

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, SEPTEMBER 10, 2019**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Alderman Loreck was excused. Also present: Kari Papelbon, Planner and Laurie Miller, Zoning Administrator/Planner.

**Minutes of the August 27, 2019 meeting**

Commissioner Siefert moved to approve the minutes of the August 27, 2019 meeting. Commissioner Chandler seconded. On roll call: all voted aye, except Commissioner Oldani, who abstained.

**PLAN REVIEW & MODIFICATION REQUEST  
OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT  
EDGEWOOD ELEMENTARY  
8545 S. SHEPARD AVE.  
TAX KEY NOS. 827-9028-000**

Planner Papelbon provided an overview of the proposed modifications to the screening requirements for the building's rooftop mechanical units (RTUs) (see staff report for details).

Gerard Hammernik, 1400 E. Meadowview Drive:

*"I'm on the north side of Meadowview. My remarks are probably more towards Meadowview, but since your actions on Edgewood might influence Meadowview I'll just speak one time on both of those. The rules were put in place to protect the neighbors, I see no reason why the rules should be set aside in this case. Every applicant would like to save money on building projects, but that isn't a good enough reason to eliminate these requirements that are put in place for neighborhood improvement to make things better. I don't see any reason why this should be approved, I understand it costs money, but making buildings look good does cost money. The rule is put in place and I believe it should be maintained. Thank you for your consideration and my remarks are for both A and B so I don't need to speak again."*

Planner Papelbon provided more images of what a mechanical screen looks like, as well as drawings of the school with and without the mechanical screening, for the Plan Commission's reference.

Commissioner Hanna asked the applicant explain to why the applicant wants to defer from the Code.

Brent Warren, 12700 South 12<sup>th</sup> Street, Kenosha, stated the main reason is for aesthetics. His company has installed these types of screens on other projects, and they make the units more noticeable, making the buildings aesthetically less pleasing. Mr. Warren referred to pictures included with the staff report. The screens are much larger than the units, making them more noticeable. The screens are higher than the units and can look like they are floating.

Commissioner Hanna inquired if they have the screen material just not the material that meets Code requirements.

Brent Warren clarified he is proposing no screening on the units, so the gray unit would be visible instead of the gray screening around the unit.

Commissioner Siepert inquired if screening of the units is required, how does the applicant plan to screen the units?

Brent Warren explained the screening attaches to the units so it can be added at any time. Mr. Warren also explained how the units are attached.

Commissioner Siepert asked if the screening adds height to the units.

Brent Warren confirmed it does add height.

Commissioner Siepert asked how much height would be added.

Brent Warren explained he does not have the exact specifications, but he estimates a foot or two.

Commissioner Chandler inquired if the photo on screen is an example of work Mr. Warren has done.

Brent Warren explained the photo is from the manufacturer. The other two photos with school buildings were completed by the company Mr. Warren works for. The screens are much larger than the unit by itself.

Commissioner Chandler asked if the applicant has investigated any other screening options.

Brent Warren explained there are other options on the market, but they are about the same size because the screens have to be a certain distance away from the units to allow air flow and space for service.

Commissioner Chandler asked Planner Papelbon if other types of screening have been used on other projects in the City.

Planner Papelbon explained screening is required. There are different types of screening available. The material of the screening is intended to blend in with the architectural design of the buildings. Planner Papelbon provided examples of materials and other projects in the City.

Brent Warren stated on new construction it is easier to group all the mechanical units together and screen them. However, on this remodel project, the units are more spread out.

Commissioner Chandler asked if there were any other changes to the rooftops besides the size of these units.

Brent Warren confirmed it was the size that was changing.

Commissioner Siepert asked Planner Papelbon if the screening they are recommending complies with the City's requirement.

Planner Papelbon stated that several developments have used a ribbed metal panel for mechanical screening. The color should complement the colors of the building, and makes it look like part of the building. Historically staff has recommended approval for things that are similar to this.

Commissioner Sullivan asked the applicant if there are any additional improvements on the project that will supplement this removal.

Brent Warren stated there are none planned, but can work with the owner to come up with something to propose.

Mayor Bukiewicz stated it is our Code to have every building in the City screen their mechanical equipment for consistency. The applicant can work with staff for screening options.

Commissioner Oldani moved that the Plan Commission approves the amendment to the building plans submitted by Andrew Chromy, Oak Creek-Franklin Joint School District, for the property at 8545 S. Shepard Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all conditions of approval from March 12, 2019 remain in effect except as specifically amended herein.
3. That the proposed rooftop mechanical units are not required to be screened at this time; however, any changes to the rooftop mechanical units will require screening at the time of installation.
4. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Commissioner Siepert seconded. On roll call: all voted no. Motion failed.

**PLAN REVIEW & MODIFICATION REQUEST  
OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT  
MEADOWVIEW ELEMENTARY SCHOOL  
10420 S. MCGRAW DR.  
TAX KEY NOS. 957-9996-000**

Planner Papelbon provided an overview of the site, landscaping, and building plans for proposed modifications to landscaping and screening requirements for the building's rooftop mechanical units (RTUs). (see staff report for details).

Commissioner Chandler asked the applicant to provide more information as to why these areas and being removed, and what it will be replaced with.

Jason Christensen, Nielsen, Madsen, and Barber, Civil Consultant for the District, 1458 Horizon Boulevard, Racine, explained they would like to remove the islands and replace them with pavement. There will be no added parking spaces. They are proposing removing the islands for snow removal, maintenance, and future aesthetic purposes. There is a lot of green space surrounding the parking lot. The landscaping is not being eliminated, the trees will be placed surrounding the parking lot.

Commissioner Sullivan asked the applicant to confirm that two of the islands are already paved.

Jason Christensen confirmed two islands are already paved.

Commissioner Sullivan inquired why the third island was not paved.

Jason Christensen explained the two were paved in error by the contractor.

Commissioner Carrillo questioned if there would be any safety concerns by making the road wider by the entrance.

Jason Christensen explained the roadway would be striped out where the island currently is to prevent driving and parking in that location.

Mayor Bukiewicz asked for clarification if there were curbs on the two islands that were paved.

Commissioner Sullivan explained the two smaller islands have already been paved. The other island has been seeded.

Mayor Bukiewicz asked for clarification if the one has a curb.

Commissioner Sullivan explained it is not curbed, the island is just asphalt. On the north side it goes straight from asphalt to sidewalk and blends in at the same level.

Mayor Bukiewicz asked Planner Papelbon if the three islands with trees meets the City's Code.

Planner Papelbon explained the plan that was approved by the department meets the City's Code.

Mayor Bukiewicz agreed there is plenty of green space to the south, but to have consistency it should stay as the plans are drawn.

Jason Christensen asked Planner Papelbon to clarify that half of 5% is the requirement for the islands.

Planner Papelbon explained there are two different requirements. There is a landscaping requirement for parking lots serving more than 5 vehicles. If the parking lot is going to be serving at least 25 vehicles, at least one half of that, or 2.5%, has to be a landscaped area within the parking lot itself.

Jason Christensen stated the two inner islands are already paved, the district is willing to rip them out if this is denied, but the larger landscaped island is 4% of that parking lot so it could satisfy that 2.5% requirement.

Planner Papelbon explained if the Plan Commission wants to uphold Code, staff can work with the applicant to decide which islands may be removed.

Mayor Bukiewicz sought confirmation if the three islands are meeting Code, how would Code be met with just one island.

Planner Papelbon reiterated if the Plan Commission upholds the Code, staff would work with the applicant to ensure the plans will meet the requirements of the Code.

Jason Christensen explained the three islands together equate to 6% green space; this parking lot only requires 2.5%. If the two inner islands remain paved the larger island makes up 4% green space and the parking lot still meets the code.

Commissioner Sullivan stated the Code reads the green space must be within the parking lot. In his opinion the third island is on the outside, adjacent to the parking lot.

Mayor Bukiewicz stated the applicant can continue to work with staff, but with his vote he will stick with consistency.

Planner Papelbon read the suggested motion: that the Plan Commission approves the amendment to the site, landscaping, and building plans submitted by Andrew Chromy, Oak Creek-Franklin Joint School District, for the property at 10420 S. McGraw Dr. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all conditions of approval from March 12, 2019 remain in effect except as specifically amended herein.
3. That the proposed rooftop mechanical units are not required to be screened at this time; however, any changes to the rooftop mechanical units will require screening at the time of installation.
4. That the three (3) landscape islands in the south parking lot are not required to be installed at this time; however, any change(s) to the parking area will require landscaping in conformance with Code requirements in effect at the time of the change(s).
5. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Alderman Guzikowski made the above motion.

Commissioner Oldani seconded. On roll call: all voted no. Motion failed.

Mayor Bukiewicz stated the applicant can work with staff to come up with a solution.

**TEMPORARY USE PERMIT  
OZINGA READY MIX CONCRETE  
841 W. RAWSON AVE  
TAX KEY NO. 764-9051-000**

Zoning Administrator/Planner Miller provided an overview of the request to operate a temporary concrete crushing process (see staff report for details).

Commissioner Hanna asked what route the trucks would be using to get to and from the facility.

Justin Kratochvil, 8356 Green Briar Road, Wind Lake, all truck traffic exits east or west on Rawson Avenue, primarily to the interstate.

Commissioner Hanna confirmed the traffic would go east or west to Highway 38 or Highway 241.

Justin Kratochvil agreed and mentioned the possibility of local deliveries. Ozinga has done work with Amazon, road projects on Rawson Avenue, 6<sup>th</sup> Avenue, and 13<sup>th</sup> Street.

Commissioner Hanna stated her concern is the trucks using 13<sup>th</sup> Street to move the crushed aggregate.

Justin Kratochvil stated they have used that route in the past, but typically the trucking route is the interstate or Highway 38.

Commissioner Hanna is concerned if the trucks are using 13<sup>th</sup> Street, would a street sweeper be traveling that route behind the trucks?

Mayor Bukiewicz explained the Plan Commission is looking at the batch plan, not the hauling routes. It is irrelevant where the trucks are hauling to.

Justin Kratochvil specified that all the trucks come equipped with a tarp system, and Ozinga has a street sweeper that comes through a couple of times a week to clean the yard and on Rawson Avenue.

Commissioner Hanna stated her question is relevant to number 8 of the suggested motion that states, "a street sweeper is [to be] utilized [a] minimum of once per day."

Justin Kratochvil reiterated the site is approximately 60% paved, a street sweeper comes through to take care of the site and on Rawson Avenue.

Mayor Bukiewicz explained it is similar to construction projects.

Justin Kratochvil stated his understanding from previous discussions with staff that per the Code, there is no Conditional Use Permit allotted by the City for permanent crushing – it would require a text amendment. The Temporary Use Permit is the route they have taken in the past. In 2017, three separate permits were issued; in 2018, there were two; and in 2019, this will be the fourth permit issued. There is some extra work this year, and allowing them to crush and recycle material helps the environment and Oak Creek.

Commissioner Siepert asked the applicant how many trucks would be entering or leaving on a daily basis.

Justin Kratochvil explained it varies on a daily basis depending on production; however, to get the most use out of the trucks, when a truck drops some material off for recycling, they take recycled material with them so it does not double up the amount of trucks.

Commissioner Siepert asked how many trucks a day does the 14 days equate to.

Justin Kratochvil explained for the 14-day window there is approximately 500 trucks hauling material out of that site; however, construction demands determine how much goes out in a given day.

Commissioner Oldani stated this is their business and business is booming. Commissioner Oldani believes as long as they are doing it responsibly, there is no reason this should not be approved.

Mayor Bukiewicz stated this has been approved in the past, and asked the fire department if there have been any issues in the past.

Assistant Fire Chief Kressuk stated route inspections are performed routinely on the property, and there are no concerns with the operation continuing.

Alderman Guzikowski moved that the Plan Commission approves the Temporary Use permit for a temporary crushing operation at 841 W. Rawson Avenue with the following conditions:

1. That all applicable building and fire codes are in effect.
2. That the hours of operation for crushing be limited to Monday through Friday between 7:00 AM and 4:00 PM.
3. That the temporary use shall expire on December 31, 2019.
4. That crushing is limited to Ozinga concrete. No materials from other properties or work sites shall be brought to the site for crushing.
5. That onsite air-born dust and debris control measures (e.g., water application) are utilized throughout the operation.
6. That the stockpiles are restricted to the locations as shown on the approved site plan, and may not exceed 30 feet in height.
7. That any truck traffic associated with the temporary use is restricted to State and County highways.
8. That a street-sweeper is utilized minimum of once per day.
9. That the property is returned to its original condition – all temporary equipment and stockpiles removed - within 14 calendar days following the expiration of the Temporary Use Permit.

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

**CONDITIONAL USE PERMIT  
MEDICAL SUPPORT SERVICES, INC.  
140 E. RAWSON AVE  
TAX KEY NO. 733-9991-001**

Planner Papelbon provided an overview of a request for a Conditional Use permit for a physical and occupational therapy clinic within the multitenant building under construction (see staff report for details).

Mayor Bukiewicz asked when the tenant is planning on occupying the building.

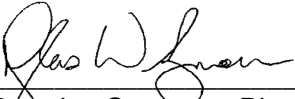
Dustin Atkielski, 3441 Bark Lake Road, Hubertus, stated that there have been some complications with grading and getting construction materials. The buildings are close to being complete, and he is hopeful this phase of construction will be wrapped up in a month or two.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a clinic within the multitenant building on the property at 140 E. Rawson Ave., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (September 24, 2019).

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 6:50 p.m.

ATTEST:

  
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Douglas Seymour, Plan Commission Secretary

October 8, 2019  
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Date