



Via Video/Phone Conference Only

Oak Creek, WI 53154  
(414) 766-7000

Daniel Bukiewicz - Chair  
Dawn Carrillo  
Chaucey Chandler  
Donald Oldani  
Chris Guzikowski  
Matt Sullivan  
Gregory Loreck  
Fred Siepert  
Christine Hanna  
Vacant - ex-officio  
Doug Seymour - ex-officio

## PLAN COMMISSION

Via Video/Phone Conference Only

September 8, 2020

6:00 P.M.

### The City's Vision

*Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.*

### IMPORTANT NOTICE

This meeting will be held by video/phone conference only. Persons wishing to participate in the video conference, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 5:55 PM to allow participants to log in.

Attendees who wish to participate by phone may do so by calling the City Hall, (414) 766-7000, before 4:00 PM on the day of the meeting (September 8, 2020) to obtain a meeting call-in number. To make a public comment, press \*9 on your phone. The conference moderator will state when your line has been unmuted.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

Find more information on agenda items at [oakcreek.zoninghub.com](http://oakcreek.zoninghub.com).

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – August 25, 2020
4. Significant Common Council Actions
5. Public Hearings
  - a. COMPREHENSIVE PLAN AMENDMENT - Hold a public hearing on a proposed amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020) that would change Land Use Plan and category from Commercial to Industrial for the property at 9141 S. 13<sup>th</sup> St. (Tax Key No. 877-9010-000).

ZoningHub: <https://s.zoninghub.com/VM810AZ68C>; Twitter @OakCreekPC#OCPCCompPlan.

Visit our website at [www.oakcreekwi.org](http://www.oakcreekwi.org) for the agenda and accompanying Plan Commission reports.

6. New Business

- a. COMPREHENSIVE PLAN AMENDMENT - Hold a public hearing on a proposed amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020) that would change Land Use Plan and category from Commercial to Industrial for the property at 9141 S. 13<sup>th</sup> St. (Tax Key No. 877-9010-000).

ZoningHub: <https://s.zoninghub.com/VM8I0AZ68C>; Twitter @OakCreekPC#OCPCCompPlan

- b. PLAN REVIEW – Review site, building, and related plans submitted by William Nelson, Cellar Pub, for additions to the existing commercial building on the property at 812 W. Oakwood Rd. (Tax Key No. 925-9005-000).

ZoningHub: <https://s.zoninghub.com/UQGDR06S24>; Twitter @OakCreekPC#OCPCCellarPub

Adjournment.

Dated this 1st day of September, 2020

Posted 9-1-2020 sd

**Public Notice**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, AUGUST 25, 2020**

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, Alderman Loreck, Alderman Guzikowski, Commissioner Oldani, Commissioner Siefert, Commissioner Chandler. Also present: Planner Kari Papelbon, Zoning Administrator Laurie Miller, Director of Community Development Director Seymour, and Assistant Fire Chief Mike Havey.

Planner Papelbon read the following into the record:

The City of Oak Creek is authorized to hold this public meeting remotely during the COVID-19 public health emergency under the March 16 and March 20 advisories from the Office of Open Government in the Wisconsin Department of Justice and subsequent Common Council approvals. Per the advisories and approvals, this meeting being conducted via Zoom video conference with telephone conferencing capabilities was duly noticed per the City of Oak Creek Municipal Code and Statutory notice requirements more than 24 hours in advance of the meeting. Members of the public have been advised of the options for participation via direct mailing to property owners within 300 feet of a proposal, via the COVID-19 information page on the City's website, via social media, and via the information contained on the meeting agenda. This meeting may also be viewed at the City's YouTube page, the link for which was contained in all aforementioned notice methods. The meeting recording will also be accessible on the City's YouTube page within 48 hours.

Plan Commissioners and participants are initially muted upon joining the meeting. Plan Commissioners and staff have the ability to mute and unmute their microphones throughout the meeting. Please mute at all times except for roll call, motions, voting, and when recognized by the Chair. Roll call and voting will occur per the usual and customary procedure, starting from Plan Commissioner seating positions south to north in the Common Council Chambers (e.g., Hanna, Sullivan, Carrillo, Loreck, Bukiewicz, Guzikowski, Oldani, Siefert, Chandler). The Chair will facilitate questions and comments by calling on each Plan Commissioner, or by requesting the use of the "raise hand" function in the Zoom webinar control panel. Only speak once you have been recognized by the Chair or moderator.

Applicants, their representatives, and all other participants who wish to speak will be unmuted

- When there is a direct request for information from the Plan Commission or staff;
- When the participant utilizes the "raise hand" function within the Zoom webinar control panel, and the moderator verbally indicates that they are unmuted;
- When a phone participant dials \*9 to indicate they wish to speak, and the moderator verbally indicates that their line is open.

When unmuted, all participants must state their name and address for the record, then proceed with comments or questions.

Questions and comments may also be entered into the Q&A function within the Zoom webinar control panel. Staff and/or the moderator will monitor this function during the meeting, and provide the information requested. There shall be no private messages or side conversations during the meeting utilizing the chat or Q&A functions. Chat and Q&A messages are part of the public record.

There are one or more public hearings scheduled as part of this meeting after the chair announces the public hearing staff will read the Public Hearing notice into the record. State that the hearing is open and subject to the meeting procedure above and provide a brief overview of the proposal. The Chair will then proceed with the hearing by making calls for public comment. Following the third call for public comment. The Chair will close the public hearing and proceed to consideration of the remaining agenda items.

### **Minutes of the August 11, 2020 meeting**

Commissioner Siepert moved to approve the minutes of the August 11, 2020 meeting. Commissioner Hanna seconded. On roll call: all voted aye, except Alderman Loreck who abstained. Mayor Bukiewicz asked to have the meeting minutes reflect that Alderman Guzikowski is now connected. Motion carried.

### **PUBLIC HEARING**

#### **SIGN APPEAL**

**AARON STANTON, 2603 WEST RAWSON LLC/CMA  
2603 W RAWSON AVENUE  
TAX KEY NO. 762-0016-001**

Zoning Administrator Laurie Miller read the public hearing notice into the record (see Public Hearing Notice for details).

Mayor Bukiewicz made the first call to speak.

Aaron Stanton with Construction Management Association (CMA), Inc., 4015 80<sup>th</sup> Street, Kenosha, WI 53142 - We sent in this application to be granted a variance for the signage on the 2603 West Rawson Avenue building. We have run into some challenges with tenants and their signage. It's created some confusion for their customers since the front of the building faces Rawson Avenue. (There was an Internet connection issue). Mr. Stanton repeated: With no signage in the front, it's created some confusion for their customers.

The current Ordinance requires one (1) sign per tenant who have an exterior entrance. If there are no exterior entrances, then we are allowed one (1) sign on the building for all tenants. They have no roadside signage, and this is the challenge. They need signage on the parking lot side because it's the only way for their clients to really identify where their suite is. This is a very long building and lot, the facade of that building all looks the same. The tenants are receiving feedback from their clients for the lack of signage.

This building is a front-to-back retailer, and the tenants are changing from one single-user tenant to multiple tenants. As each candidate fills the building, they're all looking to put signs on the road side as well as on the parking lot side. The intent of this variance request is to accommodate these tenants in a way that makes sense.

We try to do in a very tasteful and controlled way so that the signage doesn't get overwhelming or become a nuisance for the neighborhood. I defer to the report, which shows what we're working on, and there is a set of plans and a note on there that is clarifying some of the comments I've have made.

Mayor Bukiewicz made two more calls for public comment with no response. The hearing was closed.

**SIGN APPEAL  
AARON STANTON, 2603 WEST RAWSON LLC/CMA  
2603 W RAWSON AVENUE  
TAX KEY NO. 762-0016-001**

Zoning Administrator Laurie Miller provided an overview of the request to install one (1) 6' X 3' wall sign per tenant (no individual exterior entrances) on the north elevation of the existing building.

Commissioner Hanna and Commissioner Siefert stated that they agree that all signs must be the same and provide consistency.

Alderman Loreck said this is needed to better direct where tenants are within the building.

Commissioner Chandler asked if the signs on the north side are the same on the south side.

Aaron Stanton, Construction Management Association (CMA), Inc., 4015 80<sup>th</sup> Street, Kenosha, WI 53142, responded in the affirmative.

Commissioner Hanna stated that the tenants who are currently using decals for signs, will be required to take the decal signs down when they are replaced with the new signs.

Mr. Stanton responded in the affirmative. These decals will be coming down once the signs replace them.

Commissioner Siefert moved That the Plan Commission approves the sign variance allowing the installation of one (1) 6' x 3' wall sign per tenant on the north elevation of the building located at 2603 W. Rawson Avenue. Alderman Loreck seconded. On roll call: all voted aye. Motion carried.

**PUBLIC HEARING  
SIGN APPEAL  
CANDICE FALK, RYAN COMPANIES US, INC.  
9700 S 13<sup>TH</sup> STREET  
TAX KEY NO. 905-9008-000**

Zoning Administrator Laurie Miller read the public hearing notice into the record (see Public Hearing Notice for details).

Mayor Bukiewicz made three calls for public comment with no response. The hearing was closed.

**SIGN APPEAL  
CANDICE FALK, RYAN COMPANIES US, INC.  
9700 S 13<sup>TH</sup> STREET  
TAX KEY NO. 905-9008-000**

Zoning Administrator Laurie Miller provided an overview of the request to install one (1) 23' X 10' (230 square feet) temporary banner on the north elevation of the existing Amazon building and display through December 30, 2020.

Commissioner Chandler asked what is the reasoning for a sign to be this big.

Candice Falk, Ryan Companies US, Inc., 9700 S 13<sup>th</sup> St., responded that the west side of the building is facing 13<sup>th</sup> Street. The sign is large so that people on 13<sup>th</sup> Street can see the sign. This sign is for employment. The tenants are looking for applicants to apply so they are trying to make it so applicants can see the sign for the tenant.

Commissioner Chandler asked where is this sign in relation to the other two (2) signs that are on the west side of the building.

Ms. Falk said this will be just south of the farthest north sign. The building has two (2) entrances. One (1) is the main entrance in the middle of the building, and the other entrance is the recruiting office entrance just north of the main entrance. This sign will be just above the recruiting office entrance. This is where the applications will be completed and where the interviews will take place.

Commissioner Chandler asked if this is going to be larger than the recruiting sign that is there today.

Ms. Falk responded in the affirmative.

Commissioner Chandler asked for more clarification for why this large of sign is needed for more than 120 days.

Ms. Falk responded the hiring process starts early to try and get the team in place prior to the inside of the building opening in November. Trying to get the hiring completed, they think they will need to take this time to get all of their associates in place for the needs of the warehouse.

Commissioner Chandler asked what their common practices are for the other facilities.

Ms. Falk stated that she can only respond from past experience to the Amazon she has built. They include radio and tv advertising in the local area trying to recruit applicants from those areas.

Commissioner Chandler asked whether this type of advertising was done before on the buildings.

Ms. Falk answered in the affirmative.

Commissioner Siepert moved that the Plan Commission approves sign variances allowing the installation of one (1) 23' x 10' temporary sign from August 26 to December 30, 2020 (127 days) on the north elevation of the building located at 9700 S. 13<sup>th</sup> Street. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**LANDSCAPE PLAN REVIEW  
DAVID DiSANTO, MODHOME, LLC  
10730 S. HOWELL AVENUE  
TAX KEY NO. 973-9997-000**

Planner Papelbon provided an overview of the request to review landscaping plans for the Residences at Oak View development.

Commissioner Oldani asked if the mulch trail in the back part of this property is part of this development.

Planner Papelbon responded in the affirmative.

Commissioner Siefert asked if there are going to be any kind of planting or shrubs on the north side to block from the neighbors on the north of this development.

Planner Papelbon responded that there is nothing proposed in this landscape plan for a buffer on the north property line.

Mayor Bukiewicz responded that the plan was vetted through the City Forester, so he has no problem with this. This is how the City does this so he doesn't see this as an unlikely way of doing this.

Alderman Guzikowski moved that the Plan Commission approves the landscape plans submitted by David DiSanto, ModHome, LLC, for the property at 10730 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all conditions of approval from the April 14, 2020 and June 23, 2020 Plan Commission reviews are in effect.
3. That a revised landscape plan incorporating staff comments is submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

Commissioner Siefert seconded. On roll call: all Commissioners present voted aye. Commissioner Oldani's Internet connection dropped, so he did not cast a vote. Motion carried.

**CERTIFIED SURVEY MAP  
DEBRA KESSLER, STC OAK CREEK (WI) LLC  
101 & 111 W. OAKVIEW PARKWAY  
TAX KEY NOS. 955-1018-000 & 955-1017-000**

Planner Papelbon provided an overview of the request to combine these properties.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Debra Kessler, STC Oak Creek (WI) LLC, for the properties at 101 & 111 W Oakview Parkway 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 Siefert seconded. On roll call: all voted aye (Commissioner Oldani's Internet connection was restored prior to the motion). Motion carried.

**PLAN REVIEW  
DEBRA KESSLER, STC OAK CREEK (WI) LLC  
101 & 111 W. OAKVIEW PARKWAY  
TAX KEY NOS. 955-1018-000 & 955-1017-000**

Planner Papelbon provided an overview of the request for the additions to the existing manufacturing building, parking, and dog run on the properties.

Commissioner Sullivan stated it appears the retaining wall is within WE Energies easement on this aerial view for the retaining wall just south of the freezer addition on the southwest corner. Commissioner Sullivan stated that Engineering wants to make sure they are working with WE Energies with the aerial, distance and clearance. On the retaining wall on the other addition to the southeast on Howell Avenue, the suggestion is to try to and curve that wall to help blend in the wall to be more aesthetically pleasing. Turning templates for semis and delivery trucks showed encroachments into the southbound lanes for the exit on the north new parking lot. We did not notice that on the other driveways or exits turning to the right as those radiuses for curb and gutter seem to be a little larger. If we could get that to work on this north exit without southbound encroachment, that would be great.

Commissioner Carrillo asked whether the proposed parking was sufficient.

Planner Papelbon stated that for the first shift there will be 250 employees, so that is how the parking is calculated for this type of facility. They actually have more than necessary. The 500 employees are for all shifts, and this is a 24-7 operation, so it will be broken up.

Commissioner Chandler stated it appears the employees have to cross the parking lot to get to the dog run. How do employees safely access the dog run?

Dominic Ferrante, Briohn Design Group, LLC, 3885 N. Brookfield, Road, Suite 200, Brookfield, WI 53045, responded there are 2 gates: one on the north side and one on the east side farther to the south. These gates are to coincide with the overall fence. This travel is similar to the current dog run. The main entry point is the one further south, which is the shorter distance, and travel will occur on the right or left side around the main parking lot. From the employee entrance or office entrance sidewalk, employees would cross and walk towards the drive to get to the entrance of the dog run.

Commissioner Chandler asked if Mr. Ferrante would review the locations of the sidewalks to access this dog run.

Mr. Ferrante responded that there aren't any specific sidewalks. We are going to have an open grass area at the entry points.

Commissioner Chandler asked who would use this dog run, and whether individuals would be coming from the parking lots.

Mr. Ferrante responded individuals who work at the facility only.

Luke Koele, Vice President of Manufacturing for Stella and Chewy's, 111 W Oakview Parkway, Oak Creek, WI 53154, responded that they allow office employees to bring in their dogs. We like to provide the dog run facilities so employees can take the dogs out and give them some exercise. That is the main user of this dog run.

Planner Papelbon said this is covered in the report, but staff did recommend that the plans incorporate some kind of striping or signage to that dog run to show where employees are crossing from the facility. It would depend on whether the employees are crossing the parking lot in between the building and dog run itself.



Mayor Bukiewicz stated he is interested in the comments from Commission Sullivan, and asked the applicant whether this something they are working towards.

Mr. Ferrante responded that they are working with staff, and plans have already been adjusted on the west side. Based on the comments from Engineering, we could offer a bit of a curve on the farthest east end of it [retaining wall]. We are working with ATC for the approval of that retaining wall and permission for the encroachment on the west end easement.

Commission Siefert asked whether people using the dog run in the evening would be able see without any problems.

Mr. Koele responded that this dog run is intended for the office employees, and the office is not a 3-shift office. It is basically intended for the daytime shift. We anticipate the lighting will be adequate for the majority of the time for the potential user. We can work through this with Stella and Chewy's to see if they want additional lighting. The intended use is for office employees whose typical hours from 8 AM to 5 PM, which is day light hours for majority of the year.

Commissioner Chandler stated that Planner Papelbon is recommending striping or signs for the pathway for the employees. What are your thoughts of having a pathway from the building and the dog run?

Mayor Bukiewicz clarified that she is asking for the striping.

Commissioner Chandler asked Planner Papelbon whether striping was recommended.

Planner Papelbon responded that staff recommended striping, signage, or some combination - something visual so pedestrians and vehicles would know that people would be crossing in that particular area to get to the dog run.

Mr. Ferrante responded that something could be worked out to provide some kind of a striped pedestrian zone from one of the entrances to the dog run area.

Mr. Koele responded that, from the safety perspective, we can work with Briohn to get something like that implemented.

Commissioner Chandler asked Planner Papelbon if such must be included in the motion, who which Planner Papelbon responded that it did not.

Commissioner Hanna moved that the Plan Commission approves the site and building plans submitted by Debra Kessler, STC Oak Creek (WI) LLC, for the properties at 101 & 111 W. Oakview Parkway, with the following conditions:

1. That all relevant Code requirements are in effect.
2. That the Certified Survey Map combining the properties shall be submitted for recording prior to the submission of building permit applications.
3. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) are screened from view.

4. 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.

Planner Papelbon made one clarification that the plans should be submitted to the Department of Community Development since there are no changes to the plans by the Plan Commission.

Commissioner Hanna revised her motion as stated by Planner Papelbon.

Commissioner Siepert seconded.

Mayor Bukiewicz stated that he wanted to ensure Fire Department has no questions or concerns before the vote.

Planner Papelbon responded that she has spoken with Assistant Chief Havey, and he stated that there are no issues at this time. She will continue to work with the applicant and the Fire Department on any questions that may arise.

On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT AMENDMENT  
LINDA NIEMELA, MEDICAL SUPPORT SERVICES, INC. & TENDER TOUCH THERAPY  
140 E. RAWSON AVENUE  
TAX KEY NO. 733-9991-001**

Planner Papelbon provided an overview of the request for a Conditional Use Permit Amendment for an outdoor commercial recreation facility on the property.

Commissioner Chandler asked about the recreational activities to be conducted in this outdoor area.

Dustin Atkielski, St. John Properties, Inc, 1020 James Drive, Suite G, Harland, WI 53029, stated that the applicant wishes to provide an outdoor space for their therapy work. It will have very similar equipment as they do in their indoor environment, and have standard outdoor playground equipment with some specialty equipment that are used for sensory activities.

Commissioner Chandler asked how individuals' privacy is protected in an outside environment.

Mr. Atkielski responded that the tenant wants to keep this space open. There is a fence there to protect and define the area. They are at the end of the property, so they don't anticipate anyone other than their employees. There is no request from the tenant for screening for privacy. The intent is just to have an option to be able to take clients outside.

Commissioner Siepert asked if there will there be a gate for people to use for exiting and to evacuate.

Mr. Atkielski responded there is a gate and egress in their emergency plan.

Commissioner Oldani asked whether there are [loading] docks or overhead doors for truck deliveries.

Mr. Atkielski responded that there are deliveries set up at this building. Medical Support Services leases the last 5 bays of this building. The first available dock is roughly 150 feet away, and truck traffic coming to the back of this building is more than 90 feet away from this proposed area.

Commissioner Oldani restated that this area will be fenced-in. Mr. Atkielski responded in the affirmative.

Commission Siefert moved that the Plan Commission recommends to the Common Council approves a Conditional Use Permit Amendment to allow an outdoor recreation facility behind the existing clinic in multitenant building C on the property at 140 E. Rawson Ave., after a public hearing. Commission Guzikowski seconds. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT AMENDMENT  
MARY SMITH, AST/LEARN D/B/A WISCONSIN EARLY AUTISM PROJECT  
140 E. RAWSON AVENUE  
TAX KEY NO. 733-9991-001**

Planner Papelbon provided an overview of the request for a Conditional Use Permit Amendment for a medical clinic and outdoor commercial recreation facility on the property.

Commissioner Sullivan asked whether bollards could be incorporated to provide improved safety and separation between trucks and this outdoor area.

Dustin Atkielski St. John Properties, Inc, 1020 James Drive, Suite G, Harland, WI 53029, responded that the application focused on the use itself, not on fencing. In order to keep people safe, we would work this out through a site plan review. We have some electrical gear housed near the screen wall, and we have bollards there. To prevent vehicles from entering the fence or the occupant's area, we can extend those protections to the fence area. The tenant has expressed their need to have this use. We looked at different locations within the building to try to find the best spot for this tenant. This fenced area was brought in on it's width heading to the west from the back of the building to make the exposure to the main drive aisle as minimal as possible. There is distance between the main drive aisle and 30 feet of distance for the next available tenant space. They are looking at potentially reserving the Right of First Refusal for expansion.

Commissioner Carrillo asked whether cement is being used for this screen wall.

Mr. Atkielski responded that it is an 8-foot tall, 12-inch wide Concrete Masonry Unit (CMU) screen wall.

Alderman Loreck stated that if the Common Council approves the use, these issues will be reviewed again during Site Plan Review. Planner Papelbon confirmed.

Commissioner Oldani and Mayor Bukiewicz stated their agreement with Alderman Loreck that this be reviewed during Site Plan Review.

Commissioner Chandler asked what the differences are between this tenant and the tenant in building C.

Mr. Atkielski responded this tenant deals with Autism, and the other deals with other types of child disorders. The tenant in building C does not deal with Autism disorder, this is just another complementary business.

Commissioner Chandler asked whether this business could be relocated north in a safer location.

Mr. Atkielski responded that when the space becomes larger in the north half of the building, and they are adamant that the space they have fits their needs. Building A is not up yet, and in Building C we already have someone taking that tenant space. This is the only spot the tenant thought could work for them.

Commissioner Sullivan asked how far apart are they from the wall screen that is on building B.

Mr. Atkielski stated that the screen wall runs all the way up to the corner of the building, and extends all the way to the drive aisle. It is roughly 75 feet.

Commissioner Sullivan stated the proposed outdoor area is 25 feet wide, and the screen wall is 75 feet. This provides 50 feet of distance between the drive aisle and outdoor area and other safety measures.

Mayor Bukiewicz suggested a guardrail.

Mr. Atkielski stated that there are a lot of different ways to stop a rogue vehicle. This is the best solution they have for this corner. The main drive aisle will go down the center. We don't have any other tenants in this building to talk about other uses and traffic flow. We anticipate the neighbor's traffic to the north of the flex buildings to be shop vans, sprinters, delivery by Federal Express and UPS kinds of vehicles. All the heavy delivery users would require dock doors, which are all on the north end of the property. Those semi-trucks will traverse straight to the northern end of the parking lot to their respective docks, and that area is isolated by guardrails.

Commissioner Oldani moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit Amendment to allow additional clinic and outdoor recreation area behind the clinic in multitenant building B on the property at 140 E Rawson Ave., after a public hearing. Commissioner Siepert seconds. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:45 p.m.

ATTEST:

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

9-2-20

\_\_\_\_\_  
Date



# Significant Common Council Actions

ITEM: 4

DATE: September 8, 2020

## Summary of Significant Common Council Actions

September 1, 2020

- **APPROVED** Resolution No. 12178-081820, approving a Certified Survey Map submitted by Debra Kessler, STC Oak Creek (WI) LLC, for the properties at 101 & 111 W. Oakview Parkway.

A handwritten signature in black ink that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP  
Planner



## PLAN COMMISSION REPORT

Proposal: Plan Review – Additions for The Cellar

Description: Site and building plan review for proposed building modifications/additions to the existing building for restrooms, storage, and an outdoor porch.

Applicant(s): William Nelson, Cellar Pub

Address(es): 812 W. Oakwood Rd.

**Suggested Motion:** That the Plan Commission approves site and building plans submitted by William Nelson, Cellar Pub, for the property at 812 W. Oakwood Rd. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the plans are revised to include locations and screening for any new mechanical equipment, transformers, and utilities (if applicable).
3. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Owner(s): WW TRACKSIDE LLC

Tax Key(s): 925-9005-000

Lot Size(s): 2.310 ac

Current Zoning District(s): B-2, Community Business                      FW, Floodway

Overlay District(s): C-1, Shoreland Wetland

Wetlands:                       Yes     No                      Floodplain:                       Yes     No

Comprehensive Plan:                      Single-Family Attached, Floodway

### Background:

The Applicant is requesting site and building plan approval for building modifications and an addition to the

for The Cellar at 812 W. Oakwood Rd. Modifications to the existing building include the removal of the existing second-floor open wood porch on the north side of the building (rear), and interior demolition of the existing restrooms. New foundation will be installed for a 19' 7" x 20' 10" addition to accommodate the new and expanded ADA-compliant restroom facilities. The exterior stairs for the existing second-floor porch will remain to provide access to the proposed enclosed sunroom.

Proposed exterior building materials for both additions include fiber cement siding to match the existing building, with a new door added to the north side of the restroom addition. Windows are proposed on the north and east elevations of the proposed sunroom addition. Per Code, the use of fiber cement products requires a ¾ majority approval of the Plan Commission.

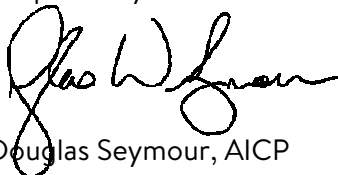
Mechanical units for the building have not been identified. Should there be any new ground, building, or rooftop-mounted mechanicals required, they must be screened per Code. This is included in the suggested conditions of approval above.

No other site or building modifications are included in the proposal. Due to the location and type of additions in the proposal, additional landscaping is not required at this time.

**Options/Alternatives:** The Plan Commission has the discretion to approve the plans as presented, approve with specified conditions, or disapprove the proposal. Should the request not be approved, Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit (if necessary).

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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

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Attachments:

Location Map

Plans

Title Sheet (1 page)

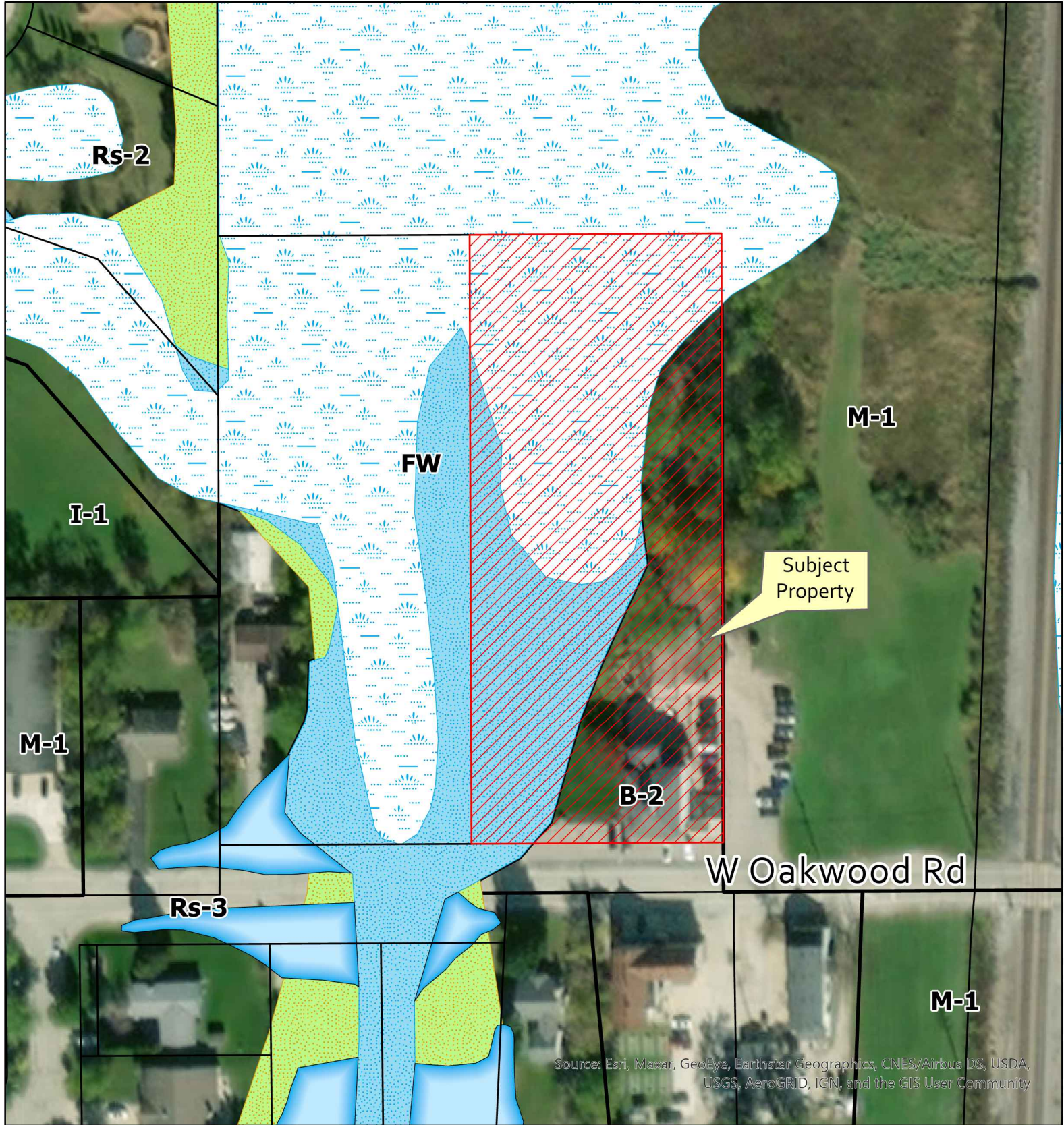
Site Plan & Existing Floor Plans, C-1 & D-1 (2 pages)

Proposed Plans, A-1.0 – A-7 (11 pages)

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# Location Map

## 812 W Oakwood Rd



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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



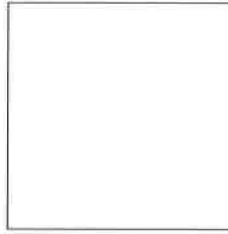
Legend	
	812 W Oakwood Rd
	DNR Wetlands Inventory
	Environmental Corridor
	Flood Plain (2008)
	Floodway (2008)



**SCOPE OF WORK**

- NEW ADA MEN & WOMEN TOILET ROOMS
- NEW SECOND FLOOR SUN ROOM

**Consultants**



**ARCHITECT**  
 BMR Design Group, Inc.  
 503 West Lincoln Avenue  
 Milwaukee, Wisconsin 53207  
 (414) 384-2996

**SHEET INDEX**

- ARCHITECTURAL**
- C-1 SITE PLAN
  - D-1 DEMOLITION PLAN
  - A-1 NEW FOUNDATION PLAN
  - A-1.1 NEW PARTIAL FIRST FLOOR PLAN, WALL TYPES, DOOR TYPES
  - A-1.2 NEW RESTROOM ELEVATIONS
  - A-1.3 NEW ADA TOILET DETAILS, ADA SINK DETAILS
  - A-2 NEW PARTIAL SECOND FLOOR PLAN
  - A-2.1 NEW PARTIAL SECOND FLOOR FRAMING PLAN
  - A-3 NEW PARTIAL ROOF FRAMING PLAN
  - A-4 NEW BUILDING SECTION
  - A-5 NEW BUILDING SECTION
  - A-6 NEW BUILDING SECTION
  - A-7 NEW ELEVATIONS

**BMR**  
 DESIGN GROUP, INC.  
 Architects - Engineers

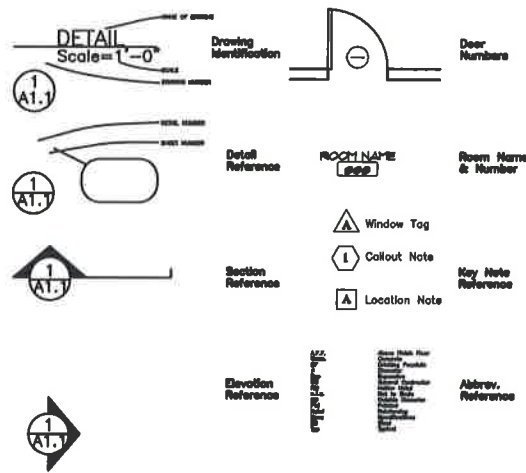
503 West Lincoln Avenue  
 Milwaukee, Wisconsin 53207  
 Phone - (414) 384-2996  
 Fax - (414) 384-3904

**Proposed New ADA Restrooms  
 For The Cellar Restaurant & Bar**

At: 812 W. Oakwood Rd.  
 Oak Creek, WI

Date: August 6, 2020  
 BMR PROJECT NO.: 2020-30

**SYMBOLS**



**SITE LOCATION**



**Building Information**

CONTRACTOR TO FIELD VERIFY EXISTING DIMENSIONS AND PROPOSED CONSTRUCTION DIMENSIONS AND INFORM ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH ALTERATIONS.

**General Notes**

Mechanical, Electrical & Plumbing design are not the responsibility of the Architect. The M.E.P. to be handled on a design-build basis through the Developer and Construction Manager. The design-build contractor is responsible for code compliance with their work.

All work shall be done in accordance with all State and Local coded and ordinances.

Field verify all existing conditions and dimensions.

Do NOT scale drawings

The locations of the existing utility installations as shown on the plans are approximate. There may be other underground utility installation within the project area that are not shown. Contractor Must contact diggers hotline.

All building components requiring analysis and design by Professional Engineer being submitted to Architect/Owner for approval must be sealed and signed by the manufacturer's or fabricator's Professional Engineer, registered in the state where the project is being constructed. Shop Drawings, manufacturer's literature, etc., will not be reviewed without Engineer's Seal and signature appearing on submittals.

**PROJECT INFORMATION**

PROJECT OWNER: Bill Nelson  
 414-921-8059

PROJECT ADDRESS: 812 W. Oakwood Rd.  
 Oak Creek, WI 53154

PRINCIPAL IN CHARGE: Luis Barbosa Perches

PROJECT ARCHITECT: Raul Arteaga



CONSTRUCTION DRAWINGS FOR  
 SUBMITTAL TO CITY OF OAK CREEK  
 TO REQUEST PLAN REVIEW AND  
 CONSTRUCTION PERMIT

DATE: AUGUST 6, 2020



**PROJECT**  
 Proposed New  
 ADA Restroom  
 At:  
 812 W. Oakraod Rd.  
 Oak Creek, WI  
 53154

**PROJECT NO.** 2020-30

**DATE** 08/06/2020

**REVISIONS**

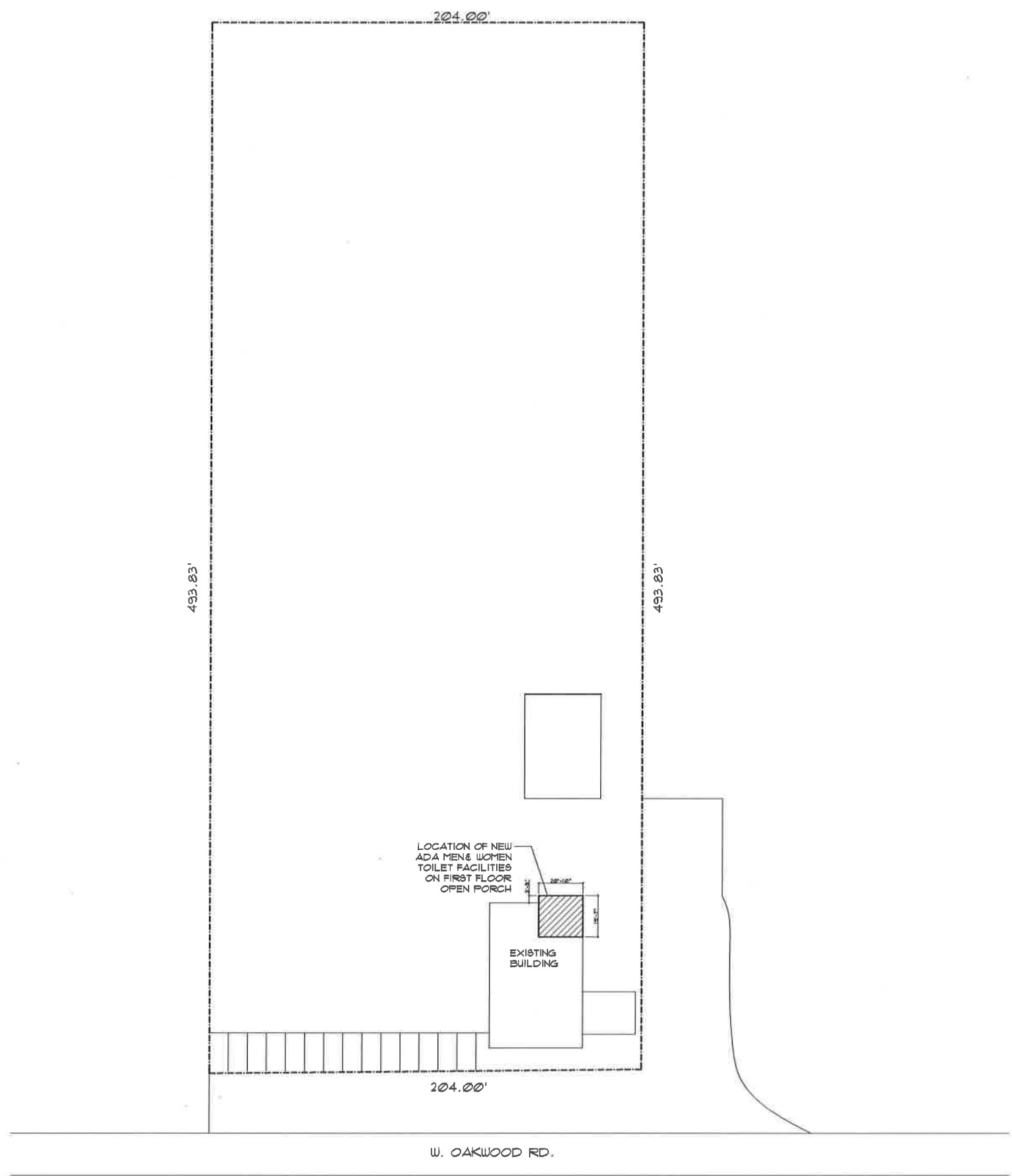

**CHECKED BY** L.B.

**DRAWN BY** R.A.

**SCALE** as noted

**SHEET NO.** C-1

**SHEET TITLE**



1 Site Plan  
 C-1 Scale: 1' = 60'-0"

G.C. SHALL REBUILD AND RE-FINISH ALL AFFECTED FLOORS, WALLS, AND CEILINGS TO MATCH EXISTING ADJACENT SURFACES IN SIZE, COLOR AND TYPE OF MATERIAL.

DEMOLITION NOTES

- 1 REMOVE PARTIAL BRICK WALL AT REAR DOOR
- 2 REMOVE EXISTING DOOR & FRAME
- 3 REMOVE MEN & WOMEN RESTROOM FIXTURES
- 4 REMOVE EXISTING RAMP
- 5 REMOVE EXISTING INTERIOR NON LOAD BEARING WALLS
- 6 EXISTING WOOD PORCH TO BE REMOVED  
EXISTING STAIRS TO REMAIN

**PROJECT**  
Proposed New  
ADA Restroom  
At:  
812 W. Oakwood Rd  
Oak Creek, WI  
53154

PROJECT NO. 2020-30

DATE 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

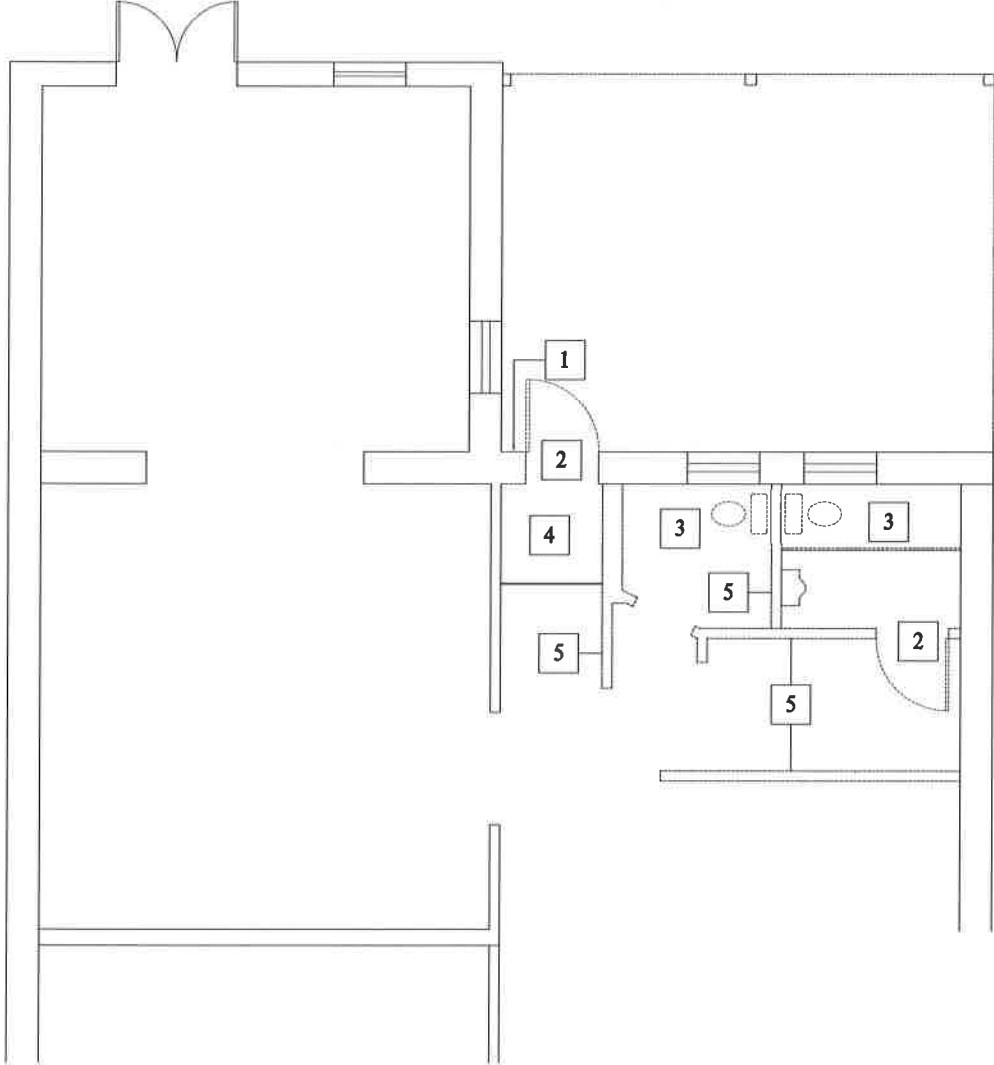
CHECKED BY L.B.

DRAWN BY R.A.

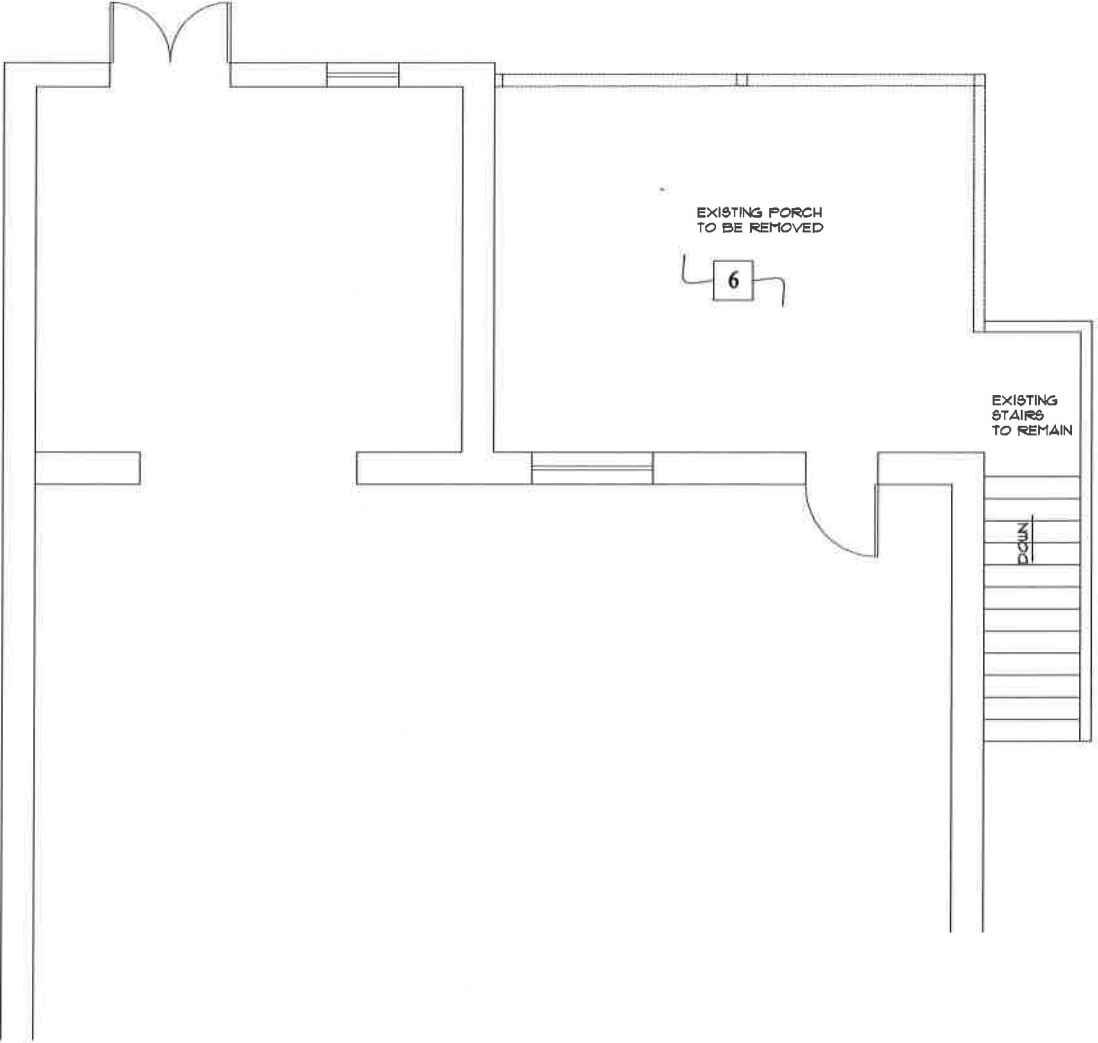
SCALE as noted

SHEET NO. D-1

SHEET TITLE



1 Existing Partial First Floor Plan  
D-1 Scale: 1/8" = 1'-0"



2 Existing Partial Second Floor Plan  
D-1 Scale: 1/8" = 1'-0"

**PROJECT**

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 At:  
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 Oak Creek, WI  
 53154

PROJECT NO. 2020-30

DATE 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

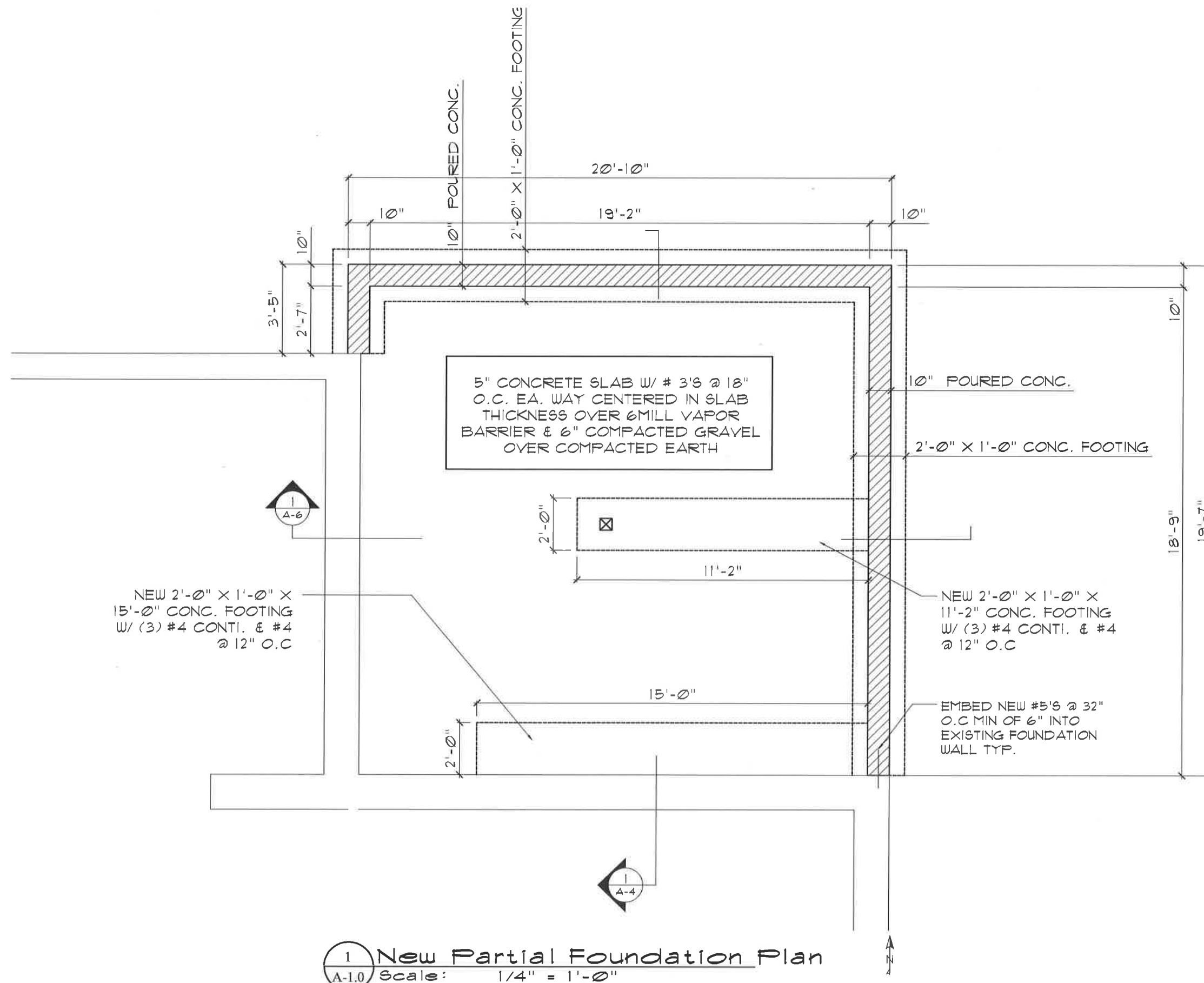
CHECKED BY L.B.

DRAWN BY R.A.

SCALE as noted

SHEET NO. A-1.0

SHEET TITLE



1 New Partial Foundation Plan  
 A-1.0 Scale: 1/4" = 1'-0"

**PROJECT**

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53154

PROJECT NO. 2020-30

DATE 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

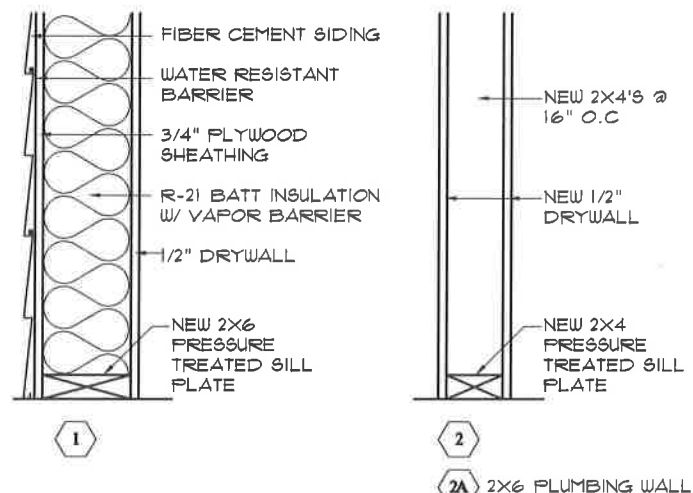
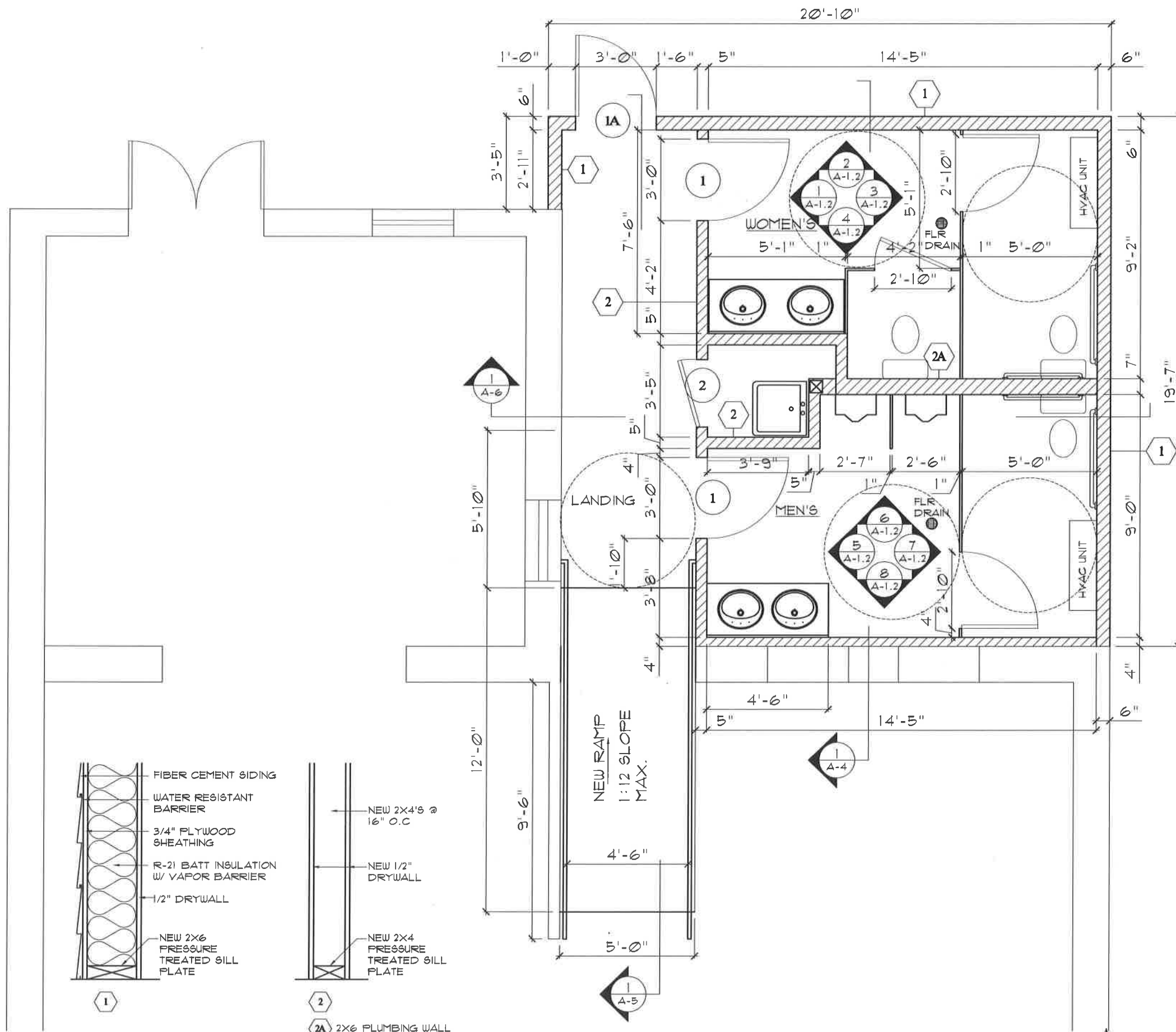
CHECKED BY L.B.

DRAWN BY R.A.

SCALE as noted

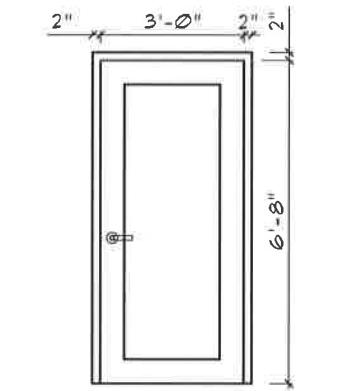
SHEET NO. A-1.1

SHEET TITLE

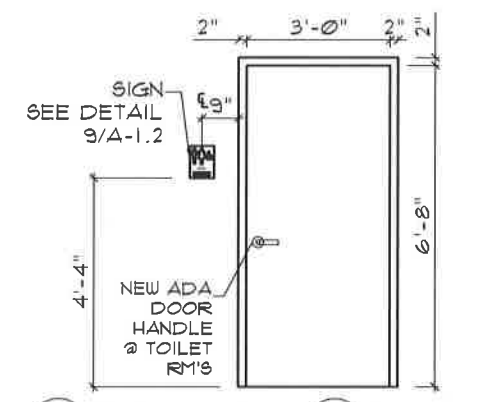


3 Wall Types  
A-1.1 Scale: 1" = 1'-0"

1 New Partial First Floor Plan  
A-1.1 Scale: 1/4" = 1'-0"



1A 3'-0" X 6'-8" HM DOOR & FRAME W/ TEMPERED GLAZING



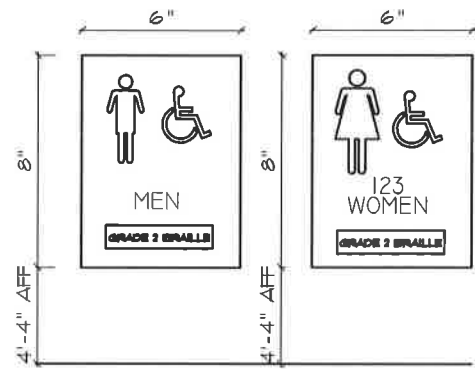
1 3'-0" X 6'-8" WOOD DOOR W/ WOOD FRAME ADA SIGN @ RESTROOM DOORS

2 Door Types  
A-1.1 Scale: 1/4" = 1'-0"



INSTALL ADA ACCESSIBLE HARDWARE @ RESTROOM DOORS SCHLAGE RHODES GRADE 1 COMMERCIAL DOOR LEVER OR SIMILAR

DIMENSIONS SHOWN ARE TO FACE OF FINISHES



9 ADA Sign Detail  
A-1.2 Scale: n.t.s

NO.	ROOM NAME	FLOORING		WALL FINISHES								CEILING		REMARKS
		BASE	FLOOR	NORTH		SOUTH		EAST		WEST		MTL.	HT.	
				MATR'L	FINISH	MATR'L	FINISH	MATR'L	FINISH	MATR'L	FINISH			
	Womens	Cove CT	Conc.	Gyp Bd	CT/ WD	Gyp Bd	CT/ WD	Gyp Bd	CT/ WD	Gyp Bd	CT/ WD	Gyp. Bd.	7'-6"	SEE NOTE 1,2,3
	Men's	Cove CT	Conc.	Gyp Bd	CT/ WD	Gyp Bd	CT/ WD	Gyp Bd	CT/ WD	Gyp Bd	CT/ WD	Gyp. Bd.	7'-6"	SEE NOTE 1,2,3
	Hall Way	Cove CT	Conc.	Gyp Bd	Ptd	Gyp Bd	Ptd	Gyp Bd	Ptd	Gyp Bd	Ptd	Gyp. Bd.	7'-6"	SEE NOTE 1,2

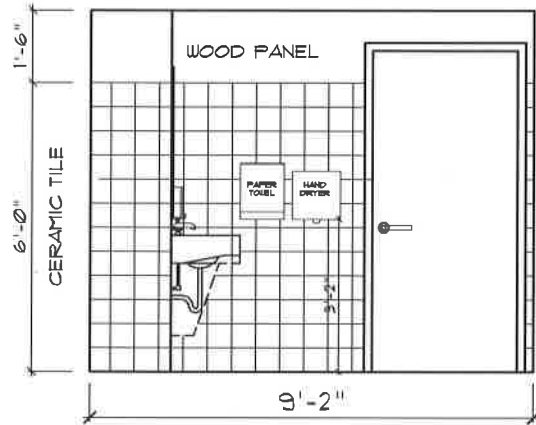
Gyp. Bd = GYPSUM BOARD    WD: WOOD PANEL  
 CT = CERAMIC TILE  
 COVE CT = CERAMIC TILE COVE BASE  
 PTD = PAINTED  
 CON. = CONCRETE

NOTE:  
 1. CONCRETE FLOORS TO BE AND STAINED AND SEALED WITH (SLIP RESISTANT SEALER)  
 2. SEE RESTROOM ELEVATION FOR CERAMIC TILE WALL HEIGHT  
 3. ALL GYPSUM BOARD IN RESTROOM TO BE MOISTURE RESISTANT DRYWALL

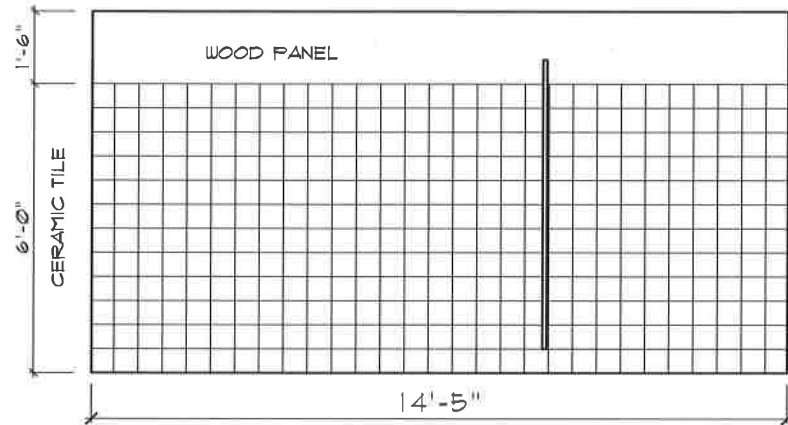
PROJECT  
 Proposed New  
 ADA Restroom  
 At:  
 812 W. Oakwood Rd  
 Oak Creek, WI  
 53154

PROJECT NO. 2020-30

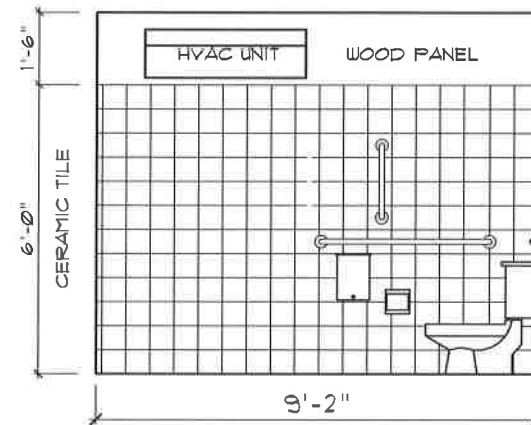
DATE 08/06/2020



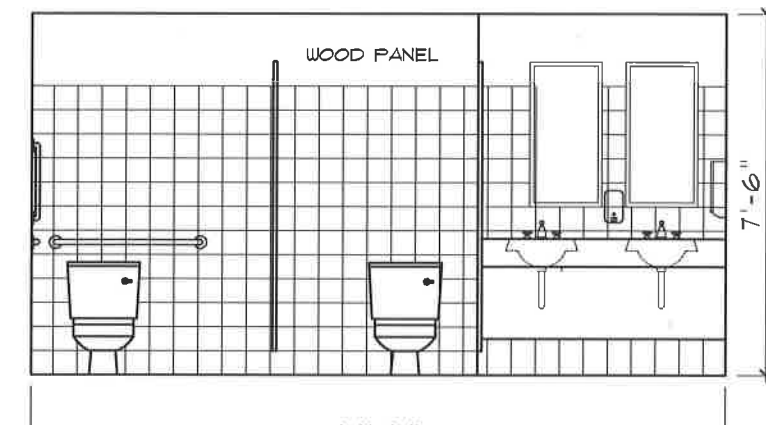
1  
A-1.2



2  
A-1.2



3  
A-1.2

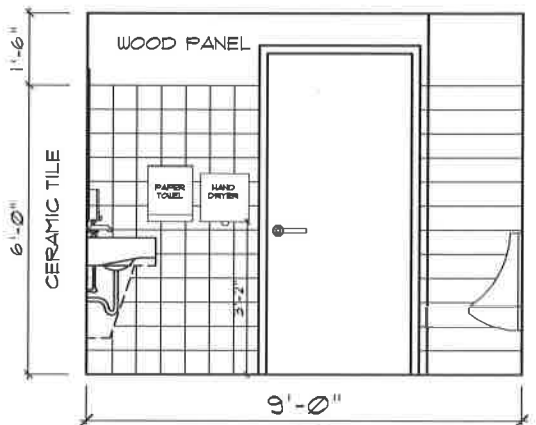


4  
A-1.2

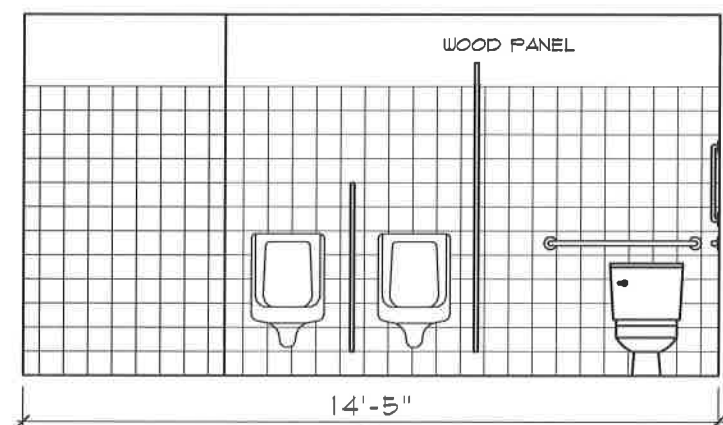
9 New Womens Restroom Elevations  
 A-1.2 Scale: 1/4" = 1'-0"

REVISIONS

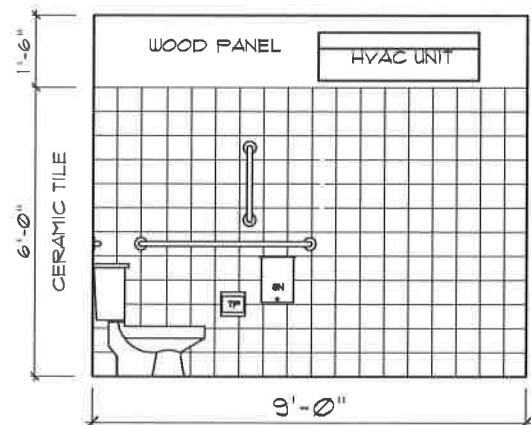
NO.	DESCRIPTION



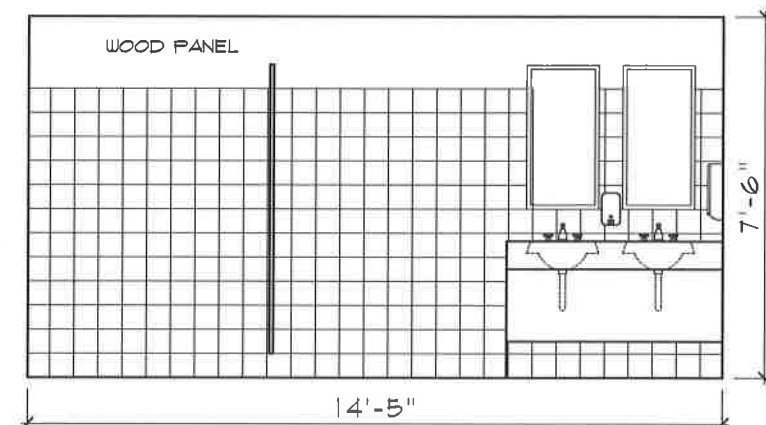
5  
A-1.2



6  
A-1.2



7  
A-1.2



8  
A-1.2

9 New Mens Restroom Elevations  
 A-1.2 Scale: 1/4" = 1'-0"

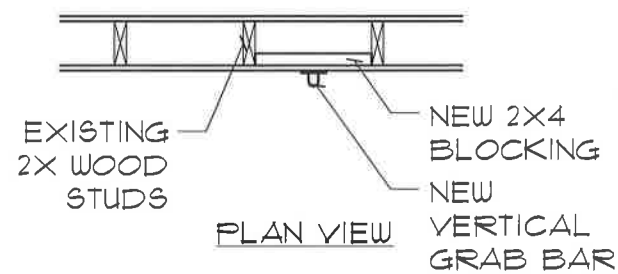
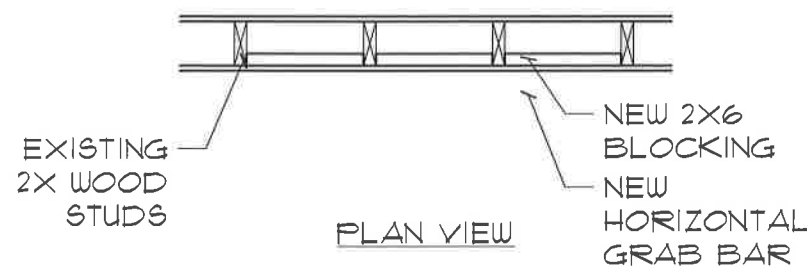
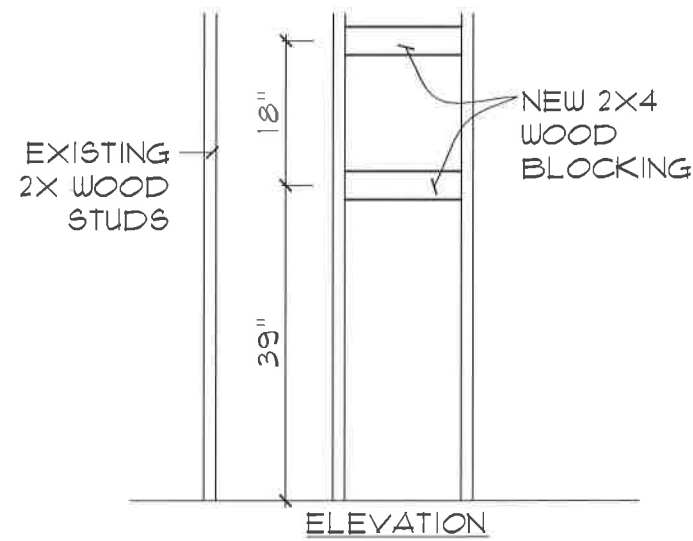
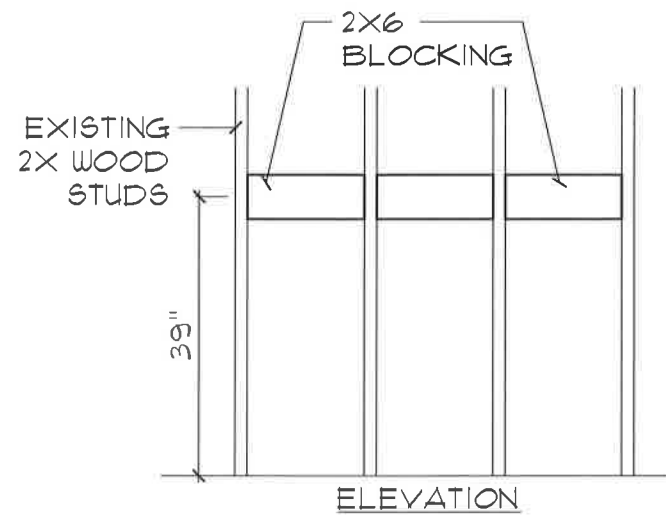
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DRAWN BY R.A.

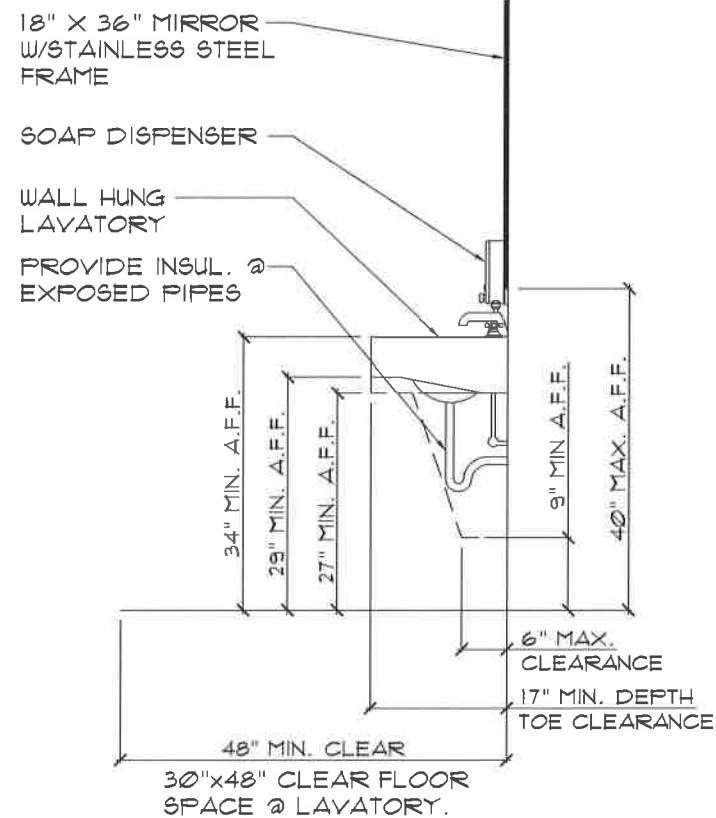
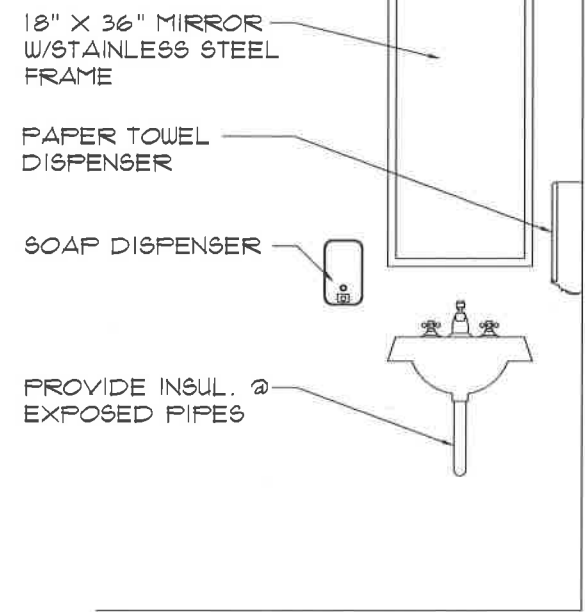
SCALE as noted

SHEET NO. A-1.2

SHEET TITLE



1 Grab Bar Blocking Detail  
A-1.3 Scale: 1/2" = 1'-0"



2 ADA Sink Detail (TYP.)  
A-1.3 Scale: 1/2" = 1'-0"

**PLUMBING NOTES**

- CAP WASTE VENT AND WATER PIPING WITHIN THE FLOOR AS REQUIRED FOR EXISTING FIXTURES TO BE REMOVED.
- CONNECTION TO EXISTING WASTE, VENT AND WATER PIPING WITHIN THE WALL OR BELOW THE FLOOR AS REQUIRED.
- PLUMBER TO COORDINATE CUTTING WITH GENERAL CONTRACTOR.
- HOT WATER AND DRAIN PIPES UNDER LAVATORIES SHALL BE INSULATED TO PROTECT AGAINST CONTACT.
- GENERAL CONTRACTOR TO PATCH AND REFINISH FLOORS, WALLS, AND CEILINGS TO MATCH EXISTING AND ADJACENT SURFACES.

**KEY NOTES**

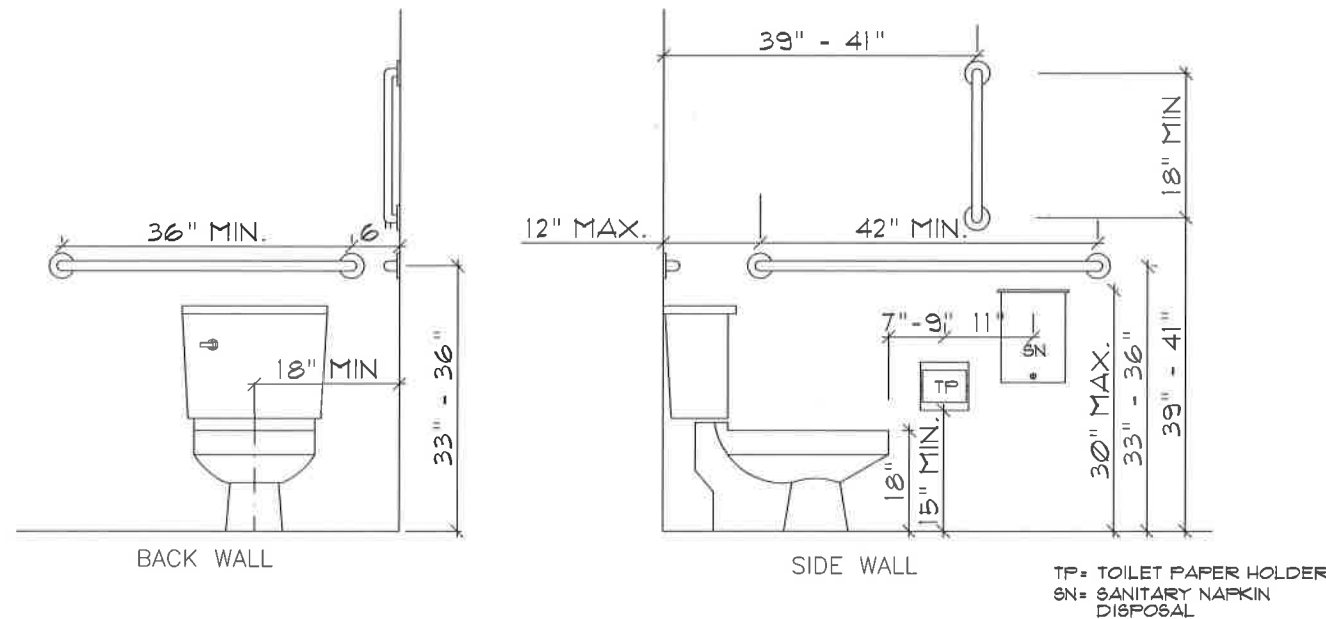
- INSTALL NEW STAINLESS STEEL MIRROR @ 40" AFF
- INSTALL NEW TOWEL DISPENSER @ 48" AFF
- INSTALL NEW LAVATORY @ 34" AFF TO RIM AND INSTALL NEW SOAP DISPENSER @ 40" AFF
- INSTALL NEW 36" GRAB BARS @ THE SIDES OF THE TOILET
- INSTALL NEW TOILET PAPER DISPENSER @ 19" AFF
- INSTALL NEW H.C TOILET @ 19" AFF TO THE RIM & @ 18" THE WALL
- INSTALL NEW MECHANICAL EXHAUST IN TOILET ROOMS

**RESTROOM NOTES:**

INSTALL THE FOLLOWING TOUCHLESS FIXTURES:

- AUTOMATIC SINK FAUCET
- AUTOMATIC PAPER TOWEL DISPENSER
- AUTOMATIC SOAP DISPENSER
- AUTOMATIC HAND DRYER

(ALL FIXTURES TO BE ADA COMPLIANT)



3 ADA Toilet Detail  
A-1.3 Scale: 1/2" = 1'-0"

**PROJECT**

Proposed New  
ADA Restroom  
At:  
812 W. Oakwood Rd  
Oak Creek, WI  
53154

PROJECT NO. 2020-30

DATE 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

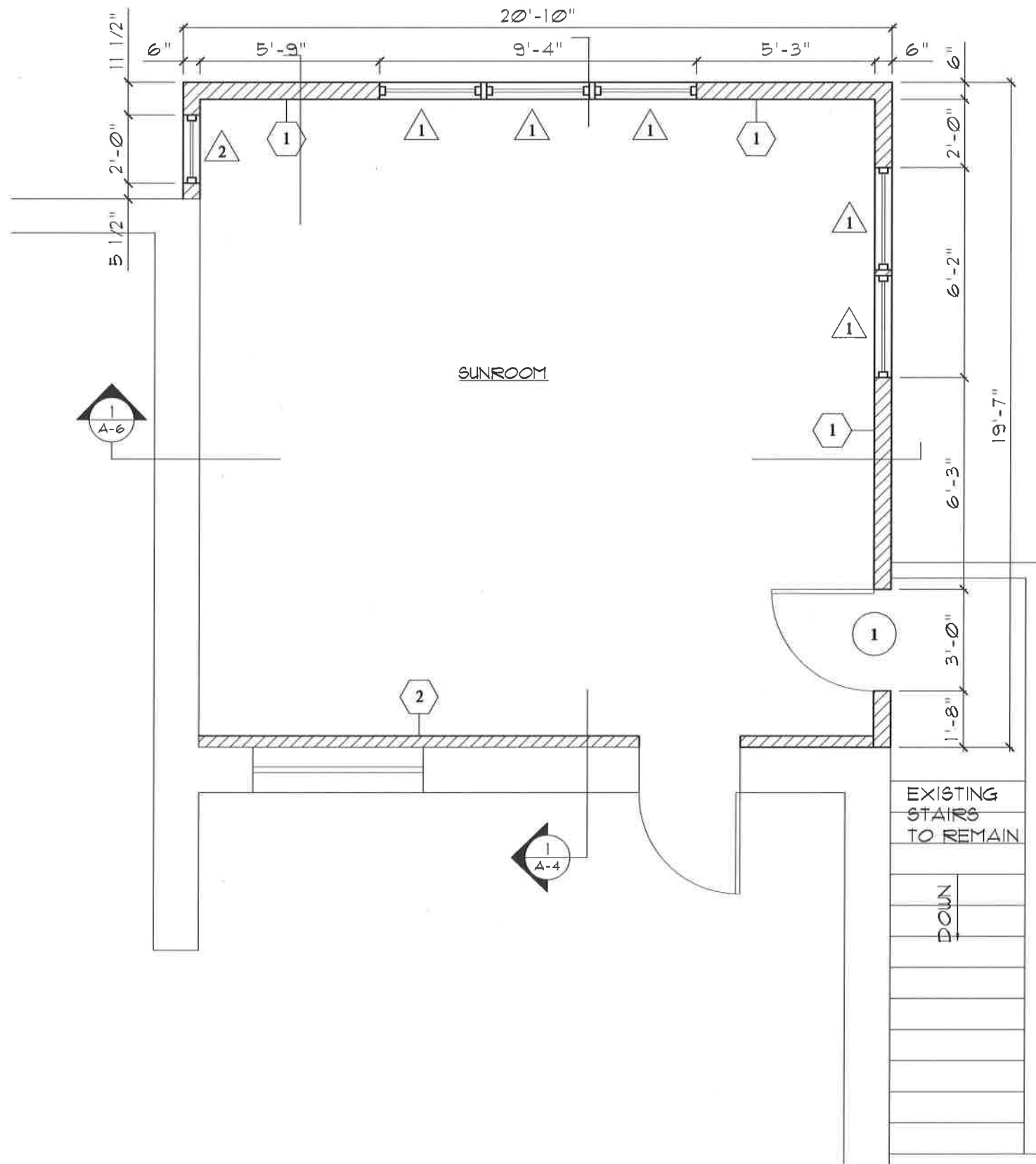
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DRAWN BY R.A.

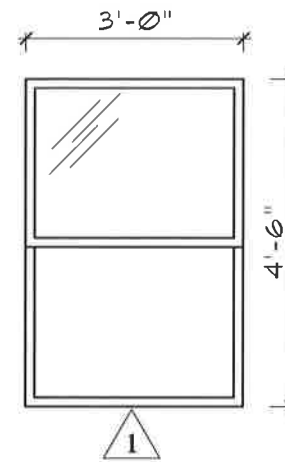
SCALE as noted

SHEET NO. A-1.3

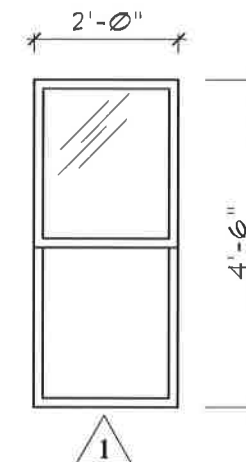
SHEET TITLE



1 New Partial Second Floor Plan  
 A-2 Scale: 1/4" = 1'-0"

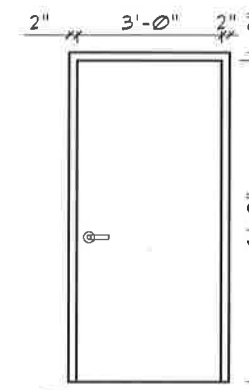


ANDERSEN 244DH3046 OR SIM.  
 DOUBLE HUNG WINDOW



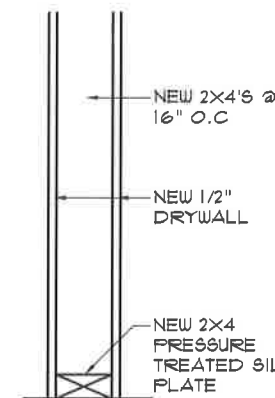
ANDERSEN 244DH2046 OR SIM.  
 DOUBLE HUNG WINDOW

2 Window Types  
 A-2 Scale: 1/4" = 1'-0"

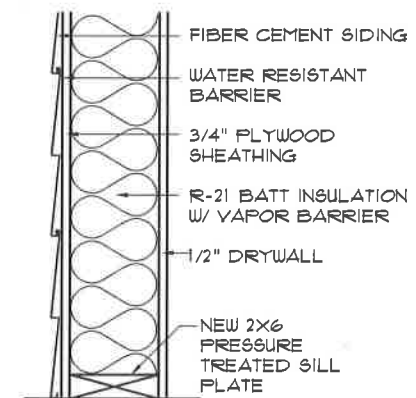


1 3'-0" X 6'-8"  
 WOOD DOOR W/  
 WOOD FRAME

3 Door Types  
 A-2 Scale: 1/4" = 1'-0"



2



1

4 Wall Types  
 A-2 Scale: 1" = 1'-0"

**PROJECT**

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**REVISIONS**

NO.	DESCRIPTION

CHECKED BY L.B.

DRAWN BY R.A.

SCALE as noted

SHEET NO. A-2

SHEET TITLE



**PROJECT**

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**DATE** 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

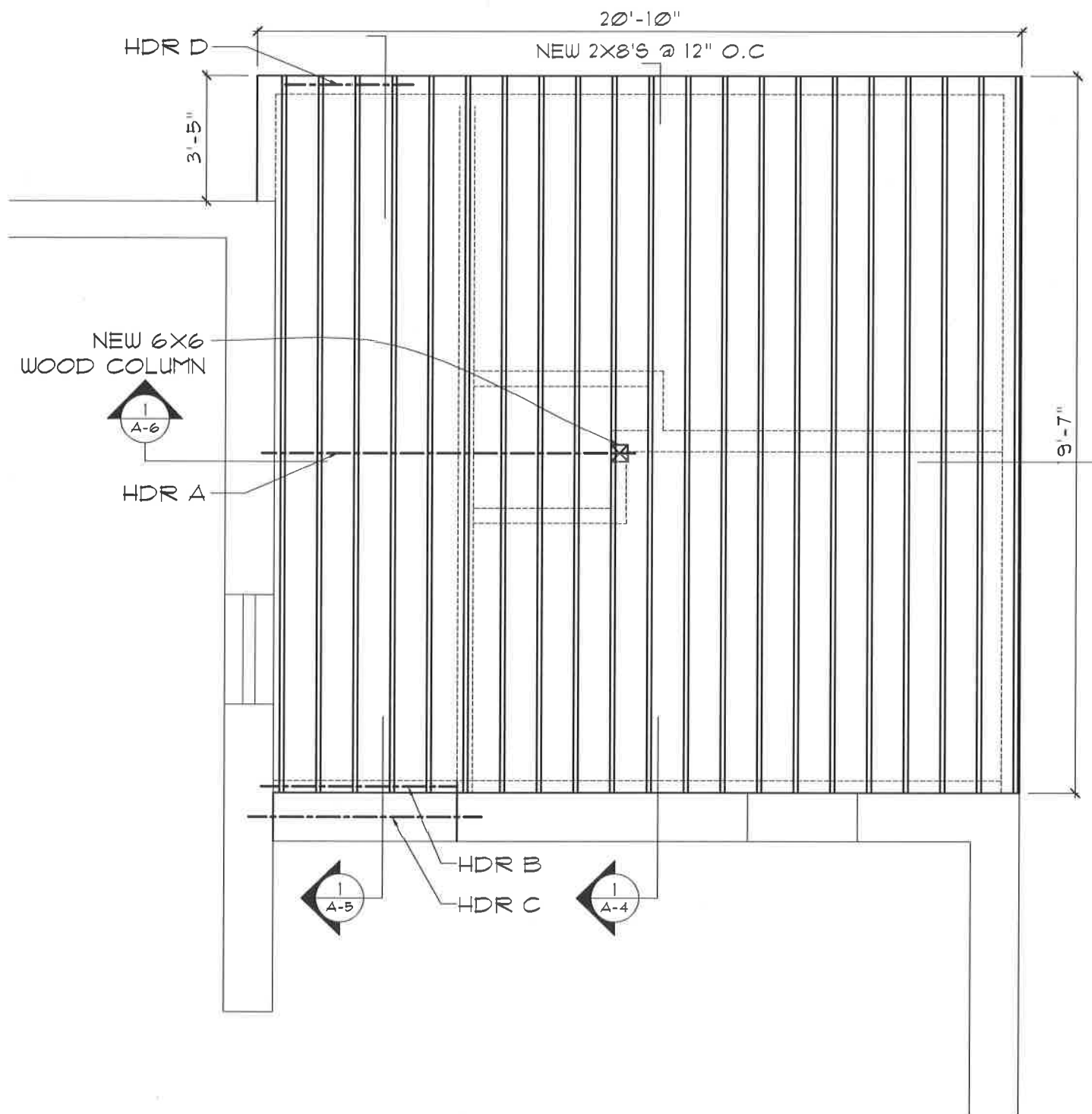
**CHECKED BY** L.B.

**DRAWN BY** R.A.

**SCALE** as noted

**SHEET NO.** A-2.1

**SHEET TITLE**



SPS 320-325 APPENDIX WISCONSIN ADMINISTRATIVE CODE

MINIMUM FASTENER SCHEDULE TABLE

OTHER INTERIOR AND EXTERIOR PRODUCTS AND FINISHES INSTALLED PER  
MANUFACTURER REQUIREMENTS. FOR ENGINEERED CONNECTORS, USE  
MANUFACTURER'S SPECIFIED FASTENERS

DESCRIPTION OF BUILDING MATERIALS/CONNECTION	NUMBER TYPE OF FASTENER
SOLE PLATE TO JOIST OR BLOCKING, FACE NAIL	16d at 16" o.c.
TOP OR SOLE PLATE TO STUD, END NAIL	2 - 16d
STUD TO SOLE PLATE, TOE NAIL	4 - 8d or 3 - 16d
DOUBLED STUDS, FACE NAIL	16d at 24" o.c.
DOUBLED TOP PLATES, FACE NAIL	16d at 16" o.c.
TOP PLATES, LAPS AND INTERSECTIONS, FACE NAIL	2 - 16d
CONTINUOUS HEADER, TWO PIECES	16d at 16" o.c. along each edge
CONTINUOUS HEADER TO STUD, TOE NAIL	4 - 8d
1" CORNER BRACE TO EACH STUD AND PLATE, FACE NAIL	2 - 8d or 2 staples, 1 3/4"
BUILT- UP CORNER STUDS	16d at 30" o.c., 16d at 24" o.c.

HDR	WIDTH	HEADER TYPE
HDR A	9'-2" SPAN	(3) 2X8 W/ 1" PLYWOOD GLUED AND NAILED
HDR B	5'-0" SPAN	(2) 2X8 W/ 1/2" PLYWOOD GLUED AND NAILED
HDR C	5'-0" WALL OPENING	STEEL BEAM: (2) W8 X 24 W/3/8" STEEL PLATE, TOP AND BOTTOM
HDR D	3'-0" SPAN	(3) 2X8 W/ 1" PLYWOOD GLUED AND NAILED

1 New Partial Second Floor Framing Plan  
A-2.1 Scale: 1/4" = 1'-0"

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**DATE** 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

**CHECKED BY** L.B.

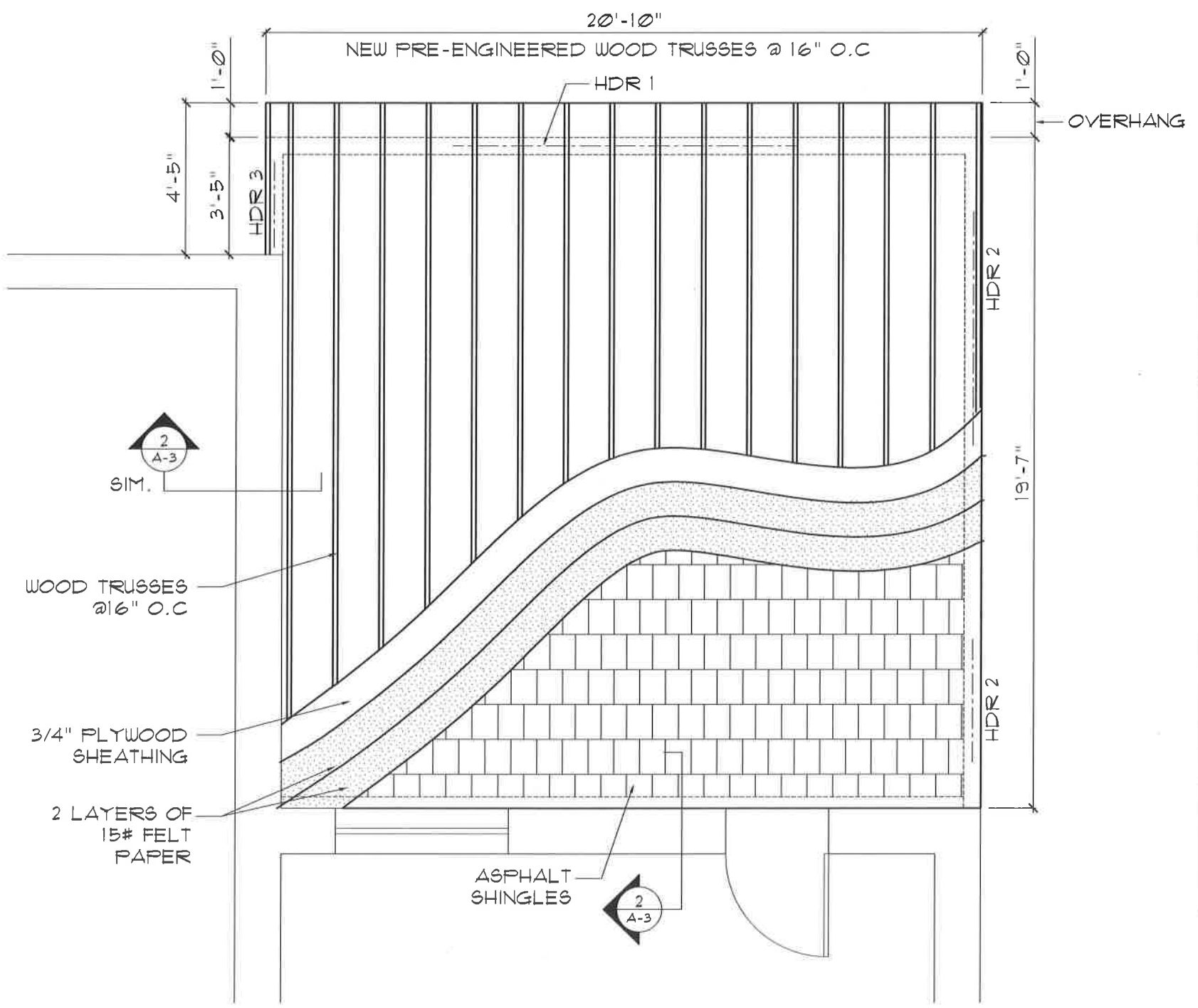
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**SCALE** as noted

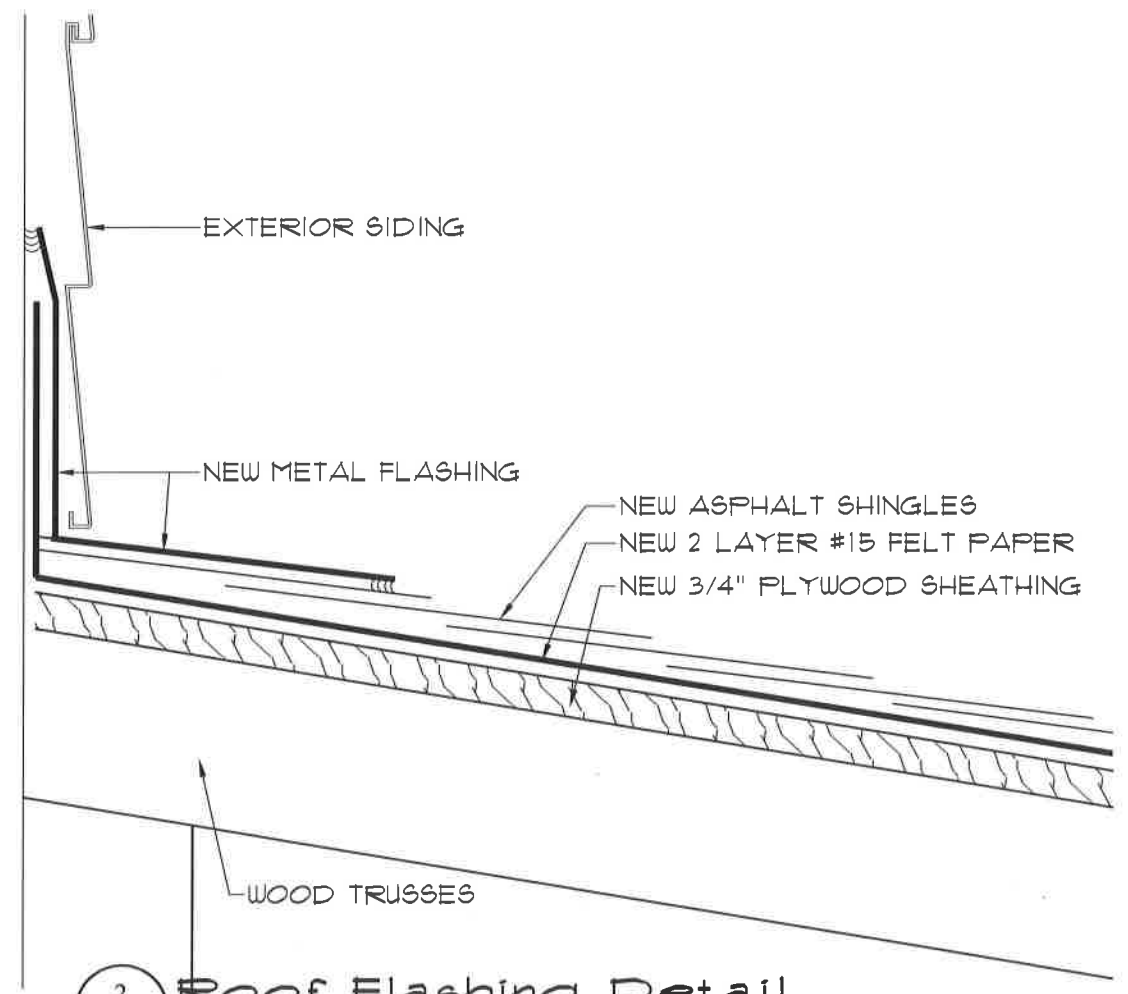
**SHEET NO.** A-3

**SHEET TITLE**

HDR	WALL OPENING WIDTH	HEADER TYPE
HDR 1	9'-4"	(3) 2X10 W/ 1/2" PLYWOOD GLUED AND NAILED
HDR 2	3'-0"	(3) 2X8 W/ 1/2" PLYWOOD GLUED AND NAILED
HDR 2	6'-2"	(3) 2X10 W/ 1/2" PLYWOOD GLUED AND NAILED



**1** New Partial Roof Floor Framing Plan  
 Scale: 1/4" = 1'-0"



**2** Roof Flashing Detail  
 Scale: 1/4" = 1'-0"

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**REVISIONS**

NO.	DESCRIPTION

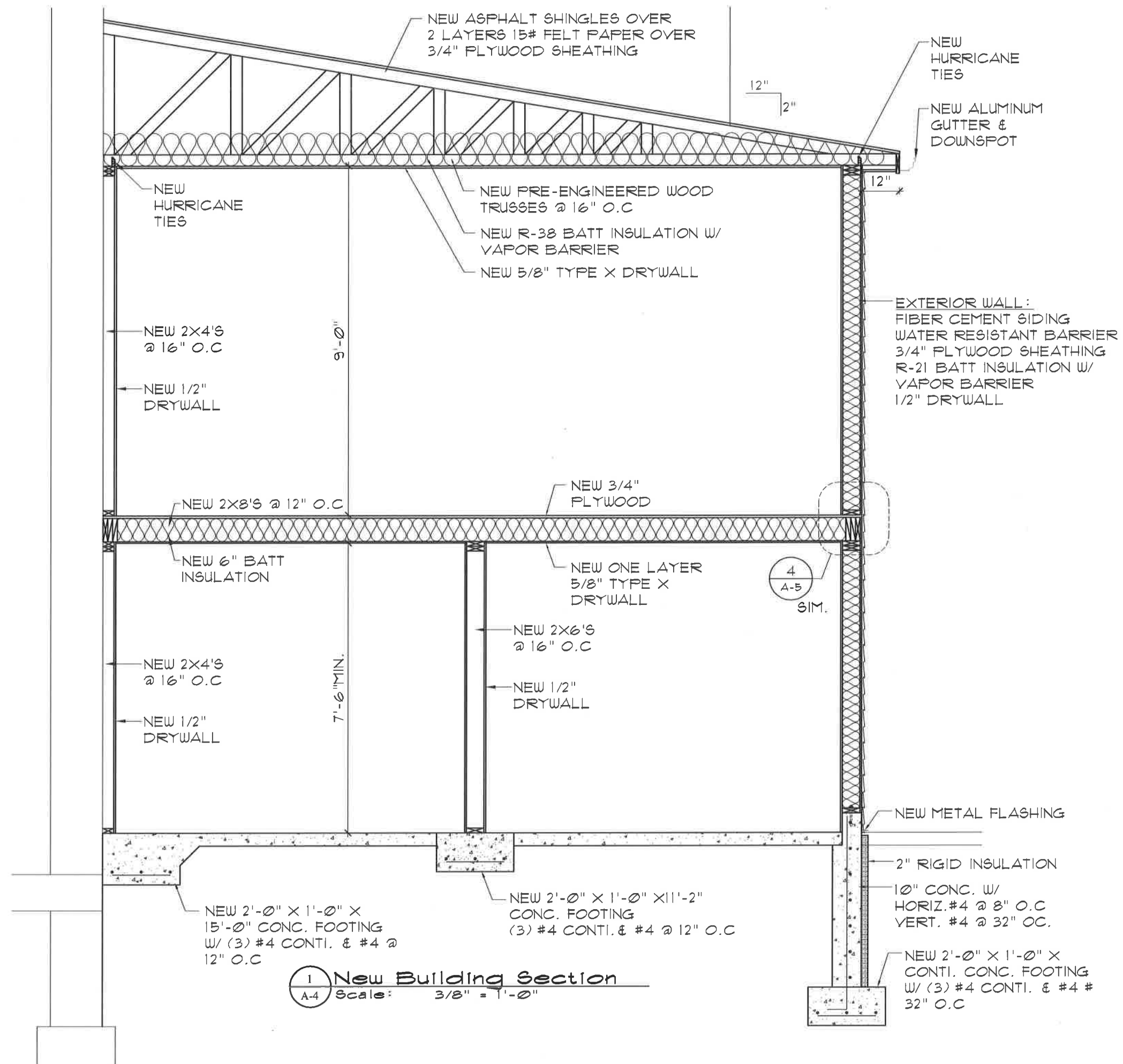
**CHECKED BY** L.B.

**DRAWN BY** R.A.

**SCALE** as noted

**SHEET NO.** A-4

**SHEET TITLE**



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**REVISIONS**

NO.	DESCRIPTION

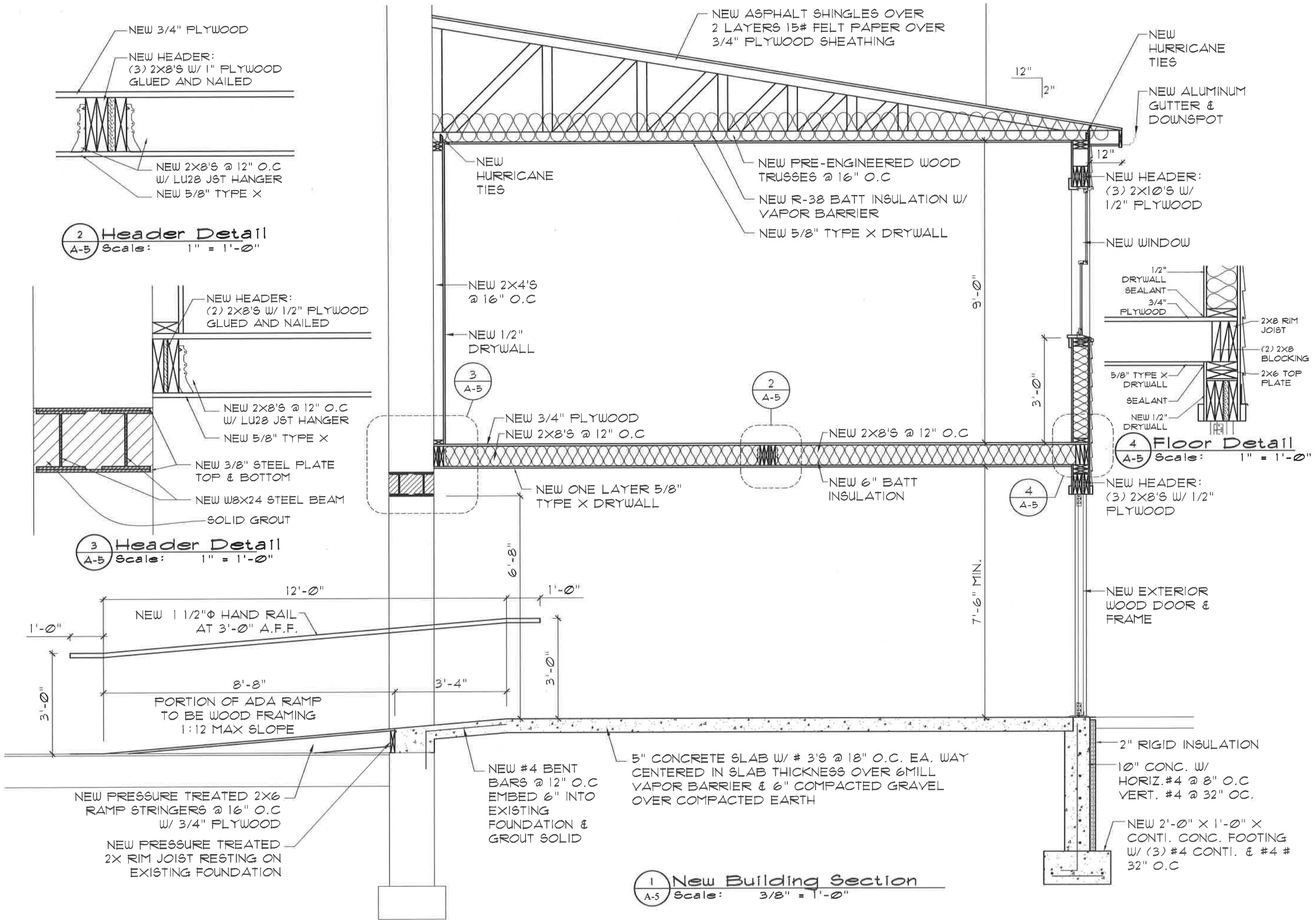
**CHECKED BY** L.B.

**DRAWN BY** R.A.

**SCALE** as noted

**SHEET NO.** A-5

**SHEET TITLE**



NEW 3/4" PLYWOOD  
 NEW HEADER:  
 (3) 2X8'S W/ 1" PLYWOOD  
 GLUED AND NAILED  
 NEW 2X8'S @ 12" O.C  
 W/ LU28 JST HANGER  
 NEW 5/8" TYPE X

NEW HEADER:  
 (2) 2X8'S W/ 1/2" PLYWOOD  
 GLUED AND NAILED  
 NEW 2X8'S @ 12" O.C  
 W/ LU28 JST HANGER  
 NEW 5/8" TYPE X  
 NEW 3/8" STEEL PLATE  
 TOP & BOTTOM  
 NEW W8X24 STEEL BEAM  
 SOLID GROUT

NEW ASPHALT SHINGLES OVER  
 2 LAYERS 15# FELT PAPER OVER  
 3/4" PLYWOOD SHEATHING  
 NEW HURRICANE  
 TIES  
 NEW PRE-ENGINEERED WOOD  
 TRUSSES @ 16" O.C  
 NEW R-38 BATT INSULATION W/  
 VAPOR BARRIER  
 NEW 5/8" TYPE X DRYWALL  
 NEW 2X4'S  
 @ 16" O.C  
 NEW 1/2"  
 DRYWALL  
 NEW 3/4" PLYWOOD  
 NEW 2X8'S @ 12" O.C  
 NEW ONE LAYER 5/8"  
 TYPE X DRYWALL  
 NEW 6" BATT  
 INSULATION

NEW HURRICANE  
 TIES  
 NEW ALUMINUM  
 GUTTER &  
 DOWNSPOT  
 NEW HEADER:  
 (3) 2X10'S W/  
 1/2" PLYWOOD  
 NEW WINDOW  
 1/2"  
 DRYWALL  
 SEALANT  
 3/4"  
 PLYWOOD  
 2X8 RIM  
 JOIST  
 (2) 2X8  
 BLOCKING  
 2X6 TOP  
 PLATE  
 5/8" TYPE X  
 DRYWALL  
 SEALANT  
 NEW 1/2"  
 DRYWALL

NEW 1 1/2" Ø HAND RAIL  
 AT 3'-0" A.F.F.  
 PORTION OF ADA RAMP  
 TO BE WOOD FRAMING  
 1:12 MAX SLOPE  
 NEW PRESSURE TREATED 2X6  
 RAMP STRINGERS @ 16" O.C  
 W/ 3/4" PLYWOOD  
 NEW PRESSURE TREATED  
 2X RIM JOIST RESTING ON  
 EXISTING FOUNDATION  
 NEW #4 BENT  
 BARS @ 12" O.C  
 EMBED 6" INTO  
 EXISTING  
 FOUNDATION &  
 GROUT SOLID

5" CONCRETE SLAB W/ # 3'S @ 18" O.C. EA. WAY  
 CENTERED IN SLAB THICKNESS OVER 6MILL  
 VAPOR BARRIER & 6" COMPACTED GRAVEL  
 OVER COMPACTED EARTH  
 2" RIGID INSULATION  
 10" CONC. W/  
 HORIZ. #4 @ 8" O.C  
 VERT. #4 @ 32" OC.  
 NEW 2'-0" X 1'-0" X  
 CONTI. CONC. FOOTING  
 W/ (3) #4 CONTI. & #4 #  
 32" O.C

**PROJECT**  
 Proposed New  
 ADA Restroom  
 At:  
 812 W. Oakwood Rd  
 Oak Creek, WI  
 53154

**PROJECT NO.** 2020-30

**DATE** 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

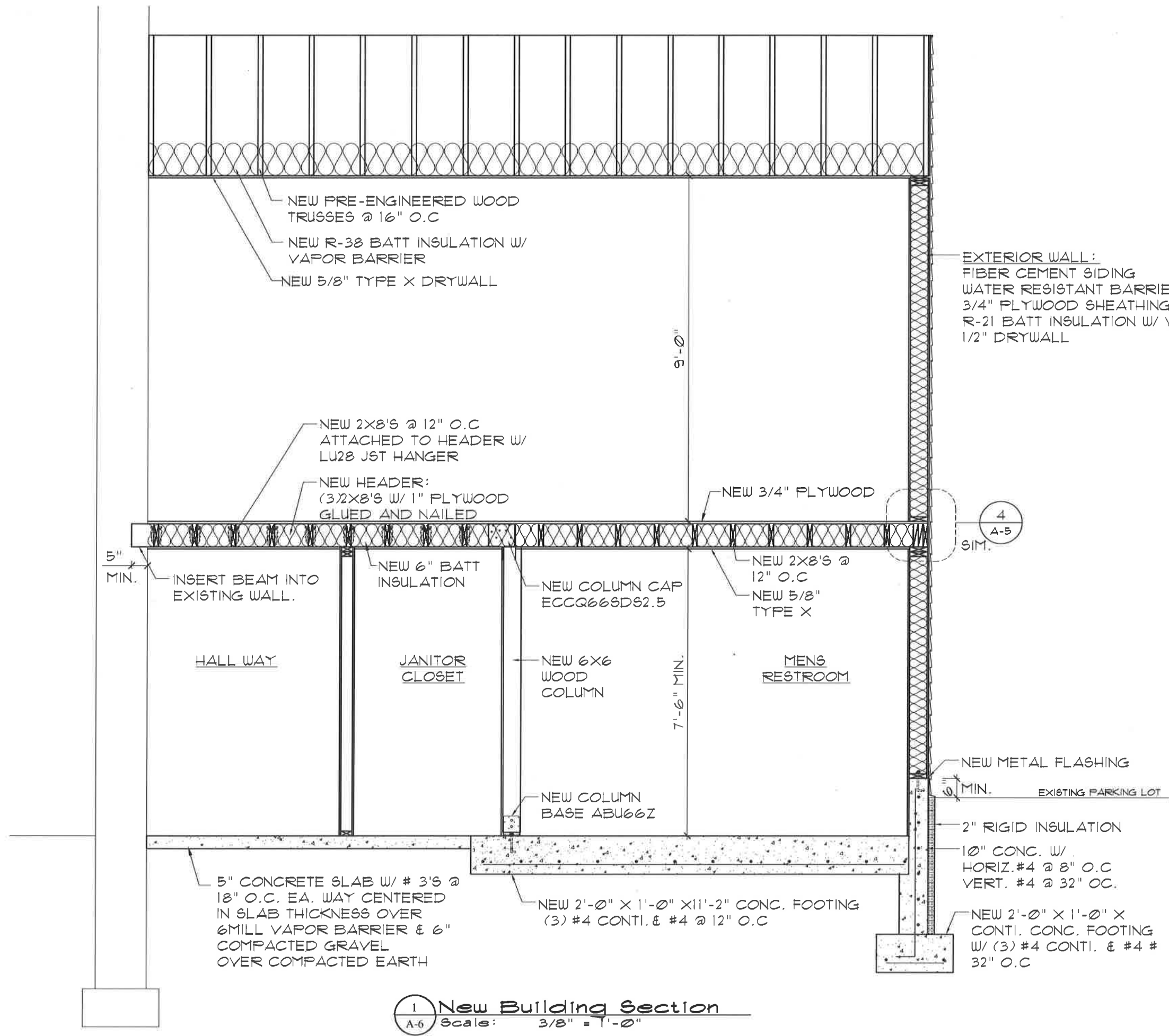
**CHECKED BY** L.B.

**DRAWN BY** R.A.

**SCALE** as noted

**SHEET NO.** A-6

**SHEET TITLE**



**1** **New Building Section**  
 A-6 Scale: 3/8" = 1'-0"

**PROJECT**

Proposed New  
ADA Restroom  
At:  
812 W. Oakwood Rd  
Oak Creek, WI  
53154

PROJECT NO. 2020-30

DATE 08/06/2020

**REVISIONS**

NO.	DESCRIPTION

CHECKED BY L.B.

DRAWN BY R.A.

SCALE as noted

SHEET NO. A-7

SHEET TITLE

**NOTES**

- 1 NEW ASPHALT SHINGLES
- 2 NEW ALUMINUM GUTTER W/ DOWN SPOUT
- 3 NEW FIBER CEMENT SIDING
- 4 NEW ALUMINUM DOWN SPOUT



1 New East Building Elevation  
A-7 Scale: 3/16" = 1'-0"

1 New North Building Elevation  
A-7 Scale: 3/16" = 1'-0"

1 New West Building Elevation  
A-7 Scale: 3/16" = 1'-0"



## PLAN COMMISSION REPORT

Proposal: Comprehensive Plan Amendment

Description: Review a request to change the Land Use Plan category from Commercial to Industrial for property at 9141 S. 13<sup>th</sup> St.

Applicant(s): John Schlueter, Frontline Commercial Real Estate

Address(es): 9141 S. 13<sup>th</sup> St.

**Suggested Motion:** Please see staff report below for considerations.

That the Plan Commission adopts Resolution 2020-01, amending the Land Use Plan category in the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020) from Commercial to **Industrial (OPTION 2: Business Park)** for the property at 9141 S. 13<sup>th</sup> St., following review and adoption by the Common Council.

Owner(s): American Property Acquisition, LLC

Tax Key(s): 877-9010-000

Lot Size(s): 18.3905 ac

Current Zoning District(s): B-4, Highway Business

Overlay District(s): PUD

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Commercial

### Background:

The Applicant is requesting that the Land Use Plan in the *Comprehensive Plan* (adopted March 2020) for the property at 9141 S. 13<sup>th</sup> St. be amended from Commercial to Industrial in anticipation of a future speculative multitenant industrial development. Amending the Land Use Plan in the *Comprehensive Plan* would allow for future consideration of development proposals. It should be clearly understood that consideration of the proposed amendment to the *Comprehensive Plan* does not constitute endorsement of any concept plan that

has been submitted for the property. If the amendment to the *Comprehensive Plan* were to be adopted, there remain multiple steps involved in an entitlement process for any development of the property. This would include, but may not be limited to: rezoning; Planned Unit Development (PUD) amendment; and ultimately review of site, architectural, landscape, and lighting plans.

For clarity of review and to facilitate the discussion of the request, the following staff report is divided into sections.

### ***Historical Context – Previous Approvals and Comprehensive Plan Future Land Use***

While previous approvals for the property do not preclude future amendments, particularly in light of neighborhood and market changes, they provide insight how the Land Use Plan in the current *Comprehensive Plan* was determined. Beginning with Ordinance 805 (adopted in 1979), the zoning on the properties at 9141, 9191, and 9315 S. 13<sup>th</sup> St. was changed from Rs-2 Single Family Residential to IPD – Industrial Planned Development. Section 5 – Permitted Uses in that Ordinance did allow for manufacturing uses similar to those anticipated for future development on this property. However, it was superseded by the adoption of Ordinance 1151 in 1986, which changed the zoning for the parcels at 9141 and 9191 S. 13<sup>th</sup> St. to CPD – Commercial Planned Development. Permitted Uses under this Ordinance did not include manufacturing uses. Most recently, Ordinance 805 was amended in Ordinance No. 2961 (2020) to allow a hotel use on the property at 9315 S. 13<sup>th</sup> St., but did not remove the requirements from the previously-approved Ordinances.

Prior to the adoption of the current *Comprehensive Plan (2020)*, the subject property was identified in the Future Land Use Map as part of the “Planned Business” category.

### ***Existing Context - Comprehensive Plan and Surrounding Uses***

The Comprehensive Plan describes the Commercial land use category thus:

This land use comprises commercial structures with businesses selling goods and services. These uses can range in size from individual businesses on dedicated properties to shopping centers with multiple tenants. Commercial development in Oak Creek should continue to be primarily concentrated along major transportation corridors; however, the development of commercial nodes integrated into residential areas serving the neighborhood should be encouraged.

Industrial land use, as described in the Comprehensive Plan, “comprises a mix of warehousing, distribution, manufacturing, and processing. Large-scale industrial developments should continue to be located and expanded along the southern portion of the I-94 corridor, and reinvestment should be encouraged in the smaller-scale industrial development located in the northern portion of Oak Creek.”



Parcels in the immediate area of the request are identified on the Land Use Map as Commercial on the west side of 13<sup>th</sup> St., Single Family Detached north and northeast of the subject parcel, Single Family Attached on the east side of 13<sup>th</sup> St., and Industrial immediately east of the subject parcel.



### Land Use Plan

- |   |  |
|---|--|
| <span style="color: #90EE90;">■</span> Agriculture            | <span style="color: #800080;">■</span> Industrial  |
| <span style="color: #FFFF00;">■</span> Single-Family Detached | <span style="color: #00CED1;">■</span> Public/Semi-Public  |
| <span style="color: #FFD700;">■</span> Single-Family Attached | <span style="color: #32CD32;">■</span> Parks and Open Space  |
| <span style="color: #A0522D;">■</span> Multifamily            | <span style="color: #FFB6C1;">■</span> Utility and Railroad  |
| <span style="color: #8B0000;">■</span> Mixed Use              | <span style="color: #FF00FF;">■</span> Airport   |
| <span style="color: #FF0000;">■</span> Commercial             | <span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Flex Overlay |
| <span style="color: #0000FF;">■</span> Business Park          | <span style="color: #ADD8E6;">■</span> Floodway  |

Existing uses in the immediate area include commercial to the south (Steinhafel’s, a tire shop, United Rentals, a granite store, and McDonald’s), vacant land to the immediate north, single family (including Riverview Estates) and two-family residential to the east and northeast, and manufacturing (Aldi) to the east and southeast. All parcels on the west side of S. 13<sup>th</sup> St. from the subject parcel to the intersection with Ryan Rd. are zoned B-4, Highway Business, and are subject to various PUDs.

### **Staff Evaluation**

Conceptual development plans for the subject parcel include a large multitenant speculative industrial building that could accommodate any of the allowed uses in the M-1, Manufacturing or LM-1, Light Manufacturing districts. In general, the location along the I-94 corridor meets with the preferences noted in the Industrial land use category of the Comprehensive Plan. However, there are several items that should be taken into consideration with the proposed amendment request.

- 
- Commercial Designation. The property has been zoned for commercial development since the adoption of the Ordinance 1151 in 1986. Zoning of the property has not changed from a commercial designation since the adoption of that Ordinance.
  
  - Proximity to Residential Development.
    - The property is one (1) of two (2) remaining parcels on the west side of S. 13<sup>th</sup> Street prior to entering a primarily residential area. As previously mentioned, there are two (2) single family residential properties immediately across S. 13<sup>th</sup> St. from the subject parcel. Two-family residential properties are immediately kitty-corner to the proposal, with the Riverview Estates subdivision beginning at York Street (north). One (1) single family residential property, currently zoned B-3, Office and Professional Business (see below), is located on the west side of S. 13<sup>th</sup> St. from the entrance to that subdivision. Should the amendment be approved, future reviews will likely incorporate requirements related to buffers, landscaping, reduced and shielded lighting, and truck routes to reduce impact on the residential properties in the vicinity. Such considerations would likely be relevant to the review of site and building plans regardless of whether this property would be designated for commercial or industrial (or business park) uses.
  
    - While the vacant parcel immediately to the north is zoned B-3, Office and Professional Business, it has been included in the Single Family Detached category of the Land Use Plan in the *Comprehensive Plan*. Thus, the subject parcel would potentially be immediately adjacent to future residential development. Plan Commissioners should be aware that there is currently no plan for the development of the parcel to the north, and any proposal would require reviews and approvals consistent with the requirements in place at the time of application.
  
    - Although there are four (4) parcels currently zoned M-1 (PUD), Manufacturing for the Aldi distribution center, the existing facility is fully contained on the southern three (3) parcels. The closest portion of the distribution center is in excess of 350 feet to the nearest residential property, whereas the subject parcel is immediately across S. 13<sup>th</sup> St. from existing residential properties. (Note: Aldi owns a parcel along S. 13<sup>th</sup> St. that is still zoned Rs-3, Single Family Residential, but it is not developed.)
  
  - Proximity to Similar Uses and Interstate Access. As mentioned in the bullet point above, the Aldi Distribution facility is located on the east side of S. 13<sup>th</sup> St. across from the subject parcel. Similar uses to anticipated future development on the subject parcel can be found in Ryan Business Park, the newest business park development located on the southeast corner of W. Ryan Road and S. 13<sup>th</sup> Street. Business Parks, as a land use category, are described in the *Comprehensive Plan* as consisting of “groups of buildings planned and constructed as business parks for professional firms with a mix of office, training, research, production, and other ancillary uses. Business Park uses in Oak Creek should continue to be concentrated in the vicinity of Interstate 94-41.” The proximity of this development to the subject parcel is both evidence that the area can support a mix of uses, but it

also indicates that the location of such uses is concentrated closer to and south of the intersection of W. Ryan Road and S. 13<sup>th</sup> Street. Whether uses should continue to be encouraged closer to the intersection and interstate access is for the Plan Commission and Common Council to determine.

The above considerations were incorporated into the current *Comprehensive Plan* when presented for adoption by the Plan Commission and Common Council in December 2019 and January 2020. While staff have reservations for amending the *Comprehensive Plan* after thoughtful input over a nearly 2-year period, and within a relatively short period following adoption, many concerns can be addressed with subsequent reviews should the Plan Commission wish to approve of the proposal.

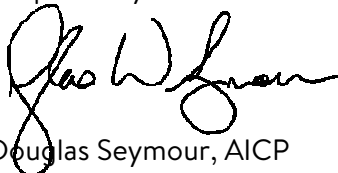
Recognizing the aforementioned concerns, another option the Plan Commission may choose to consider is whether a Business Park designation might be appropriate for the property (see previous bullet for definition). While the conceptual development plans for the property illustrate a single multitenant building as opposed to multiple buildings typically found in a business park setting, amending the Land Use Plan category to Business Park would reinforce the importance that the City places on the function and design of both commercial and industrial sites and buildings in this setting. Particularly important for the City include the Applicant's understanding of the types of allowable businesses, and that architecture, landscaping, lighting, signage, buffering, and screening will need to be enhanced should the proposed amendment be approved.

Per Wis. Stats. 62.23(3)(b), adoption of any amendment must be by a majority approval of the entire Plan Commission. The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objectives, goals, and policies contained within the comprehensive plan. Approval of the change to the Comprehensive Plan would bring the Comprehensive Plan in line with the intent and goals for future development of the property at 9141 S. 13<sup>th</sup> St.

**Options/Alternatives:** The Plan Commission has the discretion to approve or disapprove of the Comprehensive Plan Amendment request. This is the first step in allowing additional reviews to occur. Should the request not be recommended for Council approval, the Applicant may choose to substantially amend the request for reconsideration. Disapproval would likely result in the existing vacant and underutilized conditions of the properties to remain.

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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

**Attachments:**

Hearing Notice

Location Map

Narrative dated July 13, 2020 (1 page)

Alta Survey (1 page)

PC Resolution 2020-01

Publish August 5, 2020

CITY OF OAK CREEK  
NOTICE OF PUBLIC HEARING  
BEFORE THE PLAN COMMISSION

IMPORTANT NOTICE

This meeting will be held by video/phone conference only. Persons wishing to participate in the video conference, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 5:55 PM to allow participants to log in.

Attendees who wish to participate by phone may do so by calling the City Hall, (414) 766-7000, before 4:00 PM on the day of the meeting (September 8, 2020) to obtain a meeting call-in number.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

**PURPOSE:** The purpose of this public hearing is to consider an amendment to the Comprehensive Plan, City of Oak Creek (Adopted March 3, 2020) as it relates to the property at 9141 S. 13<sup>th</sup> St.

**Date:**

September 8, 2020

**Time:**

6:00 p.m.

**Place:**

Online video conference only (see above)

**Applicant:**

John Schleuter, Frontline Commercial Real Estate

**Tax Key No.**

877-9010-000

**Property location:**

9141 S. 13<sup>th</sup> St.

**Proposal:**

The proposed amendment would change the Land Use Plan and category for the property at 9141 S. 13<sup>th</sup> St. from Commercial to Industrial.

The Plan Commission may schedule other public meeting items/public hearings for September 8, 2020. This hearing may begin at 6:00 PM or as soon as possible following the conclusion of any other public meeting items/public hearings.

Any person(s) with questions regarding the proposed change(s) may call the Department of Community Development at (414) 766-7027 during regular business hours.

Dated this 29<sup>th</sup> day of July, 2020.

PLAN COMMISSION

CITY OF OAK CREEK, WISCONSIN

/s/ Mayor Dan Bukiewicz, Chairman

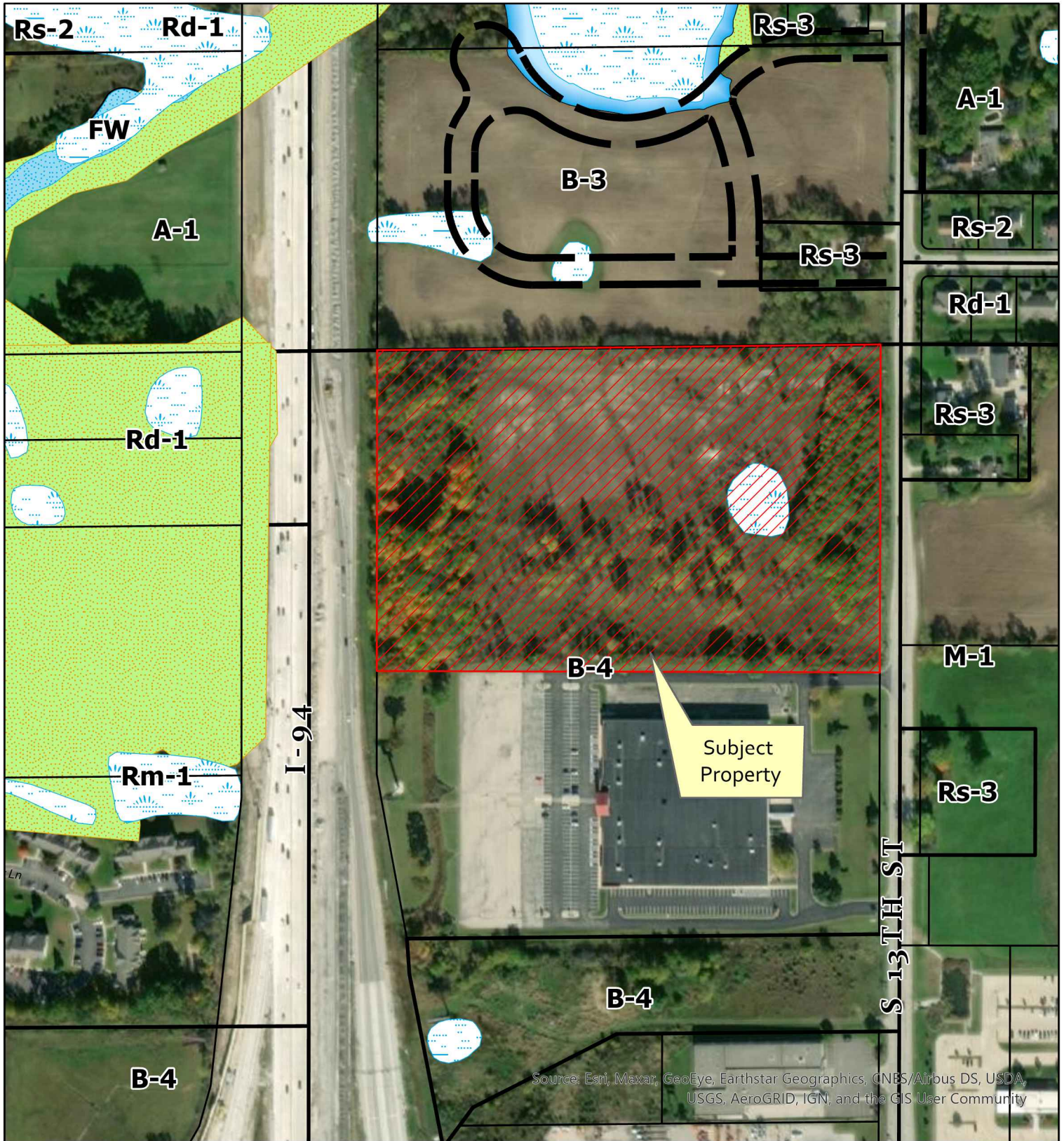
Public Notice

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

# Location Map

## 9141 S 13th St



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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



### Legend

- 9141 S. 13th St
- Flood Plain (2008)
- Floodway (2008)
- Environmental Corridor
- Official Street Pattern
- DNR Wetlands Inventory



## Application for 2020 Comprehensive Plan Amendment

**Date:** July 13, 2020

**To:** Mr. Doug Seymour  
Director of Community Development  
City of Oak Creek  
8040 S. 6<sup>th</sup> Street  
Oak Creek, WI 53154

**Property Address:** 9141 S. 13<sup>th</sup> Street

**Property Owner:** American Property Acquisition, LLC

**Legal Description:** (See Exhibit A attached)

Parcel A: Lot 2 of Certified Survey Map No. 4759, recorded on June 13, 1986, in Reel 1897, Image 786 as Document No. 5924523, being a part of the Northeast ¼ of the Southeast ¼ of Section 19, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Land Area = 18.3905 acres (per Survey)

**2020 Land Use:** Planned Business

**Proposed Land Use:** Planned Industrial

### Narrative

John Schlueter, managing member of American Property Acquisition, LLC, owner of lands included in this petition, respectfully request an amendment to the 2020 Comprehensive Land Use Plan. The request is to change the current land use for the parcel from Planned Business to Planned Industrial. Planned Industrial land use is currently present across South 13<sup>th</sup> Street from West Ryan Road (STH 100) to just south of West York Street.

CITY OF OAK CREEK

JUL 14 2020

RECEIVED





**RESOLUTION NO. 2020-01**

**A RESOLUTION ADOPTED BY THE PLAN COMMISSION AMENDING THE  
ADOPTED COMPREHENSIVE PLAN FOR THE  
CITY OF OAK CREEK, IN MILWAUKEE COUNTY, WISCONSIN**

WHEREAS, Sections 62.23 and 66.1001 of the Wisconsin Statutes establish the required procedure for a local government to adopt a Comprehensive Plan; and

WHEREAS, the City of Oak Creek Plan Commission has the authority to amend the Comprehensive Plan by resolution, and also to recommend that the Common Council adopt the Comprehensive Plan; and

WHEREAS, John Schlueter, Frontline Commercial Real Estate has proposed an amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020) designating the property at 9141 S. 13<sup>th</sup> St. as "Commercial;" and

WHEREAS, the City has duly noticed a public hearing on the aforementioned amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020), and the Plan Commission has held the public hearing following the procedures in Section 66.0295(4)(d), Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Oak Creek hereby adopts an amendment to the Comprehensive Plan from "Commercial" to "Industrial" for the property at 9141 S. 13<sup>th</sup> St., and recognizing that the Common Council must also adopt the amendment to the Comprehensive Plan for it to become effective; and

BE IT FURTHER RESOLVED that the Secretary of the Plan Commission certifies a copy of the amendment to the Common Council; and

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Common Council adopts the amendment to the Comprehensive Plan by ordinance.

Passed and adopted this 8th day of September, 2020.

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Plan Commission Chair

Attest:

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Secretary of the Plan Commission