

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

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

Planner Papelbon read the following into the record:

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

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

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

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

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

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

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

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

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

### **PUBLIC HEARING**

#### **SIGN APPEAL**

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

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

Mayor Bukiewicz made the first call to speak.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Falk responded in the affirmative.

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

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

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

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

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

Ms. Falk answered in the affirmative.

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

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

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

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

Planner Papelbon responded in the affirmative.

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

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

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

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

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

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

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

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

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Debra Kessler, STC Oak Creek (WI) LLC, for the properties at 101 & 111 W Oakview Parkway be approved with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Commissioner Siefert seconded. On roll call: all voted aye (Commissioner Oldani's Internet connection was restored prior to the motion). Motion carried.

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

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

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

Commissioner Carrillo asked whether the proposed parking was sufficient.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Bukiewicz clarified that she is asking for the striping.

Commissioner Chandler asked Planner Papelbon whether striping was recommended.

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

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

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

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

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

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

4. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

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

Commissioner Hanna revised her motion as stated by Planner Papelbon.

Commissioner Siefert seconded.

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

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

On roll call: all voted aye. Motion carried.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Bukiewicz suggested a guardrail.

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

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

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

ATTEST:

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

9-8-20

\_\_\_\_\_  
Date