

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 10, 2022**

Alderman Loreck called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Commissioner Oldani, Commissioner Siepert, and Commissioner Chandler. Also present: Doug Seymour, Director of Community Development; Kari Papelbon, Senior Planner; and Jack Kovnesky, Planning Intern. Mayor Bukiewicz was excused.

Minutes of the April 26, 2022 meeting

Commissioner Siepert moved to approve the minutes of the April 26, 2022 meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

REZONE/PLANNED UNIT DEVELOPMENT

CR DEVCO

2231 & 1933 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St.

TAX KEY NOS. 856-9999-001, 857-9993-000, 857-9992-000, 857-9991-000

Senior Planner Papelbon provided an overview of the request to rezone to Rd-1, Two-Family Residential (NO CHANGE to FW, Floodway; FF, Flood Fringe; or C-1, Shoreland Wetland Conservancy Districts) and to establish a Planned Unit Development (PUD) on portions of the properties at 2231 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St. (see staff report for details).

Elwood Faucett, 9040 S. 20th St., Oak Creek:

“I own the property immediately south of the development. I just have a couple questions on your procedures. You mentioned again tonight about the limited access to S. 20th St. of being emergency only. And, at one point there was also discussion about no access to Grays Lane. How will those requirements be implemented?”

Senior Planner Papelbon explained that 20th St. will be a cul-de-sac that partially goes onto the development and which will be gated. This will be a requirement of the Site Plan and PUD approval should the project move forward. The gate will be coordinated with the Fire Department so that they maintain access. There is no proposal, nor is there any requirement, for a connection to Grays Lane. A future connection to Grays Lane is not prohibited. Currently, there is simply no approval for any such connection.

Elwood Faucett:

“Okay, when you say that the requirement would be part of the PUD approval, does that become part of a, spelled out in a, resolution that’s passed by the Common Council?”

Senior Planner Papelbon replied it would be part of Conditions and Restrictions, which would be included in an Ordinance.

Elwood Faucett:

“Would those restrictions also apply the construction traffic?”

Senior Planner Papelbon answered there would be no access for vehicles other than emergency vehicles.

Elwood Faucett:

“Just one more question. You mentioned that there may be some requirements or some changes to the grading plan and the stormwater plan, and I do have a couple concerns regarding those items. I know it's really not part of the zoning approval, but I just want to point them out, because it makes a difference to me on if I'm in favor of the zoning or not. The grading plan for the site appears to change the boundaries of the tributary area to Southland Creek, that appears to enlarge them, which would increase the flow to the south. The discharge from the south detention basin is into the wetlands. No problem with that, we want to keep watering the wetlands and keep them viable. But between the change in the boundaries and the increased flow, it'll increase the water going into the wetlands and there's no conveyance directly to Southland creek. That's basically the way it is now, except now there's going to be an increase in the volume of water. That wetland is not entirely on the developer's property; it extends onto mine. It goes across the property line. I'm not opposed to it going the way it normally did. I'm not opposed to the flow, not rate of flow, the total volume of flow, before the development. It's natural, it should go that way.

The other concern they've got, is that you said there's been people out on the site and hopefully they looked at the entire site, but there's an erosion problem. The wetland that they're discharging to is approximately five or six feet above the flow line of Southland Creek. And right at the southeast corner of the property, there's currently an erosion problem. The bank is eroding back to the north and something should be done to stabilize that. I know it's a little touchy, it's in the wetland area. I don't know if they can touch that or not, but it should be stabilized otherwise it's just going to progress. It's not a result of the firmament that was done on the site or anything else, it's as a result of the DOT construction, or reconstruction of I-94. They disturbed the area and they did not provide any erosion control and it's progressively getting worse, so thank you.”

Barbara Linder, 2411 W. Puetz Rd., Oak Creek:

“I know it's not for today, but next to our property, it was listed RD-1. Now that would be where they could do multiple like he wants to build over there, right next to my house. Now we have opposed any multiple because that always was a single-family for a single-family residence. And always before, Oak Creek would have, if you're going to go next to, into multifamilies, you would have to have a barrier of a two-family. You couldn't go four-family and just rezone that R-1. That is unfair to like, our property, because he basically could put so many the whole length of our property. We got 660 feet deep. Plus, behind us, as a single-family home for one family, I would have no objections to, but multi like this? And I don't care if you classify it with saying it's a single-family residence, it's not. And we have enough in Oak Creek of apartments everywhere. And to us, that's wrong. And the way things are right now, they got it listed the whole length of our property for that R-1, and which it should not be. I mean, we've lived on that property almost our entire life. My husband especially, has lived on that property his entire life. We would never want to live here if we had the whole property lined with apartments. That would not be fair to us to have that put on to us. So I would like that known, because as far as that zoning goes that should never, you should never allow that because it was never meant that way. I mean we do know from the time we purchased the property, his parents purchased the property, we knew what was going to go on around us and I have no nothing against development, but you should do it

the right way. And I mean across the street, we had to go with that. That everything part of that was done wrong. We were told those were going to be beautiful condos as they would be 90% mason and brick. Look at them. And we had them thinking in front of our house you know. It was just not what we were promised. So when the new developer comes in, we really don't have too much faith that what you say you're gonna do, you're gonna do, because we've dealt with the Honadel property. And we had no objections to that in the beginning, and we said go ahead do this, and this is what we got."

Senior Planner Papelbon clarified the only portion of the property being discussed for rezoning and inclusion in the PUD was Lot 1. Anything to the west of Lot 1 is not presently changing. Lots 2 and 3 are currently zoned single-family residential, and Lot 4 is currently zoned B-4, Highway Business.

Commissioner Hanna asked for clarification of where the wetlands were located on the property. Senior Planner Papelbon stated that except for where the road would cross it, the wetland would be almost entirely preserved. DNR has already granted a permit for road access.

Commissioner Hanna questioned whether site drainage had been considered. Senior Planner Papelbon responded site drainage would be part of the requirement for storm water and grading plan revisions. Commissioner Hanna asked how the wetland boundary would be preserved. Senior Planner Papelbon said Code requires a 15-foot setback from wetlands, five (5) feet of which must remain undisturbed, and DNR retains all jurisdiction over wetlands. There is no fencing proposed at this time, but there may be a couple of retaining walls required.

Commissioner Hanna voiced her concern that the wetlands be protected. Senior Planner Papelbon stated there is no Code requirement for wetland delineation to include any type of fencing. Building plans and grading plans will serve as a check and balance. Each of the proposed buildings will be reviewed to ensure that the foundations are correctly placed outside of the wetlands.

Josh Wohlreich, 313 Surrey Ln., Lake Forest, IL, addressed the wetland issue on behalf of CR Devco. After working with SEWRPC and DNR, the 15-foot setback required by Code has been expanded to 75 feet. Two buildings within the 75-foot setback have also been removed.

Commissioner Hanna asked about the development's impact on the volume of traffic on Puetz Rd. Senior Planner Papelbon said the entrance road will be public and must be designed accordingly. A requirement for acceleration and deceleration lanes will be incorporated into the plans. Commissioner Hanna questioned if there would ever be access from 27th St. Senior Planner Papelbon answered that per WisDOT's Access Management Plan, it would have to be shared access with the existing 27th St. motel property.

Commissioner Chandler asked the applicant to address the grading and drainage concerns brought forth by Mr. Faucett. Mr. Wohlreich replied that once staff comments are received following review of the storm water proposal, CR Devco's engineering team would make sure that the site conformed with all standards and requirements imposed upon it. Mr. Wohlreich was not aware of any erosion issues, but would not object to restoring the wetland if DNR and Army Corps of Engineers approval were granted for work in the wetland.

Commissioner Chandler asked what would be done to alleviate Ms. Linder's concerns about a lack of any barrier between her property and any multifamily development. Mr. Wohlreich

reiterated that CR Devco has no plans to develop the portion of the property that affects Ms. Linder's home.

Alderman Loreck requested that Senior Planner Papelbon clarify the current and the proposed zoning for the property. Senior Planner Papelbon said the majority of Lot 1 is currently zoned Rd-1, although approximately one-third (1/3) of the lot which provides access from Puetz Rd. is not. This is the only portion CR Devco is seeking rezoning for. All of Lot 1 will be in a PUD, but Lots 2, 3 and 4 are excluded.

Alderman Guzikowski moved that the Plan Commission recommend to the Common Council that portions of the properties at 2231 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St. be rezoned to Rd-1, Two-Family Residential (NO CHANGE to FW, Floodway; FF, Flood Fringe; or C-1, Shoreland Wetland Conservancy Districts) with a Planned Unit Development after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at their next meeting (May 24, 2022).

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

**CERTIFIED SURVEY MAP
MARK VERHALEN
500 E. OAKWOOD RD.
TAX KEY NO. 923-9000-000**

Zoning Administrator Miller provided an overview of the request to divide the property at 500 E. Oakwood Rd. (see staff report for details).

The Commissioners had no questions or comments.

Commissioner Oldani moved that the Plan Commission recommend to the Common Council that the Certified Survey Map submitted by Mark Verhalen for the property at 500 E. Oakwood Road be approved with the following condition:

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

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

**PLAN REVIEW
TRACEY ERICKSON, ERICKSON ENTERPRISES LLC
140 W. PUETZ RD.
TAX KEY NO. 828-8016-000**

Zoning Administrator Miller provided an overview of site, building, landscaping, lighting and related plan review for a proposed car wash (see staff report for details).

Commissioner Hanna asked if any truck traffic was expected to use the car wash. Zoning Administrator Miller answered that none was anticipated.

Commissioner Kiepczynski stated the Engineering Department has some concerns with the layout and the flow of traffic, stating that flipping the site and moving the access to the west side would be a better option. Alderman Guzikowski also expressed concern with the access and agreed that flipping the site would be a better idea.

Commissioner Oldani commented that he, too, had concerns with the project's design and traffic flow, particularly with the way vehicles would be directed to exit the car wash. Zoning Administrator Miller said the traffic flow appeared to allow cars access to the vacuuming area. Commissioner Oldani stated that he foresees bottlenecks at the main entrance with the current design, and agreed that flipping the site would be a better option. Commissioner Siepert agreed that the entrance and exit plan was not satisfactory.

Commissioner Chandler asked if the applicant was available to address any of the Commission's traffic concerns. Zoning Administrator Miller replied that the applicant was not in attendance.

Director Seymour noted that the staff report requested some changes to the south elevation (facing Puetz Rd.), so that it more closely resembled the north elevation. Director Seymour asked that the Commissioners provide feedback on the suggested changes. Alderman Loreck concurred that the south elevation was the most visible to traffic on Puetz Rd., and that Code required design elements should be incorporated on both sides of the building.

Commissioner Hanna suggested holding the item until more of the Commission's questions could be answered. Commissioner Oldani asked if the applicant could make changes and resubmit if the Commission voted "no." Senior Planner Papelbon felt it was appropriate to provide the applicant an opportunity to respond to the Commission's concerns before simply voting "no." Commissioner Oldani stated that the applicant's opportunity to respond to the Plan Commission was now. Senior Planner Papelbon explained a denial would require the Commissioners to state the Sections of Code that applied to their reason for denial, then the applicant could resubmit a new application with a revised plan.

Alderman Loreck stated he was in favor of holding the item. Commissioner Siepert stated his agreement.

Alderman Guzikowski moved that the Plan Commission hold item 7c.

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

PLAN REVIEW
GREG POLACHEK, SUMMIT CREDIT UNION
7853 S. HIGHGATE AVE.
TAX KEY NO. 784-9032-000

Senior Planner Papelbon provided an overview of site, building, landscaping, and related plan review for a proposed bank/financial institution with drive-through facility (see staff report for details).

Greg Polacheck, 115 N. Ferry Dr., Lake Mills, WI, addressed the Commission on behalf of Summit Credit Union. Mr. Polacheck gave a brief history of the project, and explained that their original project was suspended due to a number of mitigating factors. Mr. Polacheck stated that he has since been working with Senior Planner Papelbon to update their 2020 plans accordingly.

Commissioner Chandler asked Mr. Polacheck to share the details of the safety features of the pedestrian walkways. Mr. Polacheck said the original plans tied the pedestrian walkway to a walkway installed to the west of the property, but he would defer to his architect to answer any specifics.

Austen Conrad, 5420 Preston Pl., McFarland, WI, explained that one (1) pedestrian walkway connected to the street (Drexel Ave.), bicycle parking was added in an area that did not cross heavy traffic, and a second walkway connects the parking areas. All walkways will be marked with high visibility paint.

Commissioner Oldani asked if there would be a stop sign or speed bump for cars exiting the drive-through lanes before they reached the walkway. Mr. Conrad said there was currently not a stop sign, but they would be open to adding one. Commissioner Oldani commented that a stop sign would be appropriate. Senior Planner Papelbon noted that staff does not typically review MUTCD-type on-site signage. It would be up to the applicant, possibly with the input of Engineering, to determine if any such signage was appropriate.

Alderman Loreck asked whether the Commissioners needed to comment on the ribbed metal or banners mentioned in the staff report. Senior Planner Papelbon stated the banners were mentioned simply so that the Plan Commission understood that they would be treated as architectural elements and not signs.

Commissioner Oldani moved that the Plan Commission approve site and building plans submitted by Greg Polacheck, Summit Credit Union, for the property at 7853 S. Highgate Ave. with the following conditions:

1. That all relevant Code requirements and conditions of the Planned Unit Development (Highgate) remain in effect.
2. That the landscape plans are revised to meet all requirements of the Landscape Plan and Design Guidelines for the Highgate PUD prior to submission of permit applications.
3. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened per Code.
4. That detailed plans for signage are reviewed and approved by the Plan Commission prior to submission of sign permit applications.
5. That the plans for the trash enclosure gates are revised to incorporate non-flammable material.
6. That all pole-mounted 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 are shielded on the side of the fixture adjacent to Drexel Ave.
7. That all detailed, final plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

**PLAN REVIEW
GARY AHERRON, LABCORP
140 E. RAWSON AVE.
TAX KEY NO. 733-9991-001**

Senior Planner Papelbon provided an overview of site, building and related plan review for proposed parking lot modifications, outdoor utilities and trash enclosures, and a covered ramp stair on the west side of Building B (see staff report for details).

Commissioner Chandler asked what kind of laboratory Labcorp was. Senior Planner Papelbon answered that it was a medical testing laboratory.

Commissioner Chandler asked whether feedback regarding parking in the loading stalls causing possible conflict with Building A had been provided to the applicant. Senior Planner Papelbon replied she has not had any direct conversations with them.

Robert Sasson, Genslar Consulting, described extensive conversations with St. John's Properties throughout the lease negotiations with regards to the parking stalls between Buildings A and B. The parking stalls originally proposed for building A would not be affected by the current plan. The turning radius plans submitted for Plan Commission consideration were also shared with St. John's, and they expressed no concerns.

Stephen Miller, Genslar Consulting, 11 E. Madison Suite 300, Chicago, IL, added that they expect box trucks to be using the loading dock, and that is what the turning radius data is based on. The proposed layout allows for box trucks, garbage trucks, and vans to move around the parking area and to future Building A with no issues.

Commissioner Chandler asked whether there were any safety measures for employees parking in the loading dock area. Mr. Miller described the operations in the back of the building as being for employees and couriers. The parking spots against the building are primarily for couriers, and there is a spot in front of the ramp for a large van to pull up. There are currently bollards that will protect the mechanical equipment on the site. Otherwise, it is like any other parking lot associated with any other building.

Mike Piechowski, 251 E. Rawson Ave., Oak Creek:

"I live right across the street from the St. John's property. My question is how many of these vans are going to be coming, or the traffic that's going to be created by this coming in, out of this, going to this facility with this, this lab here. So how many, how many box vans are they talking about it in a day, because the traffic is already heavy in that intersection. We have brought this up before, and this is not what, it sounds to me it's not just employees that would be coming to work here. But now we got another traffic situation where we're having more vehicles that are coming in and out of this, this area daily."

Mr. Miller stated that this is an industrial site, and Labcorp is an operational laboratory. Cars or vans come in to deliver samples from hospitals or doctor's offices. Although Mr. Miller did not have an exact vehicle count, he stated that it was not a huge volume of traffic. The lab does run several shifts, and it is imperative to get the samples in and out in a timely fashion.

Mike Piechowski:

“So my question is, my concern is, is the traffic that's going to be generated by...that wasn't the answer. The answer is, how many more vehicles will be going in and out of this drive entrance now that they're adding this to it. So that, that's the question, so because that again changes the scope of just having vehicles coming to a warehouse and dropping some materials off of stuff. Now we have a constant flow of box trucks. We're still large vehicles and that's again a problem, and I'm gonna bring up with the other tenants on the other where this whole intersection, Clyde's, it's pretty congested there already and now you're, you're adding this element, so I think the Commission should take a look at that.”

Alderman Loreck asked for clarification of whether it was strictly passenger vehicles which would be delivering and picking up samples, as blocking of overhead doors suggests there will be less truck traffic. Mr. Miller answered that such will be dependent upon who the couriers are, although he expects most of them to be smaller vehicles. The site only has one (1) loading dock for supply delivery by larger vehicles.

Commissioner Hanna asked why this site was chosen if Labcorp was not sure of the number of deliveries and pick-ups they would be expecting. Mr. Miller answered that deliveries are dependent on the number of tests being requested by doctors and hospitals in the region. During a pandemic, for example, you could expect there to be a higher volume of tests, but not necessarily traffic, as couriers would simply deliver larger loads. Mr. Sasson concurred they did not have an exact number of vehicles that would visit the site each day. Labcorp selected this property because they have analyzed the volume of specimens they expect to test from data collected at their other locations. They have used this data to assess their needs at this site, including anticipated parking and delivery needs.

Commissioner Hanna commented that she wanted to be sure the facility was serving Labcorp's needs without negatively impacting the surrounding traffic. Director Seymour stated that this development was developed for manufacturing, and its use as a laboratory is a permitted use for the facility. The removal of the loading docks indicates we should not be expecting any exceptional traffic situations, and the introduction of Labcorp into that space should not create any potential problems as far as traffic is concerned. Alderman Loreck added that Labcorp could already be operating in the building were it not for these suggested modifications to better suit their needs.

Commissioner Hanna asked what the hours of operation were. Mr. Miller stated that the lab operates 24 hours a day, six (6) days a week. They do not currently expect to operate on Sundays.

Commissioner Chandler asked whether testing samples were disposed of at this location. Mr. Miller answered that the samples get picked up by Sani-cycle and disposed of appropriately.

Commissioner Siepert moved that the Plan Commission approve site, building, and related plans submitted by Gary Aherron, Labcorp, for the property at 140 E. Rawson Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the plans are revised to meet all Code requirements for trash receptacles.

3. 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.

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

**PLANNED UNIT DEVELOPMENT AMENDMENT
ERICA-NICOLE HARRIS, WISPARK LLC
200 W. OAKVIEW PKWY.
TAX KEY NO. 955-1045-000**

Senior Planner Papelbon provided an overview of the proposal to amend the Conditions and Restrictions and General Development Plan regulating the M-1, Manufacturing Planned Unit Development for the Oakview Business Park as it relates to the property at 200 W. Oakview Parkway (Tax Key No. 955-1045) (see staff report for details).

Director Seymour stated when the business park was developed, the regulatory framework of the 200 W. Oakview Pkwy. parcel was not addressed at the same time as the other parcels in the business park, because of the way it was depicted in the General Development Plan. The intent of the PUD Amendment is to make this lot available for development in accordance with the standards that apply to the rest of the lots in the development, creating a consistent framework which would apply to all. Director Seymour stated that the intent remains to work with any potential developer on landscaping, tree preservation, and tree replacement, either within the business park or elsewhere in the City.

Debbie Tomczyk, Reinhart Boerner Van Deuren representing Wispark, stated that the Oakview Business Park has been a tremendous success and a great partnership between Wispark and the City of Oak Creek. The existing PUD was adopted in 2014, prior to the woodland designation that was implemented in March 2022. The amendment before the Commission would implement the intent of the original 2014 PUD, while allowing the lot to be developed under the same standards as the other Oakview lots have been.

Commissioner Chandler asked what implication the removal of the woodland designation would have on the grading, drainage, and utilities for any future development. Atty. Tomczyk responded that it was a grey area as to whether or not the woodland designation should even be applied to this lot. The woodland designation which came into effect in March 2022 does not necessarily make sense when paired with the 2014 adoption of the PUD governing the business park. The PUD overlay standards that are a part of Oakview include a 30 percent landscaping requirement, which has resulted in 48 acres of greenspace plus a new publicly-dedicated park. Those requirements will still remain in effect. Director Seymour commented that when the storm water plans for Oakview Business Park were created, they did not necessarily account for this area as developable. As part of any proposed site plan, Engineering and Utility staff will review any future plans to make sure they meet all storm water management requirements.

Commissioner Siefert asked if there was a dedicated park in the Oakview development. Senior Planner Papelbon responded that it was Mardeand Park, which was an isolated City park prior to the development of the business park.

Alderman Loreck asked for clarification as to whether this amendment would even be up for discussion if the Code update had not recently occurred. Senior Planner Papelbon replied it was the tree preservation, removal, and inventory plan that is part of the new Code that makes this discussion necessary. The original PUD did not include any requirements in terms of preservation

of woodland areas, even though said areas are identified in the General Development Plan. The basic question is whether the new Code or the old Code should be applied to this lot. Senior Planner Papelbon stated that staff and the Commission have the ability to compromise. Director Seymour further clarified the intent of the amendment is simply to convey that Lot 20 is buildable with no conflict between the new Code and the existing PUD.

Alderman Loreck encouraged the Applicant and staff to work to preserve and relocate as many trees as possible.

Commissioner Oldani moved that the Plan Commission recommend that the Common Council approve an amendment to general development plan governing the M-1, PUD for the Oakview Business Park (tax keys as listed) that would (a) remove the woodland designation from the property at 200 W. Oakview Parkway as depicted on the amended general development plan, and (b) amend the conditions and restrictions relating to open space, landscaping, landscape area and parking lot screening, such that Municipal Code Section 17.0505 shall not apply and that the landscaping standards in effect prior to March 15, 2022 shall apply to all parcels within the planned unit development, after a public hearing subject to the following conditions:

1. It is the responsibility of the property owner to secure any permits or approvals for impacts to on-site wetlands or isolated natural resource areas prior to the commencement of any site disturbing activities in those areas.
2. That any changes to approved grading, drainage, utility or stormwater management plans be approved by the City Engineer prior to the issuance of any building permits or site disturbance.

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:57 pm.

ATTEST:



Kari Papelbon, Plan Commission Secretary

5-24-22

Date