

**MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, JANUARY 23, 2024**

Mayor Bukiewicz called the meeting to order at 6:00 PM. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Siefert. Commissioner Chandler was excused. Also present: Senior Planner Kari Papelbon, Planning Intern Melanie Perez, and Assistant Fire Chief Mike Havey.

**Minutes of the December 12, 2023, meeting**

Commissioner Oldani moved to approve the minutes of the December 12, 2023, meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT  
NORTH INVESTMENTS, LLC  
9810, 9840, AND 9880 S. RIDGEVIEW DR.  
TAX KEY NOS. 903-0010-000, 903-0011-000, AND 903-0012-000**

Item 7a was held to the February 13, 2024, Plan Commission meeting.

**PLAN REVIEW  
FRONTLINE CRE  
9970, 10020, AND 10040 S. 20<sup>TH</sup> ST. AND A PORTION OF 1850 W. OAKWOOD RD.  
TAX KEY NOS. 926-9977-001, 926-9978-001, 926-9979-000, AND 926-9036-000**

Senior Planner Papelbon provided an overview of the site, building, and related plan review for a proposed multitenant speculative industrial building on 9970, 10020, and 10040 S. 20<sup>th</sup> St., and a portion of 1850 W. OAKWOOD Rd. (see staff report for details).

Attorney Brian Randall, Amundsen Davis, 111 E Kilbourn Ave, Milwaukee, noted the Certified Survey Map was approved at Common Council on December 19, 2023. Attorney Randall stated that the Applicant is requesting the parking adjustment because they do not believe all the Code required spots are needed. The Applicant is presenting 181 spots and 221 trees onsite.

Wayne Modjeski, 10220 S Judith Place:

*"I looked at the map and there's a lot of loading docks that are facing towards our houses and stuff. Is this going to be a 24-hour process and stuff? Because I know like Reinhart and stuff, they actually put the berm there, put some trees and stuff up on there to accommodate for noise and stuff for the (inaudible) trucks and stuff because we can still hear the beeping noise when they're backing up and stuff. So, I just wanted to know if this is going to be a 24-hour operation for these loading docks or how's this going to work with what's going in there and stuff."*

Mayor Bukiewicz stated that, as of right now, the Applicant does not have tenants. Mayor Bukiewicz said he thinks it would depend on the business that eventually leases it.

Commissioner Hanna referenced a “no trucking” sign on Oakwood Road, and asked Senior Planner Papelbon how the trucks would access West Oakwood [Road]. Senior Planner Papelbon stated that there is no access to Oakwood [Road] from the subject properties.

Commissioner Kiepczynski stated that the Engineering Department has done the preliminary review of the stormwater and provided comments to the designer. She suggested working to make the driveway look more like a driveway approach.

Alderman Loreck asked Senior Planner Papelbon to confirm that Code would require 286 spots. Senior Planner Papelbon stated that such was correct – the requirement is one (1) spot for every 1,500 square feet. Alderman Loreck stated that the Applicant is proposing 181 spots, and asked if the Applicant had a prospective tenant and that they know that is going to be enough parking.

John Schlueter, 7265 South 1<sup>st</sup> Street, Oak Creek, explained their business, Keder Solutions, needs this additional space. Mr. Schlueter stated that they are looking to take one-third (1/3) of the building for storage and automated machine needs. Mr. Schlueter also stated that they will only have first shift loading and unloading, but he cannot speak to the other tenant. The berm will be vegetated, and it is eight (8) feet tall with three (3) acres of vegetation beyond it.

Alderman Loreck said if the rest of the Plan Commission and staff are comfortable with the amount of parking, then he is comfortable. He also stated that he hesitates to set precedent of reducing parking by 35%. Alderman Loreck said he is supportive of the number of trees just from looking at the plans.

Alderman Guzikowski stated that he concurred with Alderman Loreck.

Commissioner Siefert asked how they will protect the neighbors to the south from truck traffic with future development. Attorney Randall stated that the proposal is what the Applicants will be developing. He referenced the screen, and stated that there is no access to the south. The land they are acquiring to the south is restricted through the PUD and zoning, that the Common Council has approved. Attorney Randall stated the use of the land is restricted to landscaping and stormwater.

Commissioner Oldani asked Senior Planner Papelbon to confirm whether the portion of the property with the pond was the only part that was rezoned. Senior Planner Papelbon stated that the portions shown on the screen were rezoned, which includes the pond and the L-shaped portion around the existing residents.

Alderman Loreck asked to confirm that the Applicant is okay with moving the trash enclosure.

*A response in the affirmative was made off the microphone.*

Assistant Fire Chief Havey stated that the Fire Department does not have any issues with the site plan. Judith Place is not wide enough in the current condition to be considered a Fire Department access road, nor does it meet the static load requirements as when it was built.

Mayor Bukiewicz asked Assistant Fire Chief Havey if the access looks good from a Fire Department point of view. Assistant Fire Chief Havey confirmed.

Mayor Bukiewicz asked Assistant Fire Chief Havey if the Fire Department has received the plans for fire risers. Assistant Fire Chief Havey stated that the Applicant has not submitted the plans

yet, but based on the size of the building, there will be alarm notification systems and suppression systems.

Mayor Bukiewicz stated that there are a lot of trees proposed, so he is okay with the tree reduction.

Kailee Kujac, 10108 S Judith Place:

*"I want to talk about the trees. I'm a little bit blind-sided, so give me a minute. I was aware that there was going to be a lot of trees, I was not aware that they were going to be south of the pond. So, here the closest house is getting the least amount of trees. I know there is a lot of trees, but we're also doing less and less by the closest house. So, I'm going to need a minute to digest that, and then no offense, as you guys are aware I have little children by this pond, there's going to be, I do my best, I'm an only parent, I have child locks, I have three (3) locks on my doors, but if something were to ever happen I just want everyone to be aware that I stood here and I did ask for a fence around that pond. Then an eight (8)-foot berm, I went past the building on 13<sup>th</sup> and I'm like, "Oh my gosh that is a big building". I'm just, compared to Reinhart, they've got like a 30-foot berm, I'm not sure exactly, but I'm thinking like eight (8) feet to a 30 foot, I could be wrong maybe 20, I don't know, I'm just a little bit concerned on the size of blockage of having a big building right there. My main concern is just the tree placement being south of the pond when that is more blocking the neighbors off of Oakwood Road and not Judith Place. There is a great amount of space there, but for me, I'm going to be outside staring at a building, and I don't know the size of these trees, I don't know if it's going to take 10 years to even get any shielding or anything so that's just my concerns."*

Mr. Schlueter stated that he would be willing to have his civil engineer work with staff to find a way to fit a few more trees on the side.

Mayor Bukiewicz stated that he is not sure if it is physically possible to make the berm taller. Mayor Bukiewicz also stated that he is not sure what type of trees will be planted, but that he thinks it would be a mix of trees.

Senior Planner Papelbon explained that there is a line of juniper trees, which she thinks were going to be installed at a height of six (6) feet. There is a minimum caliper requirement depending on the type of tree. The caliper of the trees will be one-and-a-half (1 ½) to two-and-a-half (2 ½) depending on the type. The plans look to have at least ten (10) junipers that are in a line on the south with additional evergreens.

Mayor Bukiewicz stated that the Plan Commission is not requiring a fence around the pond at this time.

Mr. Modjeski:

*"I just have a question on the building and stuff. Is there any way that would be possible and stuff, maybe we could flip flop the sides of the building? So the docks could be on the north side of the building and the pedestrian parking on the south side. So, you see how the building is, just flip flop it so the docks would be on that side and the car parking would be on our side."*

Mayor Bukiewicz stated that the front address is considered to be off of Ridgeview [Drive], which would be the front of the building, and the City would not allow the front of the building to have that number of loading docks.

Mr. Modjeski:

*"I know, like Reinhart they got their loading docks on the other side of the building and they got their truck parking on the back side. The biggest thing is, I just see a problem with the noise of the stuff. You got an overnight truck driver that's going to deliver in the morning or something, he's going to park there or something, loud pipes or whatever."*

Senior Planner Papelbon stated that the City has seen other developments put fences around the ponds, but it is not required by Code for Zoning purposes.

Mr. Schlueter stated that there would be a fence around the pond.

Mayor Bukiewicz explained that the Applicant is using one third (1/3) of the building, and the Applicant feels the parking is adequate. Mayor Bukiewicz stated that if the property were to run out of parking, there is a vacant lot that the Applicant could possibly acquire for parking expansion.

Alderman Loreck referenced the tree inventory, and stated that it looks like there are some mature trees staying in the southwest corner. Senior Planner Papelbon stated that no trees can be put in the corner due to the utility easement; however, staff can work with the Applicant to put more trees on the berm and the western edge of the pond.

Stacey Siekert, 10132 S Judith Place:

*"We didn't talk about it too much today, so I don't know if this is separate, as far as lighting goes, I did hear you guys say that it might like 3,500 Kelvin, maybe with shields, do we know more what that will look like or not yet?"*

Mayor Bukiewicz stated that the Lighting Code is very specific, and the proposed development will need to follow the Code. Senior Planner Papelbon explained that on the south they are limited to 3,500 Kelvin, and Code requires that all the lights be directed downward and shielded on the side facing the residential portion. She clarified that 3,500 Kelvin is a residential level referring to color temperature.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by John Schlueter, Frontline Commercial Real Estate, for a multitenant industrial building on the properties at 9970, 10020, and 10040 S. 20th St. & a portion of 1850 W. Oakwood Rd. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the Certified Survey Map approved by the Common Council on December 19, 2023, is recorded prior to submission of permit applications.
3. That all approvals and/or permits from the Wisconsin Department of Natural Resources (WI DNR) are submitted to the Engineering Department and Department of Community Development prior to submission of permit applications. Substantive changes to the site and/or building as a result of the WI DNR approvals and/or permits shall require a new review and approval by the Plan Commission prior to submission of permit applications.
4. That the plans are revised to relocate the southwest trash enclosure away from the residential properties to the south, or eliminated. Revised plans shall include elevations and dimensions for the trash enclosure.
5. That the landscape plans are revised to meet Code requirements.

6. That the plans are revised to include locations for all mechanicals, transformers, and utilities. All mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
7. All light sources shall be full cutoff fixtures with the light source fully shielded and directed downward. The color temperature of the non-building-mounted fixtures shall be limited to a maximum of 3,500 Kelvins on the south and 5,000 Kelvins on the remainder of the property. Shields shall be on the side facing residential properties.
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 Siepert seconded. On roll call: all voted aye. Motion carried.

## **PLAN REVIEW**

### **ALDI, INC.**

**9210 AND 9150 S. 13<sup>TH</sup> S**

**TAX KEY NOS. 876-9997-002 AND 876-9999-002**

Planning Intern Perez provided an overview of the site, building, and related plans submitted by Adam Kastl, ALDI Inc., for an addition to the existing building on the properties at 9210 and 9150 S. 13<sup>th</sup> St. (see staff report for details).

Mark Seidl, Pinnacle Engineering Group, 20725 Watertown Road, Suite 100, Brookfield, was present for questions.

Alderman Loreck asked where the proposed addition is in relation to the current work being done. Senior Planner Papelbon stated that the proposed addition is on the north side of the building, and the current work is on the west and south.

Alderman Loreck inquired if the metal panels on the north will be facing directly at a residential neighborhood. Senior Planner Papelbon stated that there is some distance between the residential neighborhood and the proposed addition, and that she believes there is a berm on the northern end. The building currently has metal panels, similar to what is being proposed.

Commissioner Kiepczynski stated that the Engineering Department has reviewed some of the plans, and does not see any issues with the modifications to the stormwater pond.

Commissioner Hanna asked if the neighbors have been notified, and if they have expressed any issues. Senior Planner Papelbon explained that the residents to the north within 300 feet would have been notified, and staff have not received any comments.

Assistant Fire Chief Havey stated that the Fire Department has no issues with the site plan. The proposed site plan gives them more access around the site than they had previously.

Mayor Bukiewicz asked if the west side of the building will have corrugated metal panels as well, and if the building will be a tip-up cement product.

Carl Morse, A M King 1610 E Moorhead, Charlotte, North Carolina, explained there are multiple building skins on the west side. The original construction was a brick veneer, and the expansion in 2014 had a portion of painted concrete panel and insulated metal panel.

Mayor Bukiewicz asked if the proposed addition is housing perishable food. Mr. Morse stated that it would be storing frozen food. The addition would be all freezer except for the dock area that will be 34 degrees.

Mayor Bukiewicz inquired if the panels would be painted to match. Mr. Morse stated that it is a pre-finished panel that will match the same color as the existing panels.

Commissioner Oldani stated that he does not have any issues for the neighbors. Mr. Morse referenced the grading plan on the screen, and explained there is a hill that slopes up and it will be almost equal to the building height.

Alderman Loreck moved that the Plan Commission approves site, building, and related plans submitted by Adam Kastl, ALDI Inc., for the properties at 9210 & 9150 S. 13th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That this is the final addition approval without going through the Certified Survey Map process to combine the properties at this site.
3. That all light sources are shielded and directed downward, and that the color temperature of the fixtures are limited to a maximum of 5,000 Kelvins on the east side and west side, and a maximum of 3,500 Kelvins on the north side.
4. That all WDNR permits are provided to the City.
5. That the plans are revised to include locations and screening for any new mechanical equipment, transformers, and utilities.
6. 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 Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:02 PM.

ATTEST:

  
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Kari Papelbon, Plan Commission Secretary

2-8-24  
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Date