



PLAN COMMISSION

April 25, 2023

6:00 P.M.

Common Council Chambers

8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chaucey Chandler
Donald Oldani
Chris Guzikowski
Ashley Kiepczynski
Gregory Loreck
Fred Siepert
Christine Hanna
Matt Sullivan – ex-officio
Kari Papelbon – ex-officio

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

Find more information on agenda items at oakcreek.zoninghub.com.

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – April 11, 2023
4. Review and Discuss Report on Recent Common Council Actions
5. Review and Discuss Report on Recent Board of Housing and Zoning Appeals Actions – NONE
6. Review and Discuss Report on Recent Quarterly Parks & Recreation Commission Actions – Next Report July 11, 2023
7. New Business
 - a. CONDITIONS AND RESTRICTIONS – Review Conditions and Restrictions for a request submitted by Mohammad Abuain, Smart Wash LLC, for a Conditional Use Permit for vehicle rentals on the property at 1155 W. Anderson Ct. (Tax Key No. 735-0006-000; *1st Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/XRQCD2HVJB>
 - b. MINOR LAND DIVISION/LOT LINE ADJUSTMENT - Review a Certified Survey Map submitted by Greg & Gail Holtz and James & Sarah Nickols modifying the shared lot line between the properties at 8801 S. Charmaine Circle and 3381 E. Carol Court. (Tax Key Nos. 864-0081-000 and 864-0082-000; *4th Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/3OGO6PH0XS>
 - c. PLAN REVIEW – Review site, building, and related plans submitted by Jason Bowman, AES Restaurant Group, for exterior building modifications on the property at 1920 W. Ryan Rd. (Tax Key No. 878-9001-001; *6th Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/D39MRR604J>

- d. PLAN REVIEW – Review site, building, and related plans submitted by Nick Newman, Kwik Trip, Inc., for an expansion of the parking lot on the property at 9535 S. 13th St. (Tax Key No. 904-9008-000; 5th Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/Y8KUUD3ZU6>
- e. CERTIFIED SURVEY MAP - Review a certified survey map submitted by John Thomsen, Highgate, LL, dividing the property at 1402 W. Hampstead Ln. (Tax Key No. 784-9036-000; 1st Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/PFM5XKBGJ2>
- f. PLAN REVIEW – Review site, building, landscaping, and related plans submitted by Ryan Swingruber, CR Devco, LLC, for a single-family attached residential development on the properties at 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; 6th Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/0K4OPDGYBL>
- g. PLAN REVIEW - Review site, building, and related plans submitted by Elana Faschin, Driven Brands, Inc., for accessory structures, trash enclosures, and a ground mechanical enclosure on the property at 6900 S. 27th St. (Tax Key No. 737-9025-000; 2nd Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/GH20T2SFAX>

Announcements & Adjournment.

Dated this 20th day of April, 2023
Posted 4/20/2023 ad

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 11, 2023**

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

Minutes of the March 28, 2023 meeting

Commissioner Siefert moved to approve the minutes of the March 28, 2023, meeting. Alderman Guzikowski seconded. On roll call: Commissioner Kiepczynski abstained; all others voted aye. Motion carried.

ZONING TEXT AMENDMENT

Senior Planner Papelbon provided an overview of the proposed amendments to Table 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 Zoning and Sign Ordinance of the Municipal Code related to Research and Development Facilities in the B-4, General Business, Lm-1, Light Manufacturing, and M-1, Manufacturing districts (see staff report for details).

Commissioner Chandler asked if the animal husbandry portion of the definition excluded testing on all animals or just the specific ones listed (*dogs, poultry, monkeys*). Senior Planner Papelbon answered the definition does apply to all animals, but the definition could be clarified as such if the Commission so wishes.

Commissioner Hanna expressed she would like the definition to exclude testing on “all living things.” Senior Planner Papelbon noted “all living things” would exclude testing on plants and plant cells, and suggested including “all animals and humans” in the definition would be more appropriate. Alderman Loreck concurred.

Commissioner Siefert moved that the Plan Commission recommend to the Common Council that Table 17.0304(c) and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code be amended as proposed after a public hearing.

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

**PLAN REVIEW – ACCESSORY BUILDING
EYESORE JUNK REMOVAL
6773 S. HOWELL AVE.
TAX KEY NO. 734-9000-000**

Senior Planner Papelbon provided an overview of the site, building, and related plan review for an accessory building on the property at 6773 S. Howell Ave. (see staff report for details).

Commissioner Chandler questioned the height of the principal structure.

Eric Polinski, 6773 S. Howell Ave., Oak Creek, WI, answered the height was 14 ½ feet, then clarified 14 ½ feet was the height of the shed and the house was much taller.

D.J. Winger, TuffShed, 6280 S. Howell Ave., Milwaukee, WI, confirmed the proposed shed will be 14 feet high and is lower than the height of the principal structure.

Commissioner Chandler asked for feedback about the storage encroachment issues on the west of the property.

Mr. Polinski's answer was inaudible.

Commissioner Siepert asked if the shed would be on a concrete slab. Mr. Polinski stated that he would be pouring a slab.

Alderman Loreck questioned whether Mr. Polinski would be storing any business items in the shed. Mr. Polinski answered he would only be storing personal items.

Commissioner Siepert moved that the Plan Commission approve the site and building plans submitted by Eric Polinski, Eyesore Junk Removal, for an accessory building on the property at 6773 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the accessory building is used for the storage of personal items only. No business use of the building is approved.
3. That all required building permits are obtained for the shed and gazebo.
4. That all final plans (site, building, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

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

**MASTER SIGN PLAN AMENDMENT
SLAINTE CHIROPRACTIC DBA THE JOINT CHIROPRACTIC
8645 S. HOWELL AVE.
TAX KEY NO. 828-9001-000**

Senior Planner Papelbon provided an overview of the proposed amendment to the existing Master Sign Plan for the multitenant commercial building at 8645 S. Howell Ave. (see staff report for details).

Commissioners had no questions or comments.

Alderman Guzikowski moved that the Plan Commission approve the amendment to the Master Sign Plan submitted by Tom Donahue & Dr. Paul Schissler, Slainte Chiropractic dba The Joint Chiropractic, for the multitenant commercial building on the property located at 8645 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That permits are issued for signs prior to installation.
3. That all detailed, revised, and finalized plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

LIGHTING PLAN REVIEW
MATC
6665 S. HOWELL AVE.
TAX KEY NO. 718-9961-002

Senior Planner Papelbon provided an overview of the lighting plan review for the existing MATC baseball field at 6665 S. Howell Ave. (see staff report for details).

Commissioner Chandler asked if there had been any feedback on the Federal Aviation Administration (FAA) submission.

Dan Roehrdanz, Inspec, Inc., 6049 S. New York Avenue, Cudahy, WI, replied that FAA approval had been granted.

Commissioner Chandler asked for information about the 5,700 Kelvin lights.

Virginia Depies, Ring & DuChateau, 8756 West Lake, Greendale, WI, replied that the lights mimic the sun temperature to provide a natural light setting. The lights are the same [color] temperature as those installed at Oak Creek High School.

Commissioner Hanna moved that the Plan Commission approve the plans submitted by Ray Zukauskas, MATC, for MATC baseball field on the property at 6665 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all required building permits and approvals are obtained prior to installation.
3. That all final plans are submitted in digital format for review by the Department of Community Development prior to submission of building permit applications.

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

CONDITIONAL USE PERMIT
SMART WASH LLC
1155 W. ANDERSON CT.
TAX KEY. 735-0006-000

Senior Planner Papelbon provided an overview of the request for a Conditional Use Permit for vehicle rentals (U-Haul) at 1155 S. W Anderson Ct. (see staff report for details).

Alderman Loreck asked Senior Planner Papelbon if the business was similar to one recently approved on 27th St.

Senior Planner Papelbon clarified that, although the Plan Commission recommended approval of the 27th St. Conditional Use Permit, the Common Council did not approve. There are differences between the properties in that the current request is in an M-1 district in a multitenant building, there is no commercial use of the property at this point, the property is set back from the road, and screening would be required from adjacent M-1 properties.

Commissioner Siepert moved that the Plan Commission recommend that the Common Council approve a Conditional Use Permit for vehicle rentals on a portion of the property at 1155 W. Anderson Ct., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (April 25, 2023).

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

**MINOR LAND DIVISION/LOT LINE ADJUSTMENT
CHRISTOPHER FINK
7101 & 7115 S. PENNSYLVANIA AVE.
TAX KEY NOS. 768-0002-000 & 768-0001-001**

Senior Planner Papelbon provided an overview of the request for a Minor Land Division/Lot Line Adjustment to combine the properties at 7101 and 7115 S. Pennsylvania Ave. (see staff report for details).

Commissioner Chandler questioned why the properties were being combined.

Senior Planner Papelbon stated that the properties were being combined by a single entity for a single use.

Alderman Guzikowski moved that the Plan Commission recommend that the Plan Commission recommend to the Common Council that the Certified Survey Map submitted by Christopher Fink for the properties at 7101 & 7115 S. Pennsylvania Ave. be approved with the following conditions:

1. That the Common Council approval includes acceptance of the public right-of-way dedication.
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.

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

**PLAN REVIEW
F STREET OCLV NT, LLC
4005 E. LAKE VISTA PARKWAY
TAX KEY NO. 868-9005-000**

Senior Planner Papelbon provided an overview of the site, building, landscaping, and related plan review for two (2) proposed 8-unit townhomes and two (2) 6-unit townhomes in Lakeshore Commons (see staff report for details).

Commissioner Chandler inquired about the choice of color palette.

Katie Monachos, 756 North Milwaukee St. Suite 250, Milwaukee, WI, replied that there are two (2) color palettes used on the buildings which face Lake Vista Parkway, and a third palette which will be used on the buildings currently under construction. This allows for a variety of looks with complementary but diverse color palettes throughout the development.

Commissioner Chandler asked for details regarding the design of first-floor patios rather than second-story balconies.

Ms. Monachos answered that as these townhomes are rentals, and the lack of a balcony will make them more affordable.

Commissioner Siepert questioned whether the units had basements.

Ms. Monachos replied all units were slab on grade.

Commissioner Siepert asked the width of the access alleys.

Ms. Monachos answered that the alleys are 20 feet wide.

Commissioner Hanna commented she did not find the units aesthetically pleasing, nor did she find the color palettes particularly blended with the surrounding environment.

Ms. Monachos stated the buildings were designed in a repetitious manner to accommodate the lot size and allow for site lines. The material palettes used in the townhomes are the same as offered for the single-family homes and will help create a cohesive finished development.

Alderman Loreck stated his opinion that the townhomes seemed to offer a nice mix with the single-family units.

Senior Planner Papelbon stated that staff had made a site visit and asked Ms. Monachos if the color of the garage elevations on the existing townhomes would remain as dark as it appeared.

Ms. Monachos said the rear of the buildings is indeed darker, and offered to pass around material samples for the Commission to view the color palette.

Assistant Fire Chief Havey stated that he had no major concerns. Fire worked with Engineering to have a temporary road installed from 5th Avenue so as not to restrict roadway access during the construction phase.

Commissioner Chandler asked Ms. Monachos to review the color palettes and materials samples she had shared with the Commissioners. Ms. Monachos obliged, demonstrating which colors belonged on the front and rear of each building.

Senior Planner Papelbon suggested breaking up the dark color on the rear garage façades.

Ms. Monachos explained the color palettes were fairly limiting, and they had already chosen the color palettes they best felt complemented each building and each other.

Commissioner Chandler commented that she had expected the colors to be more tans and blues.

Ms. Monachos stated that one (1) palette is white and a darker grey, while the other is a beige and a darker beige.

Senior Planner Papelbon noted that the color palette samples Ms. Monachos produced for Commissioners are the true colors which will be on the building, and may not necessarily be depicted accurately on the screen or in print renderings.

Alderman Guzikowski asked for verification the garage doors and ground floors were indeed a lighter color than the second story. Ms. Monachos confirmed.

Alderman Guzikowski moved That the Plan Commission approve the site and building plans submitted by Nick Jung, F Street OCLV NT, LLC, 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 a snow storage plan is submitted for review and approval by the Department of Community Development prior to submission of permit applications.
3. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
4. 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 Hanna seconded. On roll call: Commissioner Chandler and Commissioner Hanna voted no. All others voted aye. Motion carried.

**PLAN REVIEW – MULTIFAMILY RESIDENTIAL BUILDINGS (A8.1 & A7.3)
F-STREET DEVELOPMENT GROUP
4005 E. LAKE VISTA PARKWAY
TAX KEY NO. 868-9005-000**

Senior Planner Papelbon provided an overview of the site, building, landscaping, and related plan review for two (2) proposed multifamily residential buildings in Lakeshore Commons (see staff report for details).

Ms. Monachos stated that there are 57 units in the north building and 75 units in the south building, for a total of 132 units.

Rinka's Design Director explained that on the south building, the third and fourth levels each have two (2) units combined as one (1), resulting in 75 units, not 77 units. Senior Planner Papelbon noted that the combined units were not shown on the floor plans received by staff.

Commissioner Hanna expressed displeasure with the lack of landscaping around the building, especially since it was in a park.

Chad Griswold, 756 North Milwaukee St. Suite 250, Milwaukee, WI, noted the park [Lake Vista Park] is a separate parcel from the development. The intent of the project was to recreate the density of a traditional neighborhood development whose residents could enjoy the amenities of the surrounding parks and trails.

Commissioner Hanna stated that she felt the apartments had too much building in proportion to green space.

Mr. Griswold responded that the entirety of the parcel has a lot of green space even if this particular area does not.

Commissioner Siepert expressed concern with winter parking, and asked how that would be handled.

Mr. Griswold said the development has a parking ratio of 1.4 spaces per unit between the at-grade and below-grade options. The one-bedroom apartment parking standard is typically one (1) stall per unit, and the 2–3-bedroom standard is two (2) parking stalls per unit. Those requirements have been met.

Senior Planner Papelbon reiterated that, per the PUD, the number of parking spaces is adequate. A winter contingency parking plan will be required as it was for the A-9 apartments.

Commissioner Chandler asked Senior Planner Papelbon to clarify whether the façade of the building was flat. Senior Planner Papelbon stated that the renderings and printed materials did not adequately reflect the depth of the buildings, which are considerably more dimensional than depicted.

Commissioner Chandler asked if the new renderings of the aluminum screen were acceptable to staff. Senior Planner Papelbon stated that it is up to the Commission to determine if the screening is acceptable. Staff will continue to work with the applicant until the final screen design and height can be determined.

Commissioner Chandler requested clarification of whether the parking requirements for the PUD had been met. Senior Planner Papelbon replied that the number of parking spaces was sufficient per PUD requirements.

Commissioner Chandler asked for details of the rooftop deck. Mr. Griswold stated it was essentially a rooftop terrace with elevator and stair access for residents to enjoy.

Alderman Loreck questioned whether the rooftop deck looked northeast between the two A-9 buildings. Mr. Griswold stated that was indeed the case.

Alderman Loreck asked if the rooftop deck was for residents of both buildings, or if access would only be for residents of one (1) building. Mr. Griswold said access was undetermined at this point.

Assistant Fire Chief Havey stated that, per Fire Code, the rooftop deck can have no open-burn appliances, no gas grills, and no charcoal grills. Only furnishings will be allowed.

Commissioner Siepert asked if the buildings were sprinkled. Mr. Griswold answered that they would be sprinkled according to Code.

Senior Planner Papelbon stated that she has no major concerns with the plans, and will continue to work with the developer on the screen wall. Landscaping has actually been increased since previous plans were reviewed, the buildings blend architecturally with the rest of the development, and parking requirements are incorporated in the PUD.

Commissioner Hanna stated that she still felt the landscaping was inadequate. Senior Planner Papelbon explained that the PUD is designed with open green spaces which are almost like conservation areas. These green spaces allow for increased density in other areas of the development. Staff will continue to work with the developer to increase landscaping where those opportunities present themselves.

Alderman Guzikowski moved that the Plan Commission approve the site and building plans submitted by E.J. Herr, F Street Development Group, for the A8.1 and A7.3 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 a contingent parking plan is provided for review and approval by the Department of Community Development prior to submission of building permit applications.
3. That the south elevation of building A7.3 incorporates façade enhancements similar to the other elevations.

Commissioners discussed the height and setback allowances of the screen wall prior to discussing the remaining conditions.

4. That the screen wall on the south is revised to a height not to exceed ten (10) feet, is set back between five (5) to 10 (ten) feet from the property line to allow for additional landscaping, and that the overall design and materials incorporate artistic/decorative elements that complement the development.
5. That the landscaping plan is revised to include an increased planting area in front of the relocated screen wall on the south.

6. That all exposed concrete walls incorporate textures/design elements. Blank or non-textured concrete walls are not approved.
7. That all mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
8. 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 Chandler seconded. On roll call: Commissioner Siepert (for density) and Commissioner Hanna (for not enough landscaping) voted no. All others voted aye. Motion carried.

Commissioner Siepert moved to adjourn the meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:37 pm.

ATTEST:

Kari Papelbon, Plan Commission Secretary

4-20-23

Date



Recent Common Council Actions

April 18, 2023

ITEM: 4

DATE: April 25, 2023

- **APPROVED** Ordinance No. 3069, amending Sec. 17.0403(b)(7)(a), Sec. 17.0403(c)(9)(a), Sec. 17.0403(d)(2)(a), Sec. 17.0403(d)(2)(b), Sec. 17.0403(e)(2)(a), and Sec. 17.0430(e)(2)(b) of Chapter 17 of the Municipal Code relating to the use of vinyl siding. (NOTE: the proposed amendment as adopted as presented. No changes were made to allow aluminum or metal siding at this time. This would need to be brought forth in a subsequent text amendment.)
- **APPROVED** Resolution No. 12402-041823, approving a Certified Survey Map submitted by CR Devco, LLC for the properties at 2231 and 1933 W. Puetz Rd., 8843R S. 13th St., and 8950 S. 20th St.
- **AWARDED** the Peter Cooper Vat House Demolition Project contract to the lowest responsive, responsible bidder, Edgerton Contractors, Inc., at an estimated cost of \$686,400.
- **AWARDED** - the North Lakefront Bluff Stabilization and Revetment Project unit price contract to the lowest responsive, responsible bidder, Edgerton Contractors, Inc., at an estimated cost of \$9,285,400.

A handwritten signature in black ink that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP
Senior Planner