

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JANUARY 11, 2022**

Alderman Loreck called the meeting to order at 6:02 p.m. The following Commissioners were present at roll call: Commissioner Sullivan, Alderman Loreck, Alderman Guzikowski, Commissioner Oldani, Commissioner Siepert, and Commissioner Chandler. Mayor Bukiewicz, Commissioner Hanna, and Commissioner Carrillo were excused. Also present: Kari Papelbon, Senior Planner; Jack Kovnesky, Planning Intern; and Mike Havey, Assistant Fire Chief.

Minutes of the December 14, 2021 meeting

Commissioner Siepert moved to approve the minutes of the December 14, 2021 meeting. Commissioner Guzikowski seconded. On roll call: all voted aye. Motion carried.

**USE APPROVAL
OAK BROOK CENTER
9555 S. HOWELL AVE.
TAX KEY NO. 906-9011-000**

Planner Papelbon provided an overview of the request submitted by Gary Hintz to allow manufacturing and alteration of firearm receivers by tenants at 9555 S. Howell Ave. (see staff report for details). This item was held at the December 14, 2021 meeting to allow staff time to craft conditions of approval.

Assistant Fire Chief Mike Havey had expressed his concerns regarding the welding operation, and stated that compliance would need to take place such as a designated area, fire extinguishers, and fire watch postings. The applicant must label and secure flammable materials.

Planner Papelbon stated that the consumer-grade equipment may be allowed in conformance with all Fire Codes.

Commissioner Chandler asked about ventilation needs and provisions for the proposal.

Gary Hintz, 9555 S. Howell Ave., answered that there will be no ventilation and the very minor welding will take place in the back on the sidewalk.

Planner Papelbon mentioned that all activities are required to be done inside the building, and ventilation could be included in the Conditions of Approval, if needed.

Mr. Hintz said that he will get together with the Fire Department.

Commissioner Oldani moved that the Plan Commission approves the Use Approval for the manufacturing and alteration of receivers by tenants on the property at 9555 S. Howell Ave., subject to the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all conditions of Resolution 692-010764 and prior approvals for the property remain in effect except as specifically amended herein.

3. That the manufacturing and alteration of firearm receivers is limited to one (1) tenant space within an existing building on the property and the following:
 - a. Etching and/or Engraving – the action, process, or production of words, pictures, or designs by printing from or onto previously-prepared typical commercial parts or products. Etching and/or engraving of parts or products may be conducted by hand or small machine on previously-prepared typical commercial parts or products.
 - b. Machining – drilling, boring, turning, or forming of typical commercial parts or products utilizing consumer-grade drill press machinery for use on/with previously-prepared typical commercial parts or products. Excludes general manufacturing and metal fabrication, and sale of separate components.
 - c. Packaging – enclosing typical commercial parts or products within a container or covering. Excludes the manufacture of packaging materials.
 - d. Surface Finishing – the application of a protective coating to typical commercial parts or products. Application and storage of coating materials shall be fully-contained within the building and in conformance with all Fire Department and Inspection Department requirements.
 - e. Sheet Metal Forming – forming of previously-prepared typical commercial metal plates utilizing consumer-grade hydraulic press machinery. Excludes general manufacturing and metal fabrication or forming, and sale of separate components.
 - f. Welding – to unite or repair previously-prepared typical commercial parts or products utilizing consumer-grade welding equipment in conformance with all Fire Codes.
 - g. Assembly – the fitting together of previously-prepared packaging, non-hazardous commercial materials, or typical commercial parts or products.
4. That the above-defined uses shall comply with the Performance Standards in Sections 17.0801 – 17.0810 (as amended).
5. That the above-defined uses shall comply with the Noise Ordinance in Section 11.26 (as amended).
6. That all waste and recycled materials generated or utilized by the above-defined uses shall be disposed of in conformance with all applicable local, State, and Federal laws. There shall be no on-site storage of flammable or hazardous materials.
7. All activities associated with the above-defined uses shall be fully contained within an existing building on the property, not to exceed 1,500 square feet. No new buildings or additions to existing buildings to accommodate the use are included in this approval.
8. There shall be no outdoor storage or display of materials or merchandise.
9. No signs for the business other than those required by local, State, or Federal laws shall be allowed.
10. Hours of operation shall be limited to 8:00 AM – 5:00 PM, Monday through Sunday.

Commissioner Siepert seconded. On roll call: Commissioner Chandler voted no, all others voted aye. Motion carried.

**PLAN REVIEW
CHICK-FIL-A
150 W. TOWN SQUARE WAY
TAX KEY NO. 8138047-000**

Planner Papelbon provided an overview of the site, building, and related plans submitted by Frank Gawdun, Esencia Architecture, LLC, for a detached canopy over the existing drive-through and a detached canopy on the building on the property at 150 W. Town Square Way. (see staff report for details).

Frank Gawdun, Esencia Architecture, LLC, stated that the canopies are satisfying two needs within the community. The first need is to help shelter the employees while they work outside with taking orders on the smart tablet and passing out orders. The second need is to help with the traffic flow. Mr. Gawdun stated that sometimes the speaker on the existing menu board does not work, and it causes long lines. Mr. Gawdun explained how the operation works currently with employees being outside taking orders and passing out the orders. Mr. Gawdun stated that the lights will be recessed and shielded from Drexel Avenue, that he can provide a photometric plan, and can lower the brightness, if needed. Mr. Gawdun also mentioned that the fans and heaters will be hard to screen, and they are trying to streamline the design of the canopy.

Commissioner Chandler asked if there are any way to blend the canopy.

Mr. Gawdun mentioned that the columns will match the original construction of the building, and if there is any opportunity to improve the landscape area with larger trees along Drexel Avenue, they will do that.

Commissioner Chandler asked if planting taller trees would be acceptable.

Planner Papelbon answered that trees are welcomed, as long as they do not affect the easements.

Commissioner Siepert asked how the fans and heaters will be controlled.

Mr. Gawdun stated that there are switches on columns that can be operated by the employees, and there also will be a timer for the devices.

Commissioner Loreck commented that he has seen the canopy at other locations, and thought that they did not stand out too horribly.

Planner Papelbon stated that a temporary shelter was put up at the beginning of the pandemic, but building permits were not obtained. Therefore, as part of the motion, a request to have the temporary shelter be removed once the canopies are completed is included.

Planner Papelbon suggested that number 5 in the motion be changed per the suggestion by Mr. Gawdun that trees may be planted.

Commissioner Siepert moved that the Plan Commission approves site and building plans submitted by Frank Gawdun, Esencia Architecture LLC (on behalf of Chick-fil-A), for the property at 150 W. Town Square Way with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all previous approvals and conditions of approval remain in effect.
3. That any lighting be fully recessed and shielded from line of site to the traffic lanes in Drexel Avenue.
4. That no signage, other than required regulatory signage is permitted as part of, or attached to, the canopy or support structures.
5. That the heaters and fans be recessed into the canopy or, if that is not possible, that the canopy fascia be extended or landscaping be installed in accordance with DTSMUPDD requirements to screen this equipment.
6. That the temporary shelter west of the existing menu boards is removed upon completion of the installation of the canopies.
7. That all detailed, final plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

Commissioner Oldani seconded. On roll call: Alderman Guzikowski voted no, all others voted aye. Motion carried.

**COMPREHENSIVE PLAN AMENDMENT
9102,9120, & 9140 S. 27TH ST.
TAX KEY NOS. 878-9999-000, 878-9998-000, & 878-9997-000**

Planner Papelbon provided an overview of a proposed amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020) that would change the Land Use Plan and category from Single-Family Attached to Mixed Use and Multifamily for the properties at 9102, 9120, and 9140 S. 27th St. (see staff report for details).

Commissioner Sullivan stated that Single-Family Attached is the appropriate use for the area. Mixed uses are seen across the City, and some areas struggle while others do okay. Commissioner Sullivan stated his concerns with this proposal being on the 27th Street corridor with residential and multifamily nearby, and how successful it will be.

Alderman Guzikowski stated that he does not support the mixed use, and agrees that single-family would be best.

Commissioner Siepert stated that he, too, is questioning the use change and does not support it.

Commissioner Chandler asked if the plans would fall under the Single-Family Attached since some are over four units and two stories high.

Jason Christiansen, Nielsen Madsen & Barber, Civil Engineer, 1458 Horizon Blvd, Racine, stated that it would seem that the multifamily portion would fall under the category of Single-Family Attached as part of a Conditional Use. Mr. Christiansen stated that he was not sure how the three units would be incorporated with this.

Planner Papelbon stated that the three units would be reviewed as a complex and would be under one approval.

Commissioner Chandler asked to have more explanation on the mixed use.

Mr. Christiansen stated that the property is currently zoned B-4, and it would be complying with the commercial zoning but adding the residential on top. They are looking into the transition from the residential to commercial, and Mr. Christiansen stated that it is fitting within the 27th Street corridor.

Commissioner Chandler asked if the property is zoned for Single-Family Attached.

Planner Papelbon stated that in the Comprehensive Plan, all the properties south of Hilltop Lane to Oak Shores Apartments property, have been identified as appropriate for future development as Single-Family Attached. Staff do recognize that portions of the properties are currently within a business district, and the concern is whether mixed use with the vertical integration is appropriate for the area.

Alderman Loreck stated that he wanted to clarify the process. This is a Comprehensive Plan to be amended, and based on the Plan Commission recommendation, if passed today, this would go to the Common Council. Alderman Loreck asked whether they would still need to rezone the property. Planner Papelbon replied that they would. Alderman Loreck asked whether they would then need to bring plans to the Plan Commission.

Planner Papelbon answered that there will be various, multiple reviews required based on the actual proposal for the development on the property.

Alderman Loreck stated that he, staff and the rest Plan Commission are of the understanding that the Single-Family Attached listed in the Comprehensive Plan is to create a buffer between the single family and the multifamily. Since the Comprehensive Plan was updated just recently, Alderman Loreck stated that he felt, along with the other Commissioners, that the change is unnecessary and Single-Family Attached is appropriate for the area.

Commissioner Chandler asked whether the multifamily should be included in the motion, if it met the requirements of the Single-Family Attached.

Planner Papelbon explained that the Zoning Code update will affect how the applicant may proceed with the development. Planner Papelbon recommended to either have the Multifamily be adopted or be excluded from the motion or have two different motions.

Alderman Loreck reiterated what needs to be done with the motions.

Planner Papelbon apologized if she was not clear. Planner Papelbon explained that there are two options. One way is to have two different motions: one motion for the first 600 feet to be Mixed Use, and the second motion would be on the Multifamily. Or exclude the Multifamily from the motion and vote on just the Mixed Use. The vote on just Mixed Use would not affect the Single-

Family Attached, which would not affect the applicant's ability to proceed with the conceptual plan under the Comprehensive Plan Amendment and the updated Zoning Code.

Alderman Loreck asked the Commissioners if everyone understood that the motion would be on the first 600 feet and if they are willing to change to Mixed Use from Single-Family Attached. Alderman Loreck stated that if the Zoning Code is approved later tonight, the Multifamily will fit in with the Comprehensive Plan so it will not need to be addressed. And only one motion is needed.

Planner Papelbon stated that the motion can be separated into two motions: one for the Mixed Use and one for the Multifamily so that it is clear and unquestionable. If the Multifamily does not pass, it would not affect the Single-Family Attached category but still be on acting on the original request.

Commissioner Sullivan suggested to have two motions, one for the Mixed Use and one for the Multifamily. In case the Multifamily fails, it will remain as Single-Family Attached in the Comprehensive Plan which will meet their proposal for the development.

Commissioner Siepert moved that the Plan Commission adopts Resolution 2022-01, amending the Land Use Plan category in the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020; amended November 17, 2020) from Single-Family Attached to Mixed Use for the first 642.04 feet of the properties at 9102, 9120, and 9140 S. 27th St., following review and adoption by the Common Council.

Alderman Loreck seconded. On roll call: Commissioners Siepert, Chandler, and Sullivan, and Aldermen Loreck and Guzikowski voted no; Commissioner Oldani voted aye. Motion denied.

Commissioner Siepert moved that the Plan Commission adopts Resolution 2022-01, amending the Land Use Plan category in the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020; amended November 17, 2020) from Single-Family Attached to Multifamily for the east 1,042.81 feet of the properties at 9102, 9120, and 9140 S. 27th St., following review and adoption by the Common Council.

Alderman Loreck seconded. On roll call: Commissioners Siepert and Sullivan, and Aldermen Loreck and Guzikowski voted no; Commissioners Chandler and Oldani voted aye. Motion denied.

COMPREHENSIVE PLAN AMENDMENT

2231 E. PUETZ RD., 8843R S. 13th ST., and 8950 S. 20th ST.

TAX KEY NOS. 856-9999-001, 857-9992-000, 857-9991-000

Planner Papelbon provided an overview of a proposed amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020) that would change the Land Use Plan and category from Single-Family Detached to Single-Family Attached (NO CHANGE to Floodway category) for portions of the properties at 2231 E. Puetz Rd., 8843R S. 13th St. and 8950 S. 20th St. (see staff report for details).

Josh Wohlreich, 313 Surrey Ln, Lake Forest, IL, first thanked the staff, Mayor Bukiewicz, and Alderman Guzikowski for bringing forth the application, and read a paragraph from Section 3 of the Comprehensive Plan. Mr. Wohlreich stated that they believe that the site plan they are proposing will represent a creative approach and will be consistent with the polices and recommendations as detailed in the Comprehensive Plan. The density has been decreased to 2.76 units per acre, with large setbacks and preservation of the old growth vegetation. The

proposal will provide housing for a diverse set of the population that would like to continue with, or are unable to continue to live in a single family without home ownership, and also have open space.

Ryan Swingruber, 228 Raymond Avenue, Barrington, IL, provided some key points on what they believe that will meet the objectives of what the staff would like:

- First objective is reinvestment of the property in the mature single-family neighborhoods. This would provide a single story, low density and the architectural will be consistent to the homes in the surrounding area.
- Second objective is to target residential development; the area focuses on the two key corridors (27th St and I-94) and the development will create a buffer in the area.
- Third objective is obtainable housing. This will eliminate a down payment and cost burden to maintain the home.
- Fourth objective is to afford senior housing. The development will be universally design with no step entry, stairs, or ramps and provide sizable openings that complies with the Americans Disability Act. This would provide senior to downside without having to go into assistant living or apartments.
- Fifth objective is to encourage conservation-oriented development. Majority of the site is in the wetland and Zone 1 will provide cluster development which will maintain the existing greenspace and vegetation.
- Sixth objective is to increase density along the key I-94 corridor. Their objective is not to increase density but decrease so putting in Single-Family Attached would encourage that.
- Seventh objective is to foster community health. The development will be universally designed which will preserve open space, green space and create connectivity.

Mr. Swingruber stated that the project had quite a bit of feedback from staff, public meetings and neighbors, and hopes the objectives would be inline with the Comprehensive Plan.

Mr. Wohlreich mentioned that the renderings are available, if needed. Mr. Wohlreich explained that the request is covering parcels 1, 3 and 4. Parcel 2 remains unaffected. Mr. Wohlreich explained the density of the development. There is about 80-90 feet between the front doors that have green space between the buildings. All the units are entered upon from the rear, and the front doors open onto the green space. There are two buildings that will be eight units, while the others will be four to six units. Each unit will provide a covered porch with for the front door and also provide a patio on the side. The rear vehicular entrance will have two car garages with pedestrian entrance and each unit will have at least two outside parking spots for the residences and their guests.

Commissioner Chandler asked if the Zone 2 will be Single-Family Detached. Mr. Swingruber answered that it would.

Commissioner Siefert asked Assistant Fire Chief Mike Havey if there is an issue with only having one road access to the development.

Assistant Fire Chief Mike Havey stated that there is a secondary access from 20th Street and that complies with fire protection.

Commissioner Siefert asked if the secondary access would not be a public road.

Commissioner Sullivan stated that it will be paved and gated as it will not be a public access.

Assistant Fire Chief Mike Havey mentioned that they do not have any issues with the concept plans.

Alderman Guzikowski stated that he appreciated his involvement in the project, and that he has expressed his and the neighborhoods' concerns, and is happy to see the density has been lessened.

Alderman Loreck stated that he supported the plan initially, and that he felt that it was an appropriate use for the area, and creates a buffer between the Single-family Detached and the Interstate. Alderman Loreck asked what the current zoning is at the moment.

Planner Papelbon answered that the area has a mix: parcels 3 and 4 are currently zoned Rd-1, Two-Family Residential, and part of parcel 1 will need to be rezoned.

Alderman Loreck's comment was inaudible.

Patrick Jetaime, 2021 W. Grays Ln.:

"You saying the flood plain, my house is right there. I'm paying flood insurance because they're, it's not floodplain. If you walk back in that area, back in the wooded area, it's all swamp back there. Your soil sample people were out there, taking samples, they should know that it's back there. On a very good heavy rain that field floods, my property floods. There's flooding in there, so how are you saying you're not going to screw up the floodplain. Nobody's on your staff is probably walked back there and physically taken a look back there, have they?"

Mr. Swingruber stated that there has been a significant amount of time and money invested, and have had been reviewed from multiple agencies and there are more reviews needed before work can continue. Mr. Swingruber explained that the floodplains are designated by a wetland delineation, so it is known on where they are. There will be setbacks from the areas so it is not impacted. Mr. Swingruber stated that the site plan will include retention and storm water system that collect the water closer to I-94.

Patrick Jetaime:

"Yeah, move the mosquito ponds further towards the freeway. Because you're saying, then I can tell my insurance company because of your details and that. My property does not, I did not have to pay, pay flood insurance, because where it's at because if you look at Grays lane, it's right in the center,4, I believe. And I have to flood insurance because I am over there. So, I don't know where you're getting your stuff, of course it's engineers, excuse me there's a joke about engineers. I've worked constructions for many years and I have no use for them. But um, you need to take into a little bit more research back there, that's all flooded. If my property floods, and I've seen it, I lived out there. You guys just come and go, oh yeah, okay, yeah somebody walks in, they say oh there's no floodplains. Somebody needs to get white and they can go out there and physically see what's going on."

Alfred Placek, 2401 W. Hilltop Ln.:

"And I would like to address the concern that the Fire Chief just talked about and that is your assurance that if they do link it to 20th St, that this is just a limited access for the Fire Department

for emergency purposes. We have serious traffic problems on 20th, Hilltop. When they punch through 20th to the apartments, it just opened it up, it's a racetrack. And the last thing we need is more traffic in that subdivision."

Alderman Loreck stated that the discussion all along has been that it would be a gated access.

Alfred Placek:

"And again, not getting into the previous discussion, that's another huge problem with that development, is we're putting in more traffic where it doesn't need to be. It's residential and now it's a racetrack. So, thank you, I just wanted that assurance that that is in fact the way it would be."

Patrick Jetaime:

"Just what he said. If you go down 20th St, there's a whole bunch of red signs up there. That's keep the drunks out of my yard and hitting my house. Four times. So that's another problem that I wasn't even thinking about. But yeah, they turn the gas meter off and I had to have We Energies and everybody. The drunks just think they can come down there and that's why engineering, I think it was engineering or streets put up all these signs to make it physical impossible to get. The last time they almost took the fire hydrant out."

Alderman Loreck stated that there will be a gated road to prevent that from this development.

Barbara Linder, 2411 W Puetz Rd.:

"Now, I'm in the other section but I heard him say about that that would be Single -Family Attached. Now, that would be up to 4 homes in that. Well, we had that, we went through so much to keep that as a single-family residence around us. And if you allow this, you're allowing them to put in more houses, connected, and you know what that isn't right because we fought for so long to keep that. And now this developer, I mean, we fought with "inaudible", we fought with Rudolph. I mean we've been out here all of our life. And then to just say oh well, so what we'll put 4 people, 4 families right next to your house and right behind you and you know what that was never designed for that."

Alderman Loreck asked if the resident was referring to Zone 2.

Barbara Linder:

"Yes, I am. If you do the zoning, that would be part of it. He owns, if he buys this and owns this, he'll want it for all of it."

Alderman Loreck stated that we are not discussing or changing the Zone 2 area.

Barbara Linder:

"I got paper that said, you're to be here if it's being discussed on 300 feet to your property. Well, that would be 300 feet to my property. So, I mean you're wording things wrong and not saying what's true or you're going to try to rezone the stuff. So, the people who live there will find out later it's been rezoned. Just like over on the Honadel property."

Alderman Loreck explained to Barbara Linder that the property is treated as a whole which is why she was included in the 300 feet and the discussion and changes is for Zone 1 and Zone 2 is excluded at this time.

Barbara Linder:

“And so, 6 months down the line, I don’t have to get a letter saying, oh that was changed.”

Planner Papelbon explained that people within 300 feet of these properties, or if the Alderman requests more than 300 feet will receive notifications. There will be multiple reviews and notifications will be sent out for each review.

Barbara Linder:

“So that means I have to come down for every time, there’s anything to discussed.”

Planner Papelbon stated that Ms. Linder did not need to attend, and that she could provide (interrupted).

Barbara Linder:

“Oh, I certainly will be here.”

Alderman Guzikowski moved that the Plan Commission adopts Resolution 2022-02, amending the Land Use Plan category in the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020; amended November 17, 2020) from Single-Family Detached to Single-Family Attached (NO CHANGE to Floodway category) for portions of the properties at 2231 E. Puetz Rd., 8843R S. 13th St. and 8950 S. 20th St., following review and adoption by the Common Council.

Alderman Loreck seconded. On roll call: all voted aye except Commissioner Chandler, who voted no. Motion carried.

PLAN COMMISSION CONSULTATION

PRESTIGE AUTO

150 W. RYAN RD.

TAX KEY NO. 875-9004-002

Planner Papelbon provided an overview of a potential online auto wholesale dealership concept for Prestige Auto submitted by Abdul Jawad, United Auto Leasing, dba Prestige Motors, for the property at 150 W. Ryan Rd. (see staff report for details).

Emad Nadi, 2504 W Bridge St, Civil Engineer, apologized for not giving more information. Mr. Nadi stated that the owner of the business is based in California, and will be moving to the Milwaukee area. This is an online, wholesale business selling high-end, luxury vehicles. The maximum number of vehicles will be 12-15 and placed in the back area of the lot. Mr. Nadi stated that they will address and comply with the landscape buffer, pavement setback, parking area and the dumpster enclosure.

Alderman Guzikowski stated that he has not had any conversations with the applicant, and is not open to the idea of having an auto sale business in the location. Alderman Guzikowski stated that he has as seen similar types in other areas of the City, and feels it is not the right fit for the area.

Commissioner Oldani stated that he does not like the idea of having an auto sales business in that location, and that there needs to be something else that would complement the neighbors. Commissioner Oldani stated that he would prefer something that would be more interactive with the community.

Commissioner Siepert asked about the kind of service the business will provide, and will it also have car maintenance service.

Mr. Nadi answered that you buy a car online and you pick up the vehicle at the location. Mr. Nadi said there is no car service provided onsite. Mr. Nadi said it is similar to what some of the other locations are doing.

Commissioner Siepert said that he is unsure about the word “dealership” because they provide full service to vehicles.

Commissioner Chandler asked if the cars will be delivered to the customers.

Mr. Nadi answered no, and there will be no trucks delivering the cars to the site. The customers will order online and pick up the car at the site.

Commissioner Chandler asked if the cars will be showcased on the site. Mr. Nadi stated the plan is to have the cars parked in the back area, and the front parking will be for the staff.

Commissioner Chandler asked what activities will occur inside the building. Mr. Nadi answered that there will be a call center, accounting, and management.

Commissioner Oldani asked if this is a used car lot. Mr. Nadi said that it is, but it is for luxury cars ranging \$72,000 to \$300,000.

Alderman Loreck clarified that this would use a website where you would buy a car and it would be stored in the back on the site, and the customers would come and pick it up. Basically, it is like a dealership, but a space to store the cars and have an office space for the staff. Mr. Nadi answered that is correct.

Alderman Loreck stated that he does not have a huge issue with this type of business, but there should be some Conditions and Restrictions in place to state the numbers and type of cars and where the cars can be stored.

**MINOR LAND DIVISION
ENDF3DK, LLC
8751 & 8755 S. HOWELL AVE.
TAX KEY NOS. 859-9995-000 & 859-9994-000**

Planning Intern Kovnesky provided an overview of a certified survey map submitted by EndF3DK, LLC, combining the properties at 8751 & 8755 S. Howell Ave. (see staff report for details).

Commissioner Siepert the Certified Survey Map submitted by EndF3DK, LLC for the properties at 8751 & 8775 S. Howell Ave. be approved with the following conditions:

1. That the Certified Survey Map is recorded prior to the submission of permit applications.
2. 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.

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

PLAN REVIEW

ENDF3DK, LLC

8751 & 8755 S. HOWELL AVE.

TAX KEY NOS. 859-9995-000 & 859-9994-000

Planning Intern Kovnesky provided an overview of site, building, landscaping, and related plans submitted by EndF3DK, LLC, for a phased multitenant commercial development on the properties at 8751 & 8755 S. Howell Ave. (see staff report for details).

Barry Yang, Zimmerman Architectural Studios, Inc., Milwaukee, stated that they understand the approval of fiber cement and went into details about the material.

Commissioner Chandler asked for more information about the windows on the east elevation.

Randy Ross, ENDF3DK, LLC, stated that plans will be consistent with the staff's recommendation, and that he accepts it as part of the motion.

Commissioner Chandler asked about the dumpster enclosure materials. Mr. Ross answered they will utilize the masonry materials.

Commissioner Chandler asked how many tenants will be on the property.

Mr. Ross stated that the project will be in two phases. The first phase will be a two-tenant building, and they are planning on having retail food or services and working with several national retail brands. Phase 2 will be similar to Phase 1.

Commissioner Chandler asked for an explanation on the traffic flow for the property.

Mr. Ross stated that there is the main entrance into the property off of Howell Avenue. The plan is to have the building closer to the main road for visibility, and parking in the back with the front door towards the parking lot. They have worked with the north property to have another access point. Mr. Ross stated that the traffic will enter off of Howell Avenue and continue on the right to the parking lot, and can exit out the either the same way or around the south of the building to the main entrance.

Commissioner Chandler asked about the employee parking.

Mr. Ross stated that retailers will have the employee park further towards the back of the parking lot so the customers can park closer to the building.

Commissioner Siepert stated that, from what he could see from the Certified Survey Map, that a good portion of the property is in the wetland and asked what the plan is.

Mr. Ross answered that the staff report from the DNR states that is an artificial wetland, and that they worked with the DNR and concur with the DNR findings.

Commissioner Oldani asked for an explanation of the artificial wetland.

Planner Papelbon explained that it is a man-made wetland, not a natural occurring wetland, and the DNR has the ability to approve the filling of the wetland because it does not serve their criteria for habitat or other beneficial functions.

Robert Kilby, 8805 S Howell Ave.:

"Property borders the south side of that property. And I think some of that was due to basements. There were two houses on the property at one time and they took the houses away and left the basements there. So, those filled up with water so it looks like a pond but, they basically were just basement that were filling up because they never basically filled them in. I have a couple more questions, should I bring that now or come back later? Just a couple of the landscaping on the south east corner, there's 3 existing spruce trees. And they probably have been there for 50 years, they're half dead, and I would like to see, maybe take those out, perhaps. I see they're still in there but they're kind of just kind of falling apart, I think they'll die eventually, pretty soon and then they wouldn't put anything else to close to, that's my driveway that runs right along their south border there. And in order to get on the Howell Ave and the sidewalk there, if you put anything in that area, it's dangerous for pedestrians and for people in carts because coming down the sidewalk you have a hard time seeing them until you're right on top, sometimes so we've tried to keep those trees trimmed up and keep them so that we don't have to. To get onto Howell Ave, it's 45 miles an hour and we're kind of a unique situation where a driveway you know to speed up to get onto the road there. It takes a little bit of effort so that's just a couple there. And then the existing vegetation along the backside there. That's, those trees are all overgrowth brambles full of garbage and maybe a safety concern, so I like to see maybe take those out as well as completely clear cut that out of there. And I trimmed it up for years and years to keep my plow guys can get through my driveway but they just keep coming back over and probably a lot of times. So, there's just a couple of little things."

Mr. Ross stated that they will pursue the recommendations.

Commissioner Oldani asked about the dumpster enclosures.

Mr. Ross stated they are in the north and south corners of the property, and will comply with the staff recommendations on the materials.

Commissioner Oldani asked about the tenants.

Mr. Ross said they are working with Athletico, a physical therapy retail service, as one of the tenants, and there is not a second tenant lined up yet.

Alderman Guzikowski said he thought it looks like a good building.

Commissioner Sullivan stated his concerns about the traffic exiting the property, and asked that proper signage be in place so that cars are not turning left onto Howell Ave.

Alderman Loreck commented that the building looked really nice, and that he likes the idea of having the building close to the road.

Robert Kilby:

“When it come to the power lines in, put underground, I think there’s a stretch there does that mean all of them get funded in the ground or does that cost come back to me on my property then or is it just for that property?”

There was in inaudible conversation.

Planner Papelbon stated the comments made offline would be that the developer would double check into whether or not the utilities would cross property lines, and what the responsibility would be.

Alderman Guzikowski moved that the Plan Commission approves the site and building plans submitted by EndF3DK, LLC, for the proposed multitenant commercial development on the properties at 8751 & 8775 S. Howell Ave. be approved with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the Certified Survey Map combining the properties is recorded prior to the submission of building permit applications.
3. That a pedestrian connection be provided between the customer entrance(s) and the sidewalk on Howell Avenue.
4. That interior tenant modifications do not block any glazing approved as part of the architectural plan.
5. There shall be no outdoor storage or display of merchandise.
6. That plans are revised to address all drainage, stormwater, and grading concerns prior to the submission of building permit applications.
7. That the plans are revised to include locations and screening for any new mechanical equipment, transformers, and utilities (if applicable).
8. That all light sources are shielded and directed downward, that the color temperature of the fixtures are limited to a maximum of 3,500 Kelvins, and that light sources adjacent to single-family residential areas are shielded on the side of the fixture adjacent to the residential area.
9. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

**PLAN REVIEW
RINKA
4005 E. LAKE VISTA PARKWAY
TAX KEY NO. 858-9005-000**

Planner Papelbon provided an overview of the site, building, landscaping, and related plans submitted by Katie Monachos, RINKA, for the A9 multifamily residential buildings in the Lakeshore Commons Traditional Neighborhood Development Planned Unit Development at 4005 E. Lake Vista Parkway (see staff report for details).

Commissioner Sullivan commented that the grading plan plans must be submitted as soon as possible for review.

Alderman Guzikowski said the plans looked great, and it is a great start and something different for Lake Vista.

Commissioner Chandler asked for more information on the concrete wall.

Katie Monachos, RINKA, 756 N. Milwaukee St., Milwaukee, stated that the north side is about a story lower than the south side, and to meet the parking requirements, half of the parking is underground. They made sure that the concrete exposure will be board form finish as it is the same with the Lake Vista to the north and the clubhouse to the west. Ms. Monachos stated that they kept that in mind with the large expanses of concrete, and the texture will aesthetically tie the development together.

Commissioner Chandler said she thought that it was going to be textured and not plain concrete. Planner Papelbon stated that board form concrete is a decorative, stamped concrete, and there is some texture to it.

Ms. Monachos provided a sample for Plan Commission review, and stated that it gives a horizontal release and actually gives a "wood" look. Commissioner Chandler stated that she did not understand the material.

Planner Papelbon stated that the PUD requires concrete be used in a limited capacity as it is an accent material. Instead of using other materials to stick over the plain concrete and that could fade or fall off, the stamped concrete would always have the grooves to present as a relief type of material. Planner Papelbon stated that Lake Vista Park has the board form concrete in areas as well.

Ms. Monachos stated that the landscape plan proposes screening as much as possible in a majority of the area.

Planner Papelbon stated that staff is requiring the board form as part of the Conditions of Approval because landscaping take several years to grow, and sometimes the landscaping fails and does not get replaced.

Commissioner Chandler asked for more information about the top level covering. Ms. Monachos stated that the shape of the buildings creates an over exposure, and they have arranged to have controlled roller shades on the sliding glass doors and windows on all facades.

Commissioner Chandler asked about the pool and the fencing around it. Ms. Monachos stated that there is two (2) feet of concrete with three (3) feet of glass on top, and some of the areas are controlled with the grading and landscape. This pool is specifically for multifamily residences, and there will be a pool for the single-family residences.

Commissioner Chandler asked about the open space between the buildings. Ms. Monachos stated that the open space between the buildings does not create a break that would be public or private. There is going to be a proposed amphitheater for the public.

Commissioner Chandler asked if there is any parking for anyone that would come to visit the area. Ms. Monachos said that all the public streets will have parking, and other areas that will have off-street parking.

Commissioner Oldani moved that the Plan Commission approves the site and building plans submitted by Katie Monachos, RINKA, for the A9 multifamily residential buildings on the property at 4005 E. Lake Vista Parkway with the following conditions:

1. That all relevant Code requirements and conditions of the Traditional Neighborhood Development Planned Unit Development (TND PUD) remain in effect.
2. That the landscaping plan is revised as necessary for compliance with PUD requirements and the Master Landscape Design Guide, and submitted for review before the Plan Commission prior to submission of building permit applications.
3. That a contingent parking plan is provided for review and approval by the Department of Community Development prior to submission of building permit applications.
4. That all exposed concrete walls incorporate textures/design elements. Blank or non-textured concrete walls are not approved.
5. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
6. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

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

PLAN REVIEW

RINKA

4005 E. LAKE VISTA PARKWAY

TAX KEY NO. 858-9005-000

Planner Papelbon provided an overview of site, building, landscaping, and related plans submitted by Katie Monachos, RINKA, for the 8-unit townhouse residential buildings in the Lakeshore Commons Traditional Neighborhood Development Planned Unit Development at 4005 E. Lake Vista Parkway (see staff report for details).

Alderman Loreck asked if the windows on the garages are see-through or opaque.

Katie Monachos, RINKA, 756 N. Milwaukee St., Milwaukee, stated that you can see through them, there are only three, and they do not go all the way to the ground.

Commissioner Oldani moved that the Plan Commission approves the site and building plans submitted by Katie Monachos, RINKA, for two (2) 8-unit townhomes and two (2) 6-unit townhomes on the property at 4005 E. Lake Vista Parkway with the following conditions:

1. That all relevant Code requirements and conditions of the Traditional Neighborhood Development Planned Unit Development (TND PUD) remain in effect.
2. That the landscaping plan is revised as necessary for compliance with PUD requirements and the Master Landscape Design Guide, and submitted for review before the Plan Commission prior to submission of building permit applications.
3. That a contingent parking plan is provided for review and approval by the Department of Community Development prior to submission of building permit applications.
4. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
5. That all revised plans (site, building, landscaping, etc.) are 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 voted aye. Motion carried.

ZONING CODE ADOPTION

Planner Papelbon provided an overview of proposed amendments to Chapter 17 of the Municipal Code, revising and recodifying Sec. 17.0101 – Sec. 17.1402 to Articles of the Zoning & Sign Ordinance (see staff report for details).

Planner Papelbon stated that the definitions, the Sections for attached garages for Single-Family Attached and Detached, and clarifying Single-Family Attached from Multifamily revisions are in progress.

Commissioner Siefert asked about the setback from the flood fringe.

Planner Papelbon stated that there is no setback requirement from the flood fringe, but there is a wetland setback, which would probably be greater than the flood fringe would be. The flood fringe (which is not the same as floodway) still has the 1.1: 1 compensatory storage requirement that is not changing. The wetland setback is new in the Zoning Code.

Alderman Loreck commended the staff and Plan Commission for all the hard work that was put into amending the Code.

Commissioner Siefert asked about the effective date.

Planner Papelbon stated that the Common Council needs to adopt it, and then the ordinance needs to be published before it could be effective. Planner Papelbon mentioned that it could take a few times before it is effective because the Common Council may have questions or comments.

Commissioner Oldani asked whether there have been any presentations to the Common Council and if any feedback from the Common Council was received. Commissioner Oldani also wondered how it would play out once it is presented to the Common Council.

Planner Papelbon stated that there have been no specific presentations to the Common Council, and that although she has provided information and requested such, she has not received any feedback. Planner Papelbon stated that the Plan Commission has served as the Steering Committed for the Zoning Code update, and stated that the Common Council usually are on board with the items that Plan Commission recommends.

Alderman Loreck stated that this would be similar to any other topics that are recommended to the Common Council.

Alderman Guzikowski stated that when a topic has been forwarded to the Common Council, usually Alderman Loreck, Mayor Bukiewicz, and himself will provide any input that has been provided at the Plan Commission meetings.

Planner Papelbon mentioned that the Codes are harder for people to understand than the Comprehensive Plan, and that there will be questions and areas that the Planning Commission may have overlooked.

Planner Papelbon commended the Plan Commission for all the work that was put into the update to the Zoning Code, which has not had a comprehensive overhaul since 1995.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that Chapter 17 – Zoning Code of the Municipal Code be amended as proposed after a public hearing.

Commissioner Siefert seconded. On roll call: all voted aye

Commissioner Siefert moved to adjourn the meeting. Commissioner Oldani seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:54 pm.

ATTEST:



Kari Papelbon, Plan Commission Secretary

1-25-22

Date