

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, OCTOBER 12, 2021**

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

Minutes of the September 28, 2021 meeting

Commissioner Siefert moved to approve the minutes of the September 28, 2021. Commissioner Oldani seconded. On roll call: On roll call: all voted aye. Motion carried.

BOARD OF HOUSING AND ZONING APPEALS ACTION

Zoning Administrator Miller provided an overview of the approved Appeal No. 21-0004 for the property at 6622 S. 27th Street (see report for details).

PUBLIC HEARING

SIGN APPEAL

**ZACH WENGER, LEMBERG ELECTRIC & SIGNS ON BEHALF OF FROEDTERT AND THE
MEDICAL COLLEGE OF WISCONSIN**

7901 W. DREXEL AVE.

TAX KEY NO. 813-9056-000

Zoning Administrator Miller read the public notice into record.

Mayor Bukiewicz made the first call for public comment.

Mayor Bukiewicz made the second call for public comment.

Mayor Bukiewicz made the third, and final call for public comment. Seeing none, he closed the public hearing.

Zoning Administrator Laurie Miller provided a recommendation to hold this agenda item until the November 9, 2021 meeting due to discrepancies between the public notice, staff report, and sign plan.

Alderman Guzikowski moved that the Plan Commission hold this item until the November 9, 2021 Plan Commission meeting.

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

SIGN APPEAL

**MICHAEL MCDONALD, LEMBERG ELECTRIC & SIGNS ON BEHALF OF THE OAK CREEK-
FRANKLIN JOINT SCHOOL DISTRICT**

340 E. PUETZ RD

TAX KEY NO. 827-9028-000

Zoning Administrator Miller read the public notice into record.

Mayor Bukiewicz made the first call for public comment.

Mayor Bukiewicz made the second call for public comment.

Mayor Bukiewicz made the third, and final call for public comment. Seeing none, he closed the public hearing.

SIGN APPEAL

MICHAEL MCDONALD, LEMBERG ELECTRIC & SIGNS ON BEHALF OF THE OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT

340 E. PUETZ RD

TAX KEY NO. 827-9028-000

Zoning Administrator Laurie Miller provided an overview of a request for variances from Section 17.0708, which would allow the applicant to install a 9' 7" x 11' 6" monument sign on the property located at 340 E. Puetz Road, (see staff report for details).

Andrew Chromy, Oak Creek-Franklin Joint School District, 7630 S. 10th St.:

"The sign being proposed is similar to the sign on Howell and Puetz for the 9th grade center, and is 200 yards east of the Oak Creek City High School for the Oak Creek Performing Arts Center. It is a massive building and anything smaller would be drowned out. Key components of the sign are the same materials that was used to build the Oak Creek Performing Arts Center. The sign will be made from leftover bricks from the PAC, so it will fit nicely into the structure of the PAC for the color stand point and from a physical brick stand point. We are requesting this variance to stay in line with the other signs, and to really add a piece that will enhance the Oak Creek Education Center."

Commissioner Hanna asked if it's the square footage that is in question for the variance.

Mr. Chromy responded in the affirmative.

Commissioner Chandler asked if she could see what is going to be on the display part of the sign.

Mr. Chromy referred to the submitted drawings. The digital display underneath will display upcoming events, all school-related and performing arts series. The sign that is being put in will be from a \$300,000 donation from the Martin Law Offices, so there will be some recognition of this law firm on the sign.

Mayor Bukiewicz asked if they are looking at about a foot-and-one-half over the length.

Mr. Chromy responded in the affirmative.

Mayor Bukiewicz stated that he had some concerns about the size of the signs, and asked for the size of the current Oak Creek High School sign. He stated that his concern for the variance is that they already have signage, and there are two (2) monument signs that are probably only a ½ block from one another. He questioned why the sign needs to be larger.

Zoning Administrator Miller provided the size of the current 9th grade sign, and confirmed the monument would be two (2) feet taller than the high school sign.

Mr. Chromy responded that the sign is in proportion to the building. The High School will not be promoting the Performing Arts Center. They will treat the Performing Arts Center as a separate public entity, and it needs its own monument sign for any kind of promotions.

Commissioner Hanna stated that this size will be more appealing to the public since it is proportioned to the size of the building. This is just a small variance.

Commissioner Guzikowski stated that the variance size should not be compared to the school sign. There are two (2) different purposes for the signs: one for the school and one for the Performing Arts building. The Performing Arts Center sign is proportioned to the building.

Mayor Bukiewicz suggested that this should be part of the Zoning Code updates - to consider a sign's size based on the building size and not on other details. He stated his concern that if this is approved, then the next multipurpose building would request a 12-foot sign because of the size of the building.

Planner Papelbon suggested that this conversation would be good to have at the next Zoning Code update discussion meeting. She stated that she believes within the Code update there are multiple sizes of monument signs that will be allowed, and appropriateness is something that needs to be defined.

Commissioner Chandler asked if the brick is included in the size of the monument sign. Are there smaller options for this monument sign, like if they make the brick portion smaller?

Mr. McDonald, Lemberg Electric & Sign, 4085 N. 124 Street, Brookfield, WI, stated that they are utilizing the existing bricks from the building for the base of the sign. If they made the tower portion smaller, it would not be in proportion to the overall monument sign.

Commissioner Chandler stated that this Performing Arts Center's monument sign is two (2) feet taller than the High School monument sign.

Zoning Administrator Miller stated that the base is similar to the base of the High School monument sign. The Performing Arts Center monument sign is taller and longer than the High School monument sign, so that increases the square footage.

Mr. McDonald stated that if they reduce the tower, they would have to reduce the brick and this would not be aesthetically-balanced with the building.

Mayor Bukiewicz stated that the school system put a lot of effort and money into improving the crosswalk for the intersection near the school. He asked whether Engineering identified any issues with the placement of this sign.

Commissioner Sullivan responded that the crosswalk is on the eastern side of the driveway, and they have good line-of-sight for anyone coming out of the driveway and using the crosswalk. Engineering is comfortable with the placement of this sign.

Commissioner Chandler requested confirmation of the size of the sign in comparison to the building for both the High School and the Performing Arts Center.

Andrew Chromy stated that the High School in square footage is larger than the Performing Arts Center. If they put both buildings as the same level, the Performing Arts Center would be exceeding the height of the High School.

Commissioner Siefert moved that the Plan Commission approves the sign variance allowing the installation of one 9' 7" x 11' 6" monument sign to be located at 340 E. Puetz Road.

Commissioner Hanna seconded. On roll call: all voted aye except Mayor Bukiewicz and Commissioner Chandler voted no. Motion carried.

**CONDITIONS AND RESTRICTIONS
BRAD MCCLAIN, UNIVERSITY OF WISCONSIN CREDIT UNION
7902 S. MAIN ST.
TAX KEY NOS. 813-9049-000**

Planner Papelbon provided an overview of the draft Conditions and Restrictions for the Conditional Use Permit for a financial institution with drive-through facility on the property at 7902 S. Main St. (see staff report for details).

Mr. Ewanowski, Kee Architecture, 906 Hampshire Place, Madison, WI, stated that they reviewed the Condition & Restrictions, and with some consultation with staff, they think they have an understanding. He stated that Cheryl Weisensel, Facilities Director of UW Credit Union, was present to answer any of operational questions.

Commissioner Chandler confirmed that there are four (4) ITMs.

Mr. Ewanowski responded that there are proposing 3 drive-up ITMs and 1 walk-up ATM that is in or adjacent to the front entrance of the building. They are looking for other locations for that ATM within the building. It is dependent on how the rest of the plans work out, the elevations along Main Street, and the common or community use to the south.

Commissioner Chandler asked if the ITM and ATM have canopies over them.

Mr. Ewanowski stated that these machines are for exterior use, but do better if the canopies are provided to protect from the elements. They do understand the limitations and the intent to keep those minimal. This is part of the conditions.

Commissioner Chandler asked Planner Papelbon if there are any alternatives for canopies.

Planner Papelbon responded that they will have to look at the language, but the intent is to not allow one large canopy to cover all of the ITMs. Individual covers for each ITM could be considered. The Common Council has the ultimate approval over the Conditions & Restrictions, as well as the Conditional Use Permit. We can amend the language to make it clearer.

Commissioner Siefert stated that he was interested in more details about the green space to the north side of the building next to the sidewalk.

Planner Papelbon stated that there are no requirements in terms of width or space. Outlined is the Utility Easement, and there are landscape planting restrictions within that Utility Easement. As these plans progress, we would be looking for some type of community feature integrated

within a Landscape Plan. There would be particular attention paid to this area since it is the entrance to Drexel Town Square.

Commissioner Oldani asked if the design of the UW Credit Union shows covered ITMs. Is this canopy over just the ITMs, or are they over the machines and cars?

Mr. Ewanowski responded that the ITMs are new to the industry and to UW Credit Union. Traditionally, you have the canopy and a teller window. This technology being remote allows communication between a member and a teller that is remote. The tellers do not have to be in the building. This type of technology would not be under a large canopy, and they are working on a few other projects that have a small canopy over the machine. It is big enough so that when you are completing a transaction, you are covered to protect you from the elements. They would be happy to supply more information on the types of canopies that have been used.

Commissioner Oldani stated that this would be a proposal at a different time, and that he is in favor of some type of covering so people can avoid the elements. If the lane is not covered, he stated that he is concerned that the snow would just pile up and not protect where the cars approach.

Planner Papelbon responded that canopies would be part of the Site and Building Plan review. They would be looking for architectural components to the canopies. She stated that she believes that the canopies are six (6) feet from the back of the machines, and should provide enough protection from the elements.

Commissioner Carrillo requested an explanation of the traffic pattern when using the ITMs, and asked whether there is enough room to stack waiting vehicles.

Mr. Ewanowski stated that the current plan has oriented the ITM traffic to move from south to north. After the person finishes with the ITM, but needs to go into the building, they could turn left, park and go into the building. If they do not need to go into the building, the person would turn right and exit. The plan takes into consideration the stacking of the vehicles, and they have allowed for this so that these vehicles would not be in the way of traffic. They do need to look at the geometry, but they understand that there has to be enough room to stack four (4) vehicles.

Commissioner Carrillo stated that her recent experience at her bank was 6-8 [vehicles] deep. If this would be the case here, that would put them into the traffic pattern.

Mr. Ewanowski stated that is why they have proposed three (3) ITMs in addition the walk-up ATM and the traditional teller banking.

Commissioner Hanna questioned why the building was put in the middle of the lot. From a traffic flow sense, it seems it would have been better on the one side so that the traffic would be limited to that area.

Mr. Ewanowski stated that early on they had the building farther north, and there was concern for the vision triangle. They considered south, and the feedback was that the building would be too close to Drexel Avenue and that was not considered desirable.

Commissioner Hanna clarified that she was concerned about the ITMs in the middle of traffic. To reduce the amount of conflict, wouldn't a corner be a better place for this?

Mr. Ewanowski responded that they did look at other places and felt that this was the best balance, but they could review this and come up with other options.

Commissioner Hanna stated that if it was off to the side there would be less crossover traffic and more room to queue. As is she stated that she does not think this will be a safe and effective ITM location.

Mayor Bukiewicz asked where the dumpsters will be located, and asked about trash pickup logistics.

Mr. Ewanowski stated that the garbage is within the building. In this plan, the refuse service is located in the southeast, in lower right corner of the building. It has gates that obscure the refuse area. They will have small dumpsters that will be wheeled out, and a refuse service truck will come either before or after hours and empty out the refuse.

Mayor Bukiewicz questioned if the entrance should be directed further to the east and closer to the ITM area to reduce the traffic impacts.

Mr. Ewanowski responded that they could consider this. This design was made for the ITMs to have a calming effect to try to slow down the traffic.

Mayor Bukiewicz confirmed that the glazing that will be done does have to meet the Drexel Town Square requirements.

Planner Papelbon responded in the affirmative, and provided the details of these requirements.

Mayor Bukiewicz questioned if Fire Department had any concerns.

Assistant Fire Chief Mike Havey stated that there were none.

Commissioner Siefert asked Commissioner Sullivan if there was enough space between the utility easement and the sidewalks. He stated that he thought there was a required amount to the pavement.

Commission Sullivan stated that they do not have the dimensions in the notes, but from the drawing it looks like at least 8 - 10 feet from back of curb. The easement is the size of the easement, not the dimension to a paved surface.

Planner Papelbon stated that, on this drawing, this easement line is south of the easement area, so you have additional space going north. There are no setbacks to easements.

Commissioner Sullivan inquired as to what is proposed in this easement, and stated that Commissioner Siefert's concerns are probably for water and sewer.

Commissioner Siefert confirmed that is it water, sewer, electric among the others. If there are multiple things going through, they need more space.

Planner Papelbon responded that there are multiple easements in that area. They will have this information on later plans.

Commissioner Hanna moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for a financial institution with drive-through facility on the property at 7902 S. Main St.

Commissioner Siefert seconded. On roll call: all voted aye except Alderman Guzikowski. Motion carried.

SIGN PLAN REVIEW
TIMM HAHN, HSA COMMERCIAL REAL ESTATE
610 W. RAWSON AVE
TAX KEY NO. 735-9046-000

Planner Papelbon provided an overview of a Master Sign Plan for the multitenant industrial building at 610 W. Rawson Ave. (see staff report for details).

Commissioner Oldani moved that the That the Plan Commission approves the Master Sign Plan submitted by Timm Hahn, HSA Commercial Real Estate, for the multitenant industrial building at 610 W. Rawson Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all revised plans are submitted in digital format for review and approval by the Department of Community Development prior to the submission of permit applications.

Commissioner Siefert seconded. On roll call: all voted aye, Alderman Loreck was excused. Motion carried.

PLANNED UNIT DEVELOPMENT AMENDMENT
KEVIN KENNEDY, WALDEN OC, LLC
1998, 1997, 1900 AND 1880 W. CREESIDE CROSSING CIRCLE
TAX KEY NOS. 784-9037-000, 784-9040-000, 784-9038-000, 784-9039-000

Planner Papelbon provided an overview of the Amendment to the existing Planned Unit Development (PUD) (see staff report for details).

Commissioner Hanna asked for clarification that this request is for development signs while they are building.

Planner Papelbon responded that this is for a couple of signs: a monument sign advertising the development; entry signs that are similar to monument signs and will have one or two tenants on them; wayfinding signs that are larger than what Code allows; and a decorative sign that they call an obelisk in the center of the roundabout within the right-of-way, which are the ones for consideration for the Amendment.

Planner Papelbon provided an overview of the Conditions and Restrictions.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council approves the amendments to the existing Planned Unit Development for the properties at 1880, 1900, 1997, & 1998 W. Creekside Crossing Circle after a public hearing.

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

SIGN PLAN REVIEW
KEVIN KENNEDY, WALDEN OC, LLC
1998, 1997, 1900 AND 1880 W. CREESIDE CROSSING CIRCLE
TAX KEY NOS. 784-9037-000, 784-9040-000, 784-9038-000, 784-9039-000

Planner Papelbon provided an overview of a request to the proposed Master Sign Plan for the Creekside Crossing Marketplace development on the properties at 1880, 1900, 1997, & 1998 W. Creekside Crossing Circle, (see staff report for details).

Commissioner Chandler asked if the first sign meets the Code size dimensions.

Planner Papelbon advised that this sign was accommodated in the Conditions and Restrictions that they just reviewed.

Commissioner Hanna questioned if the obelisk piece would create a traffic pattern conflict, and whether this area will be used for snow storage.

Planner Papelbon stated that she did not see this area identified on the snow storage plan.

Commissioner Chandler asked to clarify where the street signs will be located.

Planner Papelbon responded that these signs are identified in two (2) locations - the entry points to the roundabout from the west, and from the south going north. These are future wayfinding signs dependent on how the development progresses.

Mayor Bukiewicz asked who was responsible for maintaining the landscaping in the roundabout at the monument sign. He stated that he thought that the landscaping fell with the developers around their signs.

Planner Papelbon said there was coordination for the street plantings to coincide with the development plan. She stated that she is not sure if the roundabout landscaping was addressed. Typically, it is the responsibility of the developer to maintain the landscaping around their signs. Tenant signs will be the responsibility of the tenants.

Commissioner Hanna stated that she thought this is a public road, and any public road should be part of the maintenance agreement.

Mayor Bukiewicz indicated that this would depend on what was put into the Development Agreement.

Planner Papelbon advised that they did not have these sign plans at the time of the Agreement. She deferred to Commissioner Sullivan for clarification.

Commissioner Sullivan stated that the maintenance during construction until acceptance is the responsibility of the developer. Once it is accepted by the City, the Development Agreement is closed out within a year. Nothing in the Development Agreement would have maintenance for any extended period of time. He stated that he believes it is handled under one document, and thought the it was worked out between the City and the developer.

Planner Papelbon stated that there were many discussions on where the signs were going, and what was going to be allowed. As far as the Landscaping Maintenance Agreement, she agreed with Commissioner Sullivan.

Commissioner Hanna moved that That the Plan Commission approves the Master Sign Plan submitted by Walden OC, LLC, for the Creekside Crossing Marketplace development on the properties at 1880, 1900, 1997, & 1998 W. Creekside Crossing Circle with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all revised plans are submitted in digital format for review and approval by the Department of Community Development prior to the submission of permit applications.

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

PLAN REVIEW

**LORRAINE SPENCER, SAI GROUP, ON BEHALF OF ELECTRIFY AMERICA
171 W. TOWN SQUARE WAY
TAX KEY NO. 813-9027-000**

Planner Papelbon provided an overview of a request to review site, landscape, and related plans for an electric vehicle charging station area on the property at 171 W. Town Square Way (see staff report for details).

Commissioner Siepert requested information on how they [chargers] work.

Planner Papelbon responded that these are rapid charging stations for non-Tesla vehicles.

Lorraine Spencer, SAI Group, 12 Industrial Way, Salem, NH, stated that it takes anywhere from 20-40 minutes to charge using these fast chargers.

Mayor Bukiewicz asked if the proposed LED light fixture to illuminate the area will match the others in Drexel Town Square.

Planner Papelbon responded in the affirmative.

Commissioner Siepert asked the Fire Department about safety hazards of these charging stations and batteries.

Assistant Chief Havey responded that they have no issues. If they have issues, it would be from the vehicles. With the lithium-ion batteries there have been issues throughout the country, and the department are forecasting what those issues are, and tactically addressing them. There is nothing specific to the charging stations.

Planner Papelbon read the Zoom Chat comments from Lorraine Spencer: these are DC rapid chargers. There is no fire hazard from their end. The equipment is designed to shut off at the source in the event of problems during charging.

Alderman Guzikowski questioned if there are other types of charging stations, and whether we could receive more requests like this one.

Planner Papelbon responded that it is possible we will see more requests for charging stations, or if the technology improves, we could see more requests for any alternative methods of transportation.

Mayor Bukiewicz stated his opinion that we will be seeing more of this because we need to build up the infrastructure. It's part of the American Rescue Plan Act of 2021 money, and the movement is going to green fuel sources to reduce the carbon footprint.

Alderman Guzikowski moved that the Plan Commission approves the site, building, and landscape plans submitted by Lorraine Spencer, SAI, for the Electrify America electric vehicle charging stations on the property at 171 W. Town Square Way with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all mechanical equipment, transformers, and utility boxes shall be screened from view.
3. That the landscape plans are revised to include heights of all screening plants at installation and maturity per Code requirements.
4. That all detailed, revised, and finalized plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

LANDSCAPE PLAN REVIEW

DAVID DECKER, DECKER PROPERTIES, INC

8100 & 8146 S. 27TH ST., 8100 S. ORCHARD WAY

TAX KEY NOS. 810-9012-001, 810-9005-000 & 810-9013-000

Planner Papelbon stated that Plan Commissioners may recall that as part of the Planned Unit Development there was a requirement for the submission of a Master Landscape Plan for the Planned Unit Development to be submitted for review and approval by the Plan Commission prior to the review of any project within the Planned Unit Development which is why the Landscape Plan is a separate item on the agenda from the rest of the plans for the Site and Building Plan review. There are several concerns with regard to what was proposed and we have been in discussions with the applicant and their consultants so we are in the middle of addressing these concerns. Specifically screening of parking from 27th Street appears to be inadequate as is just the general landscape treatment along 27th Street. We are showing as part of the plans that there's landscaping shown in the buffer area on the east. That is supposed to be a tree preservation buffer, it is a buffer to the park area immediately to the east but in plans for the Colonial Woods Development of which this used to be a part there was a retention of landscaping in that 50-foot buffer. So, there are some concerns for just removing every part of the vegetation and then replacing it with a few trees. That's probably a little bit unfair to the plans themselves, since we are up discussion about them and making some you know revisions to them, but that buffer area is slightly concerning as well. Street trees have been provided a long Orchard Way but they are insufficient with regards to the requirement's for public street trees we are missing some requirements to comply with the Code. In terms of the details for the landscape plans, height of the plant installation and maturity, minimum caliper for the trees, those kinds of requirements you know, basic things like labeling each of the plants. Staff was not in a position to propose a recommendation. For approval of the Landscape Plan is presented with these

concerns, which is why are recommending that the proposed Landscape Plan which is on the screen right now actually be held to allow the consultants to address some of the concerns raised by stall allow those discussions to continue and bring that back before the Plan Commission on October 26th. If you wanted to get into the nuts and bolts of the landscape plan, I do have it broken out into quadrants for the west which is essentially from the intersection of the public and private road to 27th Street and also east which is the public road area. Then mostly for the C5 and then two (2) of the A4 buildings. But the suggested motion again is to hold action on the proposed Master Landscape Plan until the October 26th meeting.

Mayor Bukiewicz stated that I think Planner Papelbon kind of laid that out pretty well. Any questions from the commissioners.

Planner Papelbon stated there was an email that was received late this afternoon and was forwarded on to the Plan Commission. It is at each of your stations. There is a request that the subsequent plans which are next on the agenda for review be considered for Conditional Approval. The condition being that the landscape plan is revised and approved by staff. Staff cannot approve the landscape plan for the Planned Unit Development. It must be approved by the Plan Commission so there is that distinction there. However, as we will discuss in the next agenda item the Plan Commission does have a couple of options.

Mayor Bukiewicz respond by thanking Planner Papelbon for the alert. You know in light of the incomplete plans, I would fall on the side of consistency and again bring it back on the 26th. Would be my thought pattern. Commissioners, you each are entitled to your own opinion but that'll come out in the votes.

Commission Hanna stated I agree.

Mayor Bukiewicz asked if somebody like to hold the motion to hold, I think it's appropriate.

Commissioner Guzikowski started to read the motion and then someone from the audience asked to speak.

Mayor Bukiewicz apologized and asked if they would like to come up.

Eric Drazkwoski, 100 Camelot Dr., Excel Engineering. Thanks for taking the time this evening to hear the plans out. I guess I would like to just comment on a couple things here. First, if we are going come back for the October 26th deadline when will be plans be due.

Planner Papelbon advised that they would need the plans no later than the 19th.

Mr. Drazkwoski responded, Okay, I guess what we would love to see is to keep moving the project forward. Conditional Approval on this Landscape Plan, I believe the revisions are minor in nature. Okay. So, I would love to have Conditional Approval of these plans. With staff's approval of the review of the plans at a later date. I mean I think all were talking about is beefing up the landscaping along 27th Street which is pretty simple, right. The buffer yard, I just would like to address that, in that 50-foot buffer yard on the east side there's no existing trees in that buffer yard currently. It was my understanding that was like a root zone protection area there, so and plus we have a whole wood there, so I believe that gives a beautiful buffer to east to the north. We talked about screening on the north of which we did screening of the parking lot from 27th Street. I would argue most of those existing buildings are the screening, and if you recall we had to extend the masonry down along the edges there as well. So, but again, we can easily work

with staff I firmly believe to beef up the landscaping along 27th Street, along Orchard Way and I mean it's pretty simple to me.

Mayor Bukiewicz responded with were pretty explicate, we didn't want the plans come back here in the first round of it to come through this plan.

Mr. Drazkwoski: So, do excuse me, so will, Plan Commission actually be reviewing the planting materials and the layouts.

Mayor Bukiewicz responded that they'll look at the overall plan.

Planner Papelbon stated to answer your question, yes, the Plan Commission will be reviewing the landscaping for the conformance from the Code and this includes the materials the and the specifications for the landscape plan.

Commission Hanna stated I have a question, defined simple. Your saying it's pretty simple to address what does that mean.

Mr. Drazkwoski responded you guys have the time I would love to go through the Code requirements then, since you'll be the one approving. Is that something that's feasible.

Mayor Bukiewicz replied I guess the answer me this, if we go ahead for the purpose of the moving this through and keep the project going and I think were all in favor of that. And the landscape plan never materializes to what it should, and it remains what's on paper, which were not an approval of, what course do we have then.

Planner Papelbon answered, well then, we get into a series of do we issue Building Permits, do we issue Occupancy Permits, is gets into Conditions of Approval.

Mayor Bukiewicz stated why don't we just go with consistency and follow our processes.

Planner Papelbon responded, well that's part of why we recommended holding the items so that we still can have those conversations with the consultants and get you a landscape plan that staff is comfortable presenting to the Plan Commission and not only does it meet the Code but it also achieves the goals for the Development that we are all on board with which is to create a development that everybody is proud of, is successful, is presenting the luxury apartment product that everybody is reviewing tonight. So, we don't feel that the landscape plan should be something that we design on the fly.

Mayor Bukiewicz responded I agree.

Planner Papelbon stated I think that there are conversations that can need to continue to have happen and staff cannot approve the landscape plans for the Planned Unit Development that needs to come before the Plan Commission. I do think that the discussion needs to continue and I think that we can get to a point where the landscape plans are revised in a way that the Plan Commission, and staff, and the applicant are all on board with.

Mr. Drazkwoski response was I guess the way I see the Code is to answer your question before about simple. So, if I follow your Landscaping Ordinance, as a site, as a whole. It talks about one (1) ornamental tree every 35 lineal feet. Oaky so, to me that 's simple. We will pick ornamental trees, we'll put them every 35 feet along Orchard Way and along 27th Street. So, to me that's

simple. Things that are not simple, for example, this is parking lot screening. So, it talks about if there parking areas abutting the Residential District line or the Public-right-away, so the parking areas and then you would follow underneath that and that's where it talks about landscaping screening along the streets. So, we really only have five (5) parking stalls along 27th Street, you know. So, there's some interpretation I'm going need help with. So, hopefully I guess, that why I'm almost asking the Plan Commission since they have to approve it.

Commissioner Hanna responded to kind of answer your question, if it was that simple, why was it not incorporated the plan the landscaping plan. That's number one (1). Number two (2), is and Planner Papelbon, you correct me if I'm wrong. We're asking for maybe maximum of two (2) weeks. I don't think two (2) weeks will really hold the project that much. Things take time for it to be designed and scheduled. So, it's not going to really put your milestone in a very bad situation. So that would be appropriate. Now the comment about the parking stalls as screening, as Planner Papelbon mentioned, this is the entrance to Oak Creek, so, any parking it need to be shield because you don't know whose going put a car out there so being screened by landscaping, you still have an inviting and the luxurious feel of that neighborhood. I agree with that, so that is my input on this.

Mayor Bukiewicz: Any other comments.

Commissioner Sullivan stated I have one comment, I guess this is more just of a thought process. The next item is Plan Review. We're not going to stop our Plan Review because the landscaping is put on hold. For my understanding, correct.

Planner Papelbon answered that would be part of the multi-step options that the Plan Commission can consider. In this case, we do not feel comfortable with landscape plans that were proposed. Which is why we are recommending the hold. The wording in the Planned Unit Development, is such that there has to be a Landscape Plan presented for Plan Commission approval prior to the subsequent Development Plans. I think we're comfortable enough, moving forward with the review of the other plans with the condition that the Master Landscape Plan is brought back for Plan Commission review, at a date certain, that's I think absolutely acceptable.

Commissioner Sullivan responded was I think that's a good compromise at this point. I mean were going to hold this item as least were giving the option of moving forward still with the project and review the plan the subsequent of them returning with the Master Landscaping in two (2) weeks. I don't think that's going slow your project up, Eric, I think it's a good compromise at this point if the Commission is willing to consider that. I'm in favor of considering it, obviously.

Planner Papelbon responded that, now the other option is for the Plan Commission to hold, which is what the recommendation and the staff report was, but were not at that item yet.

Commission Guzikowski responded to hold both of them.

Planner Papelbon said that was the recommendation was to hold both until these plans can be presented to the Plan Commission in a form that everybody's comfortable with presenting to the Plan Commission for approval. There is the option that the Plan Commission could Conditionally Approve the rest of the plans.

Mayor Bukiewicz stated I myself, and I did this earlier in the school sign, I went with consistency. That was the deal and I'm going to stick to consistency on this. That's my opinion but your going to each your own.

Commissioner Siepert moved that the Plan Commission holds action on the proposed Master Landscape Plan submitted by David Decker, Decker Properties, for the properties at 8100 & 8146 S. 27th St. and 8100 S. Orchard Way.

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

PLAN REVIEW

DAVID DECKER, DECKER PROPERTIES, INC

8100 & 8146 S. 27TH ST., 8100 S. ORCHARD WAY

TAX KEY NOS. 810-9012-001, 810-9005-000 & 810-9013-000

Planner Papelbon stated that this is all part of the same development which is currently zoned RM-1 Planned Unit Development and the proposal is for 218 apartment units in 10 multi-family residential buildings, including a clubhouse and outdoor pool. We did have a Certified Survey Map that kind of reconfigured the properties and re-divided them along with showing that reconfigured Orchard Way, the public portion on a Certified Survey Map that has yet to be recorded. That will be required to be recorded before any building permits are submitted for review, and of course the proposal is subject to the Planned Unit Development that we've been discussing. Including those conditions for Plan Commission approval of the Landscape Plans. So, on the screen right now is the proposed Site Plan. The color coding is just to identify the buildings. So, each of the red buildings are the 44-unit buildings, the blue buildings is the B1 10-unit townhouse style building, the two (2) yellow C buildings are the eight (8)-units, the two (2)- green are the six (6)-units and the purple is the four (4)-unit building and the orange square is the clubhouse and the pool next to it. We also have the large wetland area with a 10-foot buffer that has been shown. That 10-foot buffer basically says that you can't drain your hard surfaces there. On the screen right now are the proposed parking counts so for each of the A building those large 44-unit buildings there will be one underground space per unit. And then on the surface lots and this is not including any of the on-street parking for either the private or the public road. The surface units have been kind of identified to be assigned to each of the buildings. So, for the A1 building there are 20 surface stalls that have assigned according to these plans. For the A2 building an additional 16 stalls, for the A3 an additional 31 and then A4 an additional 43. Again, excluding any numbers that may have been assigned for on-street parking on the private portion. B1 buildings, each will have its attached garage, so there is 20 stalls. And then an additional eight (8) surface stalls. The C1 and C2 buildings they will have 16 stalls in the attached garages per building and then the C1` building has an additional eight (8) surface stalls. C2 has there for the surface three (3) stalls and the C3 and C4 building has 20 surfaces stalls in their attached garages per building and then four (4) surface for the C3 and 19 for the C4 the C5 building the attached garage can accommodate eight (8) and then there ten surface stalls. Now we did talk with applicant's consultant regarding the clubhouse because originally there weren't any stalls that were assigned to it so we want to thank you for identifying 10 surface stalls and then there will be an additional three (3) or so will be provided on the private street portion. All told 106 on 176 underground, 84 attached and 172 surface stalls and parking your recall is based on the number of bedrooms for multi-family. So, studio and efficiency and one (1) bedroom units require one (1) and a half (1/2) parking stall per units, two (2) bedroom require two (2) stalls per unit. And three (3) bedroom and above have two (2) and a half (1/2) parking stalls per unit so that would equate to 401 for the development and the development actually exceed that minimum number. These are the elevations for each of the buildings /m not going to go through each of these but I do want to call your attention to the percentages that were incorporated because while we did have the change in the materials, whenever we were talking about the Planned Unit Development, the percentages are still per Code and that it requires a three-quarter majority approval for the use of

fiber cement and also a minimum 65 percent of the total exterior wall area of multi-family residential building must be brick or decorative masonry so like other apartment complexes that don't technically meet the letter of the Code with regard to brick or masonry. It requires the Plan Commission to make a determination as to whether or not the proposed material are acceptable and acceptable in the percentages that are proposed. So, these are the A1 through A4 buildings, I'm just going to go rapidly through these. The elevations for the B1 building, the C1 and C2 buildings you will note that there is an old elevation in here. These should be shingles on the roofs. C3 and C4 buildings, C5 building, and were seen the clubhouse previously. And were also seen renderings this is what would be seen from 27th Street, kind of from southwest. And this is the entrance, the clubhouse, and the different view of the clubhouse. So, the monument sign was only incorporated for reference. The proposed location looks like its outside of all Utility Easements and the dimensions meet the Code requirements, so it doesn't actually need Plan Commission approval, just needs a Sign Permit. They're no trash enclosures however, they would not be allowed in the front or street yards. That's for any of roll offs or bins or what have you. So, there are 2 options. One is to hold the entirety until the landscape plan is approved at the 26th meeting in which case the Plan Commission could consider the rest of these at that meeting. That's what was recommended in the report there was a discrepancy in the last paragraph and that was saying that we work with the applicants and their consultants to address any of their remaining issues. That would be something that we would incorporate into a suggested motion that would recommend approval and there's a typo here so let me fix that real quick. That would be brought back for Plan Commission review, at the October 26th meeting. So, you have two (2) options. You can hold it and review everything on the October 26th meeting, or you can approve the plans conditionally as normal with the exception that the Master Landscape Plan has to be brought back to the Plan Commission for review and approval at the October 26th meeting, before anything further can happen.

Mayor Bukiewicz stated that this was discussed a little bit. Commissioner Sullivan thought that compromise going forward with this. So again, nothing with these buildings are going to change. In reference to the landscape as Planner Papelbon stated just to be clear. Building permits wouldn't be committed to until the Master Landscape Plans is complete, and through here in the 26th so, guys do you want a worked before we go to commission or.

Dave Decker, Decker Properties, 250 N. Sunny Slope Road, Suite 290, Brookfield, WI.
Thank you for the opportunity to be heard. You know the process is little bit of a mystery to me. And I want to make sure that I share this idea with all proper respect. I don't mean to certainly complain or throw a dart, but we've had a landscape plan on file since February. We haven't made any changes to it of any substance, we haven't taken anything out or added anything in or moved anything so it seemed like there was a lot of opportunity to comment on this prior to now. Then when we did receive some comments that were expressing concern about the landscaping plan. That was actually Wednesday of last week, got an email, I was actually out of town and was out of state. We convened a conference call with the team right away, to address those we submitted some drawings. So, regardless of timing, we wanted we had a positive relationship with staff we've worked with them whenever there was a concern throughout this process. I think we can continue to do so in a good faith manner. I definitely hope we can move forward with the 2nd option in terms of the suggested motion.

Mayor Bukiewicz stated that wherever there was a concern throughout this process and I think we can continue to that now in a good faith manner so I definitely hope that we can move forward with the second option here in terms of suggested motion. I do appreciate that and again maybe it is lack of communication but where've run across this on other phases of this plan as well with

the vinyl siding and things of that nature, so you know I really want to stick to consistency and process.

Planner Papelbon wanted to clarify that until a landscape plan is presented to the Plan Commission as part of the Site Building and Landscape Plan review, they are considered conceptual. So, we can only give general information regarding landscape plans that are considered conceptual. We expect that landscape plans will change and be revised several times before they get submitted for a formal review. And landscape plans are never actually submitted as part of any other review for an approval unless, it's part of a separate Landscape Plan review or Site Building Plan review so during the Planned Unit Development, we don't approve a landscape plan. During a Certified Survey Map, we don't approve a landscape plan. Its only at these 2 options where we have the detailed plans to present for review and approval. So maybe that's a little bit of a clarification point but that's why there weren't specific comments until we received these plans. They're conceptual.

Mayor Bukiewicz comment was "Understood". Like our signs meaning conceptualized monument.

Planner Papelbon stated unless they presented for specific approval at that night they are considered for reference until there either fully designed and vetted or until at some point of sign appeal is required, or a Master Sign Plan is required. Its pretty much the same thing.

Mayor Bukiewicz opened it up to commissioners.

Commissioner Hanna responded that I would go with the consistency and I would go for option one.

Commissioner Sullivan stated that if you want to stay with consistency which I always support, and I would support option one.

Commissioner Carrillo responded that she doesn't have any other questions in regard to the rest of the plans we've seen them a couple of times already, I'd be willing to go, option two (2).

Alderman Guzikowski state that he would option one (1) to hold

Mayor Bukiewicz interjected is that well you know I mean or if you have questions on the plans.

Commissioner Guzikowski responded that no my questions have bend answered ok.

Commissioner Oldani stated that this is just weird because this is like déjà vu with the vinyl. Staff has a problem with the vinyl, they claim we had no idea there was a problem, and this exactly what's going on here. So, I don't know what's going on but we have two (2) holds and I'm not sure why there getting this far but were just sitting here talking about a hold, and maybe at another time we can get educated on you why these holds just come here instead of pushing it back and having come back in two (2) weeks with you know, getting it banged out before this. But clearly seems to be some miscommunication. It seems like you know a staff hasn't had this amount of miscommunication with an applicant to be quitter honest and there seems to be a lot of it with this one so I am going to go along with staff on this but I hope going forward we can get this figured out before we get to this point, a third time.

Planner Papelbon stated she can understand that and part of the challenge is that the applicant has the right to request review by the Plan Commission regardless of whether or not staff supports

it. So, while we try in every make every effort to present plans that we can provide our recommendation for that we feel comfortable presenting to the plan commission there are just certain times when staff and the consultants don't necessarily see yet to eye, and the plan commission has to make that ultimate determination.

Commissioner Oldani understood and thanked planner Papelbon for the explanation, that I was wondering if that was part of it. Like nope were going anyway, and we certainly voted against recommendations by the staff before, several times there usually not to happy about it or and but we also trust them a lot when they're working so hard so many hours behind the scenes, and I would just say you know work together and come up with something you know come to us with something other than a hold, they do a lot of work. And we trust their judgement and I don't like seeing these holds coming up here, recommendations for holds that means some things not going on correctly in the background that we don't see, and I would like to see a little more a of the work done and not say you should do all the work but it's a little more lets say applicant, staff being on the page a lot more that they have been, before I can vote. I'm against, what staff is going against. So, in this case, I'm going to side with option one (1).

Commissioner Siepert stated I did a lot of talking (inaudible), but I do support the staff and I appreciate the effort they put into it and what happens. So, I'm going to go with option one (1).

Commissioner Chandler stated she has questions for the Applicant. In regard to the building, it was noted that there's a high percentage of what's the verbiage Planner Papelbon. stated that her question is in regards to, can you provide a little more information in regards to sometimes there is a very high percentage of the cement board verse the Code. Over that 65 percent.

Planner Papelbon advised that the requirement in Code is that its 65 percent of the building the total exterior building should be brick or decorative masonry. There is the option for the Plan Commission to consider other materials and the Plan Commission does require three-quarter approval of the Plan Commission to use fiber cement. So, with the percentage that are presented for each these elevations it would up to the Plan Commission to determine if you are comfortable with that. The reason I ask for elevations is because we don't want lopsided buildings so you don't want to put 65 percent of the total exterior of the building on the front, we always require it by elevation.

Mr. Decker asked for clarification on the question.

Commissioner Chandler stated that goal is to get close to the 65% for the cement of board. And the plans seem to be much greater than 65 percent.

Mr. Decker responded that I think that in working with staff we tried to come up with something that was workable and consistent with what other projects that had been improved and my understanding was this was a good approximation of that. I think that what we've come up this is a you very attractive building. I'm a lay person, I can't get into the details of you the percentage of different building material look. I just from a big picture perspective, I think that we've come up with an attractive design. That is certainly attractive in its own right, but also consistent with other developments in the City.

Commissioner Chandler had another question in regard to traffic flow. Can you provide some information on how the traffic will flow in the area?

Mr. Decker, suggested that Eric Drazkwoski would be the right person to answer these questions.

Mr. Drazkwoski: So, the intent is as you know we extended Orchard Way on the east side, worked with Department of Transportation to give the cul-de-sac in their ideal location. Then we have a right-out, right-in only at 27th Street of which we just responded to Department of Transportation last comment last week. So, were expecting approval from them shortly, but reality is we expect most traffic to be using that main entrance there. They're going to have to come from the south to enter. I believe you in theory the adjacent traffic to the south could cycle through the site. We're expecting all our trips, to most of our trips, to come off 27th Street. We looked at, if we can fit semi-truck there, so we did look at that and made sure we can have those through there.

Commissioner Chandler asked that, so are these one (1)-way streets.

Mr. Drazkwoski: These are two (2)-way street.

Commissioner Chandler responded okay and then is there any specific signage in regards to this area.

Mr. Drazkwoski state we have a stop signs at the intersection there. That are just inside. And the Department of Transportation looked at that and requested a stripe in there for that so they have commented on that and we pushed that intersection back even further than the original design per their recommendations. So yeah, here its sign its location. There'll be stop signs at the other location as well.

Commissioner Chandler thanked Mr. Drazkwoski and had just another question for Planner Papelbon, so if I understood this correctly, with the discussion with Planning that's where the percentages came from for the building materials. So, that is has been reviewed by planning yet.

Planner Papelbon I don't think staff has made any particular recommendations for the use of fiber cement and bring masonry or what have you. we present something to Plan Commission because if it doesn't meet that 65 percent, the Plan Commission can make the determination as to whether or not acceptable. And we've seen fiber cement used on other building before this just a matter of are these percentage acceptable to the Plan Commission, staff can't make that determination. We can only guide and provide as much encouragement to meet that 65 percent as possible. But ultimately the applicant has the right to ask.

Mayor Bukiewicz as far the proposed Site Plan fiber cements the whole thing I think we've been through this. I think we got what we wanted, when we talked about the vinyl and went over the shingles versus the metal roof and all that. Regardless of whether the option is to hold or put it through tonight, bottom line is nothings going to happen until 26th with that Master Landscape Plan. So, I mean you would see this again on the 26th or you'd approve it and it would sit idle and it would leave a stop next time through. Kind of the compromise that Commissioner Sullivan put forward. So, I mean you know to just stop a lot of debate I don't have a lot of issue, as Mr. Decker said I do think it's a nice-looking concept and a nice mix of cement fiber board and brick materials out there so. Either way again I just every time we step out of consistency when we do have Planned Unit Developments or when we violate, you know, our own Codes for that matter what it does is it allows the next applicant to come through and go well it happened over there. You did it for this guy, and then we debate the merits of our we holding it up or are we not holding it up or there's a sign big enough and again going into proportion of the buildings if that's the case then we should put up a drive-in sign down at Amazon. You know they can make if were going to go that route so that's why we work on the Zoning Code and things like that. So again, I know I'm

kind of on a soap box here about consistency, but we run across this quite a bit. So, whichever way you guys want to go because this isn't going anywhere and to it until the Planned Unit Development is satisfied and that calls for the Master Landscape Plan. So, I just want to make that clear.

Commissioner Chandler had just one additional comment so if I'm understanding this correctly to put this on hold as was the other item, then they would be come back.

Mayor Bukiewicz stated that they would come back you would see the exact same thing back here following the Master Landscape Plan just as it was presented tonight and items h and l whatever it was. You see the exact same thing whereas it this goes tonight, you'll see the landscape plan. Am I correct in that, Planner Papelbon.

Planner Papelbon responded yes, is if you hold the item then the decision would have to be made at the 26th meeting following approval of the mater landscape plan on the 26th meeting after the Master Landscape Plan review.

Mayor Bukiewicz responded then we would we ask all the questions of just what we went through with this.

Planner Papelbon interjected that you don't have to. You'd have a second opportunity to asks questions.

Mayor Bukiewicz stated either way this item gets voted on if not tonight then the 26th.

Commissioner Oldani just going to say if they both get hold, hopefully the minutes reflect a lot of those questions and myself included, look over those minutes good, so were not asking the same questions over again. I know I will, I can't remember day to day some my activities so two (2) weeks can be a long time.

Planner Papelbon responded that we'll ask that the minutes be as close to verbatim as possible.

Commissioner Oldani moved that the Plan Commission holds action on the site, building, and related plans submitted by David Decker, Decker Properties, for the properties at 8100 & 8146 S. 27th St. and 8100 S. Orchard Way.

Commissioner Siepert 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 8:17 pm.

ATTEST:



Kari Papelbon, Plan Commission Secretary

10-26-21

Date