

**CORRECTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JUNE 14, 2022**

Mayor Bukiewicz called the meeting to order at 6:01 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Kiepczynski, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Siepert, and Commissioner Chandler. Also present: Kari Papelbon, Senior Planner, and Mike Havey, Assistant Fire Chief. Commissioner Carrillo and Commissioner Oldani were excused.

Minutes of the May 24, 2022 meeting

Alderman Loreck stated that the roll call incorrectly showed that he **CALLED THE MEETING TO ORDER**.

Commissioner Siepert moved to approve the minutes of the May 24, 2022 meeting as amended. Alderman Guzikowski seconded. Roll call: all voted aye. Motion carried.

PUBLIC HEARING

SIGN APPEAL

BUBBA JENSEN, PEAK, INC.

140 W. PUETZ RD

TAX KEY NO. 828-8016-000

Senior Planner Papelbon provided an overview for a request for a sign appeal that would allow the applicant to install one (1) 7'-8" x 10'-7" (81.14 sq. ft.) wall sign, one (1) 1'-6" x 10'-7" (15.88 sq. ft.) wall sign, and one (1) 1'-6" x 15'-4" (23 sq. ft.) wall sign on the north elevation of the proposed building; and one (1) 7'-8" x 10'-7" (81.14 sq. ft.) wall sign on the east elevation of the proposed building on the property (see staff report for details).

No public comments were made.

SIGN APPEAL

BUBBA JENSEN, PEAK, INC.

140 W. PUETZ RD

TAX KEY NO. 828-8016-000

Senior Planner Papelbon informed the Commission that if this item is not approved, the motion to approve the corresponding sign plan must be amended.

Alderman Loreck stated the signs on the east elevation of the proposed building seem appropriate to advertise, while the signs on the north elevation are facing the existing strip mall, away from the road.

Alderman Guzikowski stated that he agreed with Alderman Loreck, supports the project, and stated, as Alderman of this district, he has received no feedback on the project.

Commissioner Chandler asked the applicant what the dimensions of the building are.

Tracey Erickson, 1611 Waterberry Dr., Bourbonnais IL, 60914, representing Erickson Enterprises, LLC, answered the east elevation is 36 feet wide and 26 feet high at the peak. The

north and south elevations are 150 feet long and 12 feet high. Commissioner Chandler then asked Senior Planner Papelbon if the sizes of the signs are acceptable. Senior Planner Papelbon answered that staff did not have any concern about the size of the proposed signs, and will ensure that future submitted building plans match what is being presented.

Commissioner Chandler then asked the applicant how the used water will be collected. Mr. Erickson explained the water will drain into a large pit that runs down the middle of the car wash tunnel, to be fed into a triple-tank system that will go into the City's sewer system. Commissioner Chandler asked if the same drainage system will be used for the pet wash. Mr. Erickson explained the pet wash is being designed to be more like a public restroom facility. Commissioner Chandler asked the applicant to explain how the building will be maintained in regards to ice during the winter months. Mr. Erickson explained salt will be applied at the car wash entrances and exits, as well as the parking lot, with the pet wash facility draining inside the building, not exterior. Commissioner Chandler asked how the appearance of the building will be maintained. Mr. Erickson explained the appearance and cleanliness of their locations is what distinguishes their company in the market, therefore maintenance is valued.

Mayor Bukiewicz stated no issue with the signs, especially on the north elevation, facing the mall.

Alderman Loreck moved that the Plan Commission approves sign variances allowing the installation of one (1) 7'-8" x 10'-7" (81.14 sq. ft.) logo with channel letters wall sign, one (1) 1'-6" x 10'-7" (15.88 sq. ft.) channel letters wall sign, and one (1) 1'-6" x 15'-4" (23 sq. ft.) channel letters wall sign on the north elevation of the proposed building, and one (1) 7'-8" x 10'-7" (81.14 sq. ft.) logo with channel letters wall sign on the east elevation of the proposed building on the property at 140 W. Puetz Rd.

Commissioner Siepert seconded. Roll call: all voted aye. Motion carried.

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

Senior Planner Papelbon provided an overview of site, building, landscaping, and related plans for a car wash facility on the property (see staff report for details).

Commissioner Chandler asked the applicant what the maximum number of cars that can be stacked for entrance to the car wash is. Mr. Erickson, Erickson Enterprises LLC answered that roughly 21 cars could be stacked between the three (3) proposed waiting lanes. Commissioner Chandler asked if there is an option for cars to move around an unplanned stopped car in the lanes. Mr. Erickson explained there is an escape lane option or the stopped car can be pushed onto the automatic conveyor within the tunnel, which would feed the car through the car wash, where it can be once again, pushed out of the way to allow the next car to exit. Commissioner Chandler asked for feedback on the metal or fabric awning options presented. Mr. Erickson asked for clarification on what material was originally proposed and Senior Planner Papelbon answered with vinyl. Mr. Erickson stated the plan will be updated to show fabric awnings. Commissioner Chandler asked for the planned color scheme for the project. Mr. Erickson explained the colors are typically red brick, white stone accents, white entrances and exits, and a blue roof. The applicant then provided a color photo of an existing building with the color scheme to the Commission.

Commissioner Siepert asked what the cycle time of a car wash would be. Mr. Erickson explained the car wash itself takes approximately three (3) minutes, with the time between payment kiosk and the end of a car wash takes about five (5) minutes.

Alderman Guzikowski asked when would the applicant like to break ground. Mr. Erickson stated the project will begin as soon as possible.

Alderman Loreck asked if the services would be open 24 hours a day, as the plans show signage reading the pet wash services would be open for that long. Mr. Erickson answered the building will not be open for 24 hours a day - the plans are incorrect - and clarified that all operations will close at 8:00 PM.

Commissioner Kiepczynski asked why the orientation of the project was not rotated 180 degrees to comply with a previous request made by the Engineering Department. Mr. Erickson stated the majority of the traffic is expected to come from the existing gas station and Howell Avenue, located to the east of the property; making the proposed layout of the project the most efficient.

Commissioner Kiepczynski asked about the request for a curb along the south side of the proposed asphalt roadway on the site, as it isn't reflected on the plans. Al Jeske, Nielsen, Madsen & Barber, 1458 Horizon Blvd., Suite 200 Mt. Pleasant WI, 53406, explained if curb and gutter would be placed at that location, the flow of the water would get concentrated and the water quality of the site would not operate as well.

Commissioner Hanna asked if there have been studies done on the average number of cars the car wash can accommodate and if an overflow location has been identified, to not impede traffic from the established strip mall and gas station. Mr. Erickson explained approximately 1,000 cars can be serviced by the car wash a day and on a typical day, only two (2) lanes of are needed to stack the waiting cars. Mr. Erickson went on to explain one of the lanes will be an express lane, for members of the car wash to be able to go through the process faster and some existing wash locations have only two (2) stacked lanes, but can still service as many as 1,800 cars a day.

Commissioner Hanna asked if plans have been created to address an emergency within the car wash tunnel, specifically a car that has broken down. Mr. Erickson explained that if a car operator were to not follow the rules of the car wash within the tunnel, the operator is asked to step outside while the police are called and a report is filed. Mr. Erickson reiterated the cars are on a conveyor, which carries them through the tunnel automatically. Commissioner Hanna then asked if staff will be on-site to handle irregular situations. Mr. Erickson answered in the affirmative, explaining there are two (2) to three (3) people on site during operating hours.

Mayor Bukiewicz asked if the green space requirement is being met with this development. Senior Planner Papelbon explained the requirement asks for a minimum of 30 % of the site to be green or landscaped, which the proposed site plan meets and must always meet.

Mayor Bukiewicz asked if the development agreement with the City's Water and Sewer Utility is in place. Senior Planner Papelbon explained the agreement is in process, if not already approved. Mr. Erickson also explained that work with the design engineers is still being done to make final adjustments.

Mayor Bukiewicz asked if the same is to be said for the cross-access and shared parking agreement. Mr. Erickson stated that agreement is ready for submission.

Mayor Bukiewicz asked about plans for snow removal. Mr. Erickson explained that they will pile snow at the curb to a point, but if the snow reaches a certain height it will be moved off-site.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Tracey Erickson, Erickson Enterprises, LLC., for the property at 140 W. Puetz Road with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the plans are revised to include awnings on the south elevation. All awnings shall be either metal or fabric (vinyl is not approved).
3. That the plans for the trash enclosure gates are revised to incorporate non-flammable material.
4. 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 are shielded on the side of the fixture adjacent to residential properties.
5. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened per Code.
6. Water and sanitary sewer must be extended to serve the lot per the requirements of the Oak Creek Water and Sewer Utility, and a Development Agreement for the public infrastructure is required prior to submission of permit applications.
7. That copies of all executed cross-access and shared parking agreements shall be provided to the City prior to the submission of building permit applications.
8. That all revised plans (site, building, color elevations, landscaping, etc.) are submitted in digital format for review by the Department of Community Development prior to submission of permit applications.

Alderman Guzikowski seconded. Roll call: all voted aye. Motion carried.

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

Senior Planner Papelbon provided an overview of a sign plan for the proposed car wash facility on the property (see staff report for details).

Commissioner Chandler asked for clarification as the four (4) signs have no dimensions shown. Senior Planner Papelbon explained the awning signs are on the face of the awning, and the proposed vinyl stickers for the two (2) pet wash windows and the one (1) office window cannot cover more than 25% of the window it will be placed on, and will need to be review once more by Staff before placement.

Commissioner Chandler asked if the vinyl stickers meet the requirement. Mr. Erickson answered in the affirmative, explaining the dimensions will be included in the future submission of the sign designs.

Alderman Guzikowski moved that that the Plan Commission approves the sign plan submitted by Tracey Erickson, Erickson Enterprises, LLC, for the proposed car wash to be located at 140 W. Puetz Rd.

Commissioner Siefert seconded. Roll call: all voted aye. Motion carried.

CONDITIONAL USE PERMIT

MATT KURUCZ, CHI/ACQUISITIONS, L.P.

6365, 6349, 6377, & 6475 S. HOWELL AVE.

TAX KEY NOS. 718-9972-000, 718-9970-000, 718-9969-000, 718-9962-000

Senior Planner Papelbon provided an overview of a request for a Conditional Use Permit for a warehouse and distribution facility in excess of 200,000 square feet on the properties (see staff report for details).

Senior Planner Papelbon explained the proposed plans have been updated, reflecting the footprint of the building to now be approximately 359,900 square feet with 240 parking stalls, 66 loading docks, and 77 truck/trailer parking stalls. Senior Planner Papelbon stated that staff do not support approval of the request as there are too many concerns and unanswered questions regarding the development.

Jack Rabenn, 2707 N. Wilton Ave, Chicago IL 60614, representing CHI/ACQUISITIONS, L.P. presented the following:

Market Overview

- 2021 was a record year for SE Wisconsin real estate and these trends are expected to continue
 - Vacancy Rate: 1.64% for Class A product (all-time low)
 - Extremely strong demand: Of the 1.7 Million SF of speculative space delivered since 2016, only 135,000 SF is available today
 - Extremely low supply of Class A industrial product
 - Land constraints
 - Large amount of old/obsolete product
 - New development has been focused on Racine/Kenosha vs Milwaukee County
- Out of the 115.6 Million SF of industrial product in the Metro Milwaukee area, only 6.47% is Class A
- MKE airport looking to expand air cargo operations, but lack of surrounding warehouses hinders those efforts

Location and Access

- Site offers premium access to two (2) full I-94 Interchanges (College and Rawson) with access to Howell Avenue and unparalleled access to MKE's current and future air cargo operations
- Howell Avenue is currently striped off, which is done for future expansion by WisDOT
- Median cut on Howell Avenue is exceptionally long, from a turning perspective, but designed by WisDOT for a reason
- Very efficient: Right in/ Right Out traffic flow
 - Communication with WisDOT has been had with no major comments on the project other than an interest to explore project further, likely with a traffic study
- A traffic study has not been done yet due to cost; the applicant wanted to gather as much feedback as possible first, before taking the next steps to do traffic study for further information on traffic situation and preliminary engineering for further information on Stormwater
- Alignment of the drive can be made to force trucks to move right

- Police enforcement can deter unwanted actions at intersection
- Need for a left turn out of property is low
- The purpose of the warehouse will be to receive product to be dispersed to the broader public and the north suburbs of Illinois.

Current Zoning

- Site is Currently Zoned M-1 for Light Industrial Uses, which includes warehousing, distribution and light manufacturing uses
- Conditional Use required for trailer parking and building size over 200K SF

Comprehensive Plan

- Current Land Use Plan shows this site as a Business Park with a Flex Overlay
- College Avenue Flex Overlay District calls for uses that “promote economic development, such as Industrial or the Expansion of MATC” (pg. 42)
- The Comp Plan recognizes the existing uses of the region “DO NOT take advantage of the area’s location near the General Michell Airport, I-94 interchange, or the Oak Creek MATC Campus” (pg.42)
- MATC has been engaged and they are generally supportive of the project
 - Cross-over educational opportunities identified for existing trucking and analytics program
 - Connection with the private road to the west of the property is not planned
 - Impacting neighbors is not ideal

Comprehensive Plan - Alignment

- Community Context (pg. 5-13)
 - Recognizes Oak Creek’s strong logistics/ warehousing roots and the strong current industrial market remaining “an important contributor to the local economy”
- Economic Framework (pg. 38 and 39)
 - Goal 5 = “Improve appearance and stormwater management (SWM) function of commercial, industrial, and multifamily developments in the City”
 - Site will be Class A, investment grade warehouse with high image finishes and landscaping. SWM will also be fully engineered and contained on site
 - Plenty of room on the site plan, as it is drawn currently, to put SWM, once engineered
 - Requiring private investment
 - The entire proposed \$30,000,000 cost of this project will be privately funded
 - No TIF or abatement are being sought
 - Anticipated tax benefit = 10 times current level or ~ \$300,000 increase
 - Job Creation = anywhere from 75-350 jobs depending on user
- Transportation and Mobility Plans
 - Project will be providing connection to the existing sidewalks along Howell Avenue
 - Willing to explore providing an additional bus stop for Rt. 80

City Code

- Lot Coverage: Max lot coverage allowed is 70%
 - Design only shows 40-45%
- Building setbacks: Min. distance is 100 feet
 - Design shows 290 feet from north edge of property, approximately 190 feet from lot lines to the east
- Parking: 1 stall per 1,500 SF – 1 stall per 1,250 SF (240 min – 287 max)

- Design shows 240 stalls (expandable)
- Design meets all other pertinent parking requirements
- Turning movement
 - Passenger, truck, and emergency vehicles all accounted for
- Stormwater (SWM)
 - Applicant's civil engineer conducted preliminary SWM calculations and the SWM being proposed is more than sufficient
- Landscaping
 - Current layout meets all landscaping requirements for the City

Site Constraints – Wetlands

- Delineation report was sent over last week
- There are ~ three and a half (3.5) acres of wetland on-site
- Project will limit wetland impact to under one (1) acre – thus preserving the rest
 - WiDNR is very strict and will not allow over an acre to be impacted
 - Army Corp has been contacted for jurisdictional determination to see if Federal Government will take jurisdiction over any of the wetlands.
 - Finally permitting from the WiDNR can happen after this
 - At the time of application, a full delineation could not happen due to season
- Northern wetland effectively makes this site an island that is isolated from the homes along College Avenue
 - Will not be impacted
- Southeast wetland is potentially jurisdictional; it could connect to another series of waterways running south and east
 - Will not be impacted
 - Prevents a secondary access to Howell Avenue
- Proposed Site plan is the result of 10-15 iterations of the site plan and four (4) full re-budgeting reviews of the site

Site Constraints – Topography

- 30 feet of grade variation on entire site
- Site has rolling topography
- The irregular nature of the grads make construction very difficult
- Buildings would be slab on grade; needing to build up the pad to put place slab

Site Constraints – Results

- Wetlands presence/ Locations:
 - Prevents tie-in with the homes along College Avenue for broader redevelopment designs, unless the City wants the applicant to do so
 - Discussion of importance of wetland preservation verses tying-in to the homes along College for any potential future development would have to be had
 - Design is trying to be respectful of the 25 homes along College Avenue
 - Opportunity on northeast part of plan to connect the access drive north
 - Constrained the building size/ orientation
- Topographic Situation
 - Near impossible cut/fill exercise for multiple building pads
 - Only one (1) building pad is possible
- Ideal Site Plan is not possible or necessary

- Two (2) buildings running north/south would have allowed 150K more SF of building: would require completely eliminating all wetlands on site
 - Benefit to applicant is more rent
- Traffic Impact
 - Per WisDOT data, this part of Howell Avenue has a two (2) -way vehicle count of approximately 19,000 trips per day
 - A warehouse of this use/size will generate approximately 560 traffic trips per day (inclusive of trucks and cars) – strong majority being car traffic generated by employee vehicle movement /shift. Note: trip is one (1) direction
 - Represents a marginal two-point nine percent (2.9%) increase to traffic over baseline conditions
 - Howell Avenue is a major road, built for more traffic

Site Plan

- Entry way to site will be Boulevard type
- Applicant is willing to provide plan highlighting the preserved wetlands to the north and southeast of the proposed building, with setbacks or retaining walls to ensure the wetlands are not disturbed
- A truck queuing lane is being proposed along the east side of the proposed building, ~500 feet long to alleviate potential traffic issues on Howell if multiple trucks were coming and/or going at the same time.
- The 77 proposed trailer stalls serve two (2) main functions
 - Efficiency: if one (1) of the 66 proposed docks is not ready for a truck upon arrival, the load can be dropped off in one (1) of the trailer stalls and the driver can leave without waiting
 - Many possible tenants own their own trailers, trailers can be stored on-site as opposed to elsewhere
- Two (2) – Three (3) tenants can take space on the north side of the proposed building with ~ 100,000 SF per tenant
- Reiterated a southern access drive to Howell Avenue would not be possible, due to avoidance of the existing wetland
- The minimum number of stalls for car parking is what is being shown: 240
- Landscaping is around the site itself, per the landscaping code
 - Will utilize berming when possible, plan to berm and plant on top all the way around and along residential areas is not reflected on current site plan
 - Property is currently overgrown and unkept
- Orientation of the building
 - All trucking, shipping and receiving activity are faced south, away from the homes on College Avenue, mitigating noise in addition to the building itself, 300 feet to lot line and a berm
 - Homes along Howell Avenue are shielded by the building as well as a planned berm
 - These homes already sit lower than the development site
 - Homes along College Avenue sit higher than the development site, but will also be bermed as well
- Rendering is not 100% to code but entrance rendering shows a more beautified entry and cohesion to the community as a whole
- Applicant's traditional office features include large amounts of glass, details in the paneling, architectural sconce lighting, etc.
- Applicant's traditional building features include ponds (not possible at this site) and site lighting with LED energy efficient, keeping all light pollution to the site itself; a photometric plan can confirm this

Keane Kehoe, 513 W. College Ave.:

“Big concerns. Truck traffic: we’re dealing with Carvana – Enterprise, semi-trucks coming and going, hooking up chains – clanging. Buildings do not suppress noise nor do berms when it comes the semi-trucks. Garbage – another problem. Existing with Enterprise – Carvana I can just see it getting magnified.”

Mayor Bukiewicz reminded the resident to speak on the topic of discussion.

Mr. Kehoe:

“This project is a lot bigger then what they’ve got going on there. Big concerns because the trucks make a lot of noise. Just going down the road and hooking up, so that’s what I’m worried about.”

Jeanne Somers, 187 W. College Ave.:

“Even with the farmland there is runoff that forms a stream between my lot and the lot to the west. What will happen to the runoff when it is paved over? What will come between this residential neighborhood with children and pets and a semi parking lot?”

Tim Jubech, 333 W. College Ave.:

“Concern is that the development has stormwater retention ponds that, well the new one shows that they’ve moved, but there are no less than 15 private wells across all those homes and if you look up Wisconsin State statute it states you need a minimum of 400 feet from any stormwater retention pond to the nearest well. And it looks like, if that’s the case, the entire north side of the development is not able to support stormwater retention pond.”

Tracy Vetter, 221 W. College Ave.:

“I have four points on my list. I have bullet-pointed them instead of writing too many sentences. I’m gonna jump down to the second bullet-point of truck traffic and noise. Not only did my neighbor mention, some will mention a few more, MATC has a truck training program which is constantly looping – basically would be using College and Rawson just like this proposal. We also have USPS that has their new processing plant down College Avenue which has brought an – a lot more truck traffic down our residential area, College Avenue not being, you know, there’s residents on Milwaukee’s side too who I’m not here to speak for but-. We also have US- or UPS that is off of 6th and Rawson so they’re using Rawson – that’s a lot of trucking. And at night, we – I -- attest to what my neighbor said. Truck/truck noise and trucks backing into docks is loud, and at night it makes your dog’s bark and we can hear it all the way from UPS on 6th – off of 6th and Rawson. So, this is right in my backyard. I also have the well water contamination concern; being that my well is actually – out of all of the properties along College -- my well is the furthest back and closest to this development; about 40 feet off of my property line. And I also have one of the largest parcels, we’re set the furthest back. As far as the berms being suggested in the drawing, what isn’t taken into consideration here, and you wouldn’t know it unless you would have came on foot to my property, my property is raised about 8 feet above all my neighbors.

So, at the back of my property line, I'm on a brim that goes straight down a good 6 to 8 feet, and they want to put a berm that's gonna 5 feet high up against that. That makes no sense to me. And then the wetlands and the wildlife. There is a lot of wildlife back there; there's deer, there's coyote, there's racoons, squirrels, birds, ducks. Yeah, it's overgrown – it's taken over by Buckthorn tree's that creeps onto our property – we all have to deal with it because whoever's owned the land all this time hasn't done anything. But, we've gone back there, cleaned it up when there's junk. You know, we do our best to (inaudible) wildlife use that space and the wetlands so, that's the end of my comments."

Christopher Jaszewski, 143 W. College Ave.:

"Where can I start? I wanna start by bowing my head for Arman – 11-year-old child who just died, drowned, in the KK River. One river that's channeled, all over, with concrete. So that if you stepped down, slipped down, and then you're (inaudible) the uncle and the father are dead too. Alright – it was in the '70's or '80's that I was helping to (inaudible) such a trucking company from cutting Cudahy's woods on east College Avenue. If we had not stopped that, there would be a trucking company there right now. Wetlands. You probably don't remember John Abendschein, the Mayor, I didn't vote for Honadel- business- I've never voted for any of the oak creek mayors since then because you're all business. Mankind is our business. We have wetlands. We have an environment dying all around us. Carbon (inaudible) is what plants and animals do. Not concrete and metal buildings. (inaudible) Arman (inaudible) just an 11-year-old kid. Could we have been like rascal Sterling North in Racine County, who grew up raising a racoon; riding that racoon on his little bicycle? There is no – there is no 500-year-old trees (inaudible) Pleasant Prairie anymore. Now there's a parking lot there and there's nothing in the parking lot. It's an empty space."

Mayor Bukiewicz reminded the resident to speak on the topic of discussion.

Mr. Jaszewski:

"I'm talking about the environment. I'm talking about the environment on 143 W. College Avenue, which is farmland. You remember the (inaudible) family? It was a family farm. Where you're talking about building that was a family farm. The (inaudible) family. You don't remember them."

Mayor Bukiewicz reminded the resident to speak on the topic of discussion.

Mr. Jaszewski:

"That is the pertinent agenda. Business -- mankind is our business, not corporations. Now, Oak Creek and Milwaukee have a reason to have a buffer-zone, a green space for animals and plants and human beings to exist. We don't need to have business all the way from the airport, all the way south to Racine. We can start by thinking about what is zoned for that industry and business. What is a park? Mayor Abendschein had Oak Creek – is there in Oak Creek -- is – are there any Oaks in Oak Creek anymore? Is there a creek in Oak Creek? Or is it just a name? That man from Chicago, or Illinois, he spent too much time in Illinois. I've grown up on College Avenue, my whole life, and I don't want to see anything like a business at all. Leave the land alone."

Commissioner Hanna stated her questions, concerns and requests about the following:

- Asked what the impact of both the trucks as well as the employee vehicles will be in the current residential neighborhood, as it is an additional safety concern.
- Concern for the entrance of the business, from a safety and operational perspective; citing the lack of a traffic impact or traffic operation analysis being done.
- Requested the applicant look closer at the traffic implications, as a left-turn action is a two (2) stage crossing and consider the side effects at the traffic signals both north and south of this intersection.
- Requested coordination and concurrence with or from the state's Operational Traffic Engineer.
- Requested a traffic count and traffic forecast to be done for this segment of the avenue to ensure the project is abiding by WisDOT guidelines.
- Requested WiDNR concurrence.
- Requested the applicant coordinate with the State Freeway Group to ensure the I-94 exit and entrance ramps are abiding the WisDOT requirements.
- While the shoulder of Howell Avenue has been designed for future usage by the WisDOT, the shoulder cannot be used by a business only but by the general public.
- Having a law enforcement agent stationed on site for unwanted left turns is not possible
- The median having to be crossed was not designed for truck turning movements - trucks turning left would have to encroach into the far travel lane of Howell Avenue, with cars going 40 miles per hour.

Mr. Rabenn explained all points would be addressed in a traffic impact assessment with WisDOT, going on to state preliminary discussions with WisDOT and traffic engineers is how the proposed traffic numbers were generated, from baseline data. Commissioner Hanna asked who the applicant spoke to at WisDOT. An answer was given off-mic, to which Commissioner Hanna replied that the applicant must speak to Art Baumann, the State Traffic Engineer for the region.

Mr. Rabenn stated that the median curb-cut in question is not traditional - it's not designed to have complete movement through the median itself, so it can be further designed to force traffic to turn right, out of the property to address the safety concerns while being conducive to the project.

Commissioner Hanna asked the applicant if the airport has shown any interest in the services that would be provided. Mr. Rabenn stated that documentation from the airport to attest to the need for more warehousing capabilities to receive cargo can be collected. Commissioner Hanna then rephrased her question about the airport requesting the need for services this development would provide, to which Mr. Rabenn answered in the affirmative, both directly and indirectly, citing the airport's master plan.

Commissioner Kiepczynski stated the Engineering Department supports all concerns Senior Planner Papelbon has presented.

Alderman Loreck stated his support of the concerns staff, residents, and Commissioners have stated, especially in regards to retention of greenspaces, leaving wetlands undisturbed, traffic, and wells.

Mr. Rabenn explained what had been presented is a preliminary site plan. A full stormwater analysis will be done and the designed drainage will elevate the concerns from the residents of College Avenue in regards to flooding or damage.

Alderman Guzikowski also stated his support for the staff's concerns. Mr. Rabenn stated his hope for a list of conditions for approval to provide needed guidance to have the project be approved.

Mayor Bukiewicz stated there will be no conditions created at the current meeting.

Commissioner Siefert voiced his support for staff's concerns in addition to personal concerns surrounding the WiDNR, the wetlands, and potential well contamination of the site. Mr. Rabenn stated interest in working with staff to get all concerns addressed.

Commissioner Chandler asked the applicant to address the residents' concerns regarding noise suppression, water runoff, water/well contamination, etc.

Mr. Rabenn stated that he couldn't speak to the water/well contamination specifically, but items like bioswales will be used for natural filtration abilities. A deeper investigation into stormwater options will be done in the future, and work will be done to minimize any negative side effects to the site in regards to noise. Work with sound engineers can be done to prove berms are effective at absorbing noise.

Mr. Rabenn stated that with the truck docks oriented to the south of the property, away from the residents on College Avenue, the building between (with offices on the north end of the building) and 300 feet of a land buffer north of the parking lot ending in a berm at the northernmost part of the property, closest to the residential properties; noise pollution is not an additional concern.

Mr. Rabenn stated the site is not a trucking terminal, but a warehouse storage facility. Commissioner Chandler asked the applicant what their goal is at the end of the meeting. Mr. Rabenn stated the goal is to have a clear path to getting approval for this project.

Assistant Fire Chief Havey stated his support for staff's concerns as well as the Fire Department's access to the site. Mayor Bukiewicz asked if the singular entrance is problematic for the Fire Department. Assistant Fire Chief Havey explained that 450 feet is needed before a turn-around in both north and south parking lots for emergency access to a fully sprinkled building. However, more access is beneficial.

Mayor Bukiewicz voiced his support of all the concerns brought forth in valid questions with no answers currently, and stated that it is not Oak Creek's responsibility to provide for the airport - it is to the residents.

Commissioner Hanna moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a warehouse/distribution facility in excess of 200,000 square feet on the properties at 6365, 6349, 6377, and 6475 S. Howell Ave. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (June 28, 2022).

Commissioner Siefert seconded. Roll call: all voted no. Motion denied.

**REZONE/CONDITIONAL USE PERMIT
BY ABDUL JAWAD, UNITED AUTO LEASING DBA PRESTIGE MOTORS
150 W. RYAN RD.
TAX KEY NO. 875-9004-002**

Senior Planner Papelbon provided an overview of a request to rezone the property to B-4, Highway Business with a Conditional Use Permit for vehicle sales on the property (see staff report for details). She stated that staff do not support approval of the request as there are too many concerns and unanswered questions regarding the location/site, monument sign, landscaping, and operational details of the development.

Commissioner Chandler asked what the Applicant's feedback has been to staff's concerns. Senior Planner Papelbon stated there has been no communication with the Applicant since the staff report was written.

Commissioner Siefert asked if the Applicant currently owns the property. Senior Planner Papelbon answered in the affirmative.

Alderman Guzikowski voiced his concern about this project not representing Oak Creek well, stating the project does not have his support.

Alderman Loreck stated that he supported staff's concerns over the lack of information about the operation.

Commissioner Hanna stated the location would not be suitable for this type of business, and does not support the project.

Mayor Bukiewicz also voiced his support for the staff's concerns.

Commissioner Siefert moved that the Plan Commission recommends to the Common Council that the property at 150 W. Ryan Rd. be rezoned from B-3, Office & Profession Business to B-4, Highway Business (NO CHANGE to the FW, Floodway or FF, Flood Fringe districts), with a Conditional Use Permit for vehicle sales (wholesale), after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (June 28, 2022).

Commissioner Hanna seconded. Roll call: all voted no. Motion denied.

PLAN REVIEW
MATT KOHLS, GLOBAL SCHOOLWEAR
200 W. OAKVIEW PKWY.
TAX KEY NO. 955-1045-000

Mayor Bukiewicz:

"Okay. That will get us to 9e, which is a Plan Review - site, building, landscapes and related plans for Global Schoolwear for single tenant office and warehouse building at 200 West Oakview Parkway. The tenant has asked for a hold on this."

Senior Planner Papelbon:

"No, actually I think there's a – there's a bit of miscommunication there, but I do – I do support this being held and let me explain why. The staff report has recommended that this be held for a couple of reasons. But to add to those reasons; this afternoon we received an email from WISPARK requesting that if we recommend approval, that there be a condition that the association that manages the park that is – that everybody needs

to be a part of- that they have an opportunity to review and issue their requirements for the plans. Apparently, that didn't occur prior to this meeting. And there's some indication that there would be changes required. So, that gives Staff even more pause with moving this forward. The other portion of that is that we received comments from DNR on June 8th regarding this proposal. And I'll just – kind of – briefly go over the fact that it's typical, when we get a development that has potential impacts to wetlands, and we mentioned this earlier tonight, that we receive some kind of indication from DNR about what their path forward is going to be. Are they going to be recommending approval? Are we confident that their going to be issuing some kind of fill permit? Do we know what the concerns are? You know, even if it's not a complete fill – but a partial fill, we do have some level of – of confidence that something is going to be coming down for DNR that will support the project moving forward.”

“What we received from the DNR is the exact opposite. And it's unfortunate that it was received at such a late hour but, that being said, it's a – it's a very important piece of this project moving forward, because of the requirements for the development. We only present a condition for DNR permits to be submitted when we have that level of confidence that they are going to be approved, in some regard. And it's in a – in a way that wouldn't wholly affect the approval of – of the plans moving forward as well. (Inaudible) DNR has provided comments to suggest that they will either not approve, or require significant changes to the plan, before they approve. And without knowing exactly what that decision is, it directly affects your- your review of this proposal. You could recommend approval of the plans as presented and then the DNR comes back and - with a completely different review that would require significant changes. So, it would either be; we have conflicting approvals or they would have to come back at such time that those (inaudible) comments can be incorporated into the plan. It would be brand new before you.”

“It would be, in Staff's opinion, less confusing and it would be a lot more straightforward if we had those comments before we proceed. That- that being said, we can review the plans that have been presented to the Plan Commission this evening for your consideration. The Plan Commission does have the authority to recommend approval; subject to conditions. Or, you can place this on hold. If you would like me to give an overview of the project, I am happy to do so, but I would like the Plan Commission's feedback on that.”

Commissioner Siepert:

“(Inaudible) the project on hold.”

Mayor Bukiewicz:

“I would too, till we get the appropriate information. Again, this one differs greatly than the last one. Because that was a Use.”

Commissioner Hanna:

“I have two (2) questions though. So, I was reading on page three (3) of six (6): that top paragraph there, saying that the DNR has provided, already, comments. So, I heard also, you said that they have some changes that they wanna further evaluate before they provide their responses. So, does this mean that they are not going to unless they see those revisions or what does this mean?”

Senior Planner Papelbon:

“That was included in your packet as the email correspondence and it’s from Ryan Pappas of DNR, and it was to Rupesh and Riz at JSD. And again, we have never seen; at least I have never seen in my nine (9) years with the City, this type of response from DNR on a proposal. Taken aback, a bit. And again, we were already into writing the report when we received these – these comments. But, it – when we read that - when we read these comments it’s pretty clear to us that DNR is not going to issue any comments until they’re satisfied with the information they have received and they’ve given specifics about what it is they’re looking for. We don’t have any level of comfort, one way or another, what their decision is going to be. So, that’s why Staff is recommending that this be placed on hold.”

Commissioner Hannah:

“(Inaudible) the Army Corps?”

Senior Planner Papelbon:

“We don’t have any correspondence from them yet.”

Commissioner Hannah:

“We have (inaudible) to wait for them, correct?”

Senior Planner Papelbon:

“They have jurisdiction, we don’t know. We don’t know whether or not they’re going to claim federal jurisdiction over the wetlands. We suspect, that since they were copied by the DNR specifically, that they will have some comments.”

Mayor Bukiewicz:

“Very quickly: the applicant’s indicating – would you like to speak, sir? Yup, you gotta come up to the podium – name and address please.”

Rizal Iskandarsjah, W238 N1610 Busse Rd., Waukesha, WI 53188:

“Thank you. JSD Professional Services. I’m the site Civil Engineer and I’ve been involved with the Oakview Business Park since the beginning, in 2013? Yeah, (inaudible) so fairly familiar with the site and all the development on site. So, we did make an application with the DNR for a general permit fill of less than thou - 10,000 and we received, as Kari mentioned, earlier this month, their comments for additional information. It is, just in the background, my experience in requesting wetland fill with the DNR, they have 60 days to either approve, deny it, or request for additional information. And sometimes, and I spoke with Ryan Pappas, the reviewer, sometimes they are so busy that at the last minute, on that 60th day, they’ll request for additional information so that we have 30 days to respond so those additional information, and then they also 30 days to fully review it. So that’s a background.”

Mayor Bukiewicz:

“(inaudible) gets some extra time.”

Mr. Iskandarsjah:

“So yeah, so we did – we have, like a six (6) – six (6) – eight (8) bullet points that they request additional information as part of the packet. We can go through them, item by item but most of them are looking for a- less impact on the wetland fill. And a couple of them (inaudible) something that we’ll need to work with Staff is, this site is a PUD. As you know, it’s a Planned Unit Development. Back in 2013, it follows that ordinance in 2013 with zero (0) wetland setback. The new ordinance, the 20 -- the March of this year, ordinance has a 15-foot (inaudible) buffer, I think is the term, and then the 15-foot setback. So, excuse me, one of the items – why I mention this -- they much rather have us not fill those wetland than try to follow the current 15-foot setback. So, they – they much rather have us have minimal impact on the wetland instead of filling it just to meet a setback. ‘Cause I think if, in the – in the layout there’s some – some fill that we request to the wetland to -- to meet the 15-foot setback. So – so, basically, we’re – we’re moving the wetland by filling it and then meet the setback. But they much rather have us not move the wetland and not fill it, if that makes sense. So those -- those are some of the items we have. Again, we have (inaudible) days since that -- from that June 6th -- or June 8th date to -- to reply. And as far as, as Kari mentioned how they feel about it; they won’t, you know, I mean I can tell you but it’s not on paper. We’re, we’re, we’re positive about it, let’s just say that. But they’re not gonna show their cards, how they feel about it on paper, so that’s (inaudible) I’d be happy to answer any questions.”

Mayor Bukiewicz:

“(Inaudible) the pertinent thing in the end is the hold and bring it back when those questions are answered.”

Mr. Iskandarsjah:

“Sure.”

Mayor Bukiewicz:

“Okay! Thank you, sir, appreciate it. Any other questions? Sir – go ahead.”

Mr. Iskandarsjah:

“Can I add one more thing? Yeah, just – just one more thing. So, we’ve – we’ve – I’ve been, (inaudible) I said I’ve been involved with the whole business park. We have the same situation with Arena; where we fill wetland there. And again, at that time the -- the decision wasn’t finalized at that time and it became like a condition of the – of the approval of – of that specific site plan for – for the Arena development. Thank you”

Mayor Bukiewicz:

“Thank you. Name and address, please.”

Gregg Prossen, 893 Goldenview Court, Oconomowoc WI 53066:

"I am with ConsortiumAE, we're the design professional on the project. There is a commitment outstanding right now to deliver pre-cast this site in approximately mid-September, September 16, I believe. And with -- with the recommendation for hold, I guess our question to Kari and to the Plan Commission is, do you think we can meet -- let's take the -- the DNR issues off the table, do you think we can meet that -- with the current hold scenario in trying to get back into the Plan Commission calendar quickly?"

Senior Planner Papelbon:

"It's as quick as you can get responses and plan changes as necessary from the DNR. I mean--"

Mr. Prossen:

"Like I said, just take the DNR off that for a second, there are some aesthetic issues? I think, you know, regarding the exterior of the building that you've raised? If we can address those, say in the next week, can we make the next Plan Commission cycle?"

Senior Planner Papelbon:

"The hold is going to be more for the DNR's response though."

Mr. Prossen:

"Understand."

Senior Planner Papelbon:

"So, once you get the response from DNR, we can work through the -- the other issues that Staff have raised with regards to you know, building materials or the design of the building that -- those are things we can work through."

Mr. Prossen:

"Okay."

Senior Planner Papelbon:

"But the DNR is really going to be the key of it. So, (inaudible) the sooner you get that response and the sooner we come to a conclusion on that -- this -- we can get you on the next Plan Commission meeting, following that."

Mr. Prossen:

"Great. Thank you."

Mayor Bukiewicz:

"Congratulations on getting pre-cast. Okay, we are on 9e."

Commissioner:

"Hold it?"

Senior Planner Papelbon:

"Yup, you would make a motion to hold."

Mayor Bukiewicz:

"(inaudible) motion to hold. So, anybody like to go?"

Alderman Guzikowski:

"Yeah, Guzikowski will make a motion to hold item 9e until - "

Senior Planner Papelbon:

"You don't have to say 'until', just hold item 9e."

Alderman Guzikowski:

"Alrighty, as stated, hold 9e."

Commissioner Siepert:

"Siefert seconds."

Mayor Bukiewicz:

"Roll call, and Fred would you begin?"

Commissioner Siepert:

"Siefert, aye."

Commissioner Chandler:

"Chandler, aye."

Commissioner Hannah:

"Hannah, aye."

Commissioner Kiepczynski:

"Kiepczynski, aye."

Alderman Loreck:

"Loreck, aye."

Mayor Bukiewicz:

“Bukiewicz aye.”

Alderman Guzikowski:

“Guzikowski, aye.”

Motion carried.

**PLAN REVIEW
STEVE PAPE, REVEL INVESTMENTS
441 W. RYAN RD.
TAX KEY NO. 906-9028-001**

Senior Planner Papelbon provided an overview of site, building, landscaping, and related plans for revisions to the clubhouse and site at the property (see staff report for details).

Mark Draeger; 320 W. Trillium Terrace:

“Just to the south, yes. I just wanted to say thank you to the design, architects for incorporating some of the landscaping – I was looking through the drawings -- the landscaping that I had asked for. They incorporated it, I think they did a great job so I just want to say thank you.”

Plan Commission had no other questions, concerns, or comments.

Commissioner Siepert moved that the Plan Commission approves the site, building, landscape, and related plans submitted by Steve Pape, Revel Investments, for the revisions to the clubhouse and site on the property at 441 W. Ryan Rd. with the following conditions:

1. That all relevant Code requirements and conditions of the Conditional Use Permit remain in effect.
2. That the exterior brick and stone veneers meet the minimum 4-inch thick requirement.
3. That all outdoor grill areas and proposed fire pits are reviewed and approved by the Fire Department prior to submission of permit applications.
4. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.

Alderman Guzikowski seconded. Roll call: all voted aye. Motion carried.

**PLAN REVIEW
ADAM KASTL, ALDI, INC.
9210, 9342, AND 9440 W. 13TH ST.
TAX KEY NOS. 876-9997-002, 876-9996-000, AND 876-9995-003**

Senior Planner Papelbon provided an overview of site, building, and related plans for site access, guard house, and parking lot modifications on the properties (see staff report for details).

Charles Koehler, 901 W. Ryan Rd.:

"I'm directly across from this property. I have some questions as to how far south the existing truck parking lot is going. It's obviously coming closer to Ryan Road and what type of buffer are we talking here? Because right now, when I look out my front window, you have trailers parked there with the doors opened – quite frankly, looks like hell. And now you're gonna put in 4 lanes of incoming truck traffic, pushing it closer to closer to Ryan Road? I've got some concerns with that. You've got a retention pond there right now, how close to that existing retention pond are you coming with your new parking lot and trailers -- gonna be fronting Ryan Road now?"

Mark Siedl, 20725 Watertown Rd., Waukesha, WI 53186, representing Pinnacle Engineering Group explained the new south parking field expands 35-40 feet southward, with curvature to the roadway. Mr. Siedl then explained the proposed plans show berms that will be equal to or higher than what is existing, berming that will be added further west as well as numerous Evergreens, canopy trees, etc. to screen the property.

Mr. Koehler:

"So, this berm you're gonna build is gonna have some landscaping i.e. Evergreens, not Arbor Vitae. And you have some nice trees on the property now, close to Ryan Road. Same type of landscape plan going on, or what's happening?"

Mr. Siedl explained the landscape plan offers different species of plants, and the existing trees on the site will not be disturbed.

Mr. Koehler:

"I guess my only other concern is, are the four (4) truck lanes of traffic needed? Obviously, you're expecting an awful lot of business. Because when this building was built, once upon a time, I was here and we were told, not gonna be seven (7) days a week. And the owner of the property kinda gave a wink to his consultant when he left. Well, that changed drastically, because it's (inaudible) seven (7) days a week. So, those four (4) lanes of truck traffic, what does that mean?"

A representative for ALDI Inc. explained the four (4) lanes is to eliminate any traffic backup or blockage on 13th Street while maintaining security operations, going on to say each lane could hold seven (7) tractor-trailers. The representative continued by explaining the reason for the additional parking on the south side of the existing lot is to keep as many trucks as possible off the road.

Commissioner Hanna asked if the proposed entrance on the north side of the property will conflict with the entrance to Steinhafels, as the two entrances are in-line with each other. Mr. Siedl explained a traffic engineer has been contacted to evaluate the intersection work with WisDOT and the County, the results show no additional improvements required.

Assistant Fire Chief Havey stated the planned flow of traffic and the secondary entrance benefits emergency access.

Alderman Loreck moved that the Plan Commission approves site, building, and related plans submitted by Adam Kastl, ALDI Inc., for the properties at 9210, 9342, & 9440 S. 13th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That copies of all Milwaukee County DOT access approvals and agreements shall be provided to the City prior to the submission of building permit applications.
3. That the landscape plans are revised to comply with all Code requirements.
4. That all light sources are shielded and directed downward, that the color temperature of the fixtures are limited to a maximum of 5,000 Kelvins.
5. That the plans are revised to include locations and screening for any new mechanical equipment, transformers, utilities, and trash enclosures (if applicable).
6. That the landscape plans are revised for conformance with all Code requirements.
7. 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.

Commissioner Siepert moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:55 pm.

ATTEST:



Kari Papelbon, Plan Commission Secretary

7-12-22

Date