water, and all the general things Engineering is looking for are accounted for in the agreement. There will be a Development Agreement for a public sidewalk, public water, and private sewer. Engineering has seen the Traffic Impact Analysis. There are some minor requirements for 13<sup>th</sup> Street near the entrance that will be addressed in the plans.

Commissioner Siepert asked if there was any interference with the expressway easement on the west side.

Planner Papelbon explained the boundary of the property is outside of that easement.

Commissioner Siepert asked to confirm the property line placement (for the freeway).

Planner Papelbon confirmed it is property line to property line, and the development does not go into that right-of-way.

Commissioner Chandler asked the applicant to provide a little more information about the change from 12 months to 18 months for time of compliance.

Jason Macklin, 1001 Feehanville Drive, Mount Prospect, Illinois, explained as part of the permitting process they have to go through the DNR and the Army Corps of Engineers. This can be a lengthy process, they want to make sure they are allowing enough time.

Commissioner Chandler moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Multifamily Residential Planned Unit Development for the property at 7581 S. 13<sup>th</sup> St., after a public hearing.

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

George Wroczynski, 7650 S. 13<sup>th</sup> Street:

*"I've been there for I'd say about 14 years. There's been a lot of development there and there's more. My major concern is while there's, you were talking about wildlife delineation and there is some adjacent to my property. I basically moved there just for well you know to get away from the city and congestion and enjoy nature; a lot of my neighbors do the same. Now I notice they developed 13<sup>th</sup> Street, they widened it, they made it bigger, you know, traffic is traffic, but with this development I mean every time there's an accident on 94, 13<sup>th</sup> Street is bumper to bumper and there's a lot of accidents. With this proposed unit how are these people going to go into this unit and on this unit to work and back home without a stale mate of traffic. It doesn't make any sense. I think it's really, I mean there's so many areas that doesn't have residential properties in the Oak Creek area and Franklin and this and that, but I think it's really, you know, kind of like by instance put up a parking lot. It's just the way I feel. Like I said, I just think it's, now correct me if I'm wrong across in that area wasn't there an Oak Creek Park at one time or am I mistaken?"*

(Inaudible response)

George Wroczynski, 7650 S. 13<sup>th</sup> Street:

*"There wasn't?"*

Alderman Guzikowski said no.

George Wroczynski, 7650 S. 13<sup>th</sup> Street:

*"Okay, cuz I walk, I like walking through woods and I noticed there was a foundation in there and someone told me, and I don't know if it's correct or not, that there was at one time a park in there, but maybe there wasn't. But like I said, it's a beautiful area, there's a lot of wildlife and I don't want to go way up to Burnett County or something just to be a way from congestion. So that's my point and I'm totally against it. Thank you."*

Alderman Guzikowski thanked Mr. Wroczynski.

**PLAN REVIEW  
OAK CREEK- FRANKLIN JOINT SCHOOL DISTRICT  
340 E. PUETZ RD.  
TAX KEY NO. 827-9028-000**

Planner Papelbon provided an overview of the request for a plan review for a new soccer stadium with parking lot. (See staff report for details).

Alderman Guzikowski called up Arden Degner, who wished to speak.

Arden Degner, 8540 S. Pennsylvania Avenue:

*"If you look at this layout of school district property you'll notice that our Miller Park is in the upper left hand corner. I don't understand how this can be accomplished to have a planned vista on this corner. Presently, as you will know that I passed it a number of times, I've always enjoyed, in fact my children enjoyed playing baseball on that property. All of it's going to be gone all we'll have is an eight foot high black fence. Now, I can understand this plan based on the City requirements for storm water, but if we look at this drainage map it might be possible to incorporate Miller Park into this. Why? Because Miller Park doesn't have the well anymore. And think of what you have done with the Drexel Town Square with that way across from the High School there the pond. I challenge the Plan Commission to work out something in this area that would also afford pleasant vista with this development. To me it's nothing, but a sticks and stones interruption along the road, not a pleasant vista and with that now when this was originally part of the, all this property right up to Miller Park, is part of the school district, but yet we know that all these restrictions with the storm water were accomplished before the High School was even built and isn't there a way that we could accommodate some this with some really thought out pleasant vista like we have here now? Thank you"*

Alderman Guzikowski thanked Mr. Degner and asked the next speaker, Tom Schmidt to come up.

Alderman Guzikowski (inaudible)

Commissioner Carrillo inquired if the chain link fence goes around the parking lot.

Planner Papelbon explained it does not go around the parking lot; it will only go around the soccer field and the storm water pond.

Commissioner Carrillo asked if the bleacher would be inside the fence.

Planner Papelbon indicated she believed the bleacher would be inside the fence. She referred to the applicant as to whether the entirety of the bleachers would be surrounded by the fence.

Alderman Guzikowski asked if the applicant was present.

Jason Christensen, Nielsen, Madsen, and Barber, Civil Consultant for the District, 1458 Horizon Boulevard, Racine explained the fencing will surround the bleachers with gates to the bleacher section. There will also be a small fence between the bleachers and the field.

Commissioner Carrillo inquired about the reasoning for a fence around the storm water basin.

Mr. Christensen explained the fence is just for safety to keep students and public out of it.

Commissioner Siefert asked about the soil condition and drainage in that area. He explained that all the water drains to that southeast corner and wants to know how the developers will work with that.

Mr. Christensen explained the soccer field will be raised above the existing grade and the storm water pond will have storm sewers that are picking up the Edgewood Elementary site, as well.

All the run off from the hillside on the north will be captured with storm sewers and travel underground into the pond. This will be improving the soil conditions.

Commissioner Siepert inquired about the parking with the hill on the north side of the stadium.

Mr. Christensen stated the hill will be contoured slightly. They will also be filling the dry basin that is east of the football field. There will also be additional improvements on the Edgewood site on top of the hill. He also assured them there will be grading, retaining walls, and drainage soils, and storm sewers.

Commissioner Siepert asked if the parking lot would connect with the parking lot at the Edgewood School.

Mr. Christensen clarified that there will be a sidewalk from the northeast corner of the soccer parking lot that will connect the two sites.

Commissioner Siepert asked which parking lot the sidewalk will be connecting to.

Mr. Christensen stated it will connect to the new parking lot at Edgewood Elementary. The sidewalk will be just south of the tennis courts and connect to the entrance of the football stadium and the high school.

Commissioner Siepert asked where the entrance and exit would be for that parking lot.

Mr. Christensen stated it will be the same entrance in and out of the high school that exists today.

Commissioner Chandler asked for a little for information as to why the location changed from the middle school to this property.

Mr. Christensen explained the middle school has a plan for a new varsity baseball and softball field that is where the varsity soccer field is currently housed. The district is reconfiguring their athletics throughout the district.

Commissioner Chandler asked why the soccer field is not staying there, since it is already there.

Mr. Christensen reiterated that they are demolishing and replacing the current soccer area at East Middle School with softball and baseball fields.

Commissioner Chandler inquired if both high school and middle school teams are currently using the soccer field.

Mr. Christensen stated the field is currently a varsity soccer field that would be relocated from East Middle School to the high school.

Commissioner Chandler sought confirmation that the middle school does not use the soccer field.

Mr. Christensen confirmed that the middle school does not use the soccer field.

Commissioner Siepert inquired about the cost of the soccer field.

Mr. Christensen explained the district has an idea of cost, but he does not have the cost of the soccer field with him.

City Engineer Simmons expressed that he liked the idea of the fence having colored fabric as opposed to slats or just the steel. He also inquired about the dot pattern around the pond on the landscaping plan.

Mr. Christensen explained the dots are just a lawn seed mix. He continued to explain that within the storm water basin it would likely be a low-mow storm water mix that does not have to be mowed every week, but outside the fence would be a typical lawn.

City Engineer Simmons suggested a native grass that grows along the water line could be added to enhance the natural appearance of the pond.

Commissioner Hanna expressed a concern over the cost of prepping a large amount of this type of soil for a soccer field.

Alderman Guzikowski explained this was voted on by the referendum and the Plan Commission stewards of what they are bringing to the Plan Commission (inaudible)

Commissioner Carrillo asked if there would be lighting

Planner Papelbon confirmed the field will have lighting.

Commissioner Siefert asked if the parking lot would be able to hold all the traffic if there are two activities at the same time, such as a football game and a soccer game.

Mr. Christensen said his understanding is that there would not be two activities scheduled at the same time, however, they are providing an additional 250 spaces on this site with this project.

Commissioner Siefert asked Planner Papelbon if this falls into the City's requirements.

Planner Papelbon explained there are no specific requirements for a soccer stadium.

Commissioner Siefert expressed concern over the current parking situation during football games, parking lots are full and there is parking up and down the streets. He asked again if this would be able to handle the situation if there were two games going on.

Alderman Guzikowski explained if there is a sidewalk going to the parking lot at Edgewood, this could serve as another parking location.

Commissioner Siefert expressed concern over the congestion during football games and adding in the Community Center's parking.

Andy Chromy, Chief Business and Finance Officer for Oak Creek School District, 7630 S 10<sup>th</sup> Street, explained they do not schedule a soccer game opposite of a varsity football game. He continued to explain that other sports are not as highly attended as varsity football.

Commissioner Siefert asked why they chose this site for the soccer field instead of Abendschein Park.



Mr. Chromy explained the School District does not own Abendschein Park.

Commissioner Siepert explained there is a baseball diamond there that the high school uses for all its activities.

Mr. Chromy clarified the School District's intentions is to get sports facilities on their sites so they are not dependent on the City to make those sites available.

Commissioner Hanna asked if a cost benefit analysis has been done between this site and any other sites in the vicinity.

Mr. Chromy explained the only other potential site available would be in the back of West Middle School and that would require a ton of dirt as well, similar to the High School site.

Commissioner Hanna (inaudible)

Mr. Chromy explained that site would require a lot of grading to get that site ready. The greatest advantage of moving the field here is the students are already at the High School so they can walk to the field and save on transportation costs.

Commissioner Hanna asked for clarification if a cost benefit analysis has been done.

Mr. Chromy confirmed they did take a look at that site.

Commissioner Hanna asked if that would be shared with the public if they ask for that.

Mr. Chromy explained that might not be readily available for distribution, but the people that have consulted with the School District have given them their recommendation to move forward with the High School site.

Commissioner Hanna inquired if a traffic impact analysis has been done for the parking lot.

Mr. Chromy stated he is not aware if that has been done.

Commissioner Siepert asked if the cost could be provided for the stadium.

Mr. Chromy explained he does not have the cost with him, but it was budgeted as part of the \$60.9 million for the referendum.

Commissioner Siepert stated he did not recall seeing this on the referendum when it came out.

Mr. Chromy explained it was discussed under the athletics and activities events. It would have been listed as the varsity softball and baseball field at East Middle School and the soccer field moving to the High School.

Commissioner Chandler asked for clarification about the parking lot setbacks.

Mr. Christensen stated there is a 15-foot setback to the parking lot.

Alderman Guzikowski explained his daughter played soccer with the High School and it was

difficult to get students to the Middle School when parents are working. He expressed that it would be nice to see it relocated back to the High School for those reasons.

Commissioner Carrillo inquired if it was more beneficial to move the existing soccer field to the High School, and move baseball and softball to the Middle School even though you are still transporting kids.

Mr. Chromy explained they are trying to think long-term. The baseball and softball teams can travel on the same bus and often play at the same times, they have the ability to transport the baseball and softball teams on one bus instead of carting around a couple of buses. A softball diamond would have been feasible at the High School, but a baseball diamond would have been extremely tight. However, there is already a softball field at the Middle School so this would allow them to have the Junior Varsity and the Varsity teams at one site. By coordinating the two sports together it would allow for consolidation of amenities such as a single concession stand.

Commissioner Carrillo inquired as to why we need a soccer stadium; it was originally discussed when the turf was installed at the football stadium to have soccer and all other sports played there.

Mr. Chromy stated he cannot speak to that due to the fact that he was not here when that was installed. However, the soccer lines would go to the track.

Alderman Guzikowski asked for a motion.

Commissioner Hanna moved that the Plan Commission approves the site plans submitted by Oak Creek-Franklin Joint School District, for the property at 340 E. Puetz Rd. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the chain link fence is finished with a black vinyl coating and plans revised to reflect the change.
3. That the landscape plan is revised to include the heights of plants at installation and maturity.
4. 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.

Commissioner Carrillo seconded.

Planner Papelbon clarified that the Plan Commission is only voting on the proposal for a site plan approval and cost consideration should not be part of that decision.

On roll call: all voted aye except, Commissioner Hanna, who voted no.

David Pomfret, 9116 S. Shepard Avenue:

*"Looking at all this going on, you're going to be building your varsity baseball field right behind my house with a bunch of lights so I guess I can take my lightbulbs out at night, you guys will*

*light up my house for me. What I'm seeing here, I apologize I don't mean to offend anybody, is our buddies from the school district as long as I own a house and have a job I'm paying property taxes they get a rubber stamp from you people for whatever the hell they want to do. \$60 million to move baseball fields, soccer fields, when the hell is it going to end? That's my money guys. We rely on you to protect us. I don't even know the property value of my house is going to be when this is all over. Somebody has to protect the citizens of Oak Creek."*

Several members of the audience applauded.

**PLAN REVIEW  
OAK CREEK – FRANKLIN JOINT SCHOOL DISTRICT  
9330 S. SHEPARD AVE  
TAX KEY NO. 873-9013-000**

Planner Papelbon provided an overview of the request for a plan review for a baseball and softball field with dugouts, batting cages, field lighting, bleachers, press boxes, concessions stand, parking lot, and storm water infrastructure. (See staff report for details).

Commissioner Chandler requested more information about the buffer to the residential area.

Andy Chromy, Chief Business and Finance Officer for Oak Creek School District, 7630 S 10<sup>th</sup> Street, referred this question to Jason Christensen.

Jason Christensen, Nielsen, Madsen, and Barber, Civil Consultant for the District 1458 Horizon Boulevard, Racine, verified Commissioner Chandler was asking about the buffer between the athletic fields and the residents to the west.

Commissioner Chandler confirmed she was asking about that buffer.

Mr. Christensen explained on the plan right now there is no landscaping being shown, but that can be amended if there is a concern.

Commissioner Chandler asked Planner Papelbon what a buffer would look like in that area.

Planner Papelbon explained that is a topic that can be considered separately. The Plan Commission could require that landscape plans, along with signage or score boards, come back for further review. Staff can work with the applicant to come up with something in consideration of the neighbors on Shepard Avenue that works with the residents and current landscaping. The Plan Commission does have the authority to require more plans and further review.

Commissioner Carrillo asked what neighbors this plan will affect.

Planner Papelbon explained that there are neighbors on the west along Shepard Avenue; there is an open field to the north and wetlands to the northwest. The concern is might be more about the lighting. Planner Papelbon asked to the applicant to speak more about the details of lighting.

Mr. Christensen referred to the illumination summary found in the staff report. He explained there is a blue line on the diagram that will be the limit between any minor light and no light affect.

Planner Papelbon asked Mr. Christensen to explain the difference between minor light and no light.

Mr. Christensen explained that light is measured in lumens. The proposed lighting we are showing at the ground level you either have some light residual effect at that location or you do not. The intensity gets greater as you get closer to the proposed light poles and then once you get beyond the blue line there is no light effect on the ground.

Commissioner Chandler stated it looks like at least one house is inside the blue line and the blue line is very close to several others.

Mr. Chromy explained a typical varsity softball game and a typical varsity baseball game starts around 4:30 pm. A typical softball game ends around 6:00 pm and a typical baseball game ends around 6:30 pm. The need for lights is going to be very minimal, if any. It would be unusual for the lights to be on in the dark. He gave the example if the team was playing around 7 o'clock at night the lights would be on, but not very noticeable given the natural light. They play spring baseball.

Commissioner Chandler inquired what the spring baseball season is.

Mr. Chromy stated the spring season is played from the end of March to approximately the end of May.

Commissioner Carrillo inquired why the lights would be required if they are not noticeable.

Mr. Chromy explained there are requirements at certain levels of darkness set by the WIAA to have lights on given the danger of having a ball hit at a player.

Commissioner Carrillo asked if there would be practice after games.

Mr. Chromy confirmed there would not be practice after games.

Commissioner Carrillo asked for confirmation that the facility would not be rented out.

Mr. Chromy stated it might be rented out, but there would be a strong issue with renting the facility at night time. The School District's goal is to avoid having night time games. Freshmen and junior varsity teams would play at Abendschein Park and varsity would play at the new facility to avoid night time games. He stated that the facility could be rented out for tournaments and typical tournaments are played from about dawn to about dusk.

Commissioner Carrillo inquired if this could be a requirement that is added.

Planner Papelbon explained she does not believe the Plan Commission has the authority to limit their ability to rent the field out. Planner Papelbon went on to ask the applicant to explain how lumens are translated in to foot candles.

Mr. Christensen confirmed the illumination summary is in foot candles. He apologized for the confusion.

Planner Papelbon clarified the Plan Commission's concerns for the shielding of the lights, the angle of the lights, and the City's requirement for no trespass of more than 1/2 foot candle at the

property line. Planner Papelbon asked the applicant to address those concerns.

Mr. Christensen explained that requirement will be met with this proposal and if it is not shown on the plan they will modify the plan to show that requirement is met.

Planner Papelbon asked how the light fixtures will be angled.

Mr. Christensen stated the light fixtures are aimed at the field.

Planner Papelbon sought confirmation that the lights will be aimed away from and shielded away from the houses along Shepard.

Mr. Christensen confirmed.

Commissioner Chandler asked how light would still be going towards the houses on Shepard if the lights are aim and shielded away.

Mr. Christensen explained there would still be ambient light being produced so even if the light is aimed away there is still an area that can be brighter just because that light is on.

Commissioner Chandler asked where the lighting is located.

Mr. Christensen referred to the plan found in the staff report. He explained lights are represented with an X with a circle around it. The varsity baseball field has a total of six light poles and the softball field has a total of four.

Commissioner Chandler asked which light pole would be producing the light closest to the homes.

Mr. Christensen explained the foot candles are coming primarily from light pole C3 because it is the closest one, but C4 might be contributing it is hard to say.

Someone asked Mr. Christensen a question off microphone.

Mr. Christensen said, *“Correct, but that is the one producing the ambient light.”*

Alderman Guzikowski asked the commissioners if there were any other questions.

Commissioner Hanna asked if they investigated any type of lights to be used near homes that can focus or direct the light on to the field.

Mr. Christensen explained that is something that can be investigated further. The lighting system in the proposal is what was recommended to the School District by the athletic lighting consultant the School District is using.

Alderman Guzikowski asked how the current lighting at the School compares to what they are putting in.

Mr. Christensen explained they have not run an existing photometric analysis, but that is something they can do.

Alderman Guzikowski asked for any other questions from the commissioners.

Commissioner Carrillo asked if anything could be added to help make a barrier.

Mr. Christensen explained that is all something that would be analyzed by the site lighting consultant.

Commissioner Hanna inquired if they held a public information meeting to get their input.

Mr. Christensen stated he did not believe so.

Commissioner Hanna gave her opinion that this should be done to get public input.

Commissioner Siefert stated,

*"We already have a facility that's adequate and does the job and now we have to build another one. I really think that's overkill and I really think they are taking advantage of the citizens of Oak Creek. We have a facility, I don't think we need an additional facility at that location and I think they should utilize the facility they have and improve that if they want and also provide a softball diamond if they want to put that there, but I think this is a wrong location for these two baseball diamonds. Also, you got a development that's going on the east side of the junior high that's coming in there and there's going to be another 65-70 homes that's going to be coming in the next year that could also present a problem. I'm not in favor of this proposal."*

Alderman Guzikowski asked Tom Schmidt to come up.

Tom Schmidt, 9136 S. Shepard Avenue:

*"My main concern or question is about the buffer zone they were talking about. Right now, we have the soccer field down there and behind that is they call it a practice soccer field, which is really used by the junior high quite a bit for all different athletic events in the spring and fall. Then there is a part after that, that goes up about three feet and then it just goes up the property line with a gradual up to my property line. The buffer zone is perfect I don't have any problem with it, I've never had a problem with any kids or anything like that, it's ideal. I just want to know what's going to change on that buffer zone, basically. Is the tree line going to stay? Is the grade going to change, is that going to go down, go up, or is it going to stay about the same? I guess the other big question I have, or not big question, small question is what's the start date planned for this, this year, next year, or whenever. Thank you."*

Alderman Guzikowski asked Planner Papelbon if she could answer his questions or if they should wait till the end.

Planner Papelbon explained the start date would have to be answered by the applicant. If the Plan Commission decides the buffer zone needs to come back, the staff will look at it with the applicant to make sure a buffer is presented to Plan Commission and residents.

Dave Kopplin, 9150 S. Shepard Avenue:

*"I have the property where the lights are going to be shining in my roof. I have a bunch of*

*questions, if I state the questions will they be answered, written down, or is this being recorded?"*

Planner Papelbon confirmed it is being recorded.

Dave Kopplin, 9150 S. Shepard Avenue:

*"The question I have is when would the construction begin? That's one of them, which we haven't had answered. Will there be restrooms available? Now there's a Port-A-Potty out there, one Port-A-Potty for the soccer field. Is it going to be used for summer ball? I understand there is summer baseball that's played over at Abendschein Park; it's a varsity baseball league. It was already stated the games are played after school and so forth. Even with the games being played for soccer that are down there, there's times when the soccer game is over at 7 o'clock or 7:30 or 8 o'clock in fall and the lights don't get shut off till 10 o'clock, like somebody forgets to turn them off. There's a lot of wasted electricity when that happens. When the kids come to practice soccer or play soccer, they're walking over from the High School, or getting by cars, and so forth and they are cutting through the properties, residential properties instead of following around, walking through the School drive to access that field. How far to the west lot line would they be coming? Tom Schmidt spoke about the level of the grade. The soccer field and the practice field are at one grade and there is about a four or five foot increase for part of the area up until it hits the west property line, so there's probably going to need to be some grading there. Now if that's dropped like four feet to make it all level, one surface any plantings you put in there are going to need to be 40 or 50 feet high because from that level that the games are played on to our backyards are approximately 15 feet or 18 feet higher. Where does the school practice now? Will there be practices there at the field along with games? Also, with the motion that you have stated on the page, I think the address is wrong on there, it's the property at 9330 instead of 340."*

Planner Papelbon confirmed they did notice the typo and thanked Mr. Kopplin.

David Pomfret, 9116 S. Shepard Avenue:

*"The lights, the games, and you say 7 o'clock. Well now, you have to get the team off the field, you got to clean up the field, got to do whatever they have to do, and again they don't go off till late at night. It's just as bad with the lights being on as once you get used to the lights the lights go off, now they just woke you up again. I don't want to step on anybody's feet my son loved playing baseball, played for Oak Creek, but when do the residents matter? That's all that matters right now, is you guys represent us, they represent the School District. What's the best way we can make this work? I'm being selfish because I live in this area, I don't want to be bothered by this. It's the same thing as everybody wants a jail, but nobody wants it in their backyard. I guess that's what I'm saying, you could make it so that my backyard doesn't become somebody else's playground, then we can talk."*

Planner Papelbon explained the City will work with the applicant on revised landscape plans to address the buffer yard area. Planner Papelbon continued by stating they would need additional information regarding the lighting. The start date, restrooms, summer baseball, timers for the lights, and who will be responsible for turning the lights off will need to be addressed by the applicant. Planner Papelbon continued to explain she is not sure what can be done about students cutting through the yards other than fences or "no trespassing" signs. To

address grading and where practice is being held would also have to be addressed by the applicant, with consideration to the residents along Shepard Avenue.

Andy Chromy, Chief Business and Finance Officer for Oak Creek School District, stated construction would begin in an August time frame. There would be restrooms with the concession stand with several stalls for both males and females. The athletic director is also the head baseball coach so he would be directly responsible for the lighting on the baseball field. The foot candles from the softball field would not reach the houses. The new subdivision being added would not be affected by the lights. Practices will be held at Abendschein Park and the new field. The new fields will have a turf infield because WIAA has eliminated summer baseball and changed it to spring baseball and this allows the fields to be utilized more often even with unpredictable spring weather.

Jason Christensen, Nielsen, Madsen, and Barber, Civil Consultant, explained there will be grading on the hillside all the way up to the property line. The two baseball fields will be at the same grade.

Jackie Kopplin, 9150 S. Shepard Avenue:

*“Our backyard is a big hill that goes down to the level and then goes down further. You’re saying you’re going to lower what is the practice area, that’s going to be even lower. Then what are you going to do with our yard? Do you know what it looks like? Have you been there?”*

Mr. Christensen confirmed he has been there and knows what it looks like. He also explained the District will not be doing grading in anyone’s backyard; the grading will be contained to the District’s property. There will be four to one grading, a standard hillside flow, coming down to the baseball field.

Tom Schmidt, 9136 S. Shepard Avenue:

*“I’m still confused. There’s some trees in that buffer zone. Are you going to move the trees, remove the trees, leave the trees, and the grading around those trees, would kind of answer my questions. Are you going to leave that grading by the trees and coming east from that? Are you going to leave that, the way I look at it and the way I see it, that baseball field, the far right center field fence is right about where the drop off is or maybe a little bit into that drop off. What’s the plan in that area? That’s my question.”*

Mr. Christensen explained the existing trees along the hillside will be removed along with the grading. That is something that can be included with the buffer zone design.

City Engineer Simmons explained most of his concerns have already been raised. There is a lot of concern on the grading, lighting, and vegetative landscaping on the slope up to the backyard of some of the residents. City Engineer Simmons also has a concern about the 60 feet mounting height of the lights. He continued by suggesting a way to show graphics so people can know what to expect.

Alderman Guzikowski asked Planner Papelbon if there should be a condition added so the Plan Commission comes back to this topic.

Planner Papelbon explained there are still items that are concerns, and the Plan Commission



can hold the item until the concerns are addressed.

Commissioner Chandler inquired if residents were notified about this item.

Planner Papelbon explained residents were notified of this review process, but she is unsure if residents were notified of previous school district planning or plans. Planner Papelbon reiterated if the Plan Commission is not satisfied with this proposal or feels more questions need to be answered, they can direct the item to be held and give specific questions or concerns to the applicant to answer or address.

Dave Kopplin, 9150 S. Shepard Avenue:

*“Regarding what was mentioned about grading plan, grading all the way up to the lot line, well the lot line in my yard and Mr. Schmidt’s yard goes half way down the hill. So I cut grass I go down the hill turn around and I cut with my mower back up. You going to put a big retaining wall in there and fill behind that so that it’s all level, which would make my backyard level then instead of going downhill. Something to be considered, some kind of a big retaining wall your field would be below that then would give us opportunity to put some vegetation or something above the retaining wall. So I mean if you want to stop over and take a look at it we can talk about it at the house.”*

Commissioner Siefert moved that the Plan Commission put this item on hold until all the questions are answered.

Commissioner Hanna seconded.

Devin Kack, Plunkett Raysich Architects, 209 S. Water Street, Milwaukee, asked if there was any comments on the building itself.

The Commissioners did not have any questions regarding the building.

Commissioner Siefert moved that the Plan Commission hold this item until all the questions are answered.

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

**CERTIFIED SURVEY MAP  
STEVEN KRAEGER  
3961 E. OAKWOOD RD. AND 10303 S. CHICAGO RD.  
TAX KEY NO. 961-9999-000 AND 962-9986-001**

Planner Papelbon provided an overview of this certified survey map request to divide the properties. (See staff report for details).

There were no questions from Commissioners.

Commissioner Siefert moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Steven Kraeger for the properties at 3961 E. Oakwood Rd. and 10303 S. Chicago Ave. be approved with the following 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 Hanna seconded. On roll call: all voted aye. Motion carried.

**CONDITIONS AND RESTRICTIONS**

**HIGHGATE LLC**

**7705, 7725, 7751, 7781, 7831, AND 7869 S. 13<sup>TH</sup> ST.**

**TAX KEY NO. 784-9020-000, 784-9019-000, 784-9003-000, 784-9991-000, 784-9990-001, 784-9001-000, AND 784-9993-002**

Planner Papelbon provided an overview of the conditions and restrictions for the listed properties. (See staff report for details).

City Engineer Simmons asked for confirmation if the cross-access easement for the property to the north is for secondary or emergency access to that property and if it would allow for full access to traffic in both directions.

Mike Kressuk, Oak Creek Fire Department, the Fire Department's recommendation is that this is an access point for the apartment complex to the north. He continued to explain there was concern that the proposed apartment complex to the north only has one access road, but would have access through this development. It is the Fire Department's goal is to have the access point available as soon as possible in the development.

Planner Papelbon added that Planning is looking for cross-connectivity between the two developments.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Planned Unit Development submitted by John Thomsen, Highgate LLC, for the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13<sup>th</sup> St. after a public hearing.

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:42 p.m.

ATTEST:

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Douglas Seymour, Plan Commission Secretary

5-7-19  
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Date