



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 22, 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 22, 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 – NONE.
5. Public Hearings
  - a. SIGN APPEAL - Hold a public hearing on a proposed sign appeal submitted by Dave Pesci, Landmark Credit Union, that would allow the applicant to install one (1) 3'6" x 13'3/4" wall sign on the east elevation of the existing building at 8129 S. Howell Ave. (Tax Key No. 813-9018-001).

ZoningHub: <https://s.zoninghub.com/XOE93XXT4L>; Twitter @OakCreekPC#OCPCLandmark.

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

6. New Business

- a. SIGN APPEAL - Consider a request for a sign appeal submitted by Dave Pesci, Landmark Credit Union, that would allow the applicant to install one (1) 3'6" x 13'3/4" wall sign on the east elevation of the existing building at 8129 S. Howell Ave. (Tax Key No. 813-9018-001).  
ZoningHub: <https://s.zoninghub.com/XOE93XXT4L>; Twitter @OakCreekPC#OCPCLandmark
- b. PLAN REVIEW – Review site, building, and related plans submitted by Scott Laux, Crothall Laundry Services, for an expansion of the south truck parking area on the property at 9905 S. 13<sup>th</sup> St. (Tax Key No. 926-9030-000).  
ZoningHub: <https://s.zoninghub.com/OE07TH0T8H>; Twitter @OakCreekPC#OCPCCrothall
- c. CONDITIONAL USE PERMIT AMENDMENT – Review a request submitted by Mega Marts, LLC, for an amendment to the existing Conditional Use Permit to allow outdoor display of retail merchandise on the property at 2320 W. Ryan Rd. (Tax Key No. 878-9994-002).  
ZoningHub: <https://s.zoninghub.com/XOJ4QVQOM8>; Twitter @OakCreekPC#OCPCPicknSaveR
- d. CONDITIONAL USE PERMIT AMENDMENT – Review a request submitted by Mega Marts, LLC, for an amendment to the existing Conditional Use Permit to allow outdoor display of retail merchandise on the property at 8770 S. Howell Ave. (Tax Key No. 860-9041-000).  
ZoningHub: <https://s.zoninghub.com/OE07TH0T8H>; Twitter @OakCreekPC#OCPCPicknSaveH
- e. PLAN REVIEW – Review site and building plans submitted by Errol Outarsingh, Verizon Wireless, for an equipment accessory building on the property at 7555 S. 10<sup>th</sup> St. (Tax Key No. 783-9033-000).  
ZoningHub: <https://s.zoninghub.com/UBD5N0Y79Y>; Twitter @OakCreekPC#OCPVerizon
- f. LANDSCAPE PLAN REVIEW – Review landscape plans submitted by USPS for the facility on the property at 2201 E College Ave. (Tax Key No. 721-8017-000).  
ZoningHub: <https://s.zoninghub.com/Z6L8AUUUU6>; Twitter @OakCreekPC#OCPCUSPS
- g. PLANNED UNIT DEVELOPMENT AMENDMENT – Review a request submitted by Walden OC, LLC, for amendments to the existing Planned Unit Development affecting the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way (Tax Key Nos. 784-9012-000, 784-9013-000, 784-9014-000, 784-9016-000, 784-9994-001, 784-9008-000, 784-9009-001, 7849010-001, 784-9024-000).  
ZoningHub: <https://s.zoninghub.com/ICUAJ5AKW0>; Twitter @OakCreekPC#OCPCCreekside

Adjournment.

Dated this 16<sup>th</sup> day of September, 2020  
Posted 9/16/20 AA

**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, SEPTEMBER 8, 2020**

Alderman Guzikowski 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. Mayor Bukiewicz and Commissioner Chandler were excused. Also present: Planner Kari Papelbon, 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 25, 2020 meeting**

Commissioner Siefert moved to approve the minutes of the August 11, 2020 meeting. Alderman Loreck seconded. On roll call: all voted aye. Motion carried.

**PUBLIC HEARING  
COMPREHENSIVE PLAN AMENDMENT  
JOHN SCHLUETER, FRONTLINE COMMERCIAL REAL ESTATE  
9141 S. 13<sup>TH</sup> ST.  
TAX KEY NO. 877-9010-000**

Planner Papelbon read the public hearing notice into the record (see Public Hearing Notice for details).

Alderman Guzikowski made the first call to speak.

John Schlueter with Frontline Commercial Real Estate, 7265 S 1<sup>st</sup> St, Oak Creek. "I'm blessed to have been a Milwaukee County resident my entire life, and I've owned commercial real estate in Oak Creek for almost 25 years. I'm married with five kids, and love calling Wisconsin home. I would like to briefly discuss what has been proposed and have permits for the property south of Steinhafel's, and then talk about the property."

Mr. Schlueter discussed the approval to construct a 95-room Avid hotel on the southern parcel (9315 S. 13<sup>th</sup> St.). Mr. Schlueter provided an update on the parcel, including the intent to begin construction this spring. However, with COVID-19, it was thought it might be a little crazy to do. Mr. Schlueter stated that he is pleased to say that he has been in discussion every month with his two partners on the development, and plan to break ground in the spring of next year. He described the current assessment is approximately \$500,000. Mr. Schlueter and his partners believe that it will be assessed in the \$13 million range once complete. Three years after opening, they hope to build a second hotel on the site, increasing the value to \$20 to \$25 million. They are hoping to start building next year.

Mr. Schlueter explained the request to change the *Comprehensive Plan* from Commercial to Industrial. He stated that the site has a pretty long history of underutilization and, unfortunately, in some cases, mistreatment. American TV purchased this property in the mid-80s and stripped the clay out of the site to use at a different location where their retail and warehouse location was. The stripping of the topsoil from the middle three quarters of the property, and reducing many feet of clay, created water issues. Also, there was quite a bit of nuisance - dumping hundreds of tires and tree debris. When they purchased the property, they cleaned it, have been working with the Department of Transportation with bringing in clean structural fill, and plan to restore the property very close to its original elevation. It is their hope to amend the Land Use Plan from Commercial to Industrial. What is being intended for the site, if allowed, would be a warehouse for clean manufacturing with a corporate headquarter. They believe this would be an excellent use of the property for a number of reasons. It would increase tax rolls from the current \$420,000 to an

estimated \$16 to \$18 million. We believe that the Land Use Plan of Industrial would allow for long-term success. Oak Creek is currently blessed with significant competing retail along Howell Ave., the beautiful Drexel Town Square center, IKEA and surrounding IKEA. Additionally, because of COVID-19, the Amazon effect and internet retail competition in general, they are concerned about the viability of this site as retail. They hope to add a very attractive addition to the I-94 corridor, proposing construction materials of masonry and glass with significant architectural detail. They do believe industrial designation could allow for higher paying jobs than what retail could possibly offer. They are also trying to be cognizant of the needs the neighbors. Looking at the proposed site plan, with the additional fill in the northeast corner of the property, where it is adjacent to a couple of homes, the property will be ten feet below grade of the road and that will allow a very nice buffer and visual break for the neighbors. They intend to have double the landscape that you might expect for a building of this type, once again to create a welcoming environment. Per recommendations and discussion Mr. Schlueter had with some officials of Oak Creek, the lighting will be limited and the access driveway will be to employee vehicles only. Mr. Schlueter stated that he would like to share his thanks for the input that he received from members in the planning committee and certainly can answer any questions.

Alderman Guzikowski made a second call for public comment.

Dave Long stated that he has lived in Oak Creek a long time -- since the early 90 -- and grew up in South Milwaukee. He stated that he has been around here his whole life, and the land once belonged to a relative back in the 1850s. He stated that he supports it [the proposal] because he recently sold a business, which was a display business, and they supplied retail locations with fixtures and the like. The industry has changed quite a bit with what they would call the "Amazon Effect," and a lot of the retail environment has change tremendously. The number of locations of stores and stores closing - Amazon is a perfect example of what is going on in that. He stated that he was lucky to sell his business and get out of it. He stated his support because he thinks it would be a good move, it would be good for our citizens, would be good for jobs, and he is not sure if it would be a viable retail spot. The chances of that happening are less than it would have been even five years ago. He thanked the Plan Commission for their time.

Alderman Guzikowski asked if Mr. Long could state his address for the record. Mr. Long replied: "10110 S Oak Lane, Oak Creek and just down the road."

Alderman Guzikowski made a third call for public comment. There were no further comments. The hearing was closed.

**COMPREHENSIVE PLAN AMENDMENT  
JOHN SCHLUETER, FRONTLINE COMMERCIAL REAL ESTATE  
9141 S. 13<sup>TH</sup> ST.  
TAX KEY NO. 877-9010-000**

Planner Papelbon stated that she wanted to add some staff remarks regarding the *Comprehensive Plan* Amendment consideration. The current zoning for the property is B-4, and is part of a PUD. The proposal, as we mentioned, is to change the Land Use category from Commercial to Industrial for future speculative multi-tenant industrial development that Mr. Schlueter had presented. If this is approved, this is not an endorsement of that concept plan. Future reviews would be necessary. Approval does require a majority of the entire Plan Commission. Planner Papelbon noted that there are two Plan Commissioners that are absent, and the approval will need at least five members to vote "yes" to pass this *Comprehensive Plan* Amendment.

Planner Papelbon stated that there is a bit of history of the property in terms of approvals. She mentioned that these previous approvals do not preclude any future amendment, particularly in light of some of these changes that the applicant and Mr. Long provided, regarding neighborhood and market changes. The previous approvals do provide some insight into how the Land Use Plan in the current *Comprehensive Plan* was determined. Starting in 1979 with Ordinance 805, that affected the property at 9141 (the subject property), 9191 (Steinhafel's property), and the proposed hotel property at 9315 S. 13<sup>th</sup> Street. Those permitted uses in that what used to be called an Industrial Plan Development, or IPD, included manufacturing. However, the ordinance was superseded in 1986 by Ordinance 1151, which changed the zoning of the properties at 9141 and 9191 to Commercial Planned Development. This removed the manufacturing component of the two (2) mentioned properties in that ordinance. Then in 2020, reviewed by the Plan Commission at the end of 2019, Ordinance 2961 allowed for that hotel property to be developed. It did not remove any requirements from the previous ordinances, and requirements from Ord. 1151 apply to this property. The previous *Comprehensive Plan* (2002) identified this property for Planned Business.

Planner Papelbon provided an overview of the existing context of both the property and the surrounding area. There is currently commercial on the west side of 13<sup>th</sup> Street going all the way down to Ryan Road. Within the *Comprehensive Plan* there are two important identification definitions: Commercial is partially identified and defined as "having commercial structures with businesses selling goods and services," and Industrial "allows for a mix of warehousing distribution manufacturing and processing." The full text definition of the whole category is in the report. Planner Papelbon also pointed out that there is a significant single-family residential neighborhood that is to the north and northeast, including a couple of residential properties that are immediately across the street on that northeast corner as mentioned by Mr. Schlueter. The existing industrial on the east side is for Aldi.

Planner Papelbon described the current *Comprehensive Plan* Land Use Plan for the area (See staff report), which went through an entire review and approval process. Planner Papelbon stated that just south of Ryan Rd. is also Commercial and further south is Business Park, which includes Ryan Business Park and Creekside Corporate. The uses in the surrounding area include commercial to the south towards the intersection, Steinhafel's, the tire shop, United Rentals, the granite store, and McDonalds. To the north of the subject property is vacant land and one residence, which is zoned residential and B-3, Office and Professional Business. Planner Papelbon stated that to the east and northeast is a single-family residential neighborhood going up to Drexel, which includes Riverview Estates that has some two-family residential located kitty corner to this property. Also, Aldi located to the east and southeast. The west side of 13<sup>th</sup> Street is all zoned B-4, with parcels subject to one or more PUD agreements.

Planner Papelbon provided the staff evaluation of the *Comprehensive Plan* Amendment request to change the Land Use Plan from Commercial to Industrial (See staff report), including an alternate consideration for Business Park.

Commissioner Hanna stated that she has some concerns regarding the traffic as it is close to the Ryan Rd. and 13<sup>th</sup> Street intersection. Commissioner Hanna stated that due to the current businesses and incoming businesses in the area, there will be a significant increase in traffic in regardless of the change. She stated that she feels that it will need to be closely looked at. She also expressed that it could possibly affect the residential area to the north. Commissioner Hannah stated that she will make her decision based on that.

Commissioner Carrillo expressed concerns regarding the change and traffic. She stated that she feels since the Plan Commission took so much time reviewing the *Comprehensive Plan*, changing it would not be a good idea. She also stated that there is an industrial park nearby that would be slated for this change. She said Commercial would bring in mostly car traffic, but with I-94 and the other businesses already bringing in a lot of trucks in the area, she does not support the change unless she hears more information.

Commissioner Siefert expressed concerns regarding the traffic and traffic patterns as well. He stated that a lot of changes have been made at the intersection of Ryan Road and 13<sup>th</sup> Street, and thinks it may create more confusion.

Commissioner Oldani asked who the owns the property.

Planner Papelbon replied Frontline Commercial Real Estate are the owners.

Commissioner Oldani stated that there will be an increase in traffic regardless of what type of use it is. He understands the concern with the residential being close, and major trucks in the area would be a bit of an issue. He stated that 13<sup>th</sup> Street has been talked about before, and now, and expressed that it probably needs to be modified. Commissioner Oldani asked Planner Papelbon to explain how the Business Park category might be a better option than Industrial.

Planner Papelbon explained that Business Park has a range of options in terms of what could be developed, and it would not be just Industrial. It could be a mix of uses such as offices, headquarters, manufacturing, research and development, or warehousing. Business Parks are reviewed for the overall development of the entire site, as well as each of the individual buildings. This ensures that the Business Parks are developed in a way that would consider the impact on the neighborhood from an aesthetic and functionality point of view. Planner Papelbon stated that the development will be reviewed in terms of the landscape and buffering, reduced lighting, the building design, the characteristics, and the site layout. She stated that this is done with all of the reviews, but Business Park will take all those details into consideration for the overall site. She stated the property could potentially be developed similarly to Creekside Corporate Business Park, across from Ryan Business Park, because it is a smaller-scale business park and a little bit larger than the subject property. These business parks tend to have multiple parcels, sometimes larger parcels, but there are no minimum lot size requirements for a Business Park designation. There is no regulatory aspect of the *Comprehensive Plan* for lot size.

Commissioner Oldani asked if the concept plan would be appropriate for the Business Park Land Use.

Planner Papelbon responded that it would be up to the Plan Commission to consider, and staff mentioned Business Park as an option in case Industrial was too much of a change. She stated that Industrial tends to include uses that could be considered “heavy” industrial, but it is not necessarily what is being proposed and would require Conditional Use Permit review. That use might be not be allowed with future reviews, but the Land Use category would allow for “heavy” industrial. Planner Papelbon stated that the Business Park category does allow that mix of uses as she mentioned before.

Commissioner Oldani asked whether any request for a change in land use would notify residents within 300 feet of the property. He also wondered if there has been any feedback from any residents.

Planner Papelbon answered yes to the notification question, and stated that she has one contact from someone inquiring what was being done.

Community Director Seymour provided additional clarification on why the staff offered Business Park as an option instead of Industrial. The recognition of the City-stated goals for a different caliber of use that differentiates itself from an industrial classification - like Southbranch and Northbranch, for example - and the newer design characteristics desired for business parks. It is important from the staff perspective there would be an understanding by the applicant, owners, future owners or developers of the caliber of development the City is seeking. Director Seymour stated that the Business Park designation to the south – Amazon – is a large user, and a big truck user. Staff would discourage pure logistics users at this property given locational differences in the two sites. He stated that the Business Park category would be better suited for the type of building they [the Applicants] are proposing.

Alderman Guzikowski said that everyone is aware of the traffic in the area, and it will not change. He mentioned that plans for development would have to find ways to work with the County and the State on traffic impacts. He was unsure if the TIA was requested.

Commissioner Carrillo asked why it is not left as commercial.

Planner Papelbon replied that is for the Plan Commission to consider – is it appropriate to change from Commercial. Planner Papelbon stated that the Business Park category is an option if the Commission does not feel that Industrial is an appropriate Land Use category for this particular property. If the Plan Commission does recommend this for approval, it will go to the Common Council, and that will provide another opportunity for residents and anybody in the area to provide input.

Aaron Koch, Pinnacle Engineering Group, 20725 Watertown Rd, Brookfield, WI, responded to the concerns regarding traffic. He stated that they have had a traffic consultant prepared a TIA that will be shared with the City staff once the County completes their review. He stated that industrial is typically the lowest generator of traffic compared to residential or commercial. Mr. Koch stated that changing from Commercial to Industrial would reduce the proposed traffic. The recommendation from the TIA is to continue the widening of the 13<sup>th</sup> Street, and that is part of the County's overall plan. Mr. Koch stated that the property has been zoned commercial for 25 years. The demand for commercial has fallen, while the demand for industrial has increased. He stated that he feels that it will be vacant for a long time because of the property size.

Mr. Schlueter stated that American TV had tried to sell the property as a commercial site, and had no luck because of the competition in the area. Mr. Schlueter stated that commercial traffic is usually greater than industrial and busiest evenings and weekends. Initially, the concept plans showed trucks on the northern portion of the property, but it was changed so that the trucks are 300 feet from the nearest house, and about 800-900 feet from York Street (which is the entrance to the subdivision). Mr. Schlueter stated that he would like to see a gorgeous building on the property, and is more than willing to work with the City to make it happen.

Alderman Loreck stated many of his questions and concerns had been raised by other Commissioners, and that he agrees that Industrial may not be appropriate. Considerations in his evaluation include proximity to residential, a large shift to Industrial, and his recollection of the Land Use goals in 2020 *Comprehensive Plan* to eliminate “piecemealing” of different land uses by parcel rather than cohesive land uses. He stated that while he would like to see commercial, he recognizes that such may not be feasible on the parcel. He stated that he would consider



Business Park, but that it may still be “piecemealing” one specific parcel versus keeping a cohesive commercial designation in the corridor.

Commissioner Oldani commented that while the comment was made that the parcel has been undeveloped for many years, he has seen other properties sit around longer than 26 years and now are being developed with successful commercial uses. He stated that while he feels the time is right for commercial, that is not to say that the Applicant does not have a good plan. Commissioner Oldani asked whether the staff suggested option (#2) would have been made part of the Applicant’s official request.

Planner Papelbon stated that it doesn’t necessarily be a part of the Applicant’s request, but they should provide their input as to whether they agree or support the option. From the discussion, Planner Papelbon stated that she thinks the applicant is willing to work with the Business Park destination.

Commissioner Oldani asked who decides what will go into the motion.

Planner Papelbon suggested that the Plan Commission have a conversation about which designation would be appropriate for the property before making the motion. If there is no consensus on the designation, then the motion will be made with either Industrial or Business Park, and that is what the decision will be based on.

Commissioner Oldani stated that he is honestly quite torn on all three. He agrees with Alderman Loreck that Commercial would bring some benefit for the residents. He stated that if Frontline has a plan that could bring jobs – it’s a tough decision. He stated that the Business Park designation could also be a benefit for the residents.

Commissioner Carrillo stated her comments are similar to Commissioner Oldani’s. She stated the intersection is completely different in the last six months. There may be a need to have commercial or restaurant uses to support Amazon that also have exposure to I-94. She stated that she thinks it is too early to change from Commercial because of all the recent changes in the area, and there are other options within walking distance of the property that would be suited better and match the *Comprehensive Plan*. Commissioner Carrillo stated that she is not in favor of either of the designations.

Alderman Loreck asked how long the land south of Steinhafel’s sat empty before the approval for the new hotel. Alderman Loreck questioned that if this property could possibly have a hotel if it stays as Commercial.

Planner Papelbon said that there are a couple of considerations. The property was zoned Commercial in 1986, and 13<sup>th</sup> street property did not get rezoned as part of the same PUD (but could be mistaken). She stated she cannot provide an exact timeframe for how long the property was vacant. The existing PUD would have to be amended to allow for another hotel, and the recent PUD amendment for the property at 9315 [S. 13<sup>th</sup> St.] allowed for one (1) hotel. Within the PUD, which includes this property under consideration, would have to be amended to allow a hotel on this property. But it is zoned for that kind of Commercial use. Planner Papelbon mentioned there would have to be further reviews and considerations for any future commercial developments within the PUD for the 3 parcels.

Alderman Loreck stated that from what the other Commissioners are saying, it sounds like Industrial would be hard to approve. Perhaps Business Park would be difficult to approve as well,

but Alderman Loreck stated that he feels that Business Park would have a better chance for approval than Industrial.

Alderman Guzikowski stated that he agrees with Alderman Loreck, and asked whether the rest of the Plan Commission agreed.

Commissioner Siepert stated his agreement.

Commissioner Sullivan stated that he supports what has been discussed by the Commission, and stated that there are large tracts of land due east and due north slated for single family residential in the *Comprehensive Plan*. A *Plan Amendment* requires a holistic approach, not just one parcel. Commissioner Sullivan asked how the change would affect those other parcels - would they also have to be amended in the future? Would industrial be appropriate directly adjacent to residential? Commissioner Sullivan stated that there have been a number of traffic, noise, and related complaints received from areas where industrial have been allowed adjacent to residential noise. He stated that he has concerns for a change to Industrial.

Alderman Guzikowski asked Commissioner Sullivan if he would support the change to Business Park. Commissioner Sullivan feels that such would be easier to handle, but he is undecided regarding support.

Alderman Guzikowski stated that he has received three (3) phone calls regarding the property, and those callers were not opposed to the proposal.

Mr. Schlueter stated that he is supportive of the Business Park designation and additional oversight. He stated that he owns a company that manufactures fabrics for tents, necessitating an exceptionally clean environment with no outdoor activities. The plan is for this headquarters to be located at this location. Mr. Schlueter compared the anticipated truck traffic to current levels at Oakview Business Park, stating that use of the City and County streets would be less for the subject site. He stated that he has the support of Gary Steinhafel, owner of Steinhafel's. Mr. Schlueter stated that his understanding was that the United Rentals property, with outdoor storage of heavy equipment, was an industrial designation. He stated that he is not proposing nor interested in having any user that would include outdoor storage, and would support the restriction in future approvals for a business park. Mr. Schlueter stated his intent for a beautiful building.

Commissioner Sullivan stated that he would be more supportive of the Business Park concept for the added City controls and owner responsibility for aesthetics, building materials, and similar considerations.

Commissioner Hanna moved 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 Business Park for the property at 9141 S. 13<sup>th</sup> St., following review and adoption by the Common Council. Commissioner Siepert seconded. On roll call: Alderman Loreck, Alderman Guzikowski, and Commissioner Siepert voted aye; Commissioner Hannah, Commissioner Sullivan, Commissioner Carrillo, and Commissioner Oldani voted no. Motion failed.

**PLAN REVIEW**  
**WILLIAM NELSON, CELLAR PUB**  
**812 W. OAKWOOD RD.**  
**TAX KEY NO. 925-9005-000**

Planner Papelbon provided an overview of the plan review request for modifications/additions to the existing building (See staff report for details).

Commissioner Hanna asked if the change would be increasing size or modifying the existing space, and whether there was enough parking.

Planner Papelbon stated that the change is increasing the size a little for ADA-compliant restrooms. It will not increase the square footage of the restaurant. The open porch could possibly be a three-season room, but it will not increase the capacity of the actual restaurant. Planner Papelbon stated that staff have no concerns with traffic or parking, and the restaurant is not anticipating any more employees.

Alderman Guzikowski stated that it is long overdue, and that he thinks that many people will appreciate the change, including some accessibility.

Commissioner Siepert moved 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.

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:22 p.m.

ATTEST:

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

9-16-20  
\_\_\_\_\_  
Date



## PLAN COMMISSION REPORT

Proposal: Sign Appeal – Landmark Credit Union

Description: Request for variances allowing the applicant to install one (1) 3’ 6” x 13’ 3/4” wall sign on the east elevation of the existing building on the property at 8129 S. Howell Ave.

Applicant(s): Dave Pesci, Landmark Credit Union

Address(es): 8129 S. Howell Ave.

**Suggested Motion:** Staff does not provide recommendations for sign appeals. See staff report for options.

Owner(s): Landmark Credit Union

Tax Key(s): 813-9018-001

Lot Size(s): 1.377 ac

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

Overlay District(s):

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Commercial

### Background:

The Appellant is requesting a variance from Section 17.0706(i)(1), which states, in part, that “[s]ingle and two (2) tenant office, retail, or manufacturing buildings shall be permitted one wall sign per tenant per street frontage.” Landmark Credit Union currently has one (1) wall sign on the west elevation. A wall sign on the south tower element, approved during review of the site and building in 2009, was removed in favor of the west wall sign in 2019. Since there were no other wall signs proposed at the time, Landmark Credit Union was allowed to place the sign on a non-street frontage façade. The proposed sign for the east elevation will match in size and design the existing wall sign on the west.

In deliberation of a variance, the Plan Commission may consider the following:

- location of the proposed sign

- height
- overall size
- appearance
- number
- location of other signs in the vicinity of the proposed sign
- any other factor the Plan Commission deems appropriate, excluding content

Staff does not make recommendations regarding sign appeals. However, decisions to approve a sign variance must be made utilizing the following criteria:

1. There shall be no public harm and there shall be a public benefit.
2. Variance considerations shall include enhancement of the overall character of a neighborhood or mitigation of unusual site conditions.
3. The sign will not result in an undue concentration of signage which renders it difficult or confusing to read existing signs.
4. The effect a proposed sign may have on depreciating property values of a neighborhood

**Motion for consideration:** That the Plan Commission approves a sign variance allowing the installation of one (1) 3' 6" x 13' 3/4" wall sign on the east elevation of the existing building on the property at 8129 S. Howell Ave. (Note: if the Plan Commission does not determine that the variance is acceptable, the correct procedure would be to make the motion above and cast a dissenting vote referencing specific criteria upon which the disapproval was based).

**Options/Alternatives:** The Plan Commission has the discretion to approve or disapprove of the request. Should the variances not be granted, Plan Commissioners must provide the Code Sections upon which the denial is based.

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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

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Attachments:

- Hearing Notice
- Location Map
- Request for Variance and Narrative (1 page)
- Proposed Sign Graphics and location (2 pages)

Publish September 9, 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 22, 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.

A public hearing for a sign appeal will be held:

**Date:**

September 22, 2020

**Time:**

6:00 p.m.

**Place:**

Online video conference only (see above)

**Appellant:**

Dave Pesci, Landmark Credit Union

**Tax Key No.**

813-9018-001

**Property location:**

8129 S. Howell Avenue

**To Request:**

Variance from Section 17.0706(i)(1), which states, in part, that “[s]ingle and two (2) tenant office, retail, or manufacturing buildings shall be permitted one wall sign per tenant per street frontage.”

If granted, the variance would allow the applicant to install one (1) 3’6” x 13’3/4” wall sign on the east elevation of the existing building at 8129 S. Howell Ave.

**Zoning of Property:**

B-4, Highway Business District

All interested persons wishing to be heard are invited to be present.

Dated this 2<sup>nd</sup> day of September, 2020.

PLAN COMMISSION

CITY OF OAK CREEK, WISCONSIN

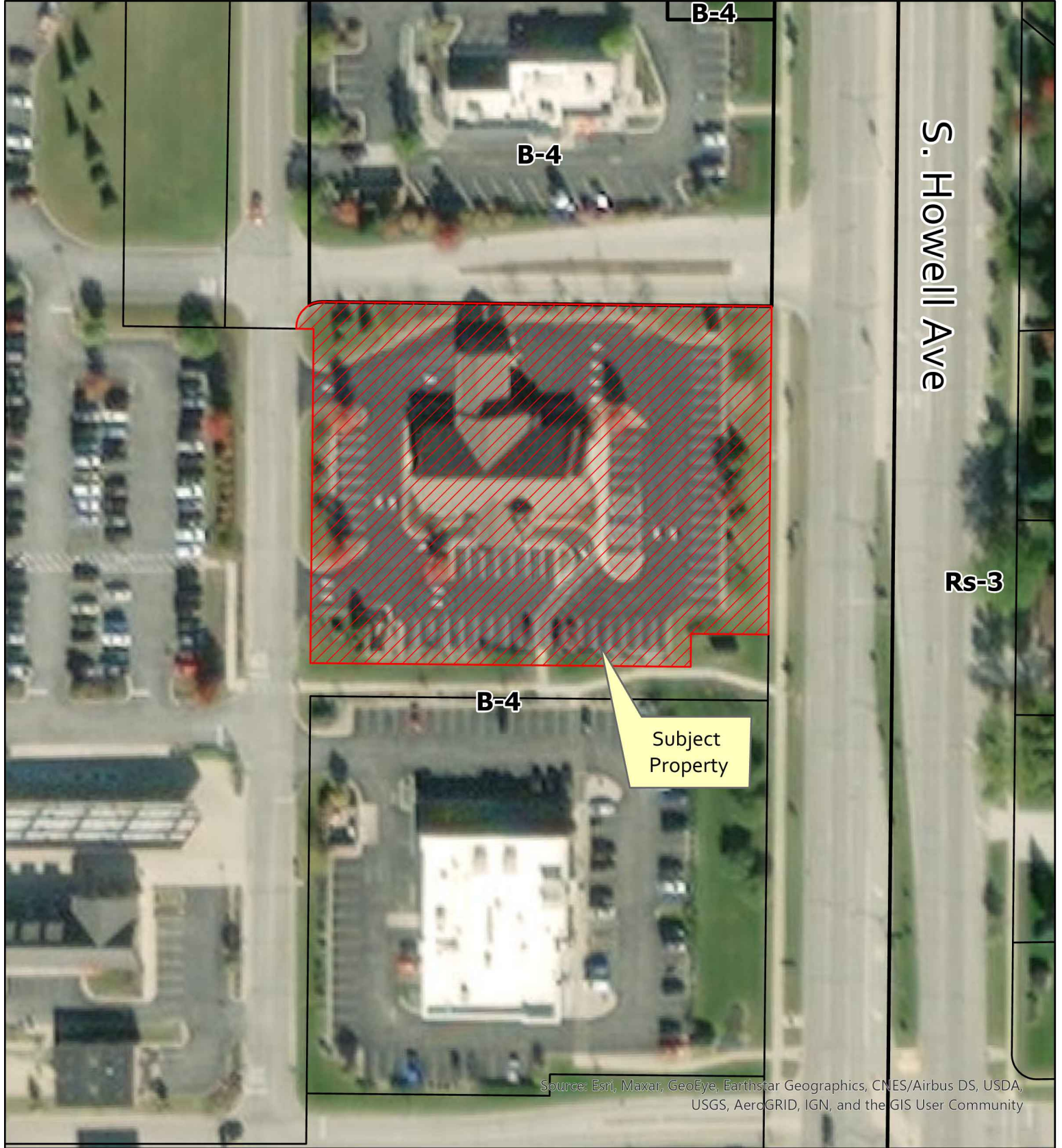
/s/ Mayor Dan Bukiewicz, Chairman

**Public Notice**

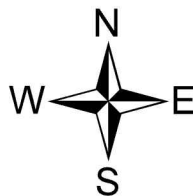
PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should 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  
8129 S. Howell Ave



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



Legend

 8129 S. Howell Ave.



Dear Plan Commission,

Sign Effectz, Inc., acting as an agent for Landmark Credit Union, 8129 S. Howell Avenue, is asking for the Plan Commission's consideration of our Variance request.

1. Variance requested
  - a. Additional building sign on the East elevation of Landmark Credit Union
2. What special condition exists which will cause practical difficulty or unnecessary hardship if the variance request is not granted
  - a. There is a city required berm built up along Howell Ave. partially blocking visibility of the building and business sign that does not allow travelers time to observe the sign, change lanes and execute a safe driving maneuver to enter the development.
  - b. The entrance to the business is along a frontage drive within the development, so without signs on the back of the building customers would not identify the building with the business
3. Why variance requested is not country to the public interest and will not endanger the public's safety and welfare.
  - a. The request is for a building sign and will not pose a safety and welfare risk.
4. Why variance requested will be in accord with the spirit of the zoning ordinance.
  - a. Many businesses along this portion of Howell Avenue have identification signs on both sides of the building; allowing for reasonable visibility and increased traffic safety on all sides to access the businesses.
5. How the variance, if granted, will cause substantial justice to be done.
  - a. Many businesses along this portion of Howell Avenue have identification signs on both sides of the building. C
  - b. Because of an additional easement set back that does not affect the adjoining properties as severely, the Landmark Credit Union Monument sign is further from Howell Avenue than many of the monument signs to the North and South of their property. Allowing an additional wall sign on the East elevation will help to offset the loss of visibility of the monument sign.

Thank You.



Face-lit Channel Letters - 45.8 Total Sf  
 (1) Req'd 1/2" = 1'-0" Scale

Note: Brick Medallion on Wall to be Painted to Match Surrounding Brick by Customer Prior to Date of Installation.

Fabricate and Install (1) Set of Face-Lit Channel Letters to East Elevation.

Returns: 5'd Prefin Black Alum (logo returns 8.5"d)  
 Backers: Prefin Black/White Alum  
 Faces: White Acrylic  
 Vinyl Film: Translucent Blue - See Color Sched  
 Illum: White LEDs  
 Power Supply: 120-277V 60W LED Power Sup in Raceway  
 Raceway: Extruded Alum 5"h x 3.5"d  
 Paint: Match Bldg Exterior = MP 02795 'Spice Trader'

Note: 120V Primary Electrical Connection to Existing Power and Hook-up by Locally Licensed Electrician. If primary is within 3ft of sign Sign Effectz can make connection.

**Color Schedule:**

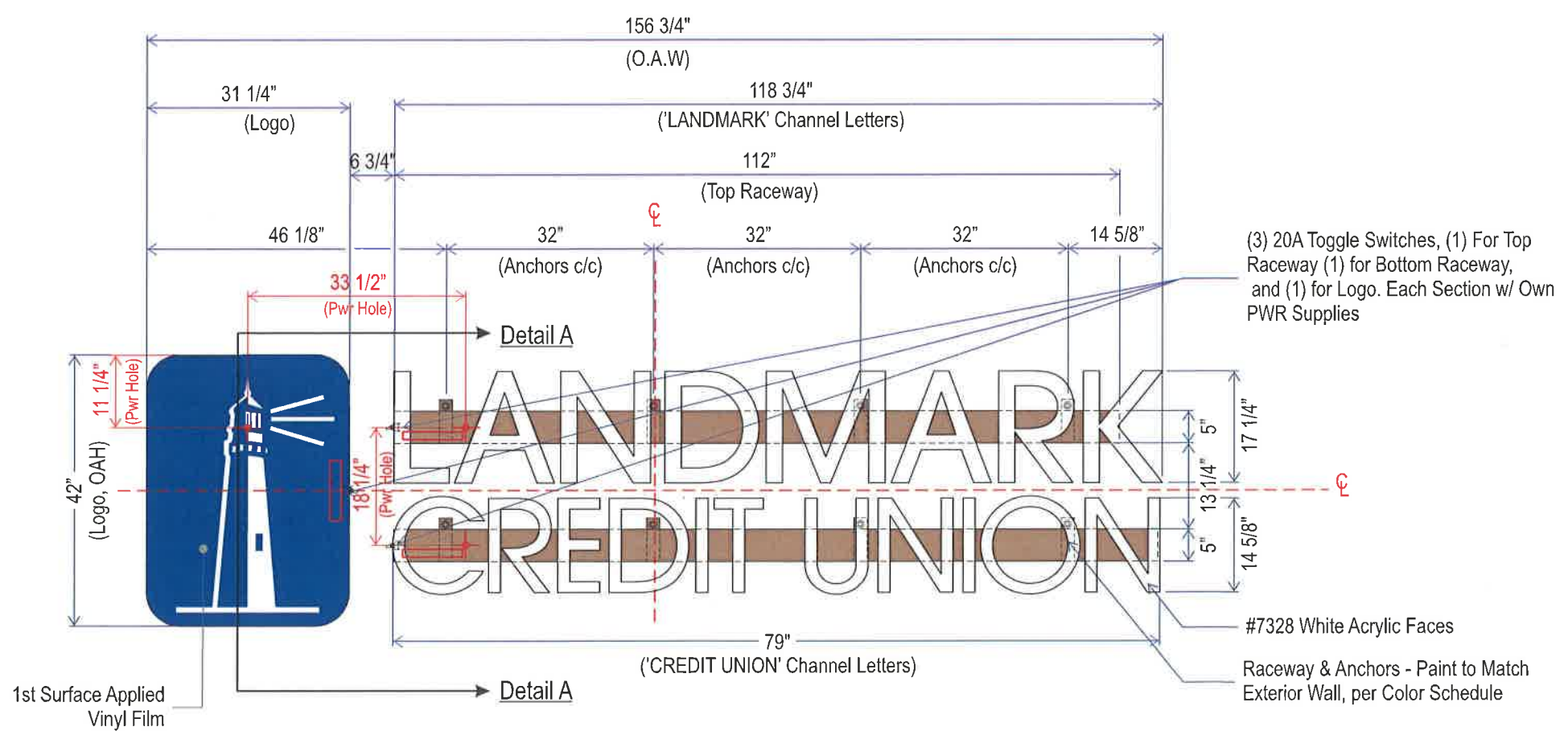
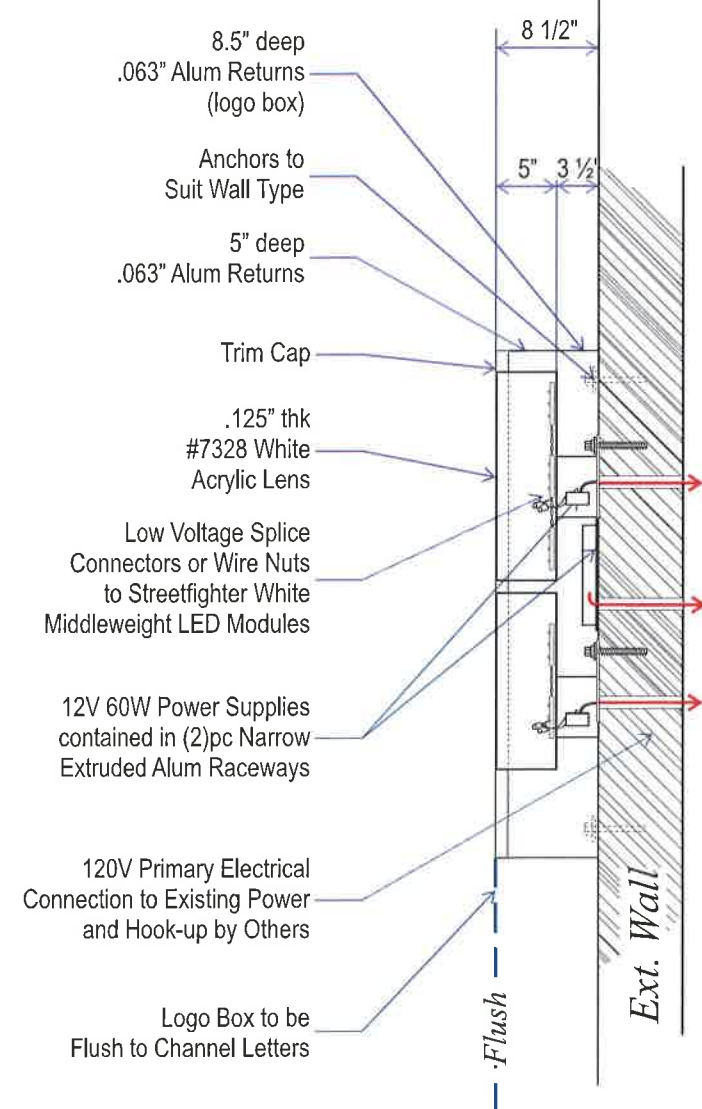
- #7328 White Acrylic
- Pre-Finished Black Alum Returns / Trim Cap
- 3M 3630-157 Sultan Blue Vinyl
- MP 02795 'Spice Trader' (paint to closely match surrounding brick)



**Electrical Note:**  
 Logo, Top Rcw, Bot Rcw to have own 20A Toggle Switch. Run Wire Whips from ea location thru exterior wall to inside. Coordinate whip length req'd with customer or Electrician.

120V Primary Electrical Connection to Existing PWR and Hook-up by Locally Licensed Electrician

**Detail A - Side View**  
 3/4" = 1' - 0" Scale



1827 W. GLENDALE AVE. MILWAUKEE, WI 53209  
 PH: 414.264.5504 FX: 414.264.5564



Project:  
 Landmark CU - Oak Creek  
 Monument and Channel Letters

Project Location:  
 8129 S Howell Ave,  
 Oak Creek, WI 53154

Billing Location: **AUG 14 2020**  
 5445 S. Westridge Dr.  
 New Berlin, WI 53151  
 CITY OF OAK CREEK INSPECTION DEPT.

**PERMIT VARIANCE**

Sales Rep: MD Date: 08/12/19  
 Design: AAE  
 (11833-01) Set of Raceway Mt Channel Letters (x1)  
 East Elevation Exterior Wall

**Disclaimer:**  
 THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY, NOR WILL YOU PERMIT ANY TIRDS PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**Notes**  Survey Req'd  Permit Req'd  All Paint and Brick Approved By Sales Assoc

Removal and Disposal of Existing Monument Included.  
 Customer to have Brick Medallion Painted to match surrounding brick.

**REVISIONS:**

Rev	By	Date
Rev A		
Rev B		
Rev C		
Rev D		
Rev E		
Rev F		

Scale: As Noted  
 Original Page Size: 11" x 17"

21083094 PV\_01  
 INS - PROJ NO. SHEET NO. REV.

1  
 PERMIT VARIANCE APPLICATION PKG NO.

11702  
 ESTIMATE NO.

Work Order #: 11833-01



Project:  
Landmark CU - Oak Creek  
Monument and Channel Letters

Project Location:  
8129 S Howell Ave,  
Oak Creek, WI 53154

Billing Location:  
5445 S. Westridge Dr.  
New Berlin, WI 53151



**PERMIT VARIANCE**

Sales Rep: MD Date: 08/12/19  
Design: AAE  
(11833-01) Set of Raceway Mt Channel Letters (x1)  
East Elevation Exterior Wall

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Removal and Disposal of Existing Monument Included.  
Customer to have Brick Medallion Painted to match surrounding brick.

**REVISIONS:**

Rev A	By	Date
Rev B	By	Date
Rev C	By	Date
Rev D	By	Date
Rev E	By	Date
Rev F	By	Date

Scale: Not to Scale  
Original Page Size: 11" x 17"

21083094 PV\_02  
INS - PROJ NO. SHEET NO. REV.

1  
PERMIT VARIANCE APPLICATION PKG NO.

11702  
ESTIMATE NO.

Work Order #: 11833



## PLAN COMMISSION REPORT

Proposal: Plan Review – Truck Parking Addition

Description: Site plan review for a proposed truck parking addition to the south side of the existing building.

Applicant(s): Scott Laux, Crothall Laundry Services

Address(es): 9905 S. 13<sup>th</sup> St.

**Suggested Motion:** That the Plan Commission approves site plans submitted by Scott Laux, Crothall Laundry Services, for the property at 9905 S. 13<sup>th</sup> St. 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): BCORE CORRIDOR 13TH STREET LLC

Tax Key(s): 926-9030-000

Lot Size(s): 5.606 ac

Current Zoning District(s): M-1, Manufacturing

Overlay District(s): PUD

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Business Park

### Background:

The Applicant is requesting site plan approval for a parking lot addition on the south side of the existing facility at 9905 S. 13<sup>th</sup> St. The request is for 10 truck parking stalls with electrical outlets to for winter engine

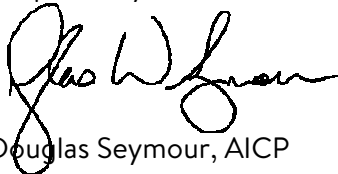
heating purposes. If any utility boxes are required for the project, they must be adequately screened per Code with landscaping or fencing as approved by the Department of Community Development. This is included in the suggested conditions of approval above.

No other site modifications are included in the proposal. Due to the location of the parking proposal, additional landscaping is not required at this time. Plan Commissioners should note that with the parking lot addition, the site will retain 36.2% open/green space.

**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).

---

Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

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Attachments:

Location Map

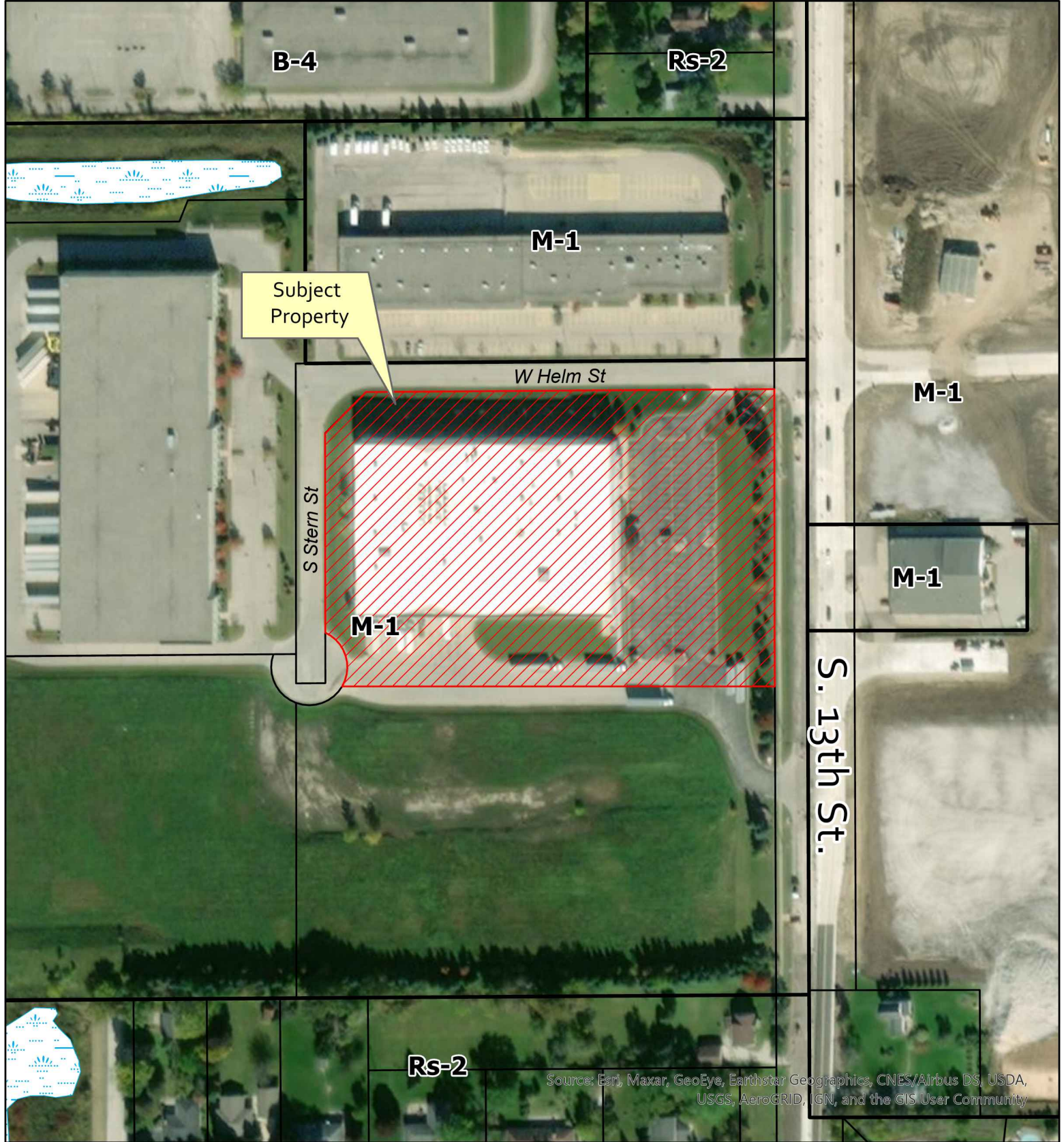
Narrative (1 page)

Plans C1.0-C2.10 (2 pages)

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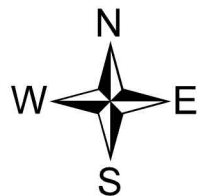
# Location Map

## 9905 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



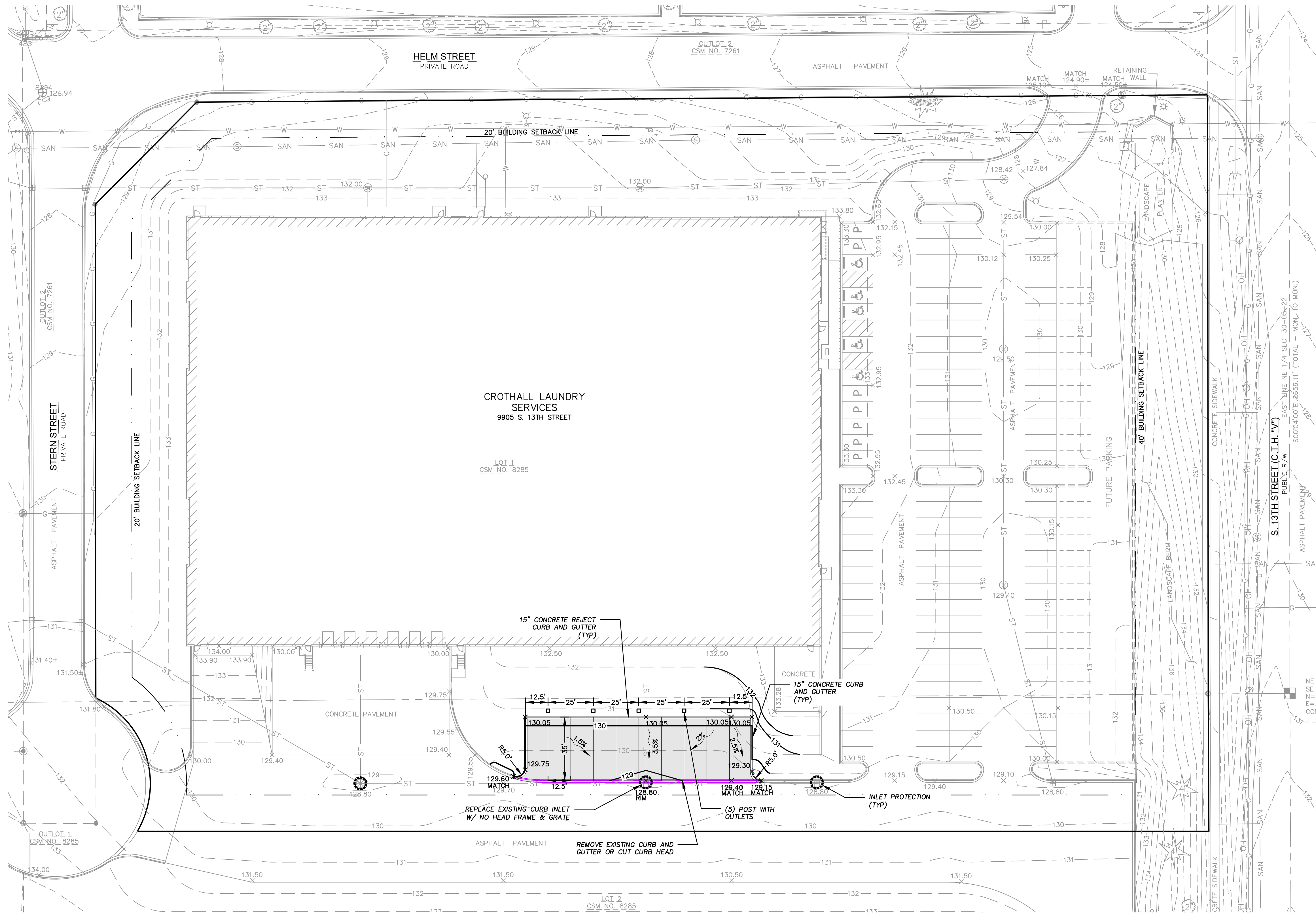
Legend	
	9905 S. 13th St
	DNR Wetlands Inventory

**To Whom It May Concern:**

**Crothall Laundry's Oak Creek location is seeking to expand our parking area to accommodate parking for additional straight trucks, and to install electrical outlets for engine heaters during the winter months. The purpose of this project is to reduce emissions and fuel consumption in the winter due to idling engines for warmth, and to allow better traffic flow for our fleet. This project will help Crothall's mission of serving health care providers in the area more reliably, efficiently, and sustainably.**



**Scott Laux  
Process Improvement**



**LEGEND**

- SAN — SANITARY SEWER
  - W — WATER MAIN
  - ST — STORM SEWER
  - G — UNDERGROUND GAS
  - E — UNDERGROUND ELECTRIC
  - T — UNDERGROUND TELEPHONE
  - FIB — UNDERGROUND FIBER OPTICS
  - CATV — UNDERGROUND CABLE TV
- 
- ⊗ CONIFEROUS TREE
  - ⊙ DECIDUOUS TREE
  - ⊙ SANITARY SEWER MANHOLE
  - ⊙ STORM MANHOLE
  - ⊕ CATCH BASIN ROUND
  - ⊕ CATCH BASIN SQUARE
  - ⊙ FIRE HYDRANT
  - ⊙ WATER VALVE
  - ⊙ GAS VALVE
  - ⊙ LIGHT POLE
  - ⊕ TELEPHONE PEDESTAL
  - ⊕ ELECTRICAL MANHOLE
  - ⊕ SIGN

**CROTHALL LAUNDRY SERVICES**  
9905 S. 13TH STREET



CREATE THE VISION TELL THE STORY

MADISON | MILWAUKEE  
KENOSHA | APPLETON | WAUSAU

**MILWAUKEE REGIONAL OFFICE**  
W238 N1610 BUSSE ROAD SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**CROTHALL LAUNDRY SERVICES**

CLIENT ADDRESS:  
**9905 S. 13TH ST.  
OAK CREEK, WI**



PROJECT:  
**CROTHALL LAUNDRY SERVICES**

PROJECT LOCATION:  
**9905 S. 13TH ST.  
OAK CREEK, WI**

**PLAN MODIFICATIONS:**

#	Date	Description

Design/Drawn: IRN 2020-08-07  
Approved: RWI 2020-08-07

SHEET TITLE:  
**PAVEMENT ID, GRADING,  
DRAINAGE, AND UTILITY  
PLAN**

SHEET NUMBER:  
**C1.0**

JSD PROJECT NO: 209880

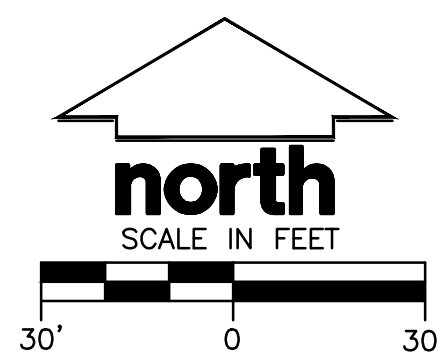
**PAVING NOTES:**

- ALL PAVING SHALL CONFORM TO "STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION, APPLICABLE CITY OF OAK CREEK ORDINANCES AND THE SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING ANALYSIS PREPARED BY THE GEOTECHNICAL ENGINEER OF RECORD. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND ALL SUBCONTRACTORS TO REVIEW THE GEOTECHNICAL REPORT AND SPECIFICATIONS WITHIN THIS PLAN SET PRIOR TO SUBMISSION OF A CONSTRUCTION BID. IN THE EVENT DISCREPANCIES BETWEEN THESE PLANS AND THE GEOTECHNICAL REPORT ARE FOUND, CONTRACTOR SHALL NOTIFY JSD PRIOR TO SUBMISSION OF A CONSTRUCTION BID.
- ALL PAVING SHALL BE PERFORMED IN ACCORDANCE WITH THE RECOMMENDATIONS AS SPECIFIED IN THE PROJECT GEOTECHNICAL REPORT, DATED JUNE 16, 2010, PROVIDED BY PROFESSIONAL SERVICE INDUSTRIES, INC (PSI).

**MINIMUM PAVEMENT RECOMMENDATION**

- 9" CRUSHED AGGREGATE BASE COURSE
- 5" ASPHALTIC CONC. (2 LIFTS)
- (1-1/2" SURFACE; 3-1/2" BINDER)
- HEAVY DUTY PAVEMENT (TRUCK AREAS & DRIVES)

SITE COVERAGE CALCULATIONS		
TOTAL SITE =	5.6 ACRES	(244,273 SF)
EXISTING LOT IMP. =	62.0%	(151,490 SF)
EXISTING GREEN SPACE =	38.0%	(92,783 SF)
PROPOSED LOT IMP. =	63.8%	(155,815 SF)
PROPOSED GREEN SPACE =	36.2%	(88,458 SF)
DISTURBED AREA =		7,400 SF



**DIGGERS HOTLINE**  
Call 811 or (800) 242-8511  
Milwaukee Area (262) 432-7910  
Hearing Impaired TDD (800) 542-2289  
www.DiggersHotline.com

PAVING NOTES

- 1. GENERAL
1.1. ALL PAVING SHALL CONFORM TO "STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION, LATEST EDITION, APPLICABLE CITY OF OAK CREEK ORDINANCES AND THE GEOTECHNICAL REPORT PREPARED BY PROFESSIONAL SERVICE INDUSTRIES, INC (PSI) DATED JUNE 16, 2010.
1.2. ALL PAVING DIMENSIONS ARE TO FACE OF CURB UNLESS SPECIFIED OTHERWISE.
1.3. SURFACE PREPARATION - NOTIFY ENGINEER/OWNER OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.
1.4. ANY REQUIRED REPLACEMENT OF PUBLIC CURB AND GUTTER SHALL MATCH EXISTING AND MEET MUNICIPALITY REQUIREMENTS.
2. ASPHALTIC CONCRETE PAVING SPECIFICATIONS
2.1. CODES AND STANDARDS - THE PLACING, CONSTRUCTION AND COMPOSITION OF THE ASPHALTIC BASE COURSE AND ASPHALTIC CONCRETE SURFACE COURSE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 450, 455, 460 AND 465 OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, CURRENT EDITION. HEREAFTER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.
2.2. WEATHER LIMITATIONS - APPLY TACK COATS WHEN AMBIENT TEMPERATURE IS ABOVE 50° F (10° C) AND WHEN TEMPERATURE HAS NOT BEEN BELOW 35° F (1° C) FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION. DO NOT APPLY WHEN BASE IS WET OR CONTAINS EXCESS OF MOISTURE. CONSTRUCT ASPHALTIC CONCRETE SURFACE COURSE WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40° F (4° C) AND WHEN BASE IS DRY AND WHEN WEATHER IS NOT RAINY. BASE COURSE MAY BE PLACED WHEN AIR TEMPERATURE IS ABOVE 30° F (-1° C).
2.3. GRADE CONTROL - ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.
2.4. CRUSHED AGGREGATE BASE COURSE - THE TOP LAYER OF BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.
2.5. BINDER COURSE AGGREGATE - THE AGGREGATE FOR THE BINDER COURSE SHALL CONFORM TO SECTIONS 460 AND 315, STATE HIGHWAY SPECIFICATIONS.
2.6. SURFACE COURSE AGGREGATE - THE AGGREGATE FOR THE SURFACE COURSE SHALL CONFORM TO SECTIONS 460 AND 465, STATE HIGHWAY SPECIFICATIONS.
2.7. ASPHALTIC MATERIALS - THE ASPHALTIC MATERIALS SHALL CONFORM TO SECTION 455 AND 460, STATE HIGHWAY SPECIFICATIONS.
3. CONCRETE PAVING SPECIFICATIONS
3.1. CONCRETE PAVING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 415 AND 416 OF THE STATE HIGHWAY SPECIFICATIONS.
3.2. CONCRETE PAVEMENT SHALL BE REINFORCED WITH NOVOMESH 950 (OR EQUAL) FIBER REINFORCEMENT AT A RATE OF 5 LBS/CUBIC YARD.
3.3. CURING COMPOUNDS SHALL CONFORM TO SECTION 415 OF THE STATE HIGHWAY SPECIFICATIONS.
3.4. CONTRACTOR SHALL PROVIDE CONTROL JOINTS AND CONSTRUCTION JOINTS OF ONE-QUARTER CONCRETE THICKNESS AT AN EQUAL RATIO OF LENGTH TO WIDTH WHEREVER POSSIBLE WITH A MAXIMUM LENGTH BETWEEN JOINTS OF 8' ON CENTER.
3.5. CONTRACTOR SHALL PROVIDE EXPANSION JOINTS IN SIDEWALKS AT A MAXIMUM 24' ON CENTER.
3.6. EXTERIOR CONCRETE SURFACES SHALL BE BROOM FINISHED.
3.7. ALL CONCRETE SURFACES TO BE SEALED WITH TYPE TK-26UV CONCRETE SEALANT.
4. PAVEMENT MARKING SPECIFICATIONS
4.1. USE 4" WIDE, HIGH VISIBILITY YELLOW OR COLOR APPROVED BY OWNER LATEX PAINT FOR STALL LINES.
4.2. MARK AND STRIPE ADA PARKING SPACES APPROPRIATELY.
4.3. ALL PAVEMENT MARKINGS INCLUDING: STOP BARS, CROSSWALKS, DIRECTIONAL ARROWS, PARKING STALL LINES, ADA STALL MARKINGS, NO PARKING ZONES, DROP-OFF/PICK-UP ZONES SHALL BE PAINTED WITH LATEX PAINT PER SPECIFICATIONS.
4.4. 2' x 4' TRUNCATED DOME WARNING DETECTION FIELD SHALL BE PLACED AT ALL ADA RAMPS.

GRADING AND SEEDING NOTES

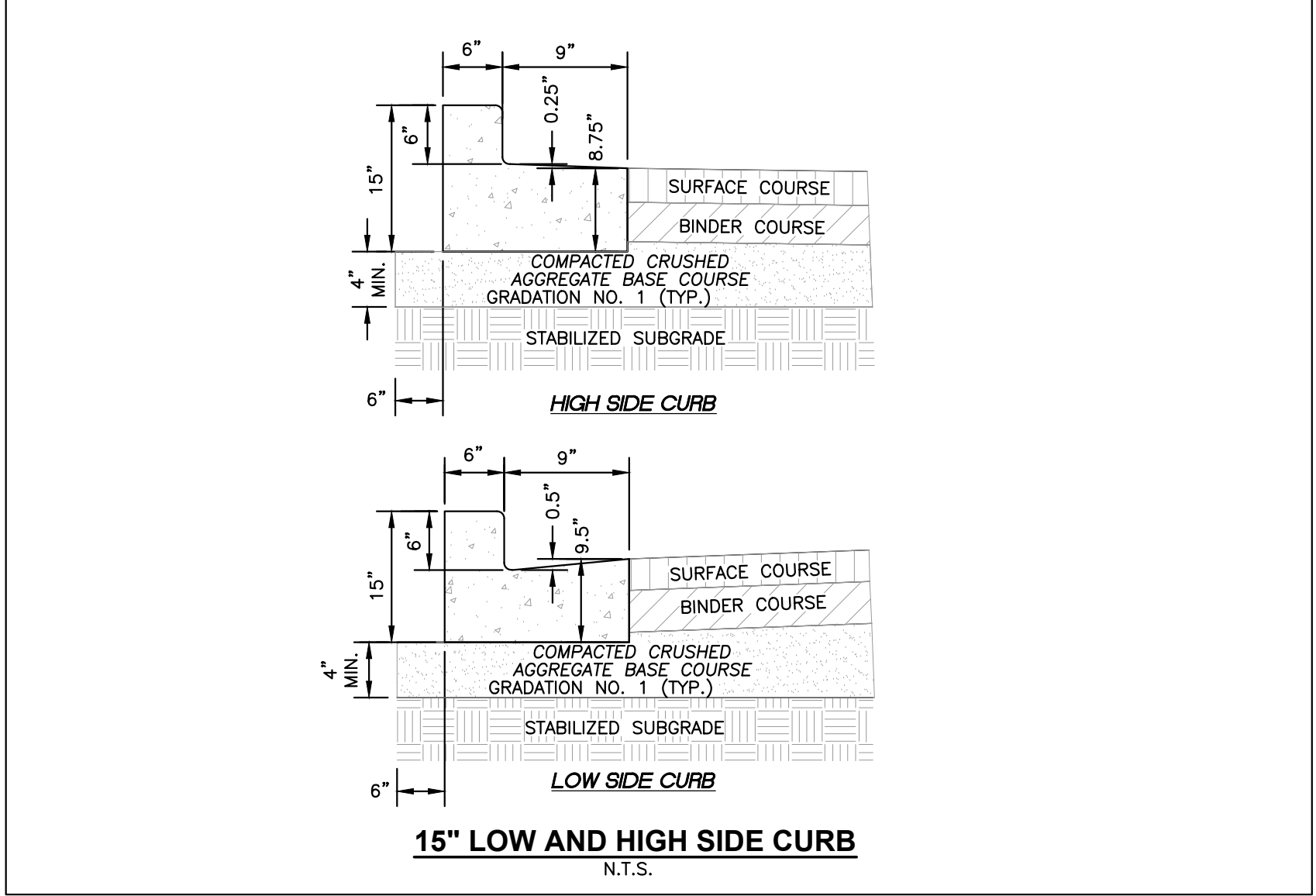
- 1. ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY ALL GRADES, MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR COMPUTATIONS OF ALL GRADING QUANTITIES. WHILE JSD PROFESSIONAL SERVICES, INC. ATTEMPTS TO PROVIDE A COST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARDS OF CARE. THEREFORE, NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
3. PARKING LOT AND DRIVEWAY ELEVATIONS ARE PAVEMENT GRADES, NOT TOP OF CURB GRADES, UNLESS OTHERWISE NOTED.
4. ANY WORK WITHIN RIGHT-OF-WAY SHALL BE PROPERLY PERMITTED AND COORDINATED WITH THE APPROPRIATE OFFICIALS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. ALL GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY SAID OFFICIALS.
5. CONTRACTOR SHALL PROVIDE NOTICE TO THE MUNICIPALITY IN ADVANCE OF ANY SOIL DISTURBING ACTIVITIES, IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS.
6. ALL DISTURBED AREAS SHALL BE SODDED AND/OR SEEDDED AND MULCHED IMMEDIATELY FOLLOWING GRADING ACTIVITIES. SOD/SEED MIX TO BE IN ACCORDANCE WITH LANDSCAPE PLAN.
7. CONTRACTOR SHALL CHISEL-PLow OR DEEP TILL WITH DOUBLE TINES ALL STORMWATER MANAGEMENT FACILITIES JUST PRIOR TO SODDING AND/OR SEEDING AND MULCHING TO PROMOTE INFILTRATION.
8. CONTRACTOR SHALL WATER ALL NEWLY SODDED/SEEDDED AREAS DURING THE SUMMER MONTHS WHENEVER THERE IS A 7 DAY LAPSE WITH NO SIGNIFICANT RAINFALL.
9. CONTRACTOR TO DEEP TILL ALL COMPACTED PERVIOUS SURFACES PRIOR TO SODDING AND/OR SEEDING AND MULCHING.
10. ALL SLOPES 20% OR GREATER SHALL BE TEMPORARY SEEDDED, MULCHED, OR OTHER MEANS OF COVER PLACED ON THEM WITHIN 2 WEEKS OF DISTURBANCE.
11. ALL EXPOSED SOIL AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 30 DAYS AND REQUIRE VEGETATIVE COVER FOR LESS THAN 1 YEAR, REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1059 AND CITY OF OAK CREEK ORDINANCE.

EROSION CONTROL NOTES

- 1. CONTRACTOR IS RESPONSIBLE TO NOTIFY ENGINEER OF RECORD AND OFFICIALS OF ANY CHANGES TO THE EROSION CONTROL AND STORMWATER MANAGEMENT PLANS. ENGINEER OF RECORD AND APPROPRIATE CITY OF OAK CREEK OFFICIALS MUST APPROVE ANY CHANGES PRIOR TO DEVIATION FROM THE APPROVED PLANS.
2. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED BY THE CONTRACTOR IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS (REFERRED TO AS BMP'S) AND CITY OF OAK CREEK ORDINANCE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN A COPY OF THESE STANDARDS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL EROSION CONTROL MEASURES WHICH MAY BE NECESSARY TO MEET UNFORESEEN FIELD CONDITIONS.
5. INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN. MODIFICATIONS TO THE APPROVED EROSION CONTROL DESIGN IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS IS ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL DESIGN MODIFICATIONS MUST BE APPROVED BY THE CITY OF OAK CREEK PRIOR TO DEVIATION OF THE APPROVED PLAN.
4. ADDITIONAL EROSION CONTROL MEASURES, AS REQUESTED BY STATE INSPECTORS, LOCAL INSPECTORS, COUNTY INSPECTORS AND/OR ENGINEER OF RECORD SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
5. INSPECTIONS AND MAINTENANCE OF ALL EROSION CONTROL MEASURES SHALL BE ROUTINE (ONCE PER WEEK MINIMUM) TO ENSURE PROPER FUNCTION OF EROSION CONTROLS AT ALL TIMES. EROSION CONTROL MEASURES ARE TO BE IN WORKING ORDER AT THE END OF EACH WORK DAY.
6. ALL EROSION AND SEDIMENT CONTROL ITEMS SHALL BE INSPECTED WITHIN 24 HOURS OF ALL RAIN EVENTS EXCEEDING 0.5 INCHES. ANY DAMAGED EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED IMMEDIATELY UPON INSPECTION.
7. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. ADDITIONAL LOCATIONS OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE MUNICIPALITY. CONSTRUCTION ENTRANCES SHALL BE 50' LONG AND NO LESS THAN 12" THICK BY USE OF 3" CLEAR STONE. CONSTRUCTION ENTRANCES SHALL BE MAINTAINED BY THE CONTRACTOR IN A MANNER WHICH WILL PREVENT THE TRACKING OF MUD OR DRY SEDIMENT ONTO ADJACENT PUBLIC STREETS AFTER EACH WORKING DAY OR MORE FREQUENTLY AS REQUIRED.
8. PAVED SURFACES ADJACENT TO CONSTRUCTION SITE VEHICLE ACCESS SHALL BE SWEEPED AND/OR SCRAPPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE CITY OF OAK CREEK.
9. INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER AND SILT FENCE SHALL BE IMMEDIATELY FITTED AT ALL INSTALLED CULVERT INLETS TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS.
10. INSTALL EROSION CONTROLS ON THE DOWNSTREAM SIDE OF STOCKPILES. IF STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES IS REQUIRED. IF DISTURBANCE OCCURS BETWEEN NOVEMBER 15TH AND MAY 15TH, THE MULCHING SHALL BE PERFORMED BY HYDRO-MULCHING WITH A TACKIFIER.
11. DITCH CHECKS AND APPLICABLE EROSION NETTING/MATTING SHALL BE INSTALLED IMMEDIATELY AFTER COMPLETION OF GRADING EFFORTS WITHIN DITCHES/SWALES TO PREVENT SOIL TRANSPORTATION.
12. EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, SANITARY SEWER, WATER MAIN, ETC.):
A. PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
B. BACKFILL, COMPACT, AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
C. DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH THE DEWATERING TECHNICAL STANDARD NO. 1061 PRIOR TO RELEASE INTO THE STORM SEWER, RECEIVING STREAM, OR DRAINAGE DITCH.
13. ALL SLOPES 4:1 OR GREATER SHALL BE STABILIZED WITH CLASS I, TYPE B EROSION MATTING OR APPLICATION OF A WISCONSIN DEPARTMENT OF TRANSPORTATION (WDOT) APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED WITHIN 7 DAYS OF REACHING FINAL GRADE AND/OR AS SOON AS CONDITIONS ALLOW. DRAINAGE SWALES SHALL BE STABILIZED WITH CLASS II, TYPE B EROSION MATTING. EROSION MATTING AND/OR NETTING USED ONSITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES AND WDNR TECHNICAL STANDARDS 1052 AND 1053.
14. CONTRACTOR SHALL TAKE ALL NECESSARY STEPS TO CONTROL DUST ARISING FROM CONSTRUCTION OPERATIONS. REFER TO WDNR TECHNICAL STANDARD 1068.
15. EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY AT THE SITE HAS BEEN COMPLETED AND THAT A UNIFORM PERENNIAL VEGETATIVE COVER HAS BEEN ESTABLISHED WITH A DENSITY OF AT LEAST 70% FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES OR THAT EMPLOY EQUIVALENT PERMANENT STABILIZATION MEASURES.
16. CONTRACTOR/OWNER SHALL FILE A NOTICE OF TERMINATION UPON COMPLETION OF THE PROJECT IN ACCORDANCE WITH WDNR REQUIREMENTS AND/OR PROPERTY SALE IN ACCORDANCE WITH WDNR REQUIREMENTS.
17. STABILIZATION PRACTICES:
17.1. \*STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. NO MORE THAN SEVEN (7) DAYS SHALL PASS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS CEASED UNLESS:
17.2. \*THE INITIATION STABILIZATION MEASURES BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS CEASED IS PRECLUDED BY SNOW COVER. IN THAT EVENT, STABILIZATION SHALL BE INITIATED AS SOON AS PRACTICABLE.
17.3. \*CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN FOURTEEN (14) DAYS FROM WHEN ACTIVITY CEASED. (I.E. THE TOTAL TIME PERIOD THAT THE CONSTRUCTION ACTIVITY IS TEMPORARILY CEASED IS LESS THAN FOURTEEN (14) DAYS. IN THAT EVENT, STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED.
17.4. \*STABILIZATION MEASURES SHALL BE DETERMINED BASED ON SITE CONDITIONS AT THE TIME OF CONSTRUCTION ACTIVITY HAS CEASED, INCLUDING BUT NOT LIMITED TO WEATHER CONDITIONS AND LENGTH OF TIME MEASURE MUST BE EFFECTIVE. THE FOLLOWING ARE ACCEPTABLE STABILIZATION MEASURES:
\* PERMANENT SEEDING; IN ACCORDANCE WITH APPROVED CONSTRUCTION SPECIFICATION
\* TEMPORARY SEEDING; MAY CONSIST OF SPRING OATS(100LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150LB/ACRE)
\* HYDRO-MULCHING WITH A TACKIFIER
\* GEOTEXTILE EROSION MATTING
\* SODDING

UTILITY NOTES

- 1. ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATIONS OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. CONTRACTOR/OWNER SHALL CALL "DIGGER'S HOTLINE" PRIOR TO ANY CONSTRUCTION.
2. PRIOR TO CONSTRUCTION, THE PRIME CONTRACTOR IS RESPONSIBLE FOR:
\* EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
\* OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, AND ALL OTHER FEES REQUIRED FOR PROPOSED WORK TO OBTAIN OCCUPANCY.
\* VERIFYING ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS. NOTIFY ENGINEER OF ANY DISCREPANCY. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS RESOLVED.
\* NOTIFYING ALL UTILITIES PRIOR TO INSTALLATION OF ANY UNDERGROUND IMPROVEMENTS.
\* NOTIFYING THE DESIGN ENGINEER AND MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION OBSERVATION.
\* COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
3. ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN - AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.
4. SPECIFICATIONS SHALL COMPLY WITH THE CITY OF OAK CREEK SPECIAL PROVISIONS.
5. LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.
6. CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF IMPROVEMENTS.
7. CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVER NIGHT AS REQUIRED IN CONSTRUCTION SITES WHERE THE POTENTIAL FOR PEDESTRIAN INJURY EXISTS.
8. CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.
9. THE PRIME CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
10. ANY SANITARY SEWER, SANITARY SEWER SERVICES, WATER MAIN, WATER SERVICES, STORM SEWER, OR OTHER UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
11. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE ENGINEER WITH AS-BUILT CONDITIONS OF THE DESIGNATED IMPROVEMENTS IN ORDER THAT THE APPROPRIATE DRAWINGS CAN BE PREPARED, IF REQUIRED. ANY CHANGES TO THE DRAWINGS OR ADDITIONAL ITEMS MUST BE REPORTED TO THE ENGINEER AS WORK PROGRESSES.



File: \\sdr-mil-dc22\NewProject\2020\209880\DWG\209880-DWG\209880-Detail.sdw Layout: Layout1 User: inewman PlotSet: Aug 06, 2020 1:19pm Xref:



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MILWAUKEE REGIONAL OFFICE
2338 N1610 BUSSE ROAD SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666

CLIENT:
CROTHALL LAUNDRY SERVICES

CLIENT ADDRESS:
9905 S. 13TH ST.
OAK CREEK, WI

PROJECT:
CROTHALL LAUNDRY SERVICES

PROJECT LOCATION:
9905 S. 13TH ST.
OAK CREEK, WI

PLAN MODIFICATIONS:

Table with 3 columns: #, Date, Description. The table is currently empty.

Design/Drawn: IRN 2020-08-07
Approved: RWI 2020-08-07

SHEET TITLE:
DETAILS AND NOTES
PLAN

SHEET NUMBER:

C2.0

JSD PROJECT NO: 209880



Call 811 or (800) 242-8511

Milwaukee Area (262) 432-7910
Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

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## PLAN COMMISSION REPORT

Proposal: Conditional Use Permit Amendment– Outdoor Display of Retail Merchandise (propane tanks)

Description: Review a request to amend the existing Conditional Use Permit to allow outdoor display of retail merchandise (propane tanks) at the entrance to the existing Pick ‘n’ Save store on the property at 2320 W. Ryan Rd.

Applicant(s): Mega Marts, LLC (dba Pick ‘n’ Save #387)

Address(es): 2320 W. Ryan Rd.

**Suggested Motion:** That the Plan Commission recommends that the Common Council approves a Conditional Use Permit Amendment to allow outdoor display of retail merchandise (propane tanks) on the property at 2320 W. Ryan Rd., after a public hearing.

Owner(s): ATOUT REAL ESTATE, LLC

Tax Key(s): 878-9037-001

Lot Size(s): 11.189 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, with authorization and support of the landowner, is requesting recommendation of approval for a proposed amendment to the existing Conditional Use Permit (CUP) to allow outdoor display of retail merchandise for propane tanks on the property at 2320 W. Ryan Rd. Outdoor display of retail merchandise is a Conditional Use in the B-4, Highway Business district. The existing CUP was last updated in 2011 (Ord. 2632) for a non-related request.

The request is for the permanent display of the propane exchange cage at the entrance to the Pick 'n' Save store on the property. Per the submitted front entrance graphic, the 70" (h) x 44" (w) x 30" (d) cage will be located at least 9 feet from the edge of the sidewalk. This appears to be outside of fire lane accesses. Additional compliance with Fire Codes for siting have been incorporated into the attached Conditions and Restrictions for Plan Commission consideration. Staff have no objection to the request with the location in conformance with Fire Department requirements.

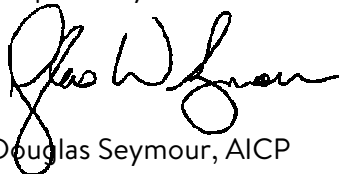
No exterior or site modifications are being proposed as part of this request.

Should the Plan Commission determine that the request for outdoor display of retail merchandise for propane tanks on the property is appropriate, staff will prepare Conditions and Restrictions that for review at the October 13<sup>th</sup> Plan Commission meeting.

**Options/Alternatives:** The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit Amendment request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

---

Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

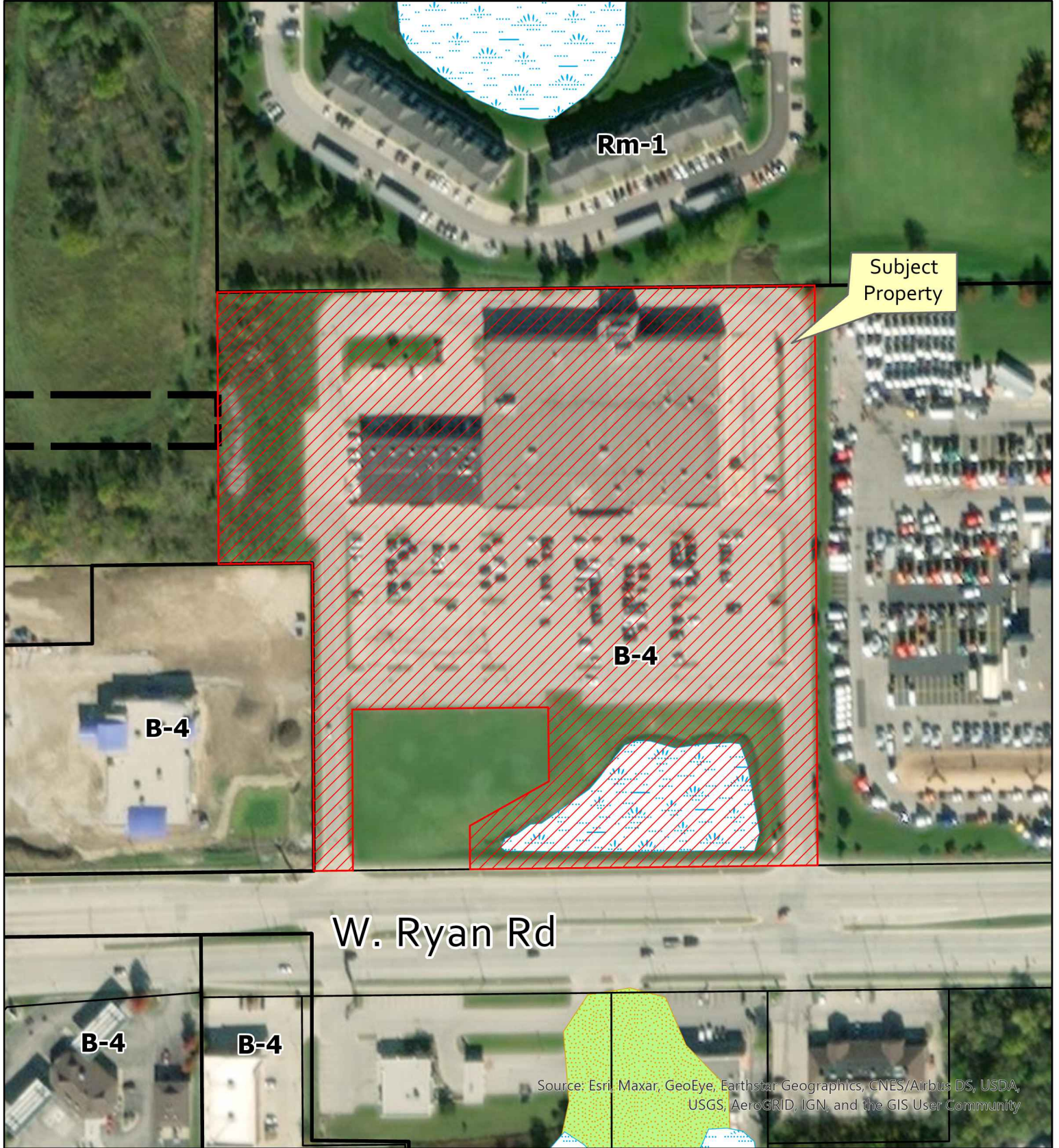
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**Attachments:**

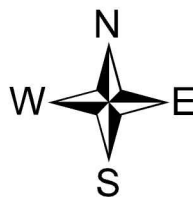
- Location Map
  - Cover letter dated August 24, 2020 (1 page)
  - Aerial Map (1 page)
  - Entrance Elevation Photo (1 page)
  - Proposed Amended Conditions and Restrictions
-

# Location Map

## 2320 W. Ryan Rd



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



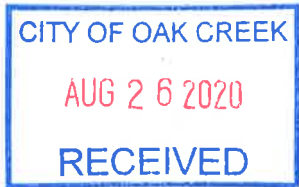
**Legend**

-  2320 W. Ryan Rd
-  Official Street Pattern
-  DNR Wetlands Inventory
-  Environmental Corridor

**ROUNDY'S SUPERMARKETS, INC.**

PICK 'N SAVE · COPPS · METRO MARKET · MARIANO'S

PO Box 473  
Milwaukee, WI 53201  
414-231-5000



August 24, 2020

**VIA GROUND COURIER**

City of Oak Creek  
Community Development; Attn: Kari Papelbon  
8040 S 6<sup>th</sup> St  
Oak Creek, WI 53154

Dear Ms. Papelbon:

Enclosed please find two plan commission applications, two conditional use permit applications and check for the fees. These are for the propane exchange programs at the Pick 'n Save stores located at 8770 S Howell Ave and 2320 W Ryan Rd.

Please contact me with any questions you may have at 414-231-5978 or [tammy.koch@roundys.com](mailto:tammy.koch@roundys.com).

Thank you for your assistance.

Very truly yours,

ROUNDY'S SUPERMARKETS, INC.

Tammy Koch  
Administrative Assistant

Enclosure



Money Services

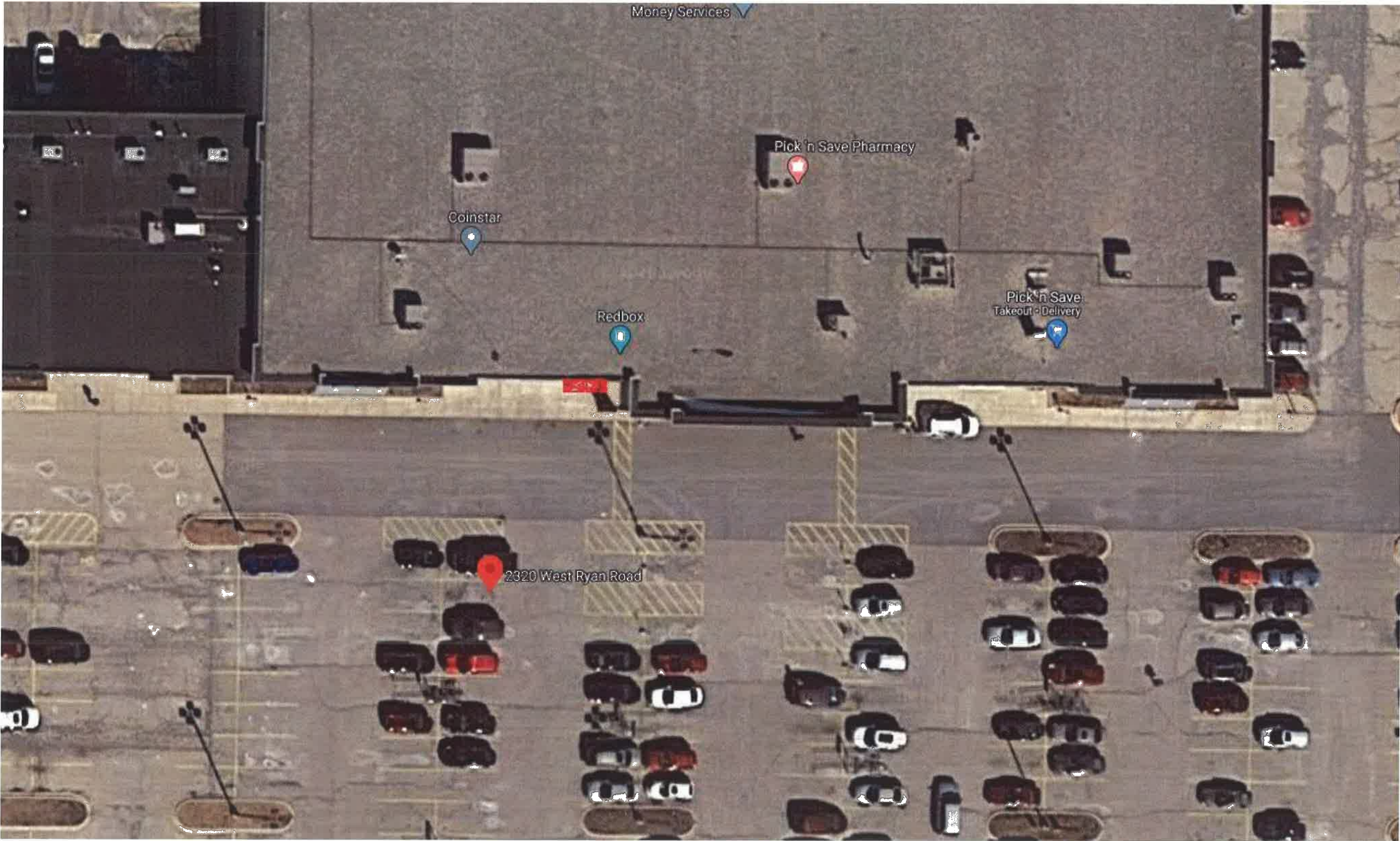
Pick 'n Save Pharmacy

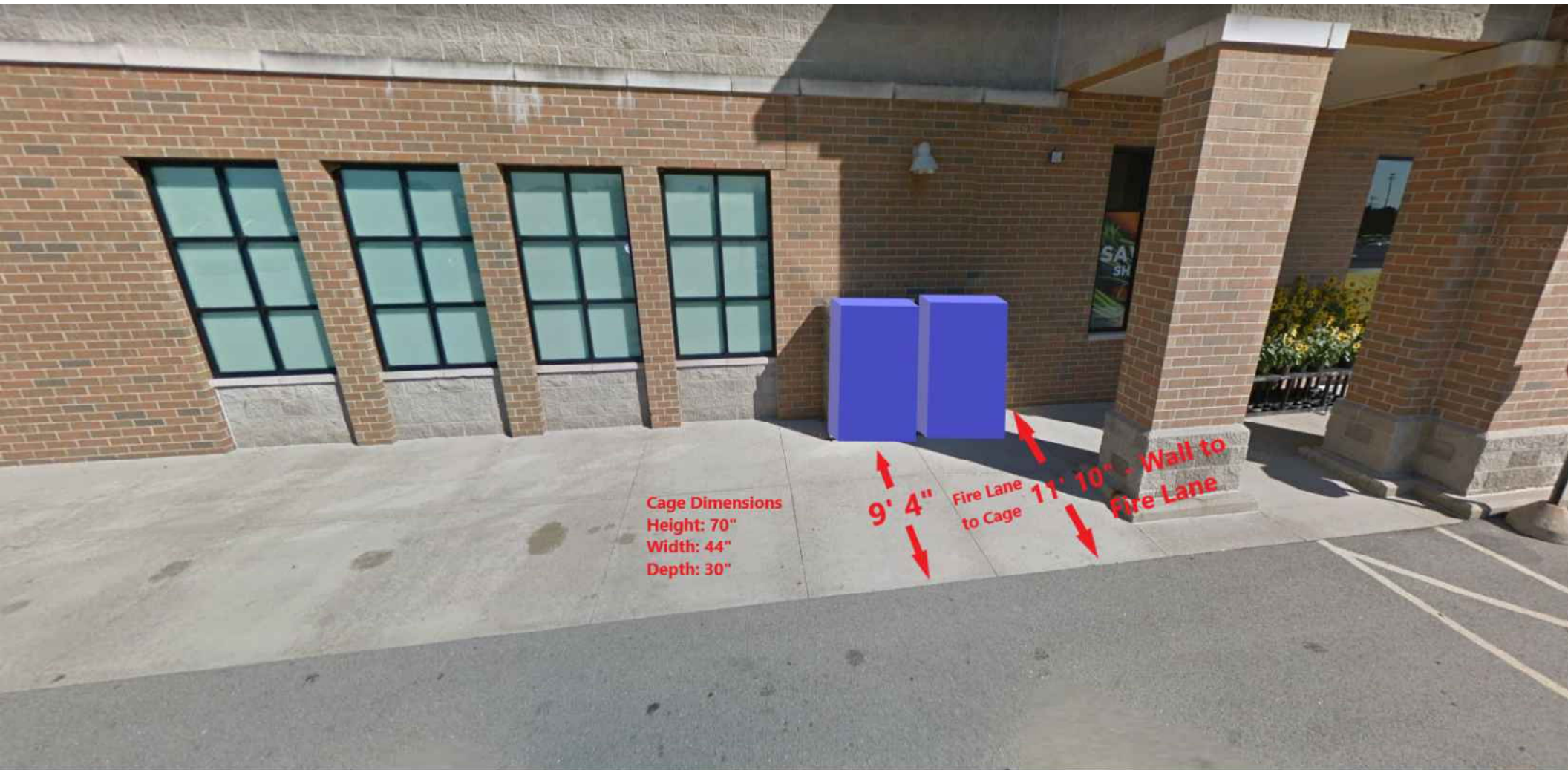
Coinstar

Redbox

Pick 'n Save  
Takeout - Delivery

2320 West Ryan Road





Cage Dimensions  
Height: 70"  
Width: 44"  
Depth: 30"

9' 4"

Fire Lane  
to Cage

11' 10" - Wall to  
Fire Lane

**City of Oak Creek – Conditional Use Permit (CUP)  
DRAFT AMENDED Conditions and Restrictions**

**Applicant:** Mega Marts, LLC (dba Pick 'n' Save #387)

**Property Address:** 2320 W. Ryan Rd.

**Tax Key Number:** 878-9037-001

**Conditional Use:** Animal Hospital & Veterinary Clinic;

**Outdoor storage and display of propane retail merchandise**

**Approved by Plan Commission:** TBD

**Approved by Common Council:** TBD  
(Ord. XXXX, Amending Ord. 2632)

1. LEGAL DESCRIPTION

Lot 1 of Certified Survey Map number 7866 located in the SW ¼ of the SW ¼ of Section 19, Township 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, exc S 20 feet conveyed to DOT in Document No 10306419.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. The site and building containing this conditional use shall be constructed and maintained in accordance with the site, building, landscaping and lighting plans dated 09-13-2004 and approved by the City of Oak Creek Plan Commission on 10-26-2004, and the site, building, landscaping and lighting plans for the addition dated 8-30-2006 and approved by the Plan Commission on 9-26-2006.
- C. A precise detailed site plan for the area affected by the Conditional Use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

**1. General Development Plan**

- a. Detailed building/structure location(s) with setbacks
- b. Square footage of all buildings/structures
- c. Area(s) for future expansion
- d. Area(s) to be paved
- e. Access drive(s) (width and location)
- f. Sidewalk location(s)
- g. Parking layout and traffic circulation
  - i. Location(s) and future expansion
  - ii. Number of employees and/or patrons
  - iii. Number of parking spaces
  - iv. Dimensions
  - v. Setbacks
- h. Location(s) of loading berth(s)
- i. Sanitary sewer (existing & proposed)
- j. Water (existing & proposed)
- k. Storm sewer (existing & proposed)
- l. Wetland boundaries (field verified)
- m. Flood hazard area boundaries
- n. Location(s) & details of sign(s)
- o. Location(s) & details of proposed fences/gates/walls

**2. Landscape Plan**

- a. Screening plan, including parking lot & utilities screening/berming
- b. Planting number, sizes, types, & details
- c. Percentage open/green space

**3. Building Plan**

- a. Architectural elevations (w/dimensions)
- b. Building floor plans
- c. Construction materials, colors, percentages

**4. Lighting Plan**

- a. Types & color of fixtures, shields
- b. Mounting heights
- c. Type, height, and color of poles
- d. Photometrics of proposed fixtures

**5. Grading, Drainage, & Stormwater Management Plan**

- a. Contours (existing & proposed)
- b. Storm sewer (existing and proposed)
- c. Stormwater management structures and basins/green infrastructure (if required)

**6. Fire Protection**

- a. Locations of existing & proposed fire hydrants
- b. Interior floor plan(s)
- c. Materials of construction

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

A. **One (1) animal hospital and veterinary clinic (approved by Ord. 2632) and one (1) area for the outdoor storage and display of retail merchandise limited to one (1) propane cage on the south elevation of the building are allowed in conformance with these conditions and restrictions.**

B. The site and building containing this conditional use shall be constructed and maintained in accordance with the site, building, landscaping and lighting plans dated 09-13-2004 and approved by the City of Oak Creek Plan Commission on 10-26-2004, and the site, building, landscaping and lighting plans for the addition dated 8-30-2006 and approved by the Plan Commission on 9-26-2006.

C. **Animal Hospital and Veterinary Clinic**

- i. **This facility is permitted to be open 24 hours per day, 7 days per week.**
- ii. **There shall be no outdoor kennels, runs, or other outdoor operations. Attended animals kept on a leash may be walked outdoors.**
- iii. **There shall be no onsite cremations.**
- iv. **There shall be no "dog day care" or overnight boarding of animals other than those receiving care at the facility.**

D. **Outdoor Storage and Display of Retail Merchandise**

- i. **Limited to one (1) propane cage measuring 70" (h) x 44" (w) x 30" (d) in accordance with all fire protection requirements and Codes is allowed on the south elevation of the Pick 'n' Save storefront. No other outdoor storage or outdoor display of any retail merchandise is allowed**
- ii. **The cage must be located at least 5 feet from any doorway or opening in a building frequented by the public where occupants have at least two means of egress OR at least 10 feet from any doorway or opening in a building or sections of a building that has only one means of egress as defined by NFPA 101, *Life and Safety Code*.**
- iii. **On-site filling of liquid propane (LP) tanks is prohibited.**
- iv. **Fire department connections on the building shall not be blocked with any fencing, signage, or landscaping.**

E. Solid waste collection and recycling shall be the responsibility of the owner.

F. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the landowner(s).

G. All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code (as amended) and



the Master Sign Program for this property approved by the Plan Commission on 9-26-2006 (sign variances granted by the Plan Commission excepted).

4. PARKING AND ACCESS

- A. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended).
- B. Landscaping shall be provided for all parking areas in accordance with Sections 17.0403(g),(h) and 17.1010 (as amended), and all Plan Commission approvals (plans dated 09-13-2004 approved 10-26-2004 & plans dated 8-30-2006 approved 9-26-2006).

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code (as amended).

6. SETBACKS\*

	Front and Street Setback	Rear (North) Setback	Side Setback
Principal Structure	25 ft	25 ft	15 ft
Accessory Structure*	25 ft	5 ft	5 ft
Parking	10 ft	20 ft	5 ft

*\*No accessory structures shall be permitted in the front yard or in required buffer yards.*

7. TIME OF COMPLIANCE

The operator(s) of the Conditional Use Permit shall commence work in accordance with these conditions and restrictions for the Conditional Use Permit within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a Conditional Use Permit. This Conditional Use Permit approval shall expire within twelve (12) months after the date of adoption of the ordinance if a building, occupancy, or other required permit has not been issued for this use OR if the use has not been established prior to the expiration of this Conditional Use Permit. The applicant shall re-apply for a Conditional Use approval prior to recommencing work, construction, or establishing the use.

8. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

9. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit

Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City Ordinances.

10. REVOCATION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

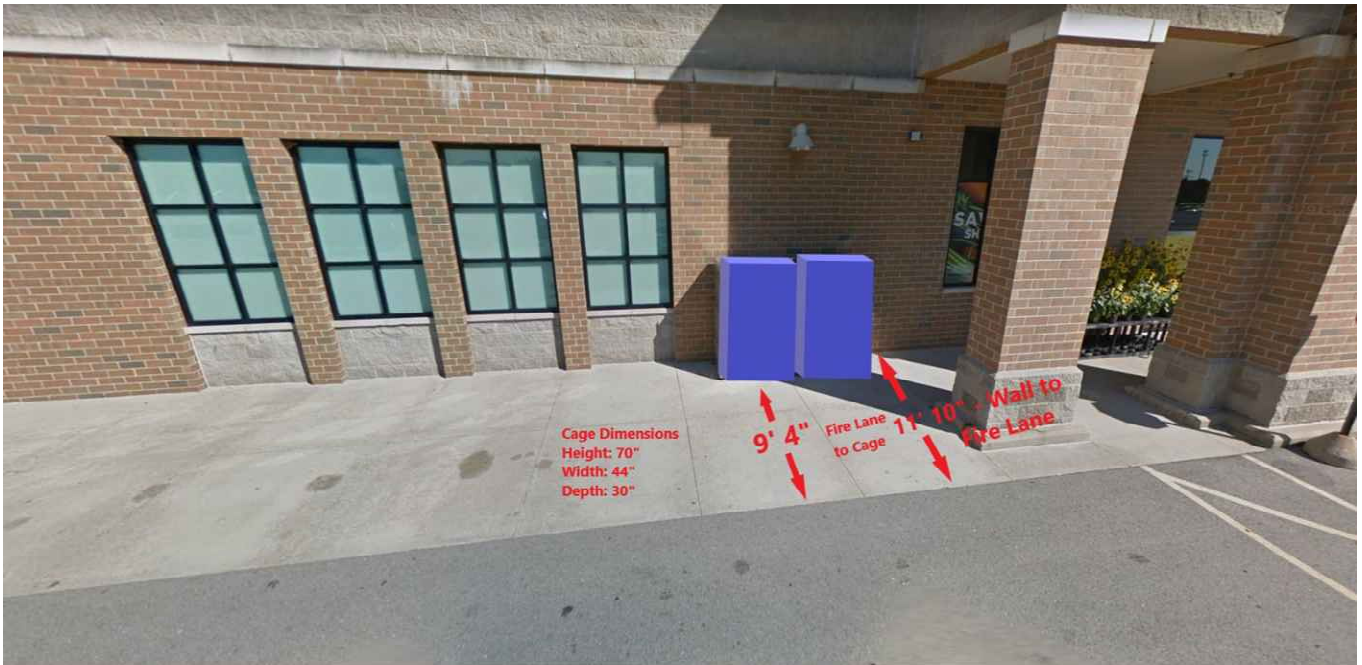
The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

\_\_\_\_\_  
Owner / Authorized Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)

**EXHIBIT A: PROPANE CAGE SITE PLAN**



DRAFT



## PLAN COMMISSION REPORT

Proposal: Conditional Use Permit Amendment – Outdoor Display of Retail Merchandise (propane tanks)

Description: Review a request to amend the existing Conditional Use Permit to allow outdoor display of retail merchandise (propane tanks) at the entrance to the existing Pick ‘n’ Save store on the property at 8770 S. Howell Ave.

Applicant(s): Mega Marts, LLC (dba Pick ‘n’ Save #862)

Address(es): 8770 S. Howell Ave.

**Suggested Motion:** That the Plan Commission recommends that the Common Council approves a Conditional Use Permit Amendment to allow outdoor display of retail merchandise (propane tanks) on the property at 8770 S. Howell Ave., after a public hearing.

Owner(s): NDC, LLC

Tax Key(s): 860-9041-000

Lot Size(s): 10.200 ac

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

Overlay District(s): CU

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Commercial

### Background:

The Applicant, with authorization and support of the landowner, is requesting recommendation of approval for a proposed amendment to the existing Conditional Use Permit (CUP) to allow outdoor display of retail merchandise for propane tanks on the property at 8770 S. Howell Ave. Outdoor display of retail merchandise is a Conditional Use in the B-4, Highway Business district. A CUP was issued to the property in 1995 (Ord. 1808) for a non-related request.

The request is for the permanent display of the propane exchange cage at the entrance to the Pick 'n' Save store on the property (same as the request at the Ryan Rd. store). Per the submitted front entrance graphic, the 70" (h) x 44" (w) x 30" (d) cage will be located at least 8 feet from the edge of the sidewalk. This appears to be outside of fire lane accesses. Additional compliance with Fire Codes for siting have been incorporated into the attached Conditions and Restrictions for Plan Commission consideration. Staff have no objection to the request with the location in conformance with Fire Department requirements.

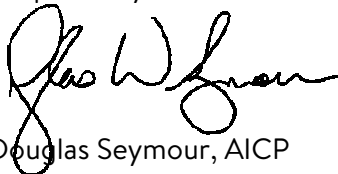
No exterior or site modifications are being proposed as part of this request.

Should the Plan Commission determine that the request for outdoor display of retail merchandise for propane tanks on the property is appropriate, staff will prepare Conditions and Restrictions that for review at the October 13<sup>th</sup> Plan Commission meeting.

**Options/Alternatives:** The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit Amendment request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

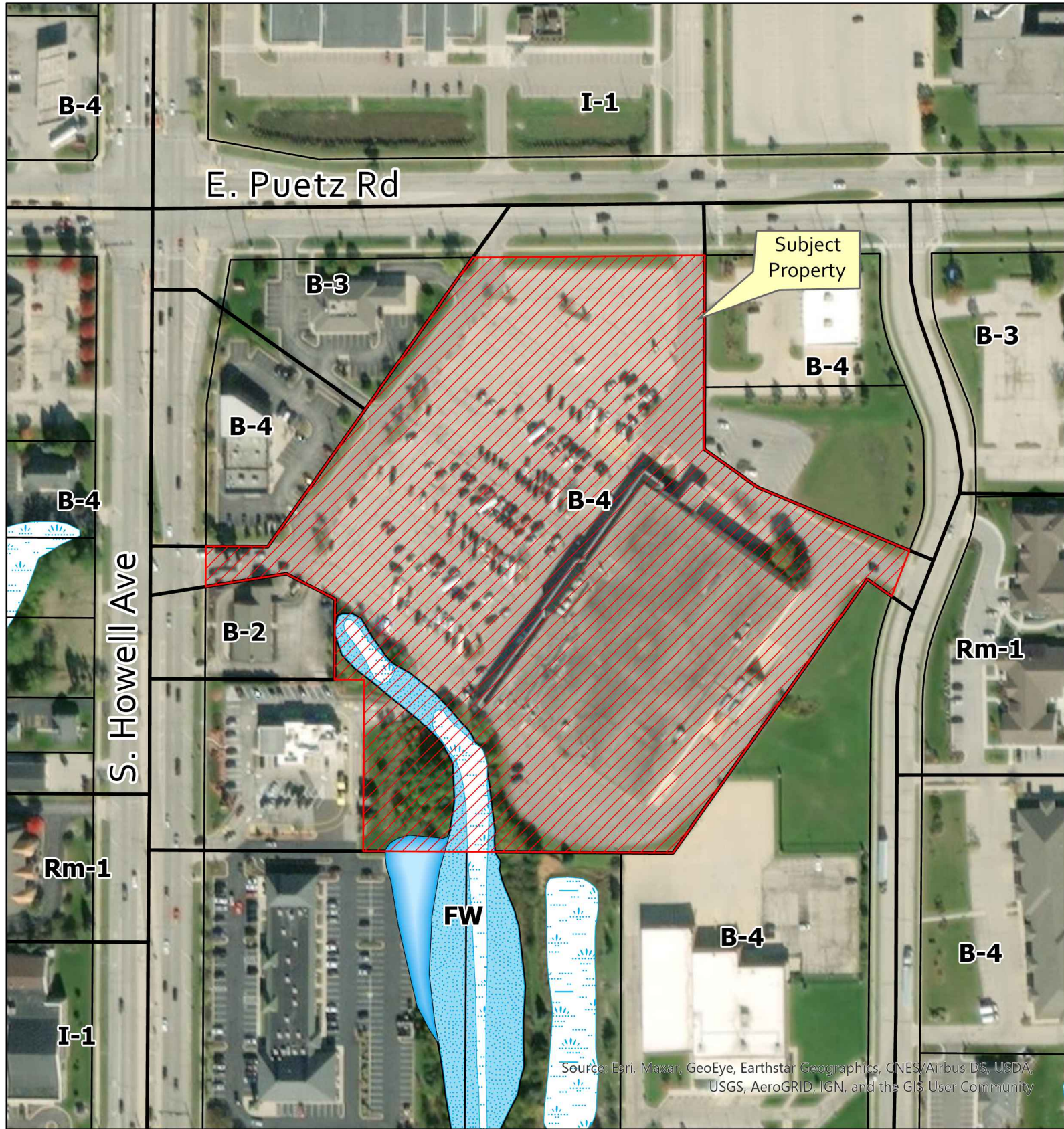
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**Attachments:**

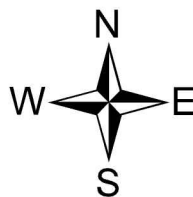
- Location Map
  - Cover letter dated August 24, 2020 (1 page)
  - Aerial Map (1 page)
  - Entrance Elevation Photo (1 page)
  - Proposed Amended Conditions and Restrictions
-

# Location Map

## 8770 S. Howell Ave



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



**Legend**

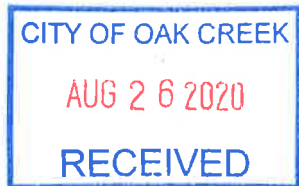
-  8770 S. Howell Ave
-  DNR Wetlands Inventory
-  Flood Plain (2008)
-  Floodway (2008)

**ROUNDY'S SUPERMARKETS, INC.**

PICK 'N SAVE · COPPS · METRO MARKET · MARIANO'S

---

PO Box 473  
Milwaukee, WI 53201  
414-231-5000



August 24, 2020

**VIA GROUND COURIER**

City of Oak Creek  
Community Development; Attn: Kari Papelbon  
8040 S 6<sup>th</sup> St  
Oak Creek, WI 53154

Dear Ms. Papelbon:

Enclosed please find two plan commission applications, two conditional use permit applications and check for the fees. These are for the propane exchange programs at the Pick 'n Save stores located at 8770 S Howell Ave and 2320 W Ryan Rd.

Please contact me with any questions you may have at 414-231-5978 or [tammy.koch@roundys.com](mailto:tammy.koch@roundys.com).

Thank you for your assistance.

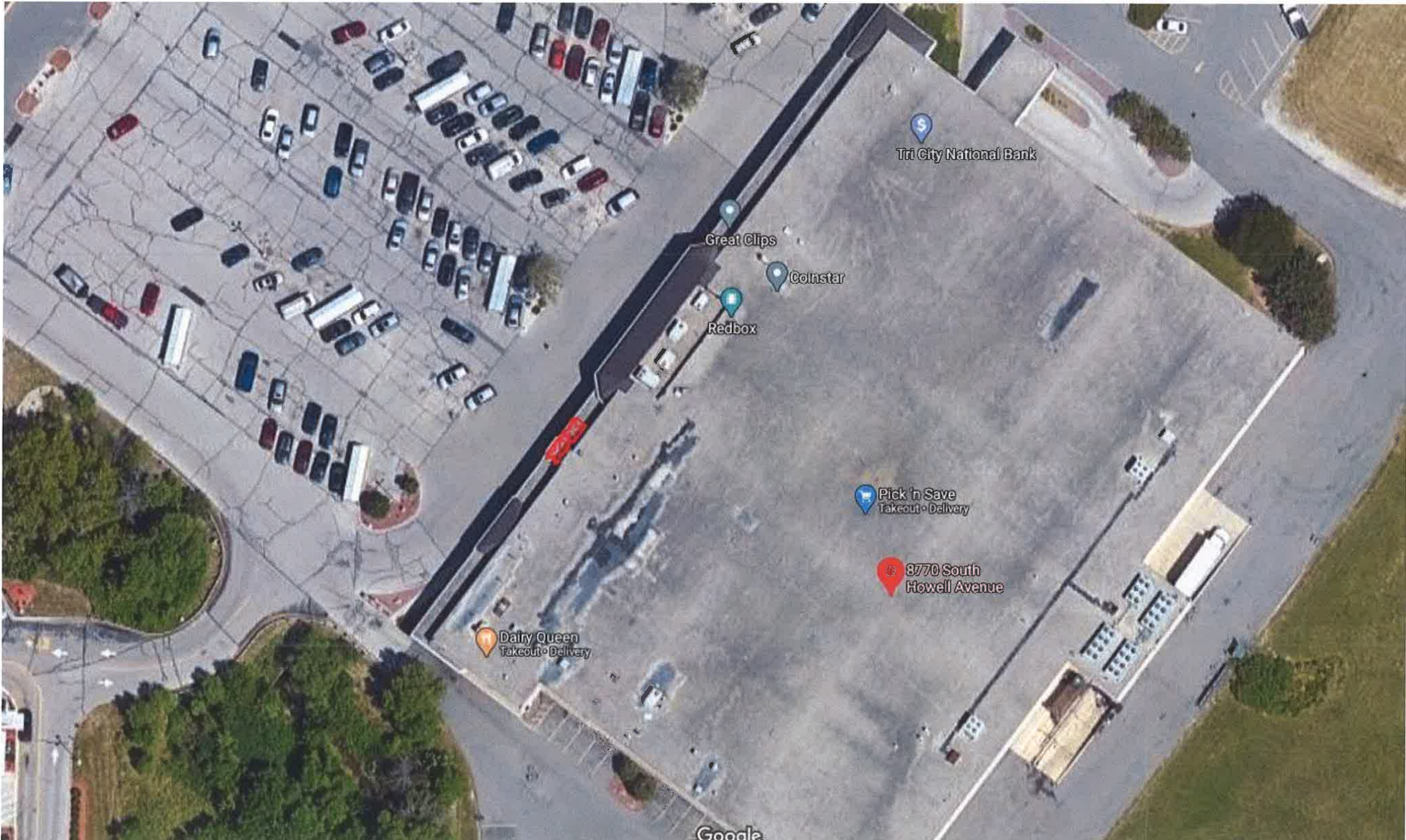
Very truly yours,

ROUNDY'S SUPERMARKETS, INC.

Tammy Koch  
Administrative Assistant

Enclosure





Tri City National Bank

Great Clips

Colinstar

Redbox

Pick 'n Save  
Takeout • Delivery

8770 South  
Howell Avenue

Dairy Queen  
Takeout • Delivery

Google





Wall to Fire Lane = 11'

\* Combustible material  
10 feet of separation.

8' 6" Cage to Fire Lane

Cage Dimensions  
Height: 70"  
Width: 44"  
Depth: 30"

**City of Oak Creek – Conditional Use Permit (CUP)  
DRAFT AMENDED Conditions and Restrictions**

**Applicant:** Mega Marts, LLC (dba Pick 'n' Save #862)  
**Property Address:** 8770 S. Howell Ave.  
**Tax Key Number:** 860-9041-000  
**Conditional Use:** Drive-through bank and restaurant facilities; **Outdoor storage and display of propane retail merchandise**

**Approved by Plan Commission:** TBD  
**Approved by Common Council:** TBD  
(Ord. XXXX, Amending Ord. 1808)

1. LEGAL DESCRIPTION

CSM NO. 7756 LOT 3 NW 1/4 SEC 21-5-22 (10.2006 AC).

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Conditional Use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

**1. General Development Plan**

- a. Detailed building/structure location(s) with setbacks
- b. Square footage of all buildings/structures
- c. Area(s) for future expansion
- d. Area(s) to be paved
- e. Access drive(s) (width and location)
- f. Sidewalk location(s)
- g. Parking layout and traffic circulation
  - i. Location(s) and future expansion
  - ii. Number of employees and/or patrons
  - iii. Number of parking spaces
  - iv. Dimensions, movements, queueing
  - v. Setbacks
- h. Location(s) of loading berth(s)
- i. Sanitary sewer (existing & proposed)
- j. Water (existing & proposed)
- k. Storm sewer (existing & proposed)
- l. Wetland boundaries (field verified)
- m. Flood hazard area boundaries
- n. Location(s) & details of sign(s)
- o. Location(s) & details of proposed fences/gates/walls

**2. Landscape Plan**

- a. Screening plan, including parking lot & utilities screening/berming
- b. Planting number, sizes, types, & details
- c. Percentage open/green space

**3. Building Plan**

- a. Architectural elevations (w/dimensions)
- b. Building floor plans
- c. Construction materials, colors, percentages

**4. Lighting Plan**

- a. Types & color of fixtures, shields
- b. Mounting heights
- c. Type, height, and color of poles
- d. Photometrics of proposed fixtures

**5. Grading, Drainage, & Stormwater Management Plan**

- a. Contours (existing & proposed)
- b. Storm sewer (existing and proposed)
- c. Stormwater management structures and basins/green infrastructure (if required)

**6. Fire Protection**

- a. Locations of existing & proposed fire hydrants
- b. Interior floor plan(s)
- c. Materials of construction

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for

approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.

E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

### 3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

A. **Drive-through restaurant facilities (approved by Ord. 1808), drive-through banking facilities (approved by Ord. 1808), and one (1) area for the outdoor storage and display of retail merchandise limited to one (1) propane cage on the south elevation of the building are allowed in conformance with these conditions and restrictions.**

#### B. **Outdoor Storage and Display of Retail Merchandise**

- i. **Limited to one (1) propane cage measuring 70" (h) x 44" (w) x 30" (d) in accordance with all fire protection requirements and Codes is allowed on the south elevation of the Pick 'n' Save storefront. No other outdoor storage or outdoor display of any retail merchandise is allowed**
- ii. **The cage must be located at least 5 feet from any doorway or opening in a building frequented by the public where occupants have at least two means of egress OR at least 10 feet from any doorway or opening in a building or sections of a building that has only one means of egress as defined by NFPA 101, *Life and Safety Code*.**
- iii. **On-site filling of liquid propane (LP) tanks is prohibited.**
- iv. **Fire department connections on the building shall not be blocked with any fencing, signage, or landscaping.**

C. Solid waste collection and recycling shall be the responsibility of the owner.

D. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the landowner(s).

E. Signs for this development shall be in accordance with Sections 17.0701-17.0715 (as amended).

### 4. PARKING AND ACCESS

Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended), and the following:

A. Restaurant – 1 space per 150 square feet of floor area.

B. Bank – 1 space per 300 square feet of floor area.

C. Food store (retail) – 1 space per 250 square feet of floor area.

### 5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code (as amended).

6. SETBACKS\*

	Front and Street Setback	Rear (North) Setback	Side Setback
Principal Structure	25 ft	20 ft	10 ft
Accessory Structure*	25 ft	20 ft	10 ft
Off-Street Parking	25 ft	10 ft	10 ft

*\*No accessory structures shall be permitted in the front yard or in required buffer yards.*

7. TIME OF COMPLIANCE

The operator(s) of the Conditional Use Permit shall commence work in accordance with these conditions and restrictions for the Conditional Use Permit within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a Conditional Use Permit. This Conditional Use Permit approval shall expire within twelve (12) months after the date of adoption of the ordinance if a building, occupancy, or other required permit has not been issued for this use OR if the use has not been established prior to the expiration of this Conditional Use Permit. The applicant shall re-apply for a Conditional Use approval prior to recommencing work, construction, or establishing the use.

8. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

9. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City Ordinances.

10. REVOCAION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

\_\_\_\_\_  
Owner / Authorized Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)

DRAFT

**EXHIBIT A: PROPANE CAGE SITE PLAN**





## PLAN COMMISSION REPORT

Proposal: Plan Review – Accessory Equipment Building

Description: Site and building plan review for a proposed accessory equipment building west of the existing building on the property.

Applicant(s): Errol Outarsingh, Verizon Wireless

Address(es): 7555 S. 10<sup>th</sup> St.

**Suggested Motion:** That the Plan Commission approves site and building plans submitted by Errol Outarsingh, Verizon Wireless, for the property at 7555 S. 10<sup>th</sup> St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Owner(s): KB & CD HOLDINGS, LLC

Tax Key(s): 783-9033-000

Lot Size(s): 1.603 ac

Current Zoning District(s): M-1, Manufacturing

Overlay District(s): N/A

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Industrial

### Background:

The Applicant is requesting site and building plan approval for a proposed 11' 6" x 28' 6" prefabricated concrete accessory equipment building (unstaffed) for Verizon Wireless at 9905 S. 13<sup>th</sup> St. As proposed, the location of the building within a 25' x 50' lease area meets all setback requirements, and located on existing impervious surface. The lease area will be secured by a 6-foot-tall chain link fence topped with barbed wire,

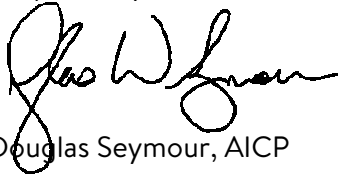
and 12-foot-wide gates on the north and west. Two (2) additional gates are proposed to be installed by the landowner at the ends of the existing access drives, the north of which will be paved to the proposed building.

No other changes are proposed to the existing building, operation, or site. Existing landscaping will be unaffected by the proposed building, which will be fully screened from S. 10<sup>th</sup> St. by the existing building.

**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).

---

Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

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**Attachments:**

Location Map

Narrative (1 page)

Plans

Lease Exhibit (3 pages)

Site & Civil Plans, C111 – C503 (6 pages)

Architectural Plans A101-A301 (2 pages)

Utility Plan E102 (1 page)

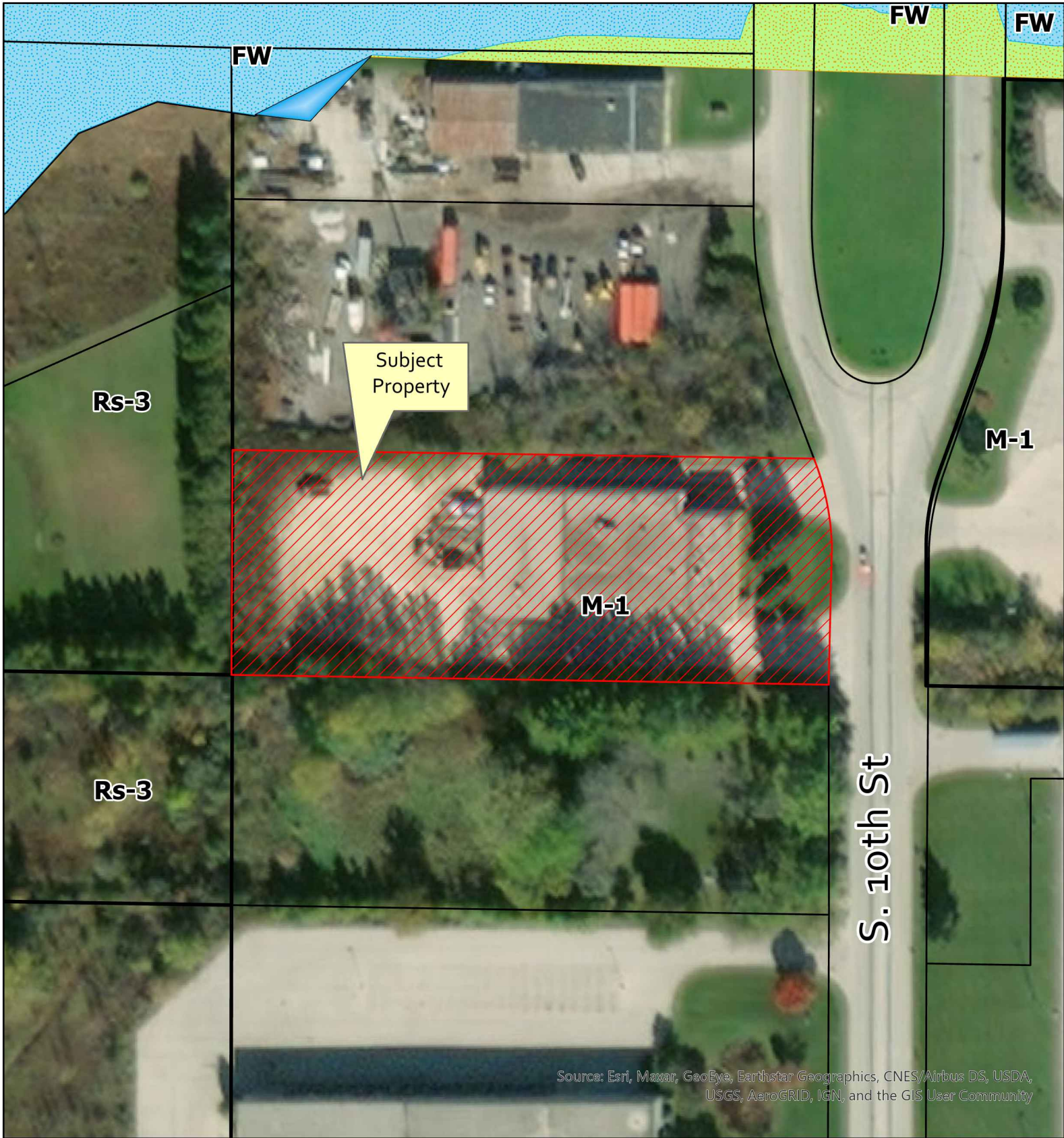
Equipment Shelter Cut Sheet (1 page)

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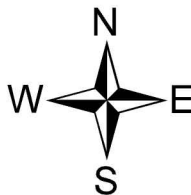


# Location Map



## 7555 S. 10th St



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



### Legend

-  7555 S 10th St
-  Flood Plain (2008)
-  Floodway (2008)
-  Environmental Corridor



## **Written Site Plan Description for Conditional Use: Verizon CRAN Equipment Shelter at 7555 S 10<sup>th</sup> Street**

The proposed Verizon telecommunication CRAN facility located at 7555 S 10<sup>th</sup> Street is zoned M-1 and per the Zoning Code Public Services and Utilities are permitted within the M-1 district. The proposed facility will be in harmony with the district as it will be un-staffed and upon completion, will require only infrequent maintenance visits (approximately one or two times a month) by a service technician. The physical dimensions include a 11'-6" x 28'-6" equipment shelter located in a 25' x 50' lease area. The shelter will be protected by a double gated chain link fence.

The facility is designed to be entirely self-monitored by sophisticated computers which connect directly to a central office which alert personnel to equipment malfunction or breach of security. The facility will be designed and constructed to meet applicable governmental and industry safety standards. Specifically, installation will comply with all local, state and FCC rules governing construction requirements, technical standards, and interference protection.

Verizon has been sensitive in selecting a site and design that will minimize the impact on the surrounding area, its facility will be compatible with the existing character of the district. Typical CRAN shelter installations have a small footprint and blend in with the existing use, there will be little impact on the use and enjoyment of property in the immediate vicinity for the purposes already permitted, nor will there be an adverse effect on property values.

Additionally, the CRAN facility will be unstaffed, and accordingly, there will be no impact to the existing traffic patterns nor will there be any traffic hazards or nuisances generated. This site will be visited on the average of once or twice monthly by maintenance personnel, and thus, the safety and efficiency of public streets will be maintained. Access to the facility will be via an existing access drive.

The only utilities required to service the site are fiber, gas and electricity, all of which are available on site. No drainage, sanitation, refuse removal, parks, library, or school services will be necessary for this facility. The facility will be compatible with the existing character of the district and will be harmonious with the existing principle structure on the property and fencing be compliant to city code requirements.

The proposed facility is designed to optimize and allocate essential RF resources in the Verizon network in and around the Stoughton area. The net results of the implementation of CRAN technology in the area will provide private, public, business and first responders an improved enhanced wireless experience. Verizon is seeking approval and believes the proposed conditional use is appropriate as evidenced by compliance with the district standards.

**BENCHMARK INFORMATION**

SITE BENCHMARK: (BM A)  
 SET RAILROAD SPIKE IN A 3/4" IRON PIPE,  
 ±170' WEST OF BUILDING  
 ELEVATION: 722.21'

CALL DIGGERS HOTLINE TOLL FREE  
 1(800)242-8511  
 OPERATES 24 HOURS A DAY  
 365 DAYS A YEAR

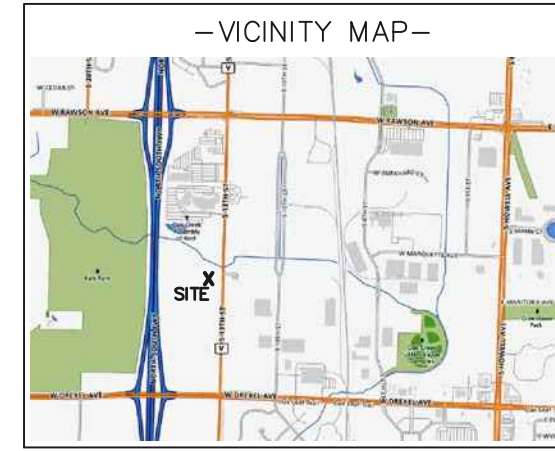


48 HOURS BEFORE YOU DIG

**-LEGEND-**

- = 1" X 18" IRON PIPE SET
- = 1" IRON PIPE FOUND
- ⊙ = CONCRETE POST
- ∩ = DOOR
- ⊗ = WATER VALVE
- ⊕ = STORM INLET (ROUND)
- ⊖ = GAS METER
- ⊞ = FIBER OPTIC PEDESTAL
- ⊛ = LIGHT POLE
- ⊜ = EXISTING POWER POLE
- B.O.C. = BACK OF CURB
- ST — ST — = STORM SEWER MAIN
- T — T — = BURIED TELEPHONE
- E — E — = BURIED ELECTRIC
- DPL — DPL — = OVERHEAD ELECTRIC
- G — G — = BURIED GAS LINE
- ~~~~~ = EDGE OF BRUSH/WOODS
- - - - - = PROPERTY LINE
- ⊕ = EXISTING BUSH

**-VICINITY MAP-**



SURVEYED FOR:



600 Busse Highway  
 Park Ridge, IL 60068  
 OFFICE: (847) 698-6400  
 FAX: (678) 444-4472

SURVEYED FOR:



1515 WOODFIELD ROAD  
 SUITE 1400  
 SCHAUMBURG, IL 60173



N9637 Friendship Drive Office: 920-993-0881  
 Kaukauna, WI 54130 Fax: 920-273-6037

SITE NAME:  
**IL WI OAK CREEK ATC-A**

SITE NUMBER:  
**465846**

SITE ADDRESS:  
**7555 S. 10TH STREET  
 OAK CREEK, WI 53154**

PROPERTY OWNER:  
 KB & CD HOLDINGS, LLC  
 7555 S. 10TH STREET  
 OAK CREEK, WI 53154

PARCEL NO.: 7839033000

ZONED: M-1

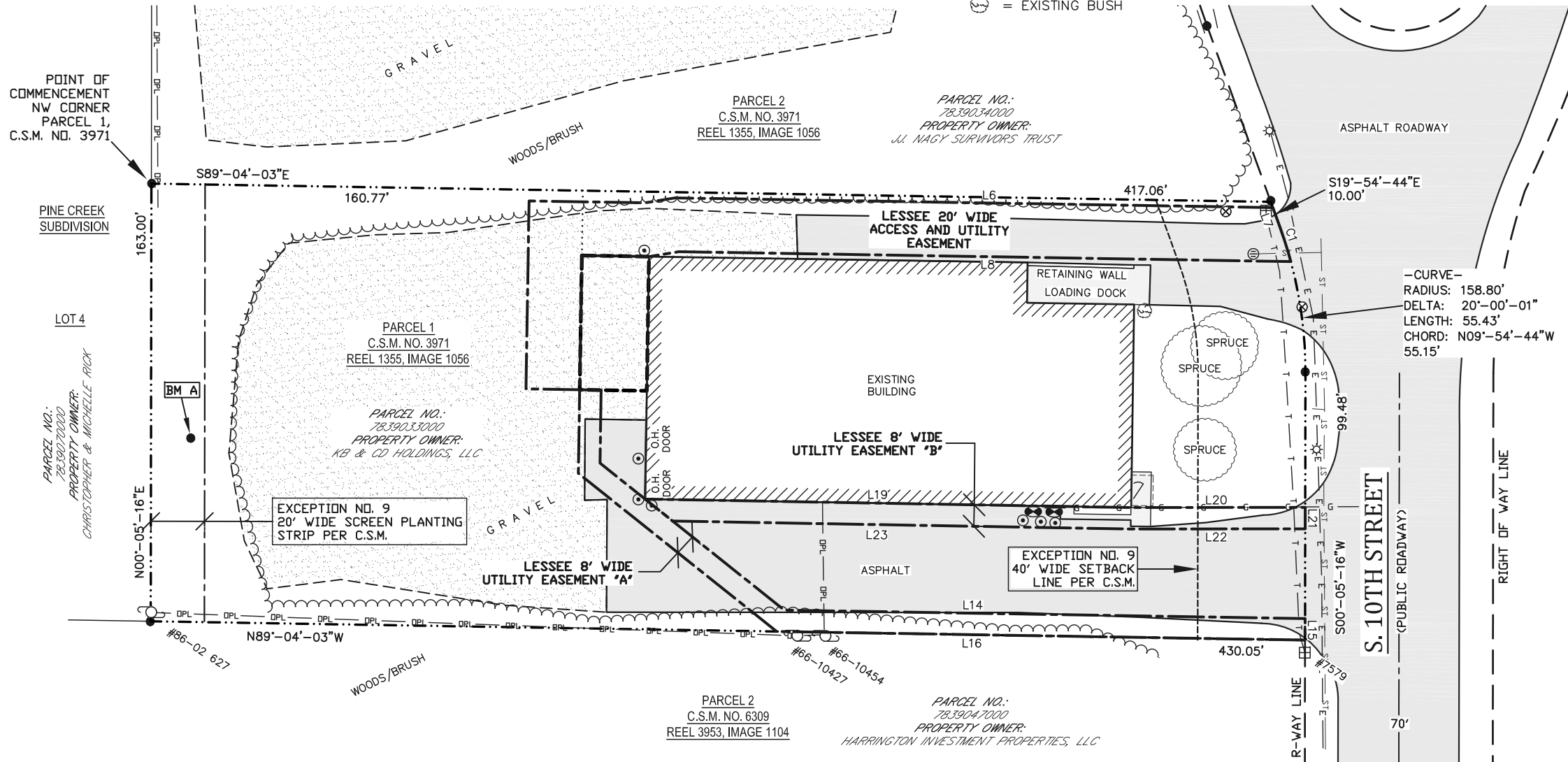
DEED: DOCUMENT NO. 10195953

**LEASE EXHIBIT**

FOR  
 VERIZON WIRELESS PERSONAL  
 COMMUNICATIONS LP d/b/a VERIZON WIRELESS  
 BEING A PART OF THE NW1/4 OF THE  
 SW1/4, SECTION 8, T.5N., R.22E., CITY  
 OF OAK CREEK, MILWAUKEE COUNTY,  
 WISCONSIN

NO.	DATE	DESCRIPTION	BY
2	8-7-20	Added Title Report & Lease	JB
1	6-25-20	Preliminary Survey	JD

<b>DRAWN BY:</b> J.D.	<b>FIELD WORK DATE:</b> 6-18-20
<b>CHECKED BY:</b> C.A.K.	<b>FIELD BOOK:</b> M-57, PG. 39
<b>JOB NO.:</b> 12117	<b>SHEET</b> 1 OF 3



BEARINGS REFERENCED TO THE WISCONSIN  
 STATE PLANE COORDINATE SYSTEM  
 (NAD27) - SOUTH ZONE AND THE NORTH  
 LINE OF PARCEL 1, C.S.M. NO. 3971,  
 WHICH BEARS: S89°-04'-03"E

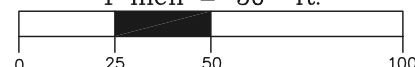
**SURVEYOR'S CERTIFICATE**

I, Craig A. Keach, Professional Land Surveyor of Meridian Surveying, LLC., certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WISCONSIN PROFESSIONAL LAND SURVEYOR  
 Craig A. Keach, S-2333

**GRAPHIC SCALE**  
 1 inch = 50 ft.



**SURVEY NOTES:**

-THE LOCATION OF THE EXISTING UTILITIES, AS SHOWN ON THIS PLAN, ARE APPROXIMATE ONLY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ACTUAL LOCATION AND DEPTH OF ALL EXISTING UTILITIES. THE OWNER AND THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY OMISSION OR VARIATION FROM THE LOCATION SHOWN.

-DIGGERS HOTLINE TICKET NO. 20202503090.

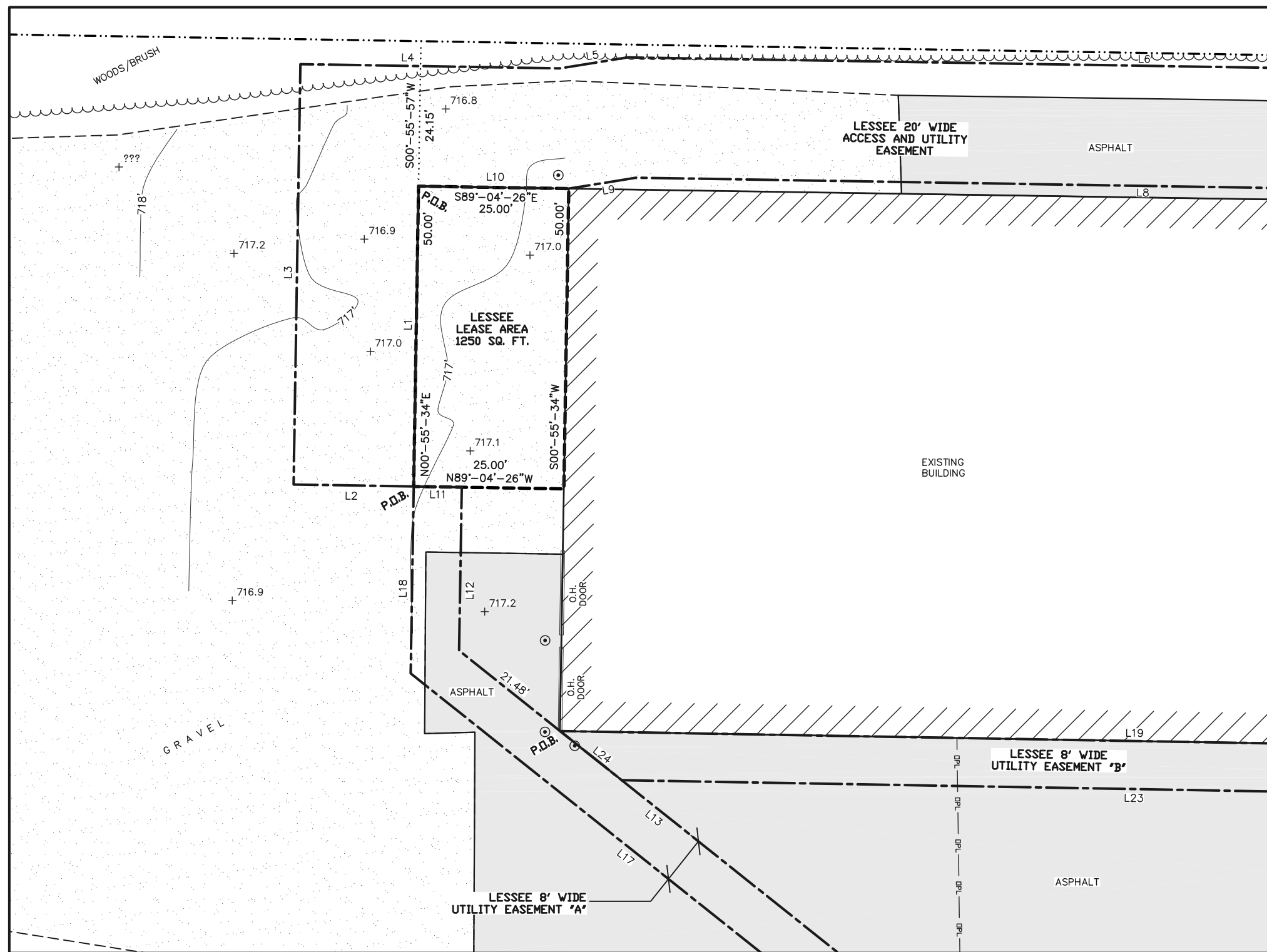
-PRIVATE UTILITIES MARKED ON 6-18-2020.

-THIS IS NOT A BOUNDARY SURVEY OF THE PARENT PARCEL. THIS SURVEY REPRESENTS THE LEASE AREA AND EASEMENTS ONLY.

-ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD MAPS, THE EXISTING TELECOMMUNICATIONS SITE IS LOCATED IN ZONE "X", FIRM PANEL NO. 55079C0166E, DATED SEPTEMBER 26 2008, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. ZONE "X" IS DESIGNATED AS: "AREA OF MINIMAL FLOOD HAZARD".

**WETLAND NOTE:**

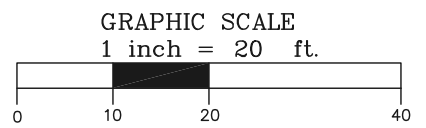
-THE PRESENCE AND LOCATION OF WETLANDS HAS NOT BEEN DETERMINED ON THIS PROPERTY. WETLANDS SHOULD ONLY BE DETERMINED BY ACTUAL FIELD DELINEATION PERFORMED BY A QUALIFIED WETLAND SPECIALIST.



- LEGEND-**
- = 1" X 18" IRON PIPE SET
  - = 1" IRON PIPE FOUND
  - ⊙ = CONCRETE POST
  - ⌒ = DOOR
  - ⊗ = WATER VALVE
  - ⊕ = STORM INLET (ROUND)
  - ⊙ = GAS METER
  - ⊕ = FIBER OPTIC PEDESTAL
  - ⊙ = LIGHT POLE
  - ⊙ = EXISTING POWER POLE
  - B.O.C. = BACK OF CURB
  - ST — ST = STORM SEWER MAIN
  - T — T = BURIED TELEPHONE
  - E — E = BURIED ELECTRIC
  - DPL — DPL = OVERHEAD ELECTRIC
  - G — G = BURIED GAS LINE
  - ~~~~~ = EDGE OF BRUSH/WOODS
  - - - - - = PROPERTY LINE

LINE TABLE		
Line #	Direction	Length
L1	S00°55'34"W	50.00'
L2	N89°04'26"W	20.00'
L3	N00°55'34"E	70.00'
L4	S89°04'26"E	43.23'
L5	N80°48'00"E	11.38'
L6	S89°04'26"E	222.66'
L7	S19°54'44"E	7.74'
L8	N89°04'26"W	227.89'
L9	S80°48'00"W	11.38'
L10	N89°04'26"W	25.00'
L11	S89°04'26"E	8.00'
L12	S00°55'34"W	27.21'
L13	S51°25'46"E	87.82'
L14	S89°04'03"E	194.01'
L15	S00°05'16"W	8.00'
L16	N89°04'03"W	196.86'
L17	N51°25'46"W	94.48'
L18	N00°55'34"E	31.14'
L19	S89°00'20"E	181.12'
L20	N89°56'09"E	64.81'
L21	S00°05'16"W	8.00'
L22	S89°56'09"W	64.87'
L23	N89°00'20"W	170.80'
L24	N51°25'46"W	13.12'

CURVE TABLE					
Curve #	Radius	Length	Delta	Chord	
C1	158.80'	13.46	004°51'28"	S17°29'01"E	13.46'



**SURVEYOR'S CERTIFICATE**  
I, Craig A. Keach, Professional Land Surveyor of Meridian Surveying, LLC., certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WISCONSIN PROFESSIONAL LAND SURVEYOR  
Craig A. Keach, S-2333

BEARINGS REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM (NAD27) - SOUTH ZONE AND THE NORTH LINE OF PARCEL 1, C.S.M. NO. 3971, WHICH BEARS: S89°-04'-05"E



SURVEYED FOR:

600 Busse Highway  
Park Ridge, IL 60068  
OFFICE: (847) 698-6400  
FAX: (678) 444-4472

SURVEYED FOR:

1515 WOODFIELD ROAD  
SUITE 1400  
SCHAUMBURG, IL 60173

**MERIDIAN**  
**SURVEYING, LLC**

N9637 Friendship Drive Office: 920-993-0881  
Kaukauna, WI 54130 Fax: 920-273-6037

**SITE NAME:**  
IL WI OAK CREEK ATC-A

**SITE NUMBER:**  
465846

**SITE ADDRESS:**  
7555 S. 10TH STREET  
OAK CREEK, WI 53154

**PROPERTY OWNER:**  
KB & CD HOLDINGS, LLC  
7555 S. 10TH STREET  
OAK CREEK, WI 53154

**PARCEL NO.:** 7839033000

**ZONED:** M-1

**DEED:** DOCUMENT NO. 10195953

**LEASE EXHIBIT**  
FOR  
VERIZON WIRELESS PERSONAL  
COMMUNICATIONS LP d/b/a VERIZON WIRELESS  
BEING A PART OF THE NW1/4 OF THE  
SW1/4, SECTION 8, T.5N., R.22E., CITY  
OF OAK CREEK, MILWAUKEE COUNTY,  
WISCONSIN

NO.	DATE	DESCRIPTION	BY
2	8-7-20	Added Title Report & Lease	JB
1	6-25-20	Preliminary Survey	JD

<b>DRAWN BY:</b> J.D.	<b>FIELD WORK DATE:</b> 6-18-20
<b>CHECKED BY:</b> C.A.K.	<b>FIELD BOOK:</b> M-57, PG. 39
<b>JOB NO.:</b> 12117	<b>SHEET</b> 2 <b>OF</b> 3

LESSEE LEASE PARCEL

BEING A PART OF PARCEL ONE (1) OF CERTIFIED SURVEY MAP NO. 3971 AS RECORDED IN REEL 1355, IMAGE 1056 AS DOCUMENT NO. 5456657, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHT (8), TOWNSHIP FIVE (5) NORTH, RANGE TWENTY-TWO (22) EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN CONTAINING 1,250 SQUARE FEET (0.029 ACRES) OF LAND AND BEING DESCRIBED BY:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO. 3971; THENCE S89°-04'-03"E 160.77 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S00°-55'-57"W 24.15 FEET TO THE POINT OF BEGINNING; THENCE S89°-04'-26"E 25.00 FEET; THENCE S00°-55'-34"W 50.00 FEET; THENCE N89°-04'-26"W 25.00 FEET; THENCE N00°-55'-34"E 50.00 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

LESSEE 20' WIDE ACCESS & UTILITY EASEMENT

BEING A PART OF PARCEL ONE (1) OF CERTIFIED SURVEY MAP NO. 3971 AS RECORDED IN REEL 1355, IMAGE 1056 AS DOCUMENT NO. 5456657, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHT (8), TOWNSHIP FIVE (5) NORTH, RANGE TWENTY-TWO (22) EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN CONTAINING 6,615 SQUARE FEET (0.152 ACRES) OF LAND AND BEING DESCRIBED BY:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO. 3971; THENCE S89°-04'-03"E 160.77 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S00°-55'-57"W 24.15 FEET TO THE POINT OF BEGINNING; THENCE S00°-55'-34"W 50.00 FEET; THENCE N89°-04'-26"W 20.00 FEET; THENCE N00°-55'-34"E 70.00 FEET; THENCE S89°-04'-26"E 43.23 FEET; THENCE N80°-48'-00"E 11.38 FEET; THENCE S89°-04'-26"E 222.66 FEET TO A POINT ON THE WEST LINE OF S. 10TH STREET; THENCE S19°-54'-44"E 7.74 FEET ALONG SAID WEST LINE OF S. 10TH STREET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID WEST LINE OF S. 10TH STREET 13.46 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 158.80 FEET AND A CHORD WHICH BEARS S17°-29'-01"E 13.46 FEET; THENCE N89°-04'-26"W 227.89 FEET; THENCE S80°-48'-00"W 11.38 FEET; THENCE N89°-04'-26"W 25.00 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

LESSEE 8' WIDE UTILITY EASEMENT "A"

BEING A PART OF PARCEL ONE (1) OF CERTIFIED SURVEY MAP NO. 3971 AS RECORDED IN REEL 1355, IMAGE 1056 AS DOCUMENT NO. 5456657, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHT (8), TOWNSHIP FIVE (5) NORTH, RANGE TWENTY-TWO (22) EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN CONTAINING 2,526 SQUARE FEET (0.058 ACRES) OF LAND AND BEING DESCRIBED BY:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO. 3971; THENCE S89°-04'-03"E 160.77 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S00°-55'-57"W 24.15 FEET; THENCE S00°-55'-34"W 50.00 FEET TO THE POINT OF BEGINNING; THENCE S89°-04'-26"E 8.00 FEET; THENCE S00°-55'-34"W 27.21 FEET; THENCE S51°-25'-46"E 87.82 FEET; THENCE S89°-04'-03"E 194.01 FEET TO A POINT ON THE WEST LINE OF S. 10TH STREET; THENCE S00°-05'-16"W 8.00 FEET ALONG SAID WEST LINE OF S. 10TH STREET; THENCE N89°-04'-03"W 196.86 FEET; THENCE N51°-25'-46"W 94.48 FEET; THENCE N00°-55'-34"E 31.14 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

LESSEE 8' WIDE UTILITY EASEMENT "A"

BEING A PART OF PARCEL ONE (1) OF CERTIFIED SURVEY MAP NO. 3971 AS RECORDED IN REEL 1355, IMAGE 1056 AS DOCUMENT NO. 5456657, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHT (8), TOWNSHIP FIVE (5) NORTH, RANGE TWENTY-TWO (22) EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN CONTAINING 1,926 SQUARE FEET (0.044 ACRES) OF LAND AND BEING DESCRIBED BY:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO. 3971; THENCE S89°-04'-03"E 160.77 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S00°-55'-57"W 24.15 FEET; THENCE S00°-55'-34"W 50.00 FEET; THENCE S89°-04'-26"E 8.00 FEET; THENCE S00°-55'-34"W 27.21 FEET; THENCE S51°-25'-46"E 21.48 FEET TO THE POINT OF BEGINNING; THENCE S89°-00'-20"E 181.12 FEET; THENCE N89°-56'-09"E 64.81 FEET TO A POINT ON THE WEST LINE OF S. 10TH STREET; THENCE S00°-05'-16"W 8.00 FEET ALONG SAID WEST LINE OF S. 10TH STREET; THENCE S89°-56'-09"W 64.87 FEET; THENCE N89°-00'-20"W 170.80 FEET; THENCE N51°-25'-46"W 13.12 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

PARENT PARCEL

ALL THAT PARCEL OF LAND IN THE IN THE COUNTY OF MILWAUKEE AND STATE OF WISCONSIN AS MORE FULLY DESCRIBED IN DEED DOCUMENT NUMBER 10195953 AND PARCEL # 7839033000, BEING KNOWN AND DESIGNATED AS:

PARCEL NUMBER: 7839033000

BEING THE SAME PROPERTY ACQUIRED BY KB & CD HOLDINGS, LLC BY DEED OF COMMERCIAL BUILDERS CORP., DATED 12/07/2012 AND RECORDED 12/19/2012 IN DOCUMENT NUMBER : 10195953

TITLE REPORT REVIEW

TITLE REPORT: AMC SETTLEMENT SERVICES

COMMITMENT NO. 50011297

EFFECTIVE DATE: JUNE 6, 2020

FEE SIMPLE TITLE VESTED IN: KB & CD HOLDINGS, LLC

NOTE: THE STATEMENT OF APPLICABILITY REFERS TO THE LEASED PREMISES AND ANY EASEMENTS PERTINENT THEREUNTO WHERE SPECIFIC ENCUMBRANCES AFFECT THE LEASED PREMISES AND/OR A PERTINENT EASEMENT, THEY ARE IDENTIFIED AS SUCH.

SCHEDULE B-II

(1-8)THESE ARE GENERAL STATEMENTS AND MORTGAGES AND NOT SPECIFIC ENCUMBRANCES.

(9) SUBJECT TO ANY MATERS AS MAY BE SHOWN ON THE FOLLOWING PLATS:

CERTIFIED SURVEY MAP RECORDED 6/30/1965 IN REEL 254, IMAGE 2478, MILWAUKEE COUNTY RECORDS.

CERTIFIED SURVEY MAP RECORDED 3/30/1966 IN REEL, 300, IMAGE 1195, MILWAUKEE COUNTY RECORDS.

CERTIFIED SURVEY MAP RECORDED 7/7/1967 IN REEL 362, IMAGE 1384, MILWAUKEE COUNTY RECORDS.

CERTIFIED SURVEY MAP NO. 3971 RECORDED 2/5/1981 IN REEL 1355, IMAGE 1056, MILWAUKEE COUNTY RECORDS. **ALL ENCUMBRANCES, IF ANY, ARE PLOTTED AND SHOWN.**

SURVEYED FOR:



600 Busse Highway  
Park Ridge, IL 60068  
OFFICE: (847) 698-6400  
FAX: (678) 444-4472

SURVEYED FOR:



1515 WOODFIELD ROAD  
SUITE 1400  
SCHAUMBURG, IL 60173



N9637 Friendship Drive Office: 920-993-0881  
Kaukauna, WI 54130 Fax: 920-273-6037

SITE NAME:  
IL WI OAK CREEK ATC-A

SITE NUMBER:  
465846

SITE ADDRESS:  
7555 S. 10TH STREET  
OAK CREEK, WI 53154

PROPERTY OWNER:  
KB & CD HOLDINGS, LLC  
7555 S. 10TH STREET  
OAK CREEK, WI 53154

PARCEL NO.: 7839033000

ZONED: M-1

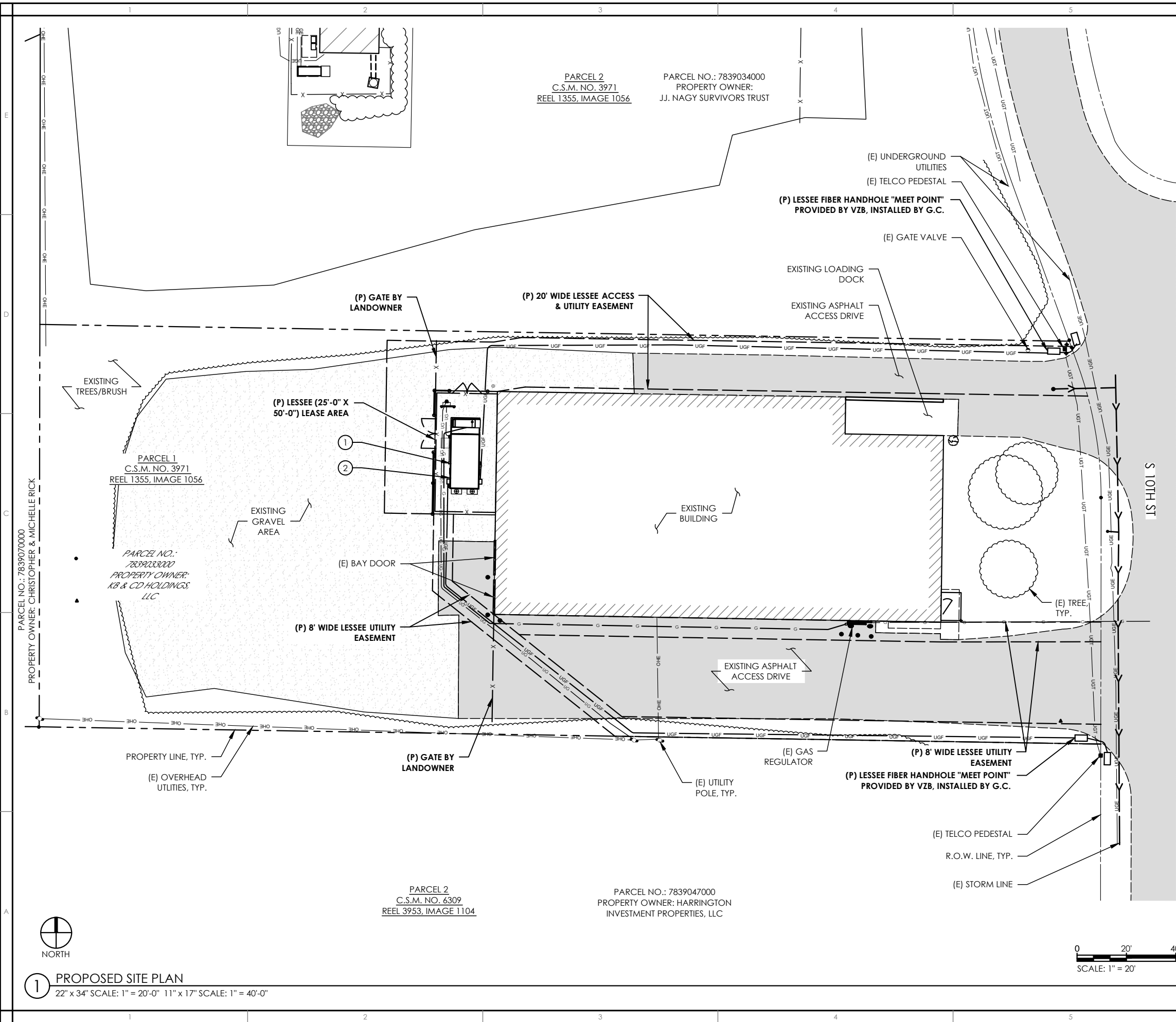
DEED: DOCUMENT NO. 10195953

LEASE EXHIBIT

FOR  
VERIZON WIRELESS PERSONAL  
COMMUNICATIONS LP d/b/a VERIZON WIRELESS  
BEING A PART OF THE NW1/4 OF THE  
SW1/4, SECTION 8, T.5N., R.22E., CITY  
OF OAK CREEK, MILWAUKEE COUNTY,  
WISCONSIN

NO.	DATE	DESCRIPTION	BY
2	8-7-20	Added Title Report & Lease	JB
1	6-25-20	Preliminary Survey	JD

DRAWN BY:	J.D.	FIELD WORK DATE:	6-18-20
CHECKED BY:	C.A.K.	FIELD BOOK:	M-57, PG. 39
JOB NO.:	12117	SHEET	3 OF 3



**NOTES:**

1. SITE GROUNDING SHALL COMPLY WITH VERIZON WIRELESS GROUNDING STANDARDS, LATEST EDITION, AND COMPLY WITH VERIZON WIRELESS GROUNDING CHECKLIST, LATEST VERSION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT THEY SHALL GOVERN.
  2. ANY DAMAGE TO ADJACENT PROPERTIES SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE.
  3. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION.
  4. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING POSITIVE DRAINAGE ON THE SITE AT ALL TIMES. SILT AND EROSION CONTROL SHALL BE MAINTAINED ON THE DOWNSTREAM SIDE IF THE SITE AT ALL TIMES. ANY DAMAGE TO ADJACENT PROPERTIES SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE.
  5. CLEARING OF TREES AND VEGETATION ON THE SITE SHOULD BE HELD TO A MINIMUM. ONLY THE TREES NECESSARY FOR CONSTRUCTION OF THE FACILITIES SHALL BE REMOVED. ANY DAMAGE TO PROPERTY OUTSIDE THE LEASE PROPERTY SHALL BE REPAIRED BY THE CONTRACTOR.
  6. ALL SUITABLE BORROW MATERIAL FOR BACK FILL OF THE SITE SHALL BE INCLUDED IN THE BID. EXCESS TOPSOIL AND UNSUITABLE MATERIAL SHALL BE DISPOSED OF OFF SITE AT LOCATIONS APPROVED BY GOVERNING AGENCIES PRIOR TO DISPOSAL.
  7. SEEDING AND MULCHING OF THE SITE SHALL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER COMPLETION OF THE SITE DEVELOPMENT. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND MAINTAINING AN ADEQUATE COVER OF VEGETATION OVER THE SITE FOR A ONE YEAR PERIOD.
- THE CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED IN THIS DESIGN PACKAGE.

**KEY NOTES:**

- 1 (P) VERIZON WIRELESS 11'-6" X 28'-6" PREFABRICATED EQUIPMENT SHELTER ON NEW FOUNDATION W/ EXTERNAL GENERATOR.
- 2 (P) SHELTER SHALL BE DESIGNED AND MANUFACTURED TO SUPPORT THE PROPOSED FLOOR-MOUNTED EQUIPMENT AND THE WALL-MOUNTED HVAC UNITS WITHIN 25'-0" X 50'-0" LEASE AREA. SUBMIT SHOP DRAWINGS.



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED

PROPOSED CONDUIT LOCATIONS ARE SHOWN SCHEMATICALLY. CONTRACTOR SHALL FIELD VERIFY LOCATIONS PRIOR TO CONSTRUCTION.

**verizon**

THIS DRAWING WAS PREPARED SOLELY FOR THE USE OF VERIZON WIRELESS AND MUST ONLY BE USED BY VERIZON WIRELESS EMPLOYEES, CONTRACTORS, AND VENDORS WHILE PERFORMING THE WORK SHOWN ON THIS DRAWING. ANY OTHER USE OF THIS DRAWING IS FORBIDDEN.

**TERRA**  
CONSULTING GROUP, LTD.  
600 BUSSE HIGHWAY  
PARK RIDGE, IL 60068  
PH: 847-698-6400  
FAX: 847-698-6401

**verizon**

**OAK CREEK**  
LOCATION CODE: 465846  
XXX S 10TH ST  
OAK CREEK, WI 53154

NO.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	07/31/20

NETWORK COMPLIANCE SUBMITTALS	DATE

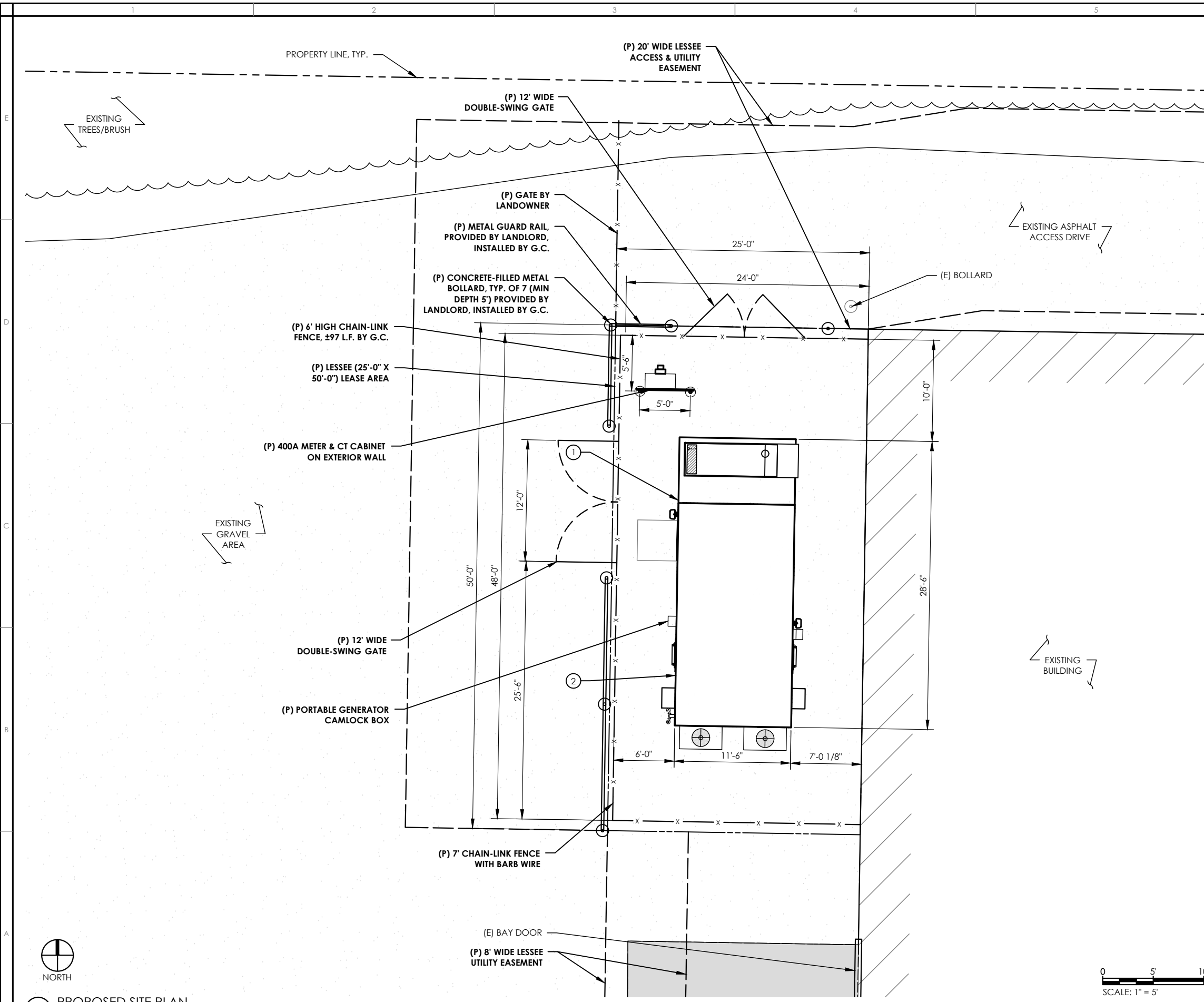
PROJECT #: 140018  
CAD DWG FILE #: 140-018  
DESIGNED BY: TAZ  
DRAWN BY: STE  
CHECKED BY: TAZ  
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**ISSUED FOR REVIEW**

**PROPOSED SITE PLAN**

**C111**

**1 PROPOSED SITE PLAN**  
22' x 34" SCALE: 1" = 20'-0" 11" x 17" SCALE: 1" = 40'-0"



**KEY NOTES:**

- ① (P) VERIZON WIRELESS 11'-6" X 28'-6" PREFABRICATED EQUIPMENT SHELTER ON NEW FOUNDATION W/ EXTERNAL GENERATOR.
- ② SHELTER SHALL BE DESIGNED AND MANUFACTURED TO SUPPORT THE PROPOSED FLOOR-MOUNTED EQUIPMENT AND THE WALL-MOUNTED HVAC UNITS WITHIN 25'-0" X 50'-0" LEASE AREA. SUBMIT SHOP DRAWINGS.

**verizon**

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600 BUSSE HIGHWAY  
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PH: 847-698-6400  
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**verizon**

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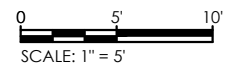
PROJECT #: 140-018  
CAD DWG FILE #: 140-018  
DESIGNED BY: TAZ  
DRAWN BY: STE  
CHECKED BY: TAZ  
COPYRIGHT: 2020

**ISSUED FOR REVIEW**

**CALLERS HOTLINE**  
"Call 3 Work Days Before You Dig!"  
TOLL FREE  
1-800-242-8511  
MILW. AREA  
(414) 259-1181  
TDD  
1-800-542-2289

OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED

PROPOSED CONDUIT LOCATIONS ARE SHOWN SCHEMATICALLY. CONTRACTOR SHALL FIELD VERIFY LOCATIONS PRIOR TO CONSTRUCTION.



① **PROPOSED SITE PLAN**  
22' x 34" SCALE: 1" = 5'-0" 11" x 17" SCALE: 1" = 10'-0"

**PROPOSED SITE PLAN**

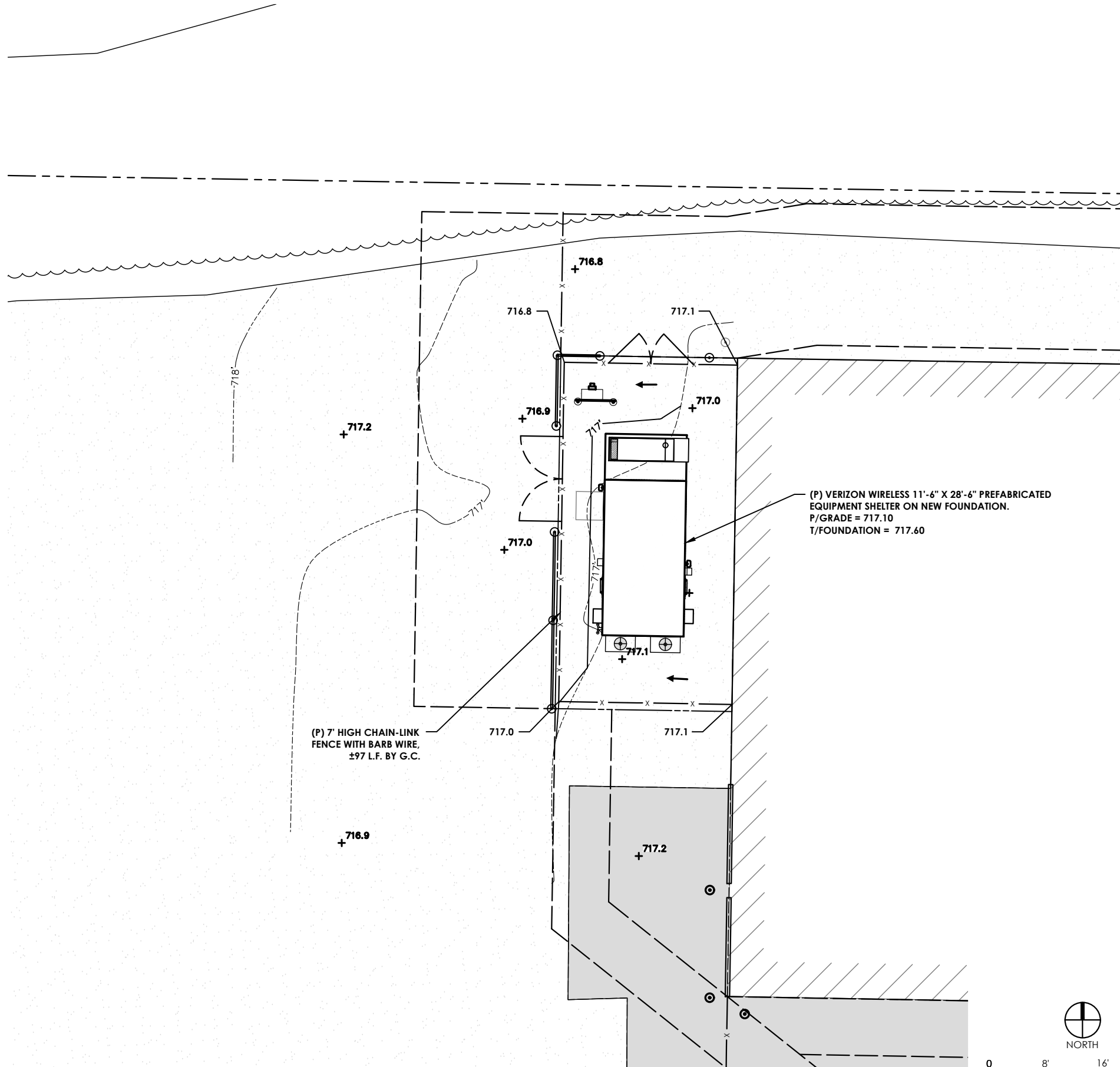
**C112**

**NOTES:**

1. SITE GROUNDING SHALL COMPLY WITH VERIZON WIRELESS GROUNDING STANDARDS, LATEST EDITION, AND COMPLY WITH VERIZON WIRELESS GROUNDING CHECKLIST, LATEST VERSION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT THEY SHALL GOVERN.
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- THE CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED IN THIS DESIGN PACKAGE.

**LEGEND**

- PROPOSED GROUND DRAINAGE FLOW DIRECTION ARROWS**
- ← DRAINAGE DIRECTION ARROW
  - 0.00% GROUND SLOPE% WITH DIRECTION
  - ↔ SUMMIT DRAINAGE DIRECTIONS
  - ~ EXISTING GROUND DRAINAGE FLOW DIRECTION
- PROPOSED SPOT GRADES**
- 000.00 PROPOSED ELEVATION
- PROPOSED LINES**
- - - - - PROPOSED GROUND RIDGE LINE
  - 000 PROPOSED CONTOUR
  - - - - - EXISTING CONTOUR
  - ▣ → ▣ PROPOSED CULVERT & END SECTIONS



1 PROPOSED SITE GRADING PLAN  
22' x 34" SCALE: 1/8" = 1'-0" 11" x 17" SCALE: 1/16" = 1'-0"



THIS DRAWING WAS PREPARED SOLELY FOR THE USE OF VERIZON WIRELESS AND MUST ONLY BE USED BY VERIZON WIRELESS EMPLOYEES, CONTRACTORS, AND VENDORS WHILE PERFORMING THE WORK SHOWN ON THIS DRAWING. ANY OTHER USE OF THIS DRAWING IS FORBIDDEN.



**verizon**  
OAK CREEK  
LOCATION CODE: 465846  
XXX S 10TH ST  
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PROJECT #: 140-018  
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DESIGNED BY: TAZ  
DRAWN BY: BTE  
CHECKED BY: TAZ  
COPYRIGHT: 2020

**ISSUED FOR REVIEW**

**PROPOSED SITE GRADING PLAN**

**C113**

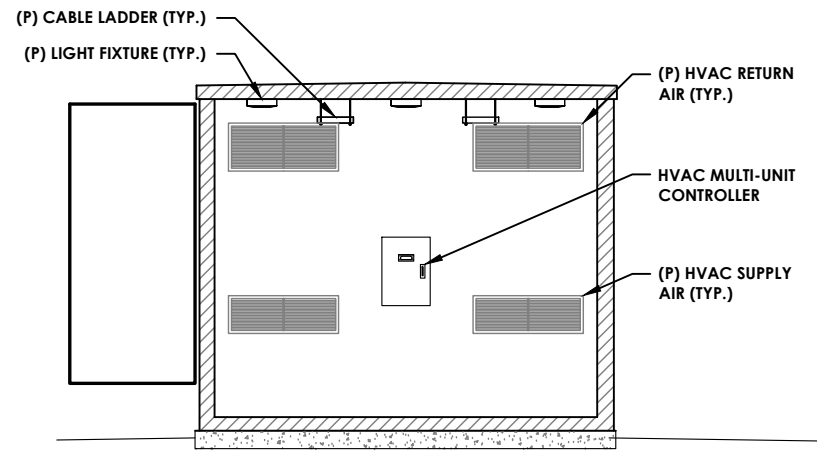






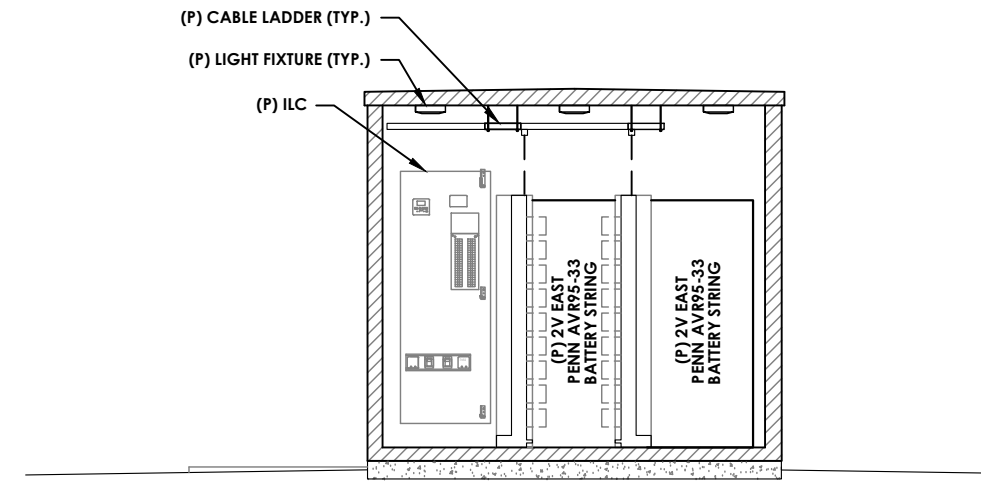




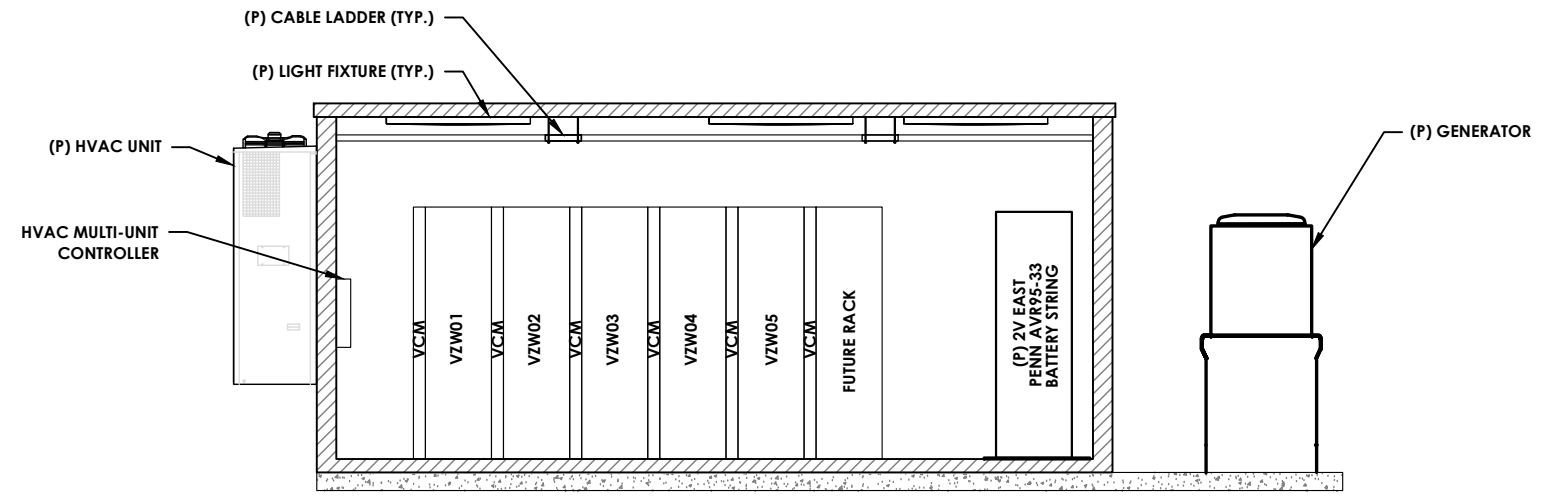


3 BUILDING SECTION  
22" x 34" SCALE: 3/8" = 1'-0" 11" x 17" SCALE: 1/4" = 1'-0"

22" x 34" SCALE: 3/8" = 1'-0" 11" x 17" SCALE: 1/4" = 1'-0"



2 BUILDING SECTION  
22" x 34" SCALE: 3/8" = 1'-0" 11" x 17" SCALE: 3/16" = 1'-0"



1 BUILDING SECTION  
22" x 34" SCALE: 3/8" = 1'-0" 11" x 17" SCALE: 3/16" = 1'-0"

- NOTES:
1. ALL WALL (INTERIOR OR EXTERIOR) OPENINGS CREATED, UNCOVERED OR DISCOVERED DURING HVAC UPGRADE SHALL BE REPAIRED TO EQUAL OR BETTER CONDITION.
  2. 24"X"32" CLEARANCE REQUIRED AT SUPPLY AND RETURN VENTS. FOR FUTURE UNITS G.C. TO TAPE OFF FUTURE RESERVED AREA AS SHOWN.

**verizon**

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XXX S 10TH ST  
OAK CREEK, WI 53154

NO.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	07/31/20

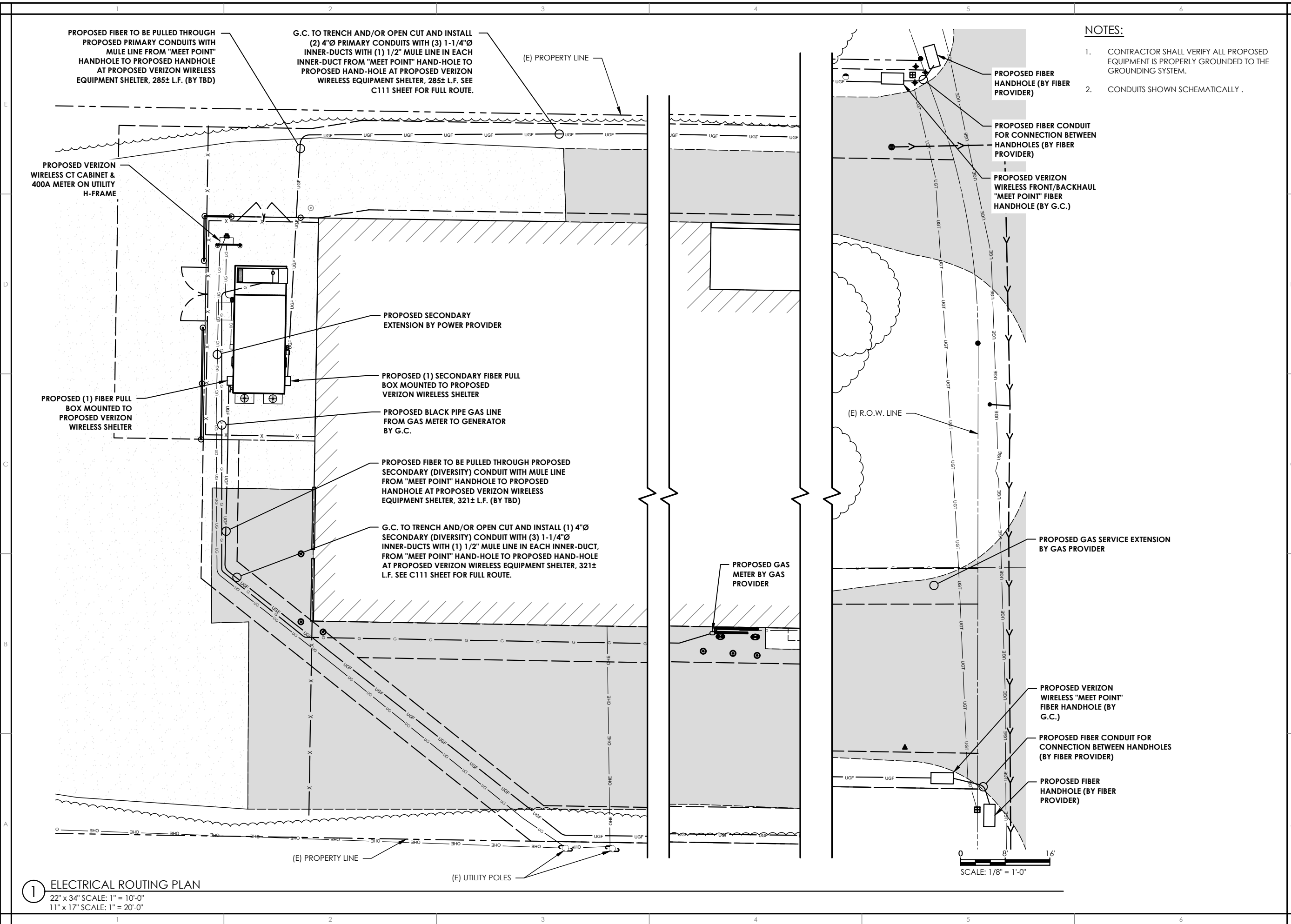
NETWORK COMPLIANCE SUBMITTALS	DATE

PROJECT #: 140-018  
CAD DWG FILE #: 140-018  
DESIGNED BY: 1AZ  
DRAWN BY: BTE  
CHECKED BY: 1AZ  
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**ISSUED FOR REVIEW**

**ELEVATIONS & SECTIONS**

**A301**



- NOTES:**
1. CONTRACTOR SHALL VERIFY ALL PROPOSED EQUIPMENT IS PROPERLY GROUNDED TO THE GROUNDING SYSTEM.
  2. CONDUITS SHOWN SCHEMATICALLY.

**verizon**

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**TERRA**  
CONSULTING GROUP, LTD.  
600 BUSSE HIGHWAY  
PARK RIDGE, IL 60068  
PH: 847-698-6400  
FAX: 847-698-6401

**verizon**

**OAK CREEK**  
LOCATION CODE: 465846  
XXX S 10TH ST  
OAK CREEK, WI 53154

NO.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	07/31/20

NETWORK COMPLIANCE SUBMITTALS	DATE

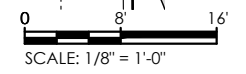
PROJECT #: 140-018  
CAD DWG FILE #: 140-018  
DESIGNED BY: TAZ  
DRAWN BY: BTE  
CHECKED BY: TAZ  
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**ISSUED FOR REVIEW**

**UTILITY ROUTING PLAN**

**E102**

**1 ELECTRICAL ROUTING PLAN**  
22' x 34" SCALE: 1" = 10'-0"  
11" x 17" SCALE: 1" = 20'-0"



# A Better Way to Protect your Equipment

CONCRETE EQUIPMENT SHELTERS from Fibrebond have been the industry standard for equipment protection since 1982.

Fibrebond delivers consistent high quality from its world class manufacturing plant and LEAN continuous improvement process. Shelters are backed by a 10-year structural and roof warranty.

Our computerized concrete batch plant monitors changing weather conditions, which results in a more consistent mix.

Automated production facility allows for faster throughput time, tighter construction tolerances and increased volume.

All equipment can be installed at the plant and delivered directly to the cell site.

Highly customizable with a variety of exterior finish and size options.

## STANDARD DESIGN CRITERIA

- 5,000 PSI Concrete
- 100 PSF roof live load
- 150 PSF floor load with slab foundation
- 150 mph wind load, exposure D
- When required, increased floor and roof loading designs are available
- IBC Seismic Site Class D





## PLAN COMMISSION REPORT

Proposal: Landscape Plan Review – United States Postal Service

Description: Site plan review for a proposed truck parking addition to the south side of the existing building.

Applicant(s): Joseph Ceci, USPS

Address(es): 2201 E. College Avenue

**Suggested Motion:** That the Plan Commission concurs with the landscaping plans submitted the United States Postal Service for the property at 2201 E. College Avenue with the condition that the plans be revised as follows:

1. To provide landscaping along College Avenue to better address the intent of the original 2008 proposal.
2. To identify and describe the materials and heights of all fencing proposed, including any such berms and landscaping that may be required per the 2008 agreements.
3. To create a third landscaped berm at the south end of the parking and loading area adjacent to Chapel Hills Park.
4. To provide landscaping at the intersection of College and Pennsylvania Avenues in recognition of its shared gateway entry into the cities of Oak Creek and South Milwaukee.
5. That parking areas be landscaped in accordance with the Municipal Code.
6. That information be provided on the height and diameter of proposed trees at maturity to determine if they would form an effective visual screen.

Owner(s): United States Postal Service

Tax Key(s): 721-8017

Lot Size(s): 61.8 ac

Current Zoning District(s): B-4, Highway Business  
A-1, Limited Agricultural

Overlay District(s): N/A

Wetlands:  Yes  No

Floodplain:  Yes  No



Comprehensive Business Park, Agriculture  
Plan:

---

### **Background:**

The Applicant is requesting Plan Commission concurrence with a revised landscape concept for the development of the property at 2201 E. College Avenue.

There is an extensive history with the United States Postal Service (USPS) at this site. Rather than going into great detail on that history, this report will focus on the landscaping of the property. The landscaping plan is perhaps the most meaningful way to provide some mitigation of the impacts of this development on the adjacent neighborhood. To provide context for this discussion, the Plan Commission has been provided with a copy of the original landscape proposal from 2008. Please note, however, that this plan was never approved by the Plan Commission. It is meant only as a benchmark for discussion of the current plan(s). The scope of the project and the extent to which the property owner has followed through on earlier commitments has changed since 2008. Yet, the USPS in both written and verbal statements has said that their contractor is required to conform to site design requirements in the 2008 PUD. While USPS actions to date have in many respects failed to live up to that commitment, it is encouraging that local USPS representatives appear willing to work with the City and neighborhood as it relates to the landscaping of this facility.

For the purposes of this report, this discussion will be broken down into the elements of the 2008 plan versus the 2020 proposal.

Some of the key elements, as noted on the 2008 plan were commitments to:

1. Protect and save all possible trees in (the) perimeter landscape buffer.
2. Filling in any voids in (the) existing perimeter landscape buffer with native evergreen trees.
3. Supplementing (the) existing perimeter landscape buffer with native evergreen trees.
4. Site landscape planting will comply with the City ordinance for perimeter green space requirements.

Additionally, there were notes on that plan that identified:

- A 20-foot sound attenuation wall (per the recommendations of the environmental study) adjacent to the neighborhood at the south end of the main building and parking.
- An 8-foot solid screen wall between the main employee parking lot and the residential properties along Pennsylvania Avenue.
- Areas for berming (along with a typical berm and landscape detail showing a max. 6-foot berm and landscaping) along College and Pennsylvania Avenues.
- Indications that the existing vegetative buffer would remain to be supplemented as needed.

Furthermore, per the conditions and restrictions:

- Loading docks were to be substantially screened from the public view with screening walls and natural landscaping.
- Landscape screening berms were to be constructed along all public streets and along any areas abutting a residential zoning district.
- The design of the screen walls and sound barriers were to be approved by the Plan Commission.
- Any fencing within the front or street yard or adjacent to residential properties was to be decorative wrought iron.
- Chain link fencing was only to be permitted to the extent that it is screened by a berm and landscaping at least equal in height to the proposed fence.
- The Plan Commission was to approve all fencing placement, height and style.
- The stormwater management pond was to be fenced and screened by a berm and landscaping at least equal in height to the proposed fence.
- A conservation easement was to have been recorded for the area south of the stormwater management pond.

In reality, the USPS went well beyond its earlier commitments with respect to clearing of vegetative buffers. The scaled-back scope of the project also eliminated structural elements and sound attenuation walls that would have provided some protection to the adjacent neighborhood. A landscape plan that was initially submitted in support of the 2020 proposal was grossly insufficient.

Recognizing that full implementation of the 2008 plan was not likely to occur, despite the verbal and written commitments by USPS, staff worked with local USPS representatives to identify alternatives that were more likely to be implemented that would provide the most effective screening for the neighborhood to the south and east.

Staff's comments will be broken down to correspond with the USPS landscape plan sheets provided as an attachment to this report.

#### Sheet L1.0 (Overall Landscape Plan)

Comments on the overall plan are mostly related to the near complete lack of landscaping proposed for the perimeter of the property. Recognizing again that the scope of the project has been reduced, there is still a requirement to berm and landscape and areas proposed for chain link fencing. While fencing is not part of this plan, and should be reviewed and approved separately, the plans still do show the perimeter of the property to be fenced. These areas need to be bermed and or landscaped per the 2008 agreement.

Additional landscaping should be provided at the northeast corner of the property. This is a prominent entrance to both the cities of Oak Creek and South Milwaukee, and should be treated as such with properly designed and maintained landscape areas.

Sheet L1.1 (Chapel Hills Park and Neighborhood)

The Chapel Hills neighborhood has been most heavily impacted by the failure of USPS to abide by the 2008 agreements. Nowhere is this more apparent than the removal of the trees and vegetated buffer area between the park and the stormwater management basin. Staff has worked closely with local USPS representatives to offer alternatives that would mitigate the impacts on the neighborhood. For example, staff proposed to minimize the use of security fencing by restricting its use to the areas immediately surrounding the facility and stormwater pond. Not only would this be a benefit to the neighborhood and the adjacent park, it would also result in fewer impacts to the unused wooded area at the south end of the USPS property, and would result in significant cost savings to the property owner. This revised landscape proposal pulls that fencing closer to the pond and parking areas.

Given that USPS cleared vegetative buffers in violation of the 2008 agreements, staff had suggested that the cleared areas between the parking and stormwater management pond be regraded to include a berm and plantings, and that they (as well as the wooded area to the south) be deeded back to the City for inclusion as part of the neighborhood park. While USPS was unable to deed back those portions of the property, their revised plans did illustrate two berms (of undetermined size) at the west end of Poplar Avenue to screen the parking and loading areas. Presumably this was being done in lieu of fulfilling their obligation for a screen wall and sound attenuation wall in this same area, something that will need to be verified by the property owner, and is not included in this landscape review. Staff would suggest that a third berm and landscaping be installed at the south end of the parking area to provide additional screening to the neighborhood. In any case, more details will need to be provided on the height and landscaping of those berms to verify that they would be effective screens. Otherwise, the City expects USPS to honor their commitment with respect to the sound attenuation walls.

The current plan also illustrates significant landscaping outside of the fence and adjacent to the neighborhood park. The plans call for forty (40) deciduous trees, four (4) Concolor (White) Fir, and twenty-five (25) arborvitae over the approximate 1115 length of the park boundary. While this would not be a total restoration of the areas impacted by the unauthorized clearing of this vegetative buffer, it is a positive step with benefits to the entire Chapel Hills neighborhood. It should be further noted that contractors, working on behalf of USPS, had removed trees that had recently been planted by the City (on the USPS property) in preparation for the installation of a fence. It is the City's expectation that landscaping plan for this area be supplemented to account for those trees that had been recently removed. More information would need to be provided regarding the height and diameter at maturity of those trees to determine if the number and type would provide an effective visual screen. It would be staff's recommendation that the berm and landscaping be extended to the south and east of the parking and loading area, and that additional landscaping in the form of coniferous trees be incorporated into the design of all berms.

### Sheet L1.2 (Poplar Drive and Pennsylvania Avenue homes)

For the most part, the vegetated buffer between the residential properties and the USPS property has been maintained, as it is designated as a wetland. Still, the proposed plan calls for supplementing this existing vegetation with five (5) Autumn Blaze Maples and eight (8) Dark Green Arborvitae.

The (formerly) vegetated buffer area to the west of the five homes on Pennsylvania Avenue, has for the most part, been cleared as part of the construction activities. This area needs to be restored as part of the landscape plan. The proposed plan calls for eight (8) Sugar Maples and seven (7) Arborvitae along this nearly 500-foot-long area. While existing vegetation remains as part of the private properties, this is an area that should be considered for additional landscaping. This is also an area that has been shown on the 2008 plan for an 8-foot-tall solid screen wall. While no details have been provided on the proposed fencing, it should be noted that the same staff comments regarding berming and landscaping apply in this instance.

### Sheet L1.3 (Employee Parking Lot)

The only landscaping shown in this area are the two (2) entrance islands to the parking lot. Municipal Code still requires the islands within this parking area to be landscaped where possible, although this is not as concerning as the other deficiencies identified in this report.

### Sheet L1.4, 1.5 and 1.6 (College Avenue)

The proposed landscape plan treats the area between the building and College Avenue as an afterthought. Very little is proposed here aside from five (5) Sunset Maples along the over 615 feet of building frontage (which was not reviewed nor approved by the Plan Commission, and doesn't meet the City's architectural requirements for industrial buildings) and exposed loading areas. The 2008 plans illustrated a 20-foot-tall screen wall to screen that loading area from College Avenue. That screening wall is absent from this landscape plan and the 100% plans submitted. Those same plans illustrated twenty-two (22) deciduous trees along that same stretch.

The two (2) employee break areas (covered and surrounded by security fencing) are located in this area, and are only proposed to be screened by a series of ornamental grasses.

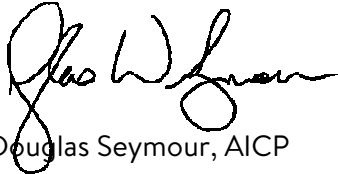
As for foundation plantings, the only areas proposed for landscaping are limited planting beds directly adjacent to the building entrance and roundabout entrance, and a series of hostas along a part of the north wall.

In summary, the proposed landscape plans, while indicative of a positive trend by local USPS representatives to work with the City and neighborhood, still fall short of the 2008 agreements and plans.

**Options/Alternatives:** The Plan Commission has the discretion to concur with the plans as presented, approve with specified conditions, or disapprove the proposal. In any case, aside from their written and verbal commitment to develop the property in substantial conformance with the original 2008 proposal the United States Postal Service is not legally bound by the decision of the Plan Commission.

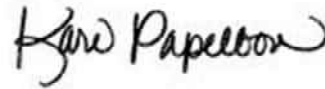
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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

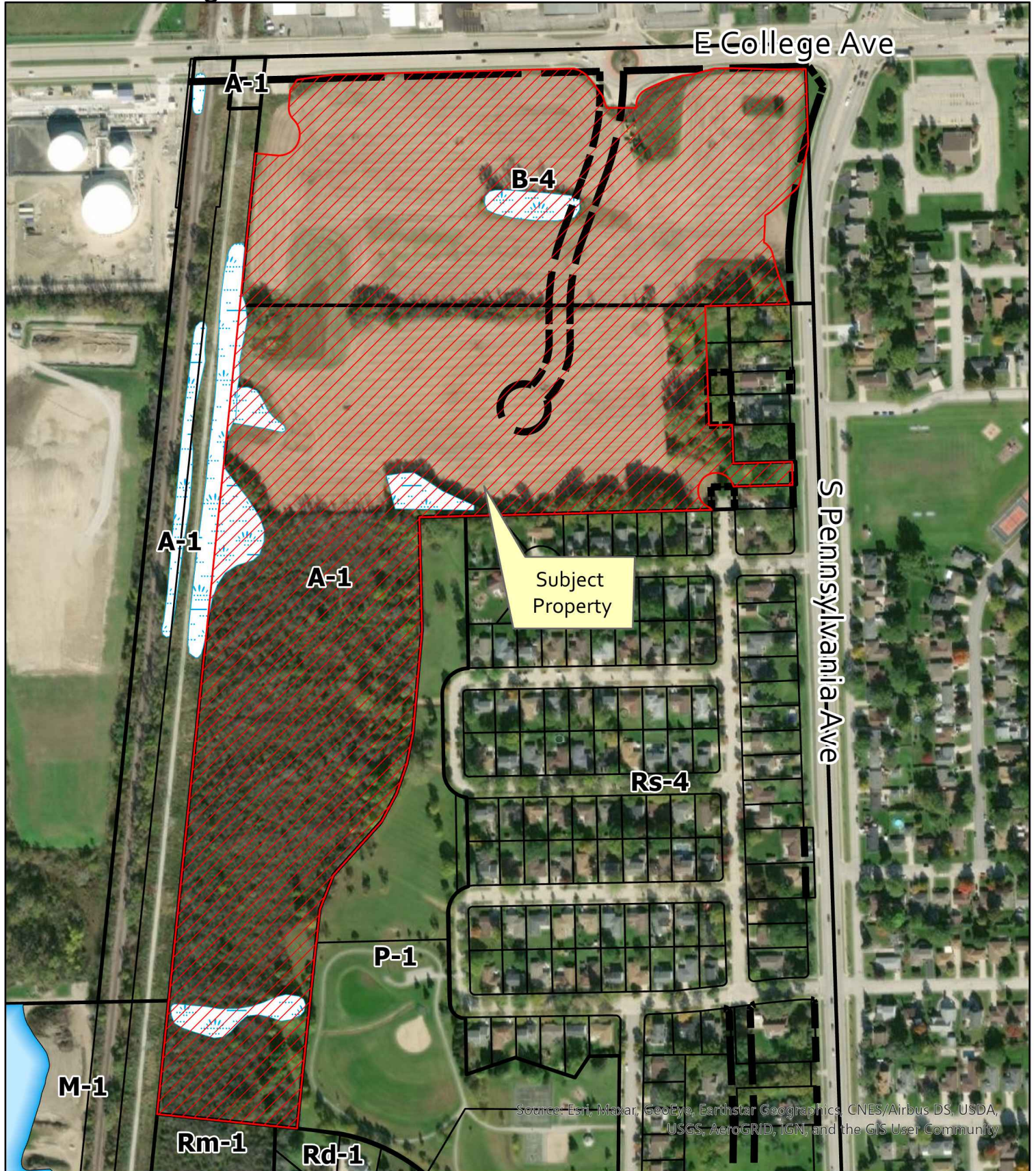
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**Attachments:**

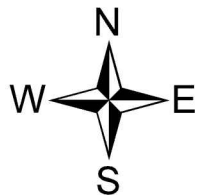
- Location Map
  - 2008 Landscape Concept
  - 2020 Proposed Landscape Plans
  - 2020 Landscape Plan overlaid on 2020 aerial photo
  - Conditions and Restrictions from 2008 PUD (since expired)
  - 1/2/20 response from USPS to questions submitted by the City
-

# Location Map

## 2201 E. College Ave



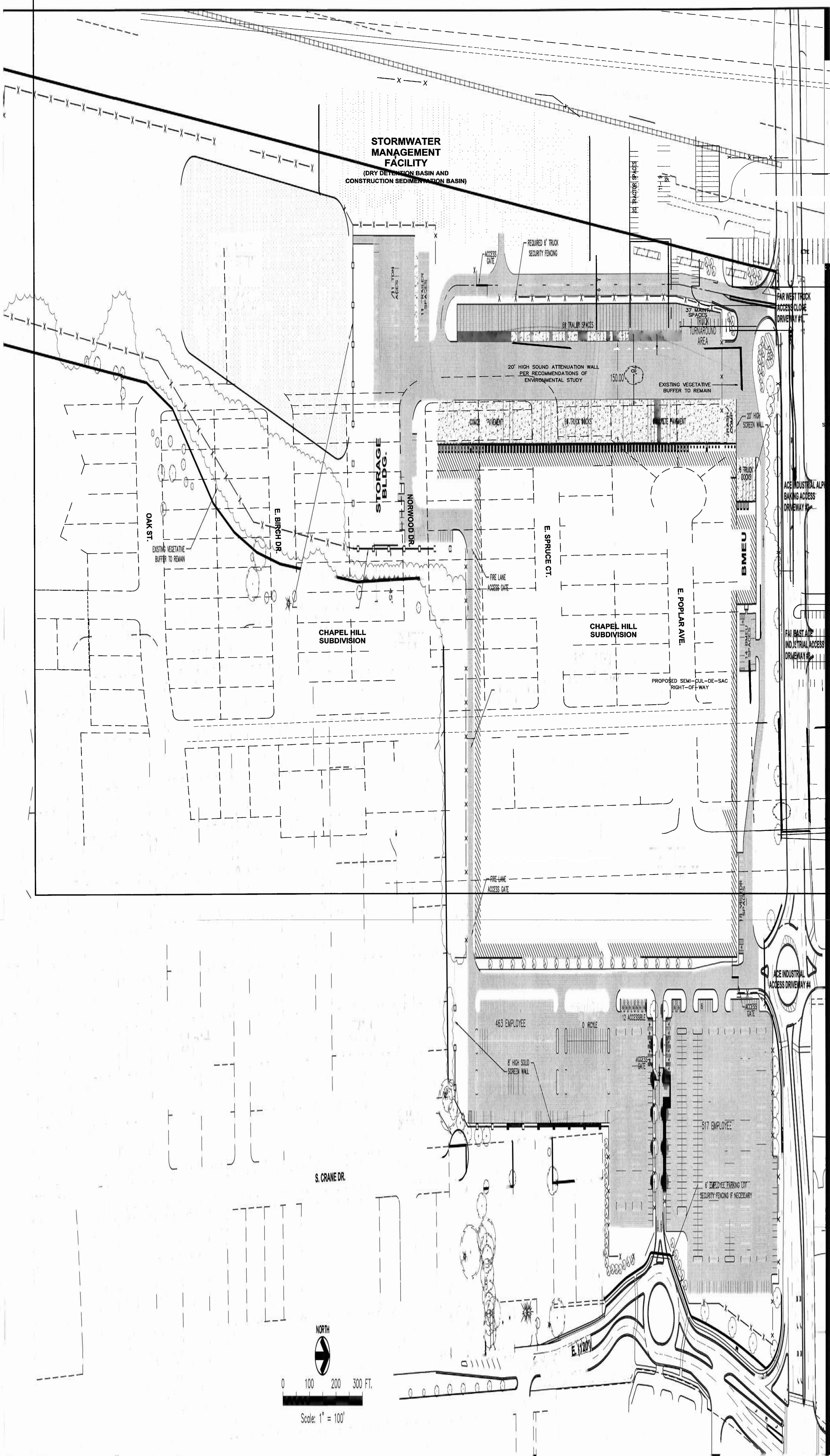
This map is not a survey of the actual boundary of any property this map depicts



Legend

-  2201 E. College Ave
-  Official Street Pattern
-  DNR Wetlands Inventory

**STORMWATER  
MANAGEMENT  
FACILITY**  
(DRY DETENTION BASIN AND  
CONSTRUCTION SEDIMENTATION BASIN)



**DRS**

**UNITED STATES  
POSTAL SERVICE**

S. PENNSYLVANIA







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**MPA**

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REVISIONS

S. DATE	DESCRIPTION

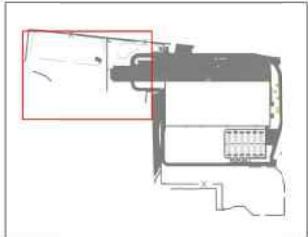
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SHEET 2 of 6

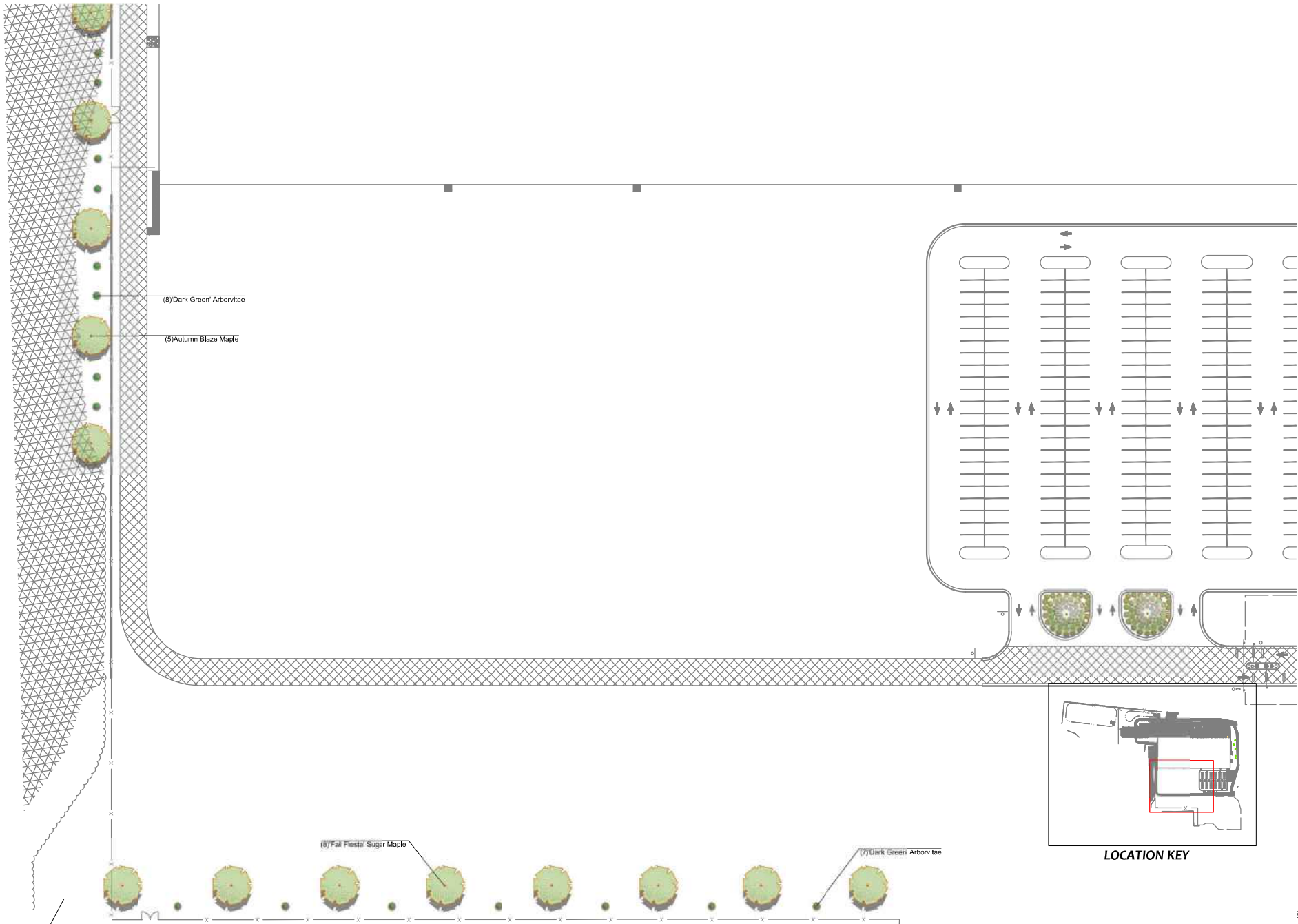
LANDSCAPE  
PLAN

**L1.1**



LOCATION KEY

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(8) Dark Green Arborvitae

(5) Autumn Blaze Maple

(8) Fall Fiesta Sugar Maple

(7) Dark Green Arborvitae

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**Milwaukee MPA**

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0' 15' 30' 60'

SCALE 1" = 30'-0"

DATE 8/24/20

SHEET 3 of 8

LANDSCAPE PLAN

**L1.2**

SWK

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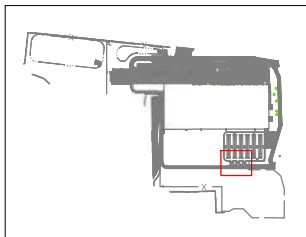
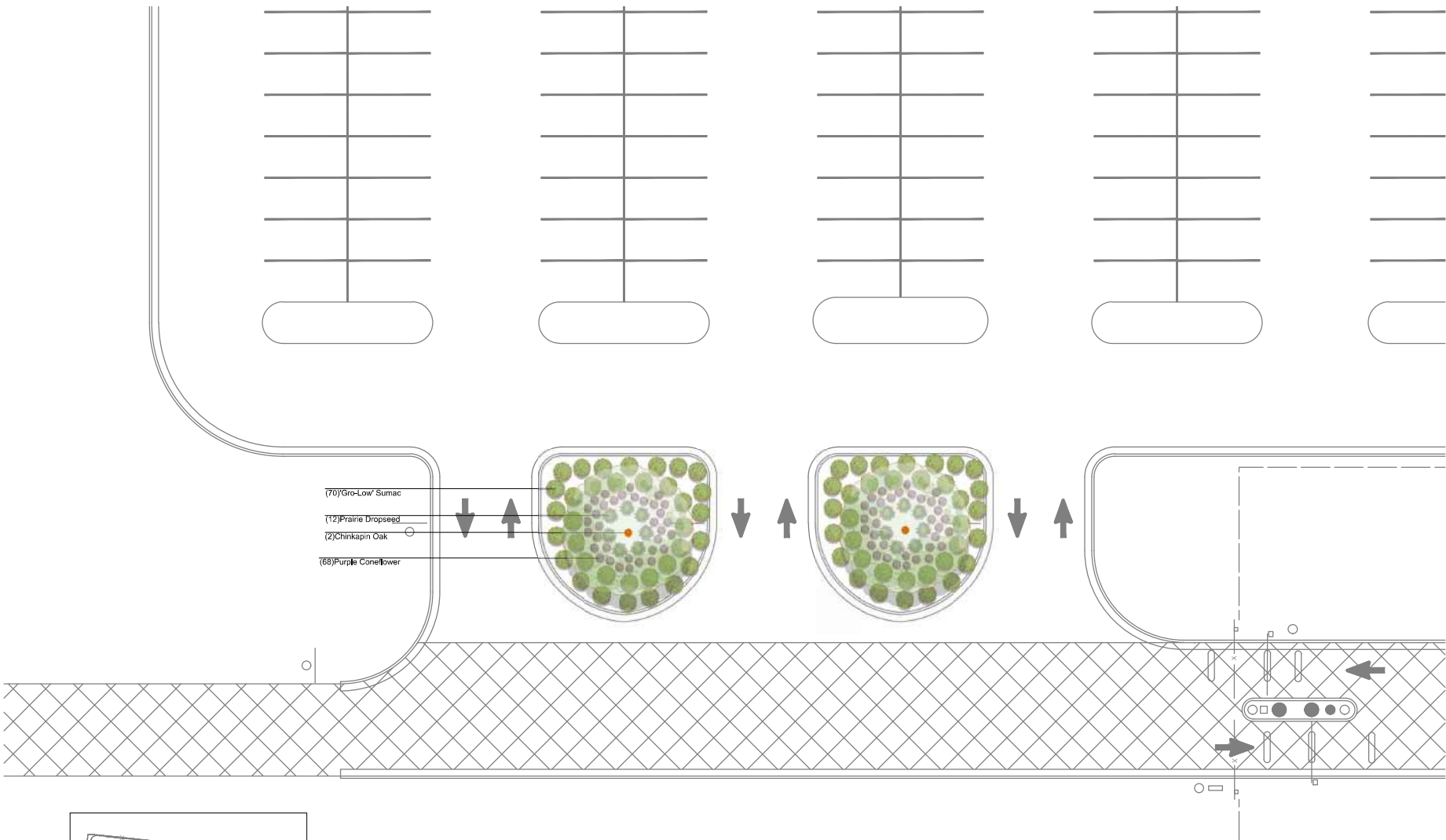


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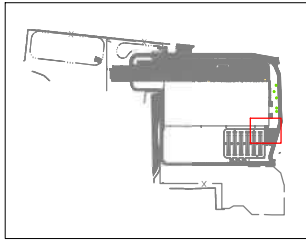
LANDSCAPE PLAN

**L1.3**

SWA



LOCATION KEY



LOCATION KEY

- (2) Serviceberry
- (28) Pardon Me' Day Lily
- (18) Karl Foerster Grass
- (14) Fritsch Spirea



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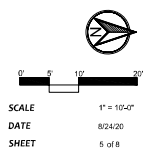
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Δ DATE	DESCRIPTION
1/2020	

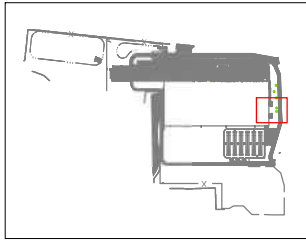
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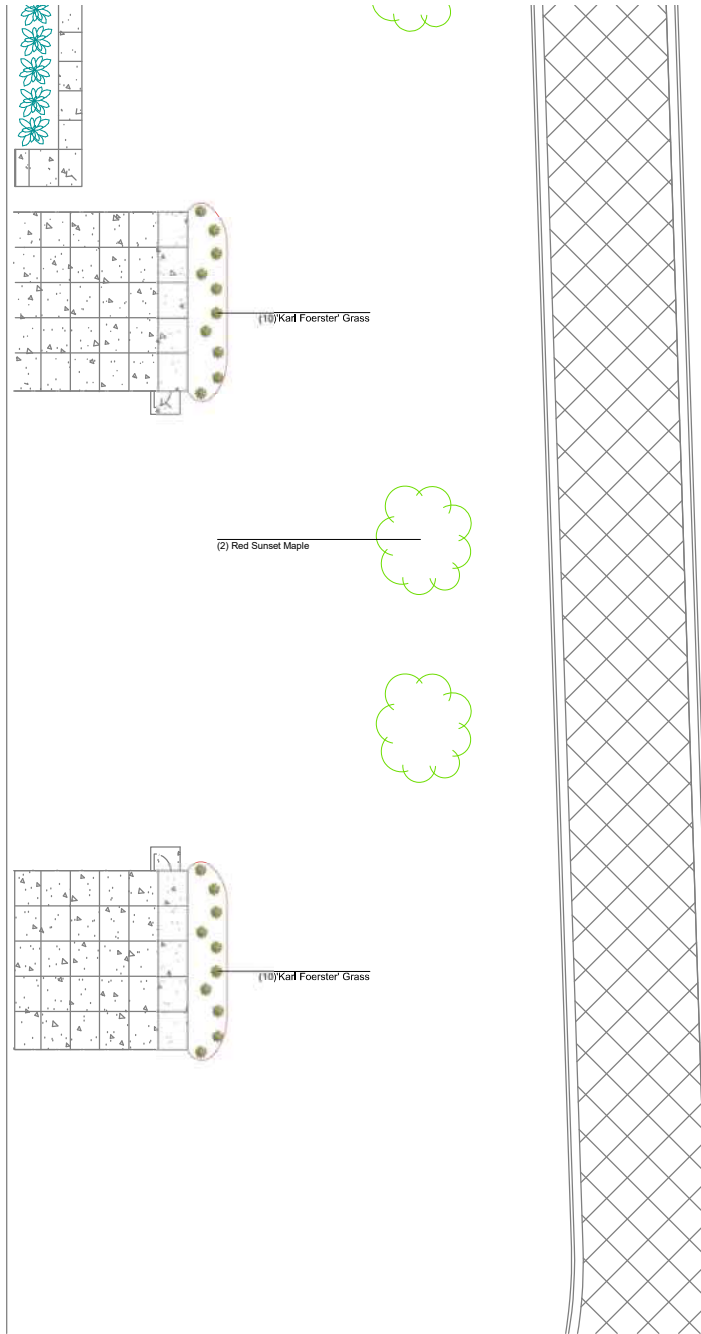
LANDSCAPE PLAN

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LOCATION KEY



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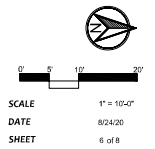
LANDSCAPE DEVELOPMENT FOR

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Oak Creek, Wisconsin 53154

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LANDSCAPE  
PLAN

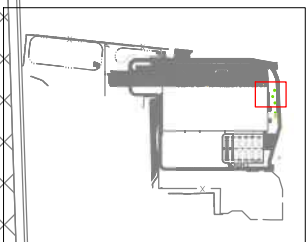
**L1.5**



(3) Red Sunset Maple

(2) Karl Foerster Grass

(20) Blue Angel Hosta



LOCATION KEY

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LANDSCAPE DEVELOPMENT FOR

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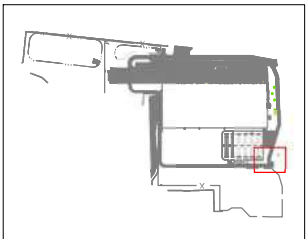
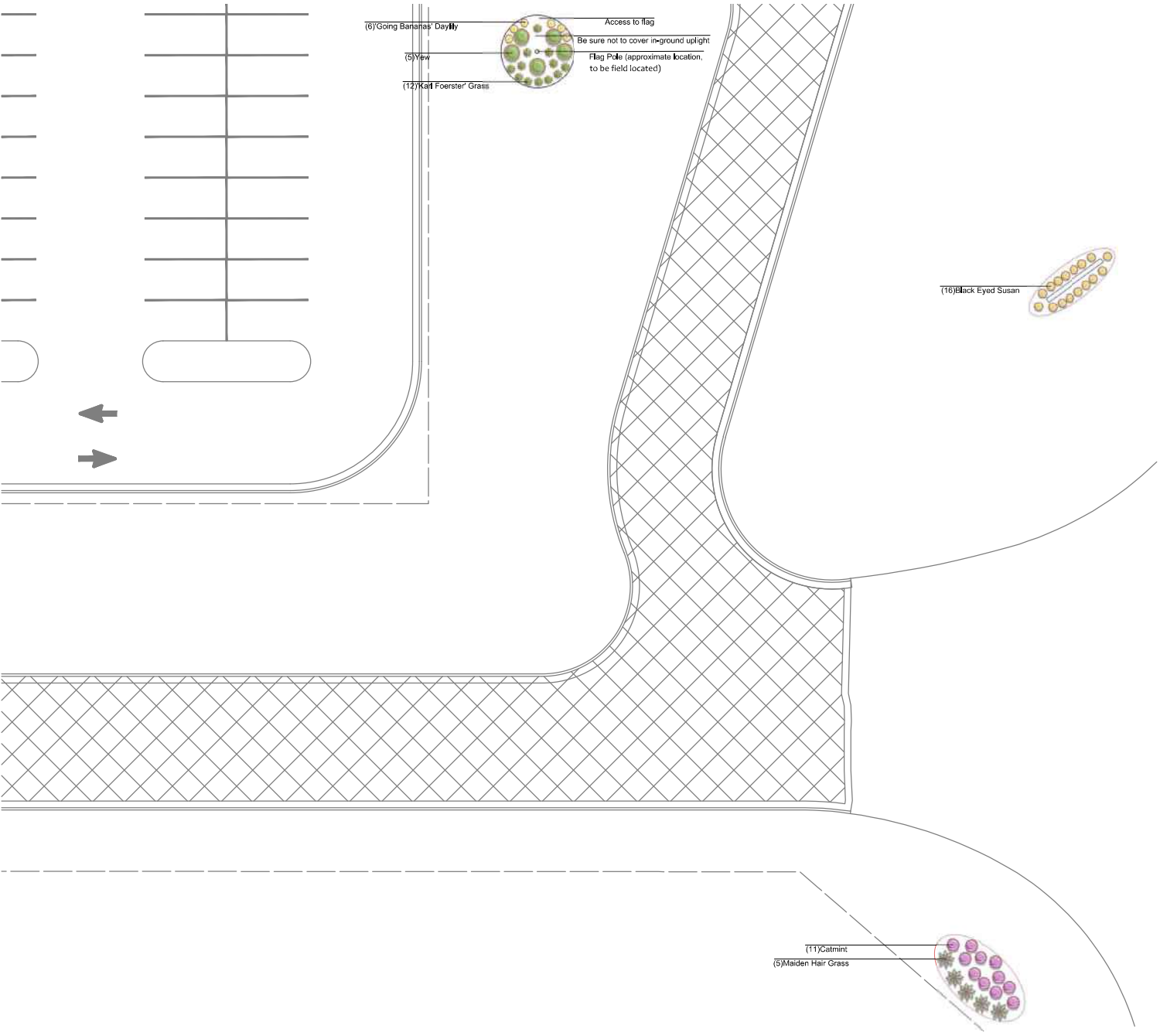
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DATE: 8/24/20  
SHEET: 7 of 8

LANDSCAPE PLAN

**L1.6**

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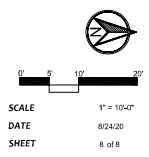
LANDSCAPE DEVELOPMENT FOR

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 Oak Creek, Wisconsin 53154

REVISIONS

NO.	DATE	DESCRIPTION
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SCALE 1" = 10'-0"  
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 SHEET 8 of 8

LANDSCAPE PLAN

**L1.7**

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# USPS Proposed Landscape Plan with 2020 Air Photo of Property





City of Oak Creek – Planned Unit Development  
Conditions and Restrictions

Applicant: Cobalt Partners, LLC (United States Postal Service Processing & Distribution Center)  
Property Address: 2209 E. College Avenue, 6405 & 6469 S. Pennsylvania Avenue, 2000R E. Birch Drive,  
1900R E. Poplar Drive & 1920A E. Rawson Avenue  
Tax Key Numbers: 721-1100, 721-7999, 721-9000, 721-8013, 721-8998, 721-8996, 731-0152  
Approved by Plan Commission: October 28, 2008  
Approved by Common Council: December 2, 2008 (Ordinance 2530) **APPROVED**

1. OWNER AND LEGAL DESCRIPTION OF PROPERTY

- A. The Owner of the property is Cobalt Partners, LLC or its subsidiaries (the “Owner”).
- B. The legal description of the property subject to this conditional use permit (the “Property”) is as set forth in **EXHIBIT A** attached hereto.

2. DEFINITIONS

- A. Applicant – United States Postal Service (“USPS”), an independent establishment of the executive branch of the government of the United States. The Applicant has executed an option to purchase the Property and anticipates acquiring fee title to the Property on or about December 2008.

3. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. A General Development Plan (as depicted in **EXHIBIT B**) for the planned unit development, including both on and offsite improvements, shall be approved by the City of Oak Creek Common Council upon recommendation of the Plan Commission. Except as set forth in the General Development Plan or as otherwise provided in the Agreement by and among the City of Oak Creek, Applicant, and Owner dated as of December 2, 2008 (the “Tri-Party Agreement”), any substantial change to the planned unit development subsequent to approval of the planned unit development that would increase the intensity of the use (as reasonably determined by the Director of Community Development) shall be considered a new and separate proposal, and shall be required to comply with all of the review and approval requirements of this district, including the requirement for submittal of development plans and the conduct of public hearings.
- B. Except as set forth in the General Development Plan (other than as required to comply with applicable laws or requirements) or as otherwise provided in the Tri-Party Agreement, detailed site, building, lighting, and landscaping plans shall be approved by the Plan Commission prior to the issuance of permits for the commencement of construction activities consistent with the traffic impact analysis approved by the City of Oak Creek. The plans shall include at least the following:

1. Site Plan

- a. detailed building locations with setbacks
- b. square footage of building
- c. areas for future expansion
- d. area to be paved
- e. access drives (width and location)
- f. sidewalk locations
- g. parking layout and traffic circulation
  - i. location
  - ii. number of employees
  - iii. number of spaces
  - iv. dimensions

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- v. setbacks
  - vi. location of loading berths
  - h. location of sanitary sewer (existing and proposed)
  - i. location of water (existing and proposed)
  - j. location of storm sewer (existing and proposed)
    - i. including detention/retention basins if needed
  - k. location of outdoor storage
  - l. location of wetlands (field verified)
  - m. location, square footage and height of signs
2. Landscape Plan
- a. screening plan for outdoor storage
  - b. number, initial size and type of plantings
  - c. parking lot screening/berming
3. Building Plan
- a. architectural elevations
  - b. building floor plans
  - c. materials of construction
4. Lighting Plan
- a. types of fixtures
  - b. mounting heights
  - c. type of poles
  - d. photometrics of proposed fixtures
5. Grading, Drainage and Stormwater Management Plan
- a. contours (existing and proposed)
  - b. location of storm sewer (existing and proposed)
  - c. location of stormwater management structures and basins (if required)
6. Fire Protection
- a. location of existing and proposed fire hydrants (public and private)
  - b. interior floor plan
  - c. materials of construction
- C. A Development Agreement shall be completed between the Applicant and the City so as to ensure the construction or installation of public or other required improvements.
- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, sidewalk, water main, storm sewer, etc.) shall be subject to approval by the City Engineer to the extent not set forth in the General Development Plan.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted in locations that do not unreasonably interfere with the General Development Plan. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. If there are any future land divisions, a plat or certified survey map shall be prepared, submitted for approval, and recorded.
- G. All new electric, telephone and cable TV service wires or cable exclusively serving the Property shall be installed underground within the boundaries of the Property.

- H. All modifications to existing roadways, sidewalks and intersections, or railroad crossings, or any new roadways or sidewalks and intersections are the financial responsibility of the Applicant, but only to the extent the same are directly necessitated by the operation of the USPS facility and are not otherwise the responsibility of the State of Wisconsin, Milwaukee County, or any other local municipality pursuant to applicable law or by agreement between or among the foregoing.
- I. On-site wetlands shall be delineated and shown on all plans. All permits to modify wetlands shall be secured by the Applicant prior to commencing construction.

#### 4. CONSTRUCTION

- A. Except as set forth in the General Development Plan or as otherwise provided in the Tri-Party Agreement, an initial property development and construction laydown plan shall be submitted to and approved by the Plan Commission at least two months prior to the commencement of construction activities. Areas for construction laydown and staging shall be as far away from residential areas as possible. The plan shall include at least the following:
  - 1. property lines, setbacks and easements
  - 2. footprints, heights and square footage of structures
  - 3. material storage areas
  - 4. storage areas for topsoil or other earthen material
  - 5. construction trailers
  - 6. construction lighting for development areas,
  - 7. note requiring that all construction lighting be directed away from residential properties
  - 8. security facilities
  - 9. fire water supply and hydrant locations
  - 10. roadways, parking areas, and construction laydown areas
  - 11. driveways with traffic flows
  - 12. parking areas
  - 13. areas that are to remain undisturbed
  - 14. fencing locations, types and heights
  - 15. a note indicating that all construction traffic is prohibited from accessing or exiting the Property via Pennsylvania Avenue, except as otherwise provided herein during construction of College Avenue roadway improvements.
- B. Outdoor construction activities shall take place only between the hours of 7:00 a.m. and 8:00 p.m. on weekdays, and from 8:00 a.m. to 1:00 p.m. on Saturdays. No outdoor construction activities shall take place on Sunday.
- C. During construction activities, dust management shall be conducted in accordance with the applicable state law and regulations.
- D. No idling of construction equipment shall be allowed for periods of more than fifteen minutes within 500 feet of any residentially-zoned property.

#### 5. SECURITY

- A. The Owner or owner's representative shall meet with the Police Department prior to commencement of construction to discuss security plans and procedures for both the construction and operational phases of the development, including the use and positioning of security cameras.

#### 6. TRAFFIC

- A. A traffic impact analysis (TIA) shall be completed indicating the extent of off-site roadway and intersection improvements that are necessary to service this development both at present, and in the year 2028.

Milwaukee County and the Cities of Cudahy and South Milwaukee shall provide consent to the roadway improvement plan as set forth in the TIA to the extent the same are within their respective jurisdictions. The Common Council, upon recommendation of the Plan Commission, shall review the TIA, roadway improvement plan and financing plan, and shall approve such plans prior to the effective date of the planned unit development rezoning.

- B. All construction worker and delivery vehicle access to the property shall be directly off of College Avenue onto the property when College Avenue is open to traffic. At no time shall there be any construction truck traffic south of the proposed roundabout on Pennsylvania Avenue.
- C. All operational truck traffic shall access the property off of College Avenue. The use of Pennsylvania Avenue south of College Avenue by trucks using this facility is prohibited.

7. PARKING AND ACCESS

A. Off street parking requirements:

- i. One (1) space per employee for the work shift with the largest number of employees.
- ii. One (1) designated space for each trailer, tractor, truck, and maintenance vehicle to be stored on site.

- B. Except as set forth in the General Development Plan, other parking arrangements, if any, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- C. Parking within this development shall be limited to those areas designated on the General Development Plan.
- D. Parking lot landscaping within the employee lot shall be in accordance with the General Development Plan.
- E. Public sidewalk shall be constructed along the Pennsylvania Avenue frontage of this property, including an extension south to East Hickory Drive (within existing right of way if not on the Property), and on College Avenue west from Pennsylvania Avenue to the employee entrance to the facility.

8. LANDSCAPING, SCREENING, AND FENCING

- A. All landscaping shall be in accordance with Section 17.1010 of the Zoning Ordinance, except as otherwise depicted in concept in the General Development Plan.
- B. All loading docks shall be substantially screened from the public view with screening walls and natural landscaping.
- C. There shall be a landscaped screening berm constructed along all public streets and along any areas abutting a residential zoning district. The berm and landscaping together shall be an average of six (6) feet in height between the parking and the street right-of-way and three (3) feet in height between the parking and any adjacent residential property line. All screening materials shall be placed and maintained at a minimum height of three (3) feet. The Plan Commission may require greater screening requirements for parking of large trucks, semi-trailers, and large equipment. Notwithstanding the foregoing, the Applicant shall not be required to fill the wetland along the south boundary of the Property, but will enhance the landscaping in such area as depicted in the General Development Plan.
- D. Except as set forth in the General Development Plan, the design of all screen walls and sound barriers are subject to approval by the Plan Commission.

- E. Except to the extent screened as further described below, any fencing within the front or street side yard or adjacent to residential properties shall be a decorative wrought iron style fence. Chain link fencing shall be permitted only to the extent it is screened by a berm and landscaping at least equal in height to the proposed fence. The employee parking lot shall be fenced with a decorative wrought iron style fence. The Plan Commission shall review and approve all fencing placement, height, and style for this development.
- F. Security fencing surrounding the stormwater management pond shall, at a minimum, secure the pond area. If, at the option of the Applicant, the perimeter of the area of the Property where the pond is located is to be fenced, such fencing may be chain link, provided, however that such fencing is substantially screened from view either by a berm and landscaping at least equal in height to the proposed fence or by existing vegetation.
- G. No grading or removal of trees is permitted outside of those areas designated for buildings, parking and drives, and stormwater management areas, and only to the minimal extent necessary to construct and maintain those facilities. A conservation easement shall be recorded for the area south of the stormwater management pond.
- H. Except as set forth in concept in the General Development Plan, detailed landscaping plans shall be reviewed by the City Forester and Director of Community Development, and approved by the Plan Commission prior to commencement of construction.

9. LIGHTING

- A. Except as set forth in concept in the General Development Plan , all plans for exterior lighting, including pole and fixture types and mounting heights, shall be reviewed by the Electrical Inspector and approved by the Plan Commission prior to commencement of construction.
- B. The pole height for lighting within the employee parking lot or within the 100-foot residential building buffer yard shall not exceed 25 feet.
- C. The pole height for lighting within the truck parking areas shall not exceed 30 feet.
- D. Light sources shall be shielded or installed so that there is not a direct line of sight between the light source or its reflection and at a point five (5) feet or higher above the ground of adjacent property and public streets. The light source shall not be of such intensity so as to cause discomfort or annoyance.

10. STORMWATER MANAGEMENT

- A. Site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval. Strict adherence to the approved grading and stormwater management plan will be required of the Applicant during and after construction.
- B. Prior to approval of the stormwater management plan, the Applicant is required to submit correspondence from the Federal Aviation Administration indicating that they do not object to the location and design of the proposed stormwater management facility.

11. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structures	40 ft.	20 ft.	20 ft.
Accessory Structure	30 ft.	5 ft.	5 ft.
Parking and Drives	40 ft.	20 ft.	20 ft.

- \* No building, structure, or land within 100 feet of a residential zoning district shall be used in connection with the operation of the business with the exception of off-street parking, snow storage, and off-street loading.
- \*\* Any off-street parking and loading areas adjacent to a residential zoning district shall maintain a 20 foot landscaped buffer yard
- \*\*\* Screening and sound walls are not subject to setback requirements. Their design and location are subject to approval by the Plan Commission

12. BUILDING HEIGHT, AREA AND STANDARDS

- A. Principal buildings shall not exceed 35 feet in height.
- B. The overall greenspace (which shall include the stormwater detention area) for this development shall be a minimum of 30 percent.

13. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan(s). Solid waste collection and recycling shall be the responsibility of the Owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the Owner.

14. OPERATIONAL IMPACTS

- A. Approval of this ordinance shall be conditioned upon the Applicant providing the City with the results of a noise study indicating that the Applicant's proposed operation is in compliance with the City's noise ordinance, as set forth in Sec. 17.0810 of the Municipal Code. Included in this study shall be the measures proposed for mitigating such noise impacts. The Applicant represents that its owned vehicles do not have back up alarms and that its policy is for drivers to shut off truck engines when trucks are staged at the docks.
- B. Approval of this ordinance shall be conditioned upon the Applicant providing the City with the results of a study indicating that the Applicant's proposed operation is in compliance with applicable law regarding the impact on air quality from this facility on the adjacent residentially zoned properties. Particular emphasis shall be placed on identifying the potential impact from the operation of trucks using the facility, including engine idling. Included in this study shall be the measures proposed for mitigating such air quality impacts. The owner is responsible for obtaining any required air quality permits from the State of Wisconsin.

15. SIGNS

- A. A planned sign program shall be reviewed and approved by the Plan Commission for this entire development to set a common theme for sign construction, placement, materials, and illumination methods.

- B. All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code to the extent practicable.

16. ARCHITECTURE

- A. The façade of the building(s) shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the building(s) shall be finished with an acceptable glass, brick or decorative masonry material. Acceptable exterior materials include split face concrete masonry, decorative block, 4-inch brick veneer, 4-inch stone veneer, cut stone panels, pre-cast (including cast-in-place) concrete wall panels.
- B. The design of the two-story administration and support area of the building fronting on College Avenue and Pennsylvania Avenue shall be the subject of particularized review of the Plan Commission.
- C. Any roof mounted HVAC or building mechanicals must be screened from casual view from public streets or residential neighborhoods.
- D. Detailed building plans shall be approved by the Plan Commission.
- E. Material and color samples shall be submitted to the Plan Commission for review and approval.

17. PERMITTED USES

- A. Mail processing and mail distribution centers.
- B. Usual and customary accessory uses to the above listed permitted use as determined by the Zoning Administrator.

18. OTHER REGULATIONS

- A. Compliance with all other applicable City, State and Federal regulations not heretofore stated or referenced, is mandatory. The parties acknowledge that, with regard to City ordinances, the intention of these conditions and restrictions is that compliance with such ordinances shall be as the same are in effect as of the date hereof.
- B. To the extent not prohibited by applicable law or regulation, if the Applicant is materially out of compliance with these conditions and restrictions, a fine of \$1,000 per day shall be imposed against the Applicant until Applicant is in compliance with such condition or restriction. The penalty shall begin on the first day after the City notifies the Applicant that the compliance limit was not met.
- C. It is the mutual intention of the parties hereto that final plans shall be substantially in compliance with the General Development Plan submitted by the Applicant. Accordingly, and notwithstanding any other provision to the contrary contained herein, conditions and restrictions contained herein shall not apply to the extent otherwise set forth in the General Development Plan (other than as required to comply with applicable laws) or as otherwise provided in the Tri-Party Agreement.

19. TIME OF IMPLEMENTATION

The Applicant shall begin installing the public improvements, and related private improvements, for this development that are required in the approved conditions and restrictions, development agreement and traffic impact analysis within thirty-six (36) months from the date of the adoption of the ordinance approving this planned development zoning. All of these public improvements, for the entire planned development, must be completed within sixty (60) months of the adoption of the aforementioned ordinance approving this planned development. This PUD shall expire 60 months from the date of adoption if construction has not commenced for the mail processing and distribution center. Should the PUD expire or

be revoked, the zoning on these properties shall revert back to the predevelopment zoning. Notwithstanding the foregoing, the City shall not unreasonably withhold or condition consent to a request by the Applicant to extend the above dates if reasonably required by the Applicant.

20. ACKNOWLEDGEMENT

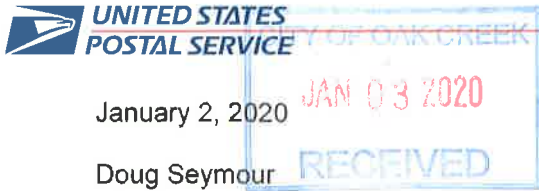
The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the Applicant and Owner, and these conditions and restrictions shall run with the Property unless revoked by the City, or terminated by mutual agreement of the City and the Applicant and Owner (unless the latter are the same), and their subsidiaries, related entities, successors and assigns.

Paul Purcell  
Applicant's authorized representative

1-23-2009  
Date

Paul Purcell  
(please print name)





January 2, 2020

Doug Seymour  
Director, Community Development  
City of Oak Creek  
8040 S. 6<sup>th</sup> Street  
Oak Creek, WI 53134-2313

Subject: Milwaukee Mail Processing Annex  
2201 E. College Avenue  
Oak Creek, WI 53154  
K381818 New Construction Owned – Design Build

Dear Mr. Seymour:

As requested, attached are USPS responses to questions submitted by the City, through December 5, 2019.

It is USPS intention to submit a consolidated 100% set of drawings and supporting documentation to the City in January. At that time, I request that you provide one, consolidated set of comments from the City for USPS review.

If you have any questions, please contact me at 414-525-7861, email [joseph.l.ceci@usps.gov](mailto:joseph.l.ceci@usps.gov), or US Mail at the address given. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Joseph Ceci".

Joseph Ceci  
Facilities Project Manager

cc: Team Leader  
Program Manager  
Legal Counsel

USPS Headquarters  
Facilities Department  
475 L'Enfant Plaza SW  
Washington DC 20260-1861

**CONSOLIDATED CITY COMMENTS RECEIVED THROUGH 12-05-2019  
USPS RESPONSES – JANUARY 2, 2020**

City of Oak Creek Water & Sewer Utility Review Comments – Received 12-02-2019

1. Connection to existing 12" water at the end of S. Crane Drive must be a 12" pipe all the way north to the 12" water at College.  
*Response: This comment was provided to the Design-Build (DB) contractor for review.*
2. A Hydrant and valve must be in place at the connection at the 12" on College. This is for flushing the emergency interconnection between Cudahy and Oak Creek.  
*Response: This comment was provided to the DB contractor for review.*
3. Hydrants along the public main are to follow Utility requirements
  - a. Max spacing 600'
  - b. 6.6' barrel section
  - c. Kennedy Guardian K81A hydrant red with yellow top(public)
  - d. Stainless steel bolts and shaft (we have corrosive soils)*Response: DB contractor will comply.*
4. All water main to be C900 PVC bedded in road sand.  
*Response: DB Contractor will comply.*
5. All valves to have stainless steel bolts.  
*Response: DB contractor will comply.*
6. All fittings to be Blue Brute push on fittings (no Mechanical joints) restrained as needed.  
*Response: DB contractor will comply.*
7. Contractor shall install galvanic anode corrosion protection at each connection to existing ductile iron water main (32# magnesium anode).  
*Response: This comment was provided to the DB contractor for review.*
8. Building service to come off public main.  
*Response: DB contractor will comply.*
9. Original design included connection to existing 6" water main off Poplar Ave. This is to provide a secondary supply of water and add fire protection. We would encourage this to be installed in this plan as well.  
*Response: This comment was provided to the DB contractor for review.*
10. Would like to discuss providing water service to the 5 existing homes along Pennsylvania. There is an existing easement that the water line could be installed to accommodate.  
*Response: Providing water service to these homes is not in the scope of this project. USPS is unaware of the referenced easement. Please provide a copy to USPS.*

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11. Provide hydrant spacing reviewed with local Fire Department.  
*Response: DB contractor will comply.*
12. A public sanitary drop manhole to be installed prior to connection to MMSD sanitary in College. The rest of the sanitary system can be private.  
*Response: This comment was provided to the DB contractor for review.*
13. There is an existing 10" stub to connect to MMSD sanitary sewer.  
*Response: This comment was provided to the DB contractor for review.*

City of Oak Creek General Review Comments – Received 12-02-2019

14. What has been the extent of tree clearing? – 2008 plan called for “protecting and saving all possible trees in perimeter landscape area  
*Response: The DB contractor needs to clear most of the site north of Oak Street in order to cost-effectively modify the grades to accommodate the new building.*
15. The City requests that the USPS have a neighborhood meeting to explain the sequence of events and to go over the construction and operational plans.  
*Response: USPS is considering this request and will make an informational presentation in conjunction with the public hearing on the wetland permit, tentatively scheduled by Wisconsin Department of Natural Resources (WI DNR) on January 16, 2020.*
16. The 20' sound attenuation wall (recommendation of environmental study) at southwest corner of truck areas appears to have been removed.  
*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*
17. Are all new electric, telephone and cable TV service wires or cable being installed underground? (as required by the conditions and restrictions).  
*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*
18. Have all wetland permits been secured prior to commencing construction (as required by the conditions and restrictions)?  
*Response: USPS is in the process of obtaining the wetlands permit and a public hearing on this permit is tentatively scheduled with WI DNR on January 16, 2020.*
19. Have initial property development and construction laydown plans been submitted to the Plan Commission for approval at least two months prior to the commencement of construction activities (as required by the conditions and restrictions)?  
*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*

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20. Are areas for construction lay down and staging as far away from residential properties as possible (as required by the conditions and restrictions)?  
*Response: The DB contractor will comply to the extent possible.*
21. Are outdoor construction activities taking place within the required hours of 7:00 a.m. – 8:00p.m. on weekdays and 8:00 am – 1:00 pm on Saturdays? No construction activities are permitted on Sunday.  
*Response: The DB contractor will comply to the extent possible.*
22. Are dust management activities taking place (as required by the conditions and restrictions)?  
*Response: The DB contractor will comply to the extent possible.*
23. Is there idling of construction equipment for greater than 15 minutes within 500 feet of a residential property (as prohibited by the conditions and restrictions)?  
*Response: The DB contractor will comply to the extent possible.*
24. Have you, as the owner met with a representative of the Police Department prior to the commencement of construction to discuss security plans and procedures for both the construction and operational phases of the development (as required by the conditions and restrictions)?  
*Response: The DB will meet with the police department to brief them on the current plan for construction.*
25. Has the Plan Commission and Common Council reviewed the traffic impact analysis (TIA) (as required by the conditions and restrictions)?  
*Response: The TIA will be made available to the City for review.*
26. Has all construction traffic been limited to College Avenue (as required by the conditions and restrictions)?  
*Response: Yes.*
27. Is the parking lot landscaping consistent with the general development plan (as required by the conditions and restrictions)?  
*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*
28. Has public sidewalk been installed along the Pennsylvania Avenue frontage of this property (as required by the conditions and restrictions) including an extension south to East Hickory Drive and on College Avenue west from Pennsylvania Avenue to the employee entrance to the facility?  
*Response: Sidewalks already front both College and Pennsylvania Avenues.*
29. Is landscaping being installed in accordance with Sec. 17.1010 of the Municipal Code (unless otherwise depicted in concept in the General Development Plan (as required by the conditions and restrictions)?

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*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*

30. Are all loading docks substantially screened from the public view with screening walls and natural landscaping (as required by the conditions and restrictions)?

*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*

31. Have landscape screening berms been constructed along all public streets and along any areas abutting a residential zoning district (as required by the conditions and restrictions)?

*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*

32. Has the design of screen walls and sound barriers been approved by the Plan Commission (as required by the conditions and restrictions)?

*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*

33. Is any fencing within the front or street yard or adjacent to residential properties decorative wrought iron (as required by the conditions and restrictions)?

*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*

34. Please note that chain link fencing is only permitted to the extent that it is screened by a berm and landscaping at least equal in height to the proposed fence.

*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*

35. Has the Plan Commission reviewed and approved all fencing placement, height, and style (as required by the conditions and restrictions)?

*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available..*

36. Is the stormwater management pond to be fenced and screened by a berm and landscaping at least equal in height to the proposed fence (as required by the conditions and restrictions)?

*Response: The storm water management facility will be fenced. Regarding landscaping, the DB contractor is required to conform to site design requirements of the 2008 PUD.*

37. Has grading and tree removal been confined to those areas designated for buildings, parking and drives and stormwater management areas, and only to the minimal extent necessary to construct and maintain those facilities?

*Response: The DB contractor needs to clear most of the site north of Oak Street in order to cost-effectively modify the grades to accommodate the new building.*

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38. Has a conservation easement been recorded for the area south of the stormwater management pond (as required by the conditions and restrictions)?  
*Response: No.*
39. Have detailed landscaping plans been reviewed by the City Forester and Director of Community Development and approved by the Plan Commission prior to the commencement of construction (as required by the conditions and restrictions)?  
*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*
40. Have all plans for exterior lighting, including pole and fixture types and mounting heights been reviewed by the Electrical Inspector and approved by the Plan Commission prior to the commencement of construction (as required by the conditions and restrictions)?  
*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*
41. What are the pole heights within the employee parking area and within the 100 feet residential buffer (not to exceed 25 feet) (as required by the conditions and restrictions)?  
*Response: The pole heights have not yet been finalized; the DB contractor is required to conform to site design requirements of the 2008 PUD.*
42. What is the pole height within the truck parking areas (not to exceed 30 feet) (as required by the conditions and restrictions)?  
*Response: The pole heights have not yet been finalized; the DB contractor is required to conform to site design requirements of the 2008 PUD.*
43. Are all light sources shielded (as required by the conditions and restrictions)?  
*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*
44. Have site grading and drainage, stormwater management and erosion control plans been submitted to the City Engineer for approval (as required by the conditions and restrictions)?  
*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*
45. Are those approved plans being adhered to?  
*Response: The DB contractor is required to adhere to USPS approved plans for all aspects of the project.*
46. Have you submitted correspondence from the Federal Aviation Administration indicating that they do not object to the design of the proposed stormwater management facility?  
*Response: The storm water management plan complies with FAA's recommendation.*
47. Have you provided calculations verifying that there is a minimum of 30% open space within the development?

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*Response: No such calculations are required, however, the open space is more than 30%.*

48. Building and parking setbacks appear to be met (for the first phase). What are your plans for local review for future phases?

*Response: The City will be notified of any future phases if and when such future phases are approved internally by USPS management.*

49. Building height (max. 35 feet) appears to be met.

*Response: Concur.*

50. Have the number, size, location and screening of solid waste collection units been approved by the Plan Commission (as required by the conditions and restrictions)?

*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*

51. Have you provided the City with the results of a noise study indicating that your operations are in compliance with the Municipal Code (as required by the conditions and restrictions)?

*Response: While this facility is not subject to Municipal Code, any issues surrounding operations will be handled, as needed, at the time the facility is operating.*

52. Have you verified that your owned vehicles do not have back up alarms and that it is the policy to shut off truck engines when trucks are staged at the docks (as required by the conditions and restrictions)?

*Response: USPS owned vehicles do not have back up alarms, and it is USPS policy to shut off truck engines when staged at the docks.*

53. Have you provided the City with the results of a study regarding the impact on air quality on the adjacent residential properties (as required by the conditions and restrictions)?

*Response: No.*

54. Have you obtained any required air quality permits from the State of Wisconsin?

*Response: The Environmental Assessment confirmed that this facility will not have a significant effect on air quality. Additionally, the USPS has no obligations regarding permitting for air emissions during construction or during operations at this facility.*

55. Has a planned sign program be submitted for review and approval by the Plan Commission (as required by the conditions and restrictions)?

*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*

56. Have detailed building plans been approved by the Plan Commission (as required by the conditions and restrictions)?

*Response: Pursuant to 39 U.S.C. § 409(f)(3)(B), the plans will be submitted to the City as they become available.*

USPS Headquarters  
Facilities Department  
475 L'Enfant Plaza SW  
Washington DC 20260-1861

Milwaukee Metropolitan Sewerage District Review Comments – Received 12-05-2019

57. Note 1 indicates connection to MMSD MH30609. There is an existing connection to this manhole, and outside drop, which is required by State rules. This drop is located approximately 20.2' below the rim of the manhole. The Contractor shall unplug this drop and connect directly to the drop. This will be less expensive than coring through our concrete surrounded manhole.

*Response: This comment was provided to the DB contractor for review.*

58. The plans dated 10-22-19 show a 24.6' unfetter sewage spilling drop from the proposed cored connection. This is completely unacceptable as we have staff that regularly manholes and this would create an unsafe workplace condition for them. It is also not allowed by state statute and is poor engineering as solids would be splattered everywhere and this manhole would require constant cleaning.

*Response: This comment was provided to the DB contractor for review.*

59. MMSD does not allow direct connections from non-municipal entities. The Oak Creek Water and Sewer Utility must own the manhole indicated as Note 3 and the pipe between this manhole and MMSD MH30609.

*Response: This comment was provided to the DB contractor for review.*

City of Oak Creek Fire Department Review Comments – Received 12-05-2019

60. Which nationally recognized codes and standards are being used to establish detection, notification, and suppression requirements?

*Response: The DB contractor will follow these codes.*

- a. 2015 International Building Code
- b. 2015 International Mechanical Code
- c. Wisconsin Plumbing Code SPS 380-387
- d. 2018 SPS 314 Wisconsin Fire Prevention Code, 2006 International Fire Code
- e. Fire and Life Safety NFPA-1
- f. Energy Code IECC 2015
- g. Electrical Code NEC

61. When will AHJ approval be sought for items such as FDC and alarm panel placement?

*Response: USPS plans to submit the 100% design package to the City for review in January, pursuant to 39 U.S.C. § 409(f)(3)(B).*

City of Oak Creek Engineering Department Review Comments – Received 12-05-2019

62. Request that USPS tries to minimize the tree removal behind the homes on Poplar.

*Response: The DB contractor needs to clear most of the site north of Oak Street in order to cost-effectively modify the grades to accommodate the new building. Most of the designated wetlands north of Poplar Avenue (approximately 50' north of the property boundary) will maintained.*



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Facilities Department  
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63. Landscape plantings are simply double lines of staggered arborvitae. This leaves much to be desired. South Milwaukee and Oak Creek request landscaping along the east and north fences for beautification, as this parcel is a gateway property to these two cities.  
*Response: The DB contractor is required to conform to site design requirements of the 2008 PUD.*
64. USPS contends project not subject to local ordinances and permitting requirements. Federal building, thus Federal standards – please provide what entity reviews the building plans and inspects the construction for USPS (life safety and health; i.e. structural, fire protection, backflow preventers to protect the public water supply, emergency egress routes & exit lighting, etc.)?  
*Response: The DB contractor, as Architect and Engineer of Record, is responsible to design the facility to conform to AHJ codes and USPS Building Design Standards, whichever is most stringent. Exceptions are required to be specifically noted and approved by USPS. The design is reviewed and approved by USPS, which approval does not release the DB contractor from its obligations to provide a code-compliant design and building. The DB contractor is also responsible to inspect and certify that the building complies.*
65. Trucks entering College Avenue at the USPS west driveway. The original TIA called for traffic signals at that driveway. Is that still the plan?  
*Response: USPS is in the process of updating the TIA, so a decision has not yet been made regarding traffic signals at the west driveway.*
66. What is status of the current TIA? Milwaukee County DOT said it is in the works (an engineer in Georgia is working on the TIA?). On the 12/4/19 call USPS indicated they will share the TIA document with Oak Creek when it is finished.  
*Response: USPS is in the process of updating the TIA in coordination with Milwaukee County. A decision regarding traffic signals at the west driveway will be made after the updated TIA is completed.*
67. Request to see the base calculations on the detention basin design (tributary areas, pond and outlet structure sizing). Both Oak Creek and MMSD have concerns.  
*Response: USPS plans to submit the 100% design package to the City for review in January, pursuant to 39 U.S.C. § 409(f)(3)(B). It will include these calculations.*

**END**



## PLAN COMMISSION REPORT

Proposal: Planned Unit Development Amendment – Creekside Crossing Marketplace

Description: Review a request to amend the existing Planned Unit Development (PUD) on the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way.

Applicant(s): Walden OC, LLC

Address(es): 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way (to be consolidated and reconfigured by previously-approved CSM)

**Suggested Motion:** That the Commission recommends that the Common Council approves the amendments to the existing Planned Unit Development for the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way after a public hearing.

Owner(s): Walden OC, LLC

Tax Key(s): 784-9012-000, 784-9013-000, 784-9014-000, 784-9016-000, 784-9994-001, 784-9008-000, 784-9009-001, 7849010-001, 784-9024-000

Lot Size(s): 28.57 ac

Current Zoning District(s): B-6, Interchange Regional Retail      FW, Floodway

Overlay District(s): FF, Flood Fringe

Wetlands:       Yes     No      Floodplain:       Yes     No

Comprehensive Plan:      Mixed Use

### Background:

In January of 2020, the Common Council adopted Ord. 2964 approving a rezone and Planned Unit Development for the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way as part of the development of the Creekside Crossing Marketplace. This development is being planned as a destination retail planned development that will consist of a mix of uses that are likely to include hospitality, destination retail, food and beverage, and multifamily residential in a mixed-use setting.

Since that approval, staff have been working with representatives from Walden OC, individual developers, and consultants on plans for the continued development of the PUD. It was during these discussions that several inconsistencies in the approved PUD narrative and Conditions and Restrictions were discovered. The attached amended Conditions and Restrictions have been updated to clarify the intent of the PUD narrative and correct inconsistencies, including

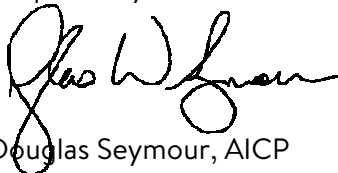
- Assigning owner responsibility for signs within public rights-of-way.
- Clarifying parking lot setback and landscaping requirements.
- Clarifying overall PUD setback requirements.
- Updating buffer requirements.
- Addressing future inconsistencies between the PUD narrative and the Conditions and Restrictions.

Plan Commission review of site, building, landscaping, and related plans for the individual development sites within the PUD will occur at a later date. If the Commission is comfortable with the Conditions and Restrictions as proposed, the appropriate action would be to recommend Common Council approval.

**Options/Alternatives:** The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Planned Unit Development Amendment request, or to amend the proposed Conditions and Restrictions. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request and the Conditions and Restrictions.

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Respectfully submitted:



Douglas Seymour, AICP  
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP  
Planner

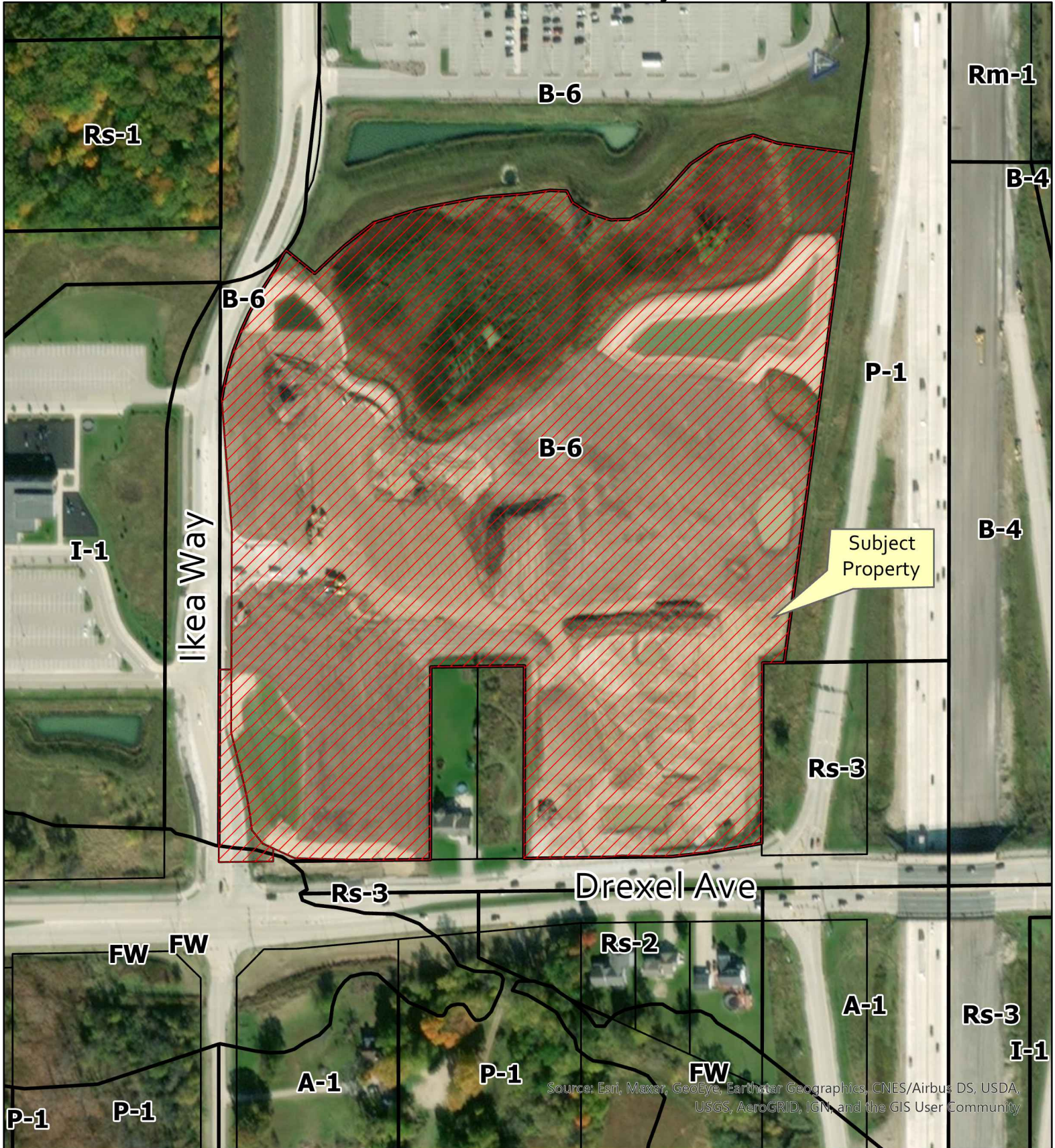
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**Attachments:**

- Location Map
- Amended Conditions and Restrictions

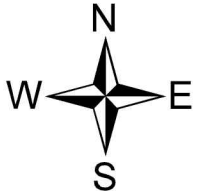
# Location Map

## 1700-1900 W. Drexel Ave. & 7700 S. Ikea Way



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

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



**Legend**

 7700 S Ikea Way

**City of Oak Creek – Planned Unit Development (PUD)**  
**DRAFT AMENDED Conditions and Restrictions**

**Applicant:** Walden OC, LLC

**Property Address(es):** 1920, 1900, 1850, 1848, 1816,  
1800, 1750, & 1700 W. Drexel Ave.,  
and 7700 S. Ikea Way

**Tax Key Number(s):** 784-9012-000, 784-9013-000, 784-9014-000, 784-9016-000, 784-9994-001,  
784-9008-000, 784-9009-001, 7849010-001, 784-9024-000

**Approved by Plan Commission:** TBD

**Approved by Common Council:** TBD  
(Ord. #XXXX, Amending Ord. #2964)

1. LEGAL DESCRIPTION

Lot 1 of Certified Survey Map No. 9152, recorded on August 7, 2019 as Document No. 10895711, being a division of Parcel 1 and part of Parcels 2 and 3 of Certified Survey Map No. 5590, Parcels 2 and 3 of Certified Survey Map No. 7331, part of Parcel 1 of Certified Survey Map No. 7331, Parcel 1 of Certified Survey Map No. 7375, Lot 2 of Certified Survey Map No. 8851 and lands, all being a part of the Northwest ¼ and Southwest ¼ of the Southeast ¼ of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

2. PLANNED UNIT DEVELOPMENT NARRATIVE

The Planned Unit Development (PUD) narrative for the Creekside Crossing Marketplace PUD dated (insert date) as contained in Exhibit A is made part of these conditions and restrictions and shall establish site design standards, minimum lot area setbacks, parking standards, lighting standards, and permitted, accessory and conditional uses for the PUD.

3. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.

B. A precise detailed site plan for each area affected by the Planned Unit Development shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

1) **General Development Plan**

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
  - i) Location(s) and future expansion
  - ii) Number of employees/customers
  - iii) Number of all parking spaces
  - iv) Dimensions
  - v) Setbacks
- h) Location(s) of loading berth(s)
  - i) Location of sanitary sewer (existing & proposed)
  - j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of wetlands (field verified)

2) **Landscape Plan**

- a) Screening plan, including parking lot screening/berming
- b) Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

3) **Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

4) **Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- a) Contours (existing & proposed)
- b) Location(s) of storm sewer (existing and proposed)
- c) Location(s) of stormwater management structures and basins (if required)

6) **Fire Protection**

- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates
- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
- c) Materials of construction
- d) Materials to be stored (interior & exterior)

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement **has been** completed between the owner(s) and the City **as** deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements (e.g., Creekside Crossing Circle, etc.) required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).
- H. Prior to the issuance of any permits for any portion of the development, the Applicant/landowner shall submit all City-approved Certified Survey Maps for recording.
- I. A Master Landscaping Plan for the overall development **has been approved by** the Plan Commission for the Planned Unit Development. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit. Landscaping, in accordance with the approved plan, shall be installed for each phase prior to the issuance of occupancy permits for that phase.

4. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed within this planned unit development shall be limited to those allowed by the B-6, Interchange Regional Retail zoning district, these Conditions and Restrictions, and all applicable Sections of the Municipal Code (as amended).
- B. A minimum of 30% of the entire land area included in this Planned Unit Development shall be set aside as open space (excluding all impervious areas).
- C. All structures shall be constructed in conformance with the Creekside Crossing Marketplace PUD in Exhibit A and the following:
  - 1. Use of spandrel glass shall require Plan Commission approval as part of reviews for architectural and building plans.

2. Secondary materials may be used as accents comprising no more than 25% of the visible perimeter of a building. The Plan Commission may approve of the use of secondary materials up to a maximum of 30% of any elevation of any building as part of reviews for architectural and building plans.

D. Signage for the development shall be in conformance with Sections 17.0316 and all other applicable Sections of the Municipal Code.

E. A Master Sign Plan for all development signs and Master Sign Plans for each multitenant building (3 or more tenant spaces) shall be submitted for review and approval by the Plan Commission prior to submission of sign permit applications. The design, construction, operation and maintenance of any development signs or streetscaping to be placed within the public right of way shall be the responsibility of the adjacent property owner, their successors and assigns.

F. Solid waste collection and recycling shall be the responsibility of the owner. All solid waste and recycling collection units shall be screened and sited in conformance with Municipal Code requirements.

G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

H. The owner and operator of the Planned Unit Development shall enter into an agreement with the City for the design, construction, and maintenance of a public trail as depicted on the General Development Plan and included in the development agreement referred to in Item 2E of these conditions and restrictions prior to the issuance of occupancy permits for any phase of the development.

## 5. PARKING AND ACCESS

A. Required roadway improvements and modifications identified in the existing Traffic Impact Analysis (TIA) shall be the responsibility of the property owner, unless otherwise provided for by other executed agreements.

B. Parking for this development shall be provided in accordance with all applicable Sections of the Municipal Code, the Creekside Crossing Marketplace PUD in Exhibit A, and the following:

1. The Plan Commission may approve a reduction in parking stall dimensions for compact vehicles (9' x 15') as part of site plan review, up to a maximum of 15% of the total required parking for the parcel and/or proposal.

2. Any portions of parking lots that directly abut other parking lots may include no minimum side/rear setback space in order to provide seamless (shared) parking fields between lots. Parking lots shall have a minimum 5-foot setback from all public rights-of-way, and shall include landscaping and screening approved by the Plan Commission. The Plan Commission may modify the minimum parking setback on a site-specific basis by a  $\frac{3}{4}$  majority vote of those Commissioners present at a meeting, but only if deemed consistent with an approved-Master Landscaping Plan.

3. Perimeter landscaping areas, where required as part of the Master Landscape Plan and individual site landscaping plans shall be a minimum of 5 feet wide, unless otherwise modified by the Plan Commission by a  $\frac{3}{4}$  majority vote of those Commissioners present at a meeting, but only if deemed consistent with an approved-Master Landscaping Plan. Perimeter

landscaping areas are not required at the common interface of shared parking fields.

- C. There shall be no direct vehicular access to S. Ikea Way or W. Drexel Avenue where prohibited. One additional access point onto Ikea Way may be permitted north of its intersection with Creekside Crossing Circle provided that its location and design receive approval by the Plan Commission and City Engineer.

6. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sections 17.0316 and 17.0808 of the Municipal Code (as amended).
- B. Pole heights shall be limited to 25 feet within 100 feet of a residential zoning district line, and shall not be located within any buffer yard.
- C. Pole type, color, height, and placement in public rights-of-way shall be in accordance with all applicable requirements of the Municipal Code.
- D. Fixture type and color on light poles in public rights-of-way shall be in accordance with all applicable requirements of the Municipal Code.

7. BUILDING AND PARKING SETBACKS

	Front and Public ROW Setback on Exterior of Perimeter of Land Area Included in PUD***	Front and Public ROW Setback Interior to PUD***	Rear Setback	Side Setback
Principal Detached Structure	20 ft	10-20 ft	10 ft	5 ft
Principal Attached Structure	20 ft	10-20 ft	10 ft	0 ft
Accessory Structure*	20 ft	20 ft	10 ft	5 ft
Off-street Parking**	5 ft	5 ft	5 ft	0 ft

\*No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards. Trash enclosures shall be sited in conformance with Sec. 17.1010(e) as amended.

\*\*The Plan Commission may modify the parking setback per Section 4(B)(2) above.

\*\*\*There shall be a minimum front setback of 20 feet from any right-of-way on the exterior of the perimeter of the land area included in the Planned Unit Development, but setbacks from rights-of-way on the interior of the land area included in the Planned Unit Development may be reduced below 20 feet (but not less than 10 feet) as approved by the Plan Commission.

8. BUFFER YARDS

A buffer yard shall be created and maintained in accordance with Municipal Code Section 17.0301(6)(l)(1)(m) (as amended) where the Creekside Crossing Marketplace PUD abuts Park Districts. No buffer yard shall be required where the Creekside Crossing Marketplace PUD abuts residential districts.



9. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Planned Unit Development. This Planned Unit Development approval shall expire within twelve (12) months after the date of adoption of the ordinance if a building permit has not been issued for this use. The applicant shall re-apply for Planned Unit Development approval prior to recommencing work or construction.

10. OTHER REGULATIONS: INCONSISTENCY

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

However, in the event of any inconsistency between these Conditions and Restrictions and the Planned Unit Development Narrative for Creekside Crossing Marketplace, these Conditions and Restrictions shall control. These Conditions and Restrictions shall be deemed to be additional conditions and restrictions imposed by the Common Council in accordance with Subsections 17.0325(d)(3) and (f) of the City of Oak Creek Code of Ordinances (as amended).

11. VIOLATIONS & PENALTIES

Any violations of the terms of this Planned Unit Development shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Planned Unit Development is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Planned Unit Development, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Planned Unit Development or to seek an injunction regarding any violation of this Planned Unit Development or any other City ordinances.

12. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Planned Unit Development approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Planned Unit Development as set forth in Section 17.1007 of the Municipal Code (as amended).

13. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

\_\_\_\_\_  
Owner / Authorized Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)

**EXHIBIT A:  
CREEKSIDE CROSSING MARKETPLACE PUD  
NARRATIVE AND GENERAL DEVELOPMENT PLAN  
(INSERT DATE)**

(The general development plan contained herein is for illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)