

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, FEBRUARY 13, 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, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Siepert, and Commissioner Chandler. Alderman Loreck and Commissioner Oldani were excused. Also present: Senior Planner Kari Papelbon, Planning Intern Melanie Perez, and Assistant Fire Chief Mike Havey.

Minutes of the January 23, 2024, meeting

Commissioner Siepert moved to approve the minutes of the January 23, 2024, meeting. Alderman Guzikowski seconded. Commissioner Chandler abstained. All others on roll call 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**

Senior Planner Papelbon provided a review of the for a Conditional Use Permit for autobody/automotive mechanical (truck and trailer) repair and truck parking on the properties at 9810, 9840, and 9880 S. Ridgeview Dr. (see staff report for details).

Commissioner Chandler requested confirmation that the existing shipping container on the premises will be removed, and asked if the container will be replaced with something else.

Gary Billington, representing the applicant, 175 W. Summerhill Place, Oak Creek, WI, 53154, confirmed the removal of the storage container, and explained that the items currently in the container may be housed within the office.

Commissioner Chandler asked for feedback regarding the existing non-compliant fence on the property. Mr. Billington stated that the screening will have to be brought up to the current Code. Commissioner Chandler asked what would need to be done to update the fence. Senior Planner Papelbon stated that a permit for the fence will be needed. As the current fence is chain-link with fabric, and the fabric would not be compliant in the current Code, the landscape plan submitted at the time of the Site and Building Review to the Plan Commission would have to reflect a screening solution.

Commissioner Chandler asked for confirmation there will still be a specific area on the property that would hold vehicles for auction, to which Mr. Billington answered in the affirmative and that area would be within the screened area to the north.

Commissioner Chandler asked if the vehicles would remain in the screened area. Mr. Billington stated the vehicles will be repossessed, not junk, and may be stored there for 30 - 45 days before auction. Commissioner Chandler asked if there is a timeframe, per Code, for the storage of vehicles. Senior Planner Papelbon answered in the negative, explaining that the timeframe is at the discretion of the Plan Commission.

Commissioner Siepert asked if the auto/truck repair services will happen inside or outside of the building. Mr. Billington answered that it would be inside both buildings.

Alderman Guzikowski asked if the fence screening will have to simply be replaced with different material, or if the structure need to be replaced with something different. Senior Planner Papelbon explained that the fence does not need to be taken down, but the screening will have to be done with a landscape plan. Landscaping proposed along the truck parking area of the site will need to be extended to screen the area in question.

Mayor Bukiewicz stated that the current fabric screening material will not stand up to time, agreed with vegetation to screen the area, and offered aluminum slats as an alternative to the current fabric. Senior Planner Papelbon clarified that the current fence and screening is new, but did not go through the proper permitting process, so the future requirement will be for landscape screening because that is more permanent. Mr. Billington stated the previous owner put the fence up without a permit. Mayor Bukiewicz asked if the current owner installed the screening material over the fence, to which Mr. Billington answered in the negative, explaining the previous owner had.

Mayor Bukiewicz made comments that were inaudible.

Mr. Billington stated that the proposed landscape plan does cover the area to which Senior Planner Papelbon referred. When that step of the process comes up, the needed information will be included.

Mayor Bukiewicz asked if the trash enclosure on the south side of the property has been cleaned up and meets Code requirements. Senior Planner Papelbon answered in the negative, explaining that the enclosure was installed without review and approval from Plan Commission. The existing enclosure appears to be too tall, made from wood, and not to the current, or previous, City standards.

Mayor Bukiewicz asked the applicant if their plan is to bring the enclosure up to Code, to which Mr. Billington agreed and confirmed.

Mayor Bukiewicz asked about after the trash enclosure to the north. Senior Planner Papelbon stated staff concerns about receptacles being behind a locked fence, stating that the location should always be accessible. Mr. Billington stated that he understood the need, and that a common location for the trash enclosure will be worked into the next phase of the process. Mayor Bukiewicz suggested having an accessible location of the second trash enclosure be listed as a condition of the use of the property.

Mayor Bukiewicz asked if the planned retention basin is acceptable. Commissioner Kiepczynski explained that the basin will be looked at much closer when it comes to reviewing the site and building plans. Preliminary stormwater management plans have been submitted, and the Engineering Department had provided the designer with some initial feedback. Mr. Billington asked if the designer had submitted water calculations, to which Commissioner Kiepczynski answered in the negative.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for autobody/automotive mechanical (truck and

trailer) repair and truck parking facilities and outdoor storage on the properties at 9810, 9840, and 9880 S. Ridgeview Dr., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (February 27, 2024).

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

**LOT LINE ADJUSTMENT
MATTHEW ZASTROW, UNITED PARCEL SERVICE
6800 S. 6TH ST. AND 6855 S. HOWELL AVE.
TAX KEY NOS. 734-9998-001 & 734-9996-001**

Planning Intern Perez provided an overview of the Certified Survey Map combining the properties at 6800 S. 27th St. and 6855 S. Howell Ave. (see staff report for details).

Commissioner Hanna asked for the reason in combining the properties.

Paul Imig, 1300 W. Canal St., Milwaukee, WI, 53233, representing the applicant, explained that United Parcel Service (UPS) will be expanding their parking lot, which will fall onto the second parcel. Combining the properties will allow the new lot to meet Code.

Commissioner Siefert asked if an exit to the parking lot will be on Howell Ave. or 6th Street. Mr. Imig stated that there is no cross-connection to Howell planned as this time.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council that the Certified Survey Map submitted by Matthew Zastrow, United Parcel Service (UPS), for the properties at 6800 S. 6th St. and 6855 S. Howell Ave. be approved with the following conditions:

1. That all floodplain boundaries are included on the map prior to recording.
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 Siefert seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW
MATTHEW ZASTROW, UNITED PARCEL SERVICE
6800 S. 6TH ST. AND 6855 S. HOWELL AVE.
TAX KEY NOS. 734-9998-001 & 734-9996-001**

Planning Intern Perez provided an overview of the site, landscaping, and lighting plans for proposed expansions to the employee and tractor/trailer parking lots on the properties at 6800 S. 27th St. and 6855 S. Howell Ave. (see staff report for details).

Assistant Fire Chief Havey stated his anticipation that the current storage of trailers on 6th Street will be designated to areas within the expanded parking lot, stating the Fire

Department's eagerness for the expansion due to serious safety concerns with the current trailer locations.

Mayor Bukiewicz stated his agreement with Assistant Fire Chief Havey's statements.

Commissioner Chandler asked if Planning is comfortable with the landscaping not needing to meet Code in the American Transmission Company (ATC) easement. Planning Intern Perez confirmed that Planning has no objections to the supplemental perimeter landscaping due to the importance of the expansions.

Mayor Bukiewicz clarified that the easement in question is for the existing power lines, and vegetation is not wanted in those areas.

Commissioner Siepert stated his concern for the wetlands and floodplains regarding potential future issues.

Mr. Imig explained that the existing floodplain that is shown on the map is based on modeling done in 2004 or earlier, and using topography measurements from 1978, which was before the UPS facility was built. A new survey has been conducted of the property, and was given to a floodplain modeler to more accurately reflect what is on the land. That model showed the floodplain as being much smaller than what is shown on the maps - being restricted to an area west of the existing building, and no longer extending along the southern portion of the property. Therefore, the new lot will not be filling a floodplain, and will not be impacting or causing increased flooding on the property or anywhere else.

Mr. Imig stated that there a delineation of about 3 acres of wetlands has been conducted on the site, and permitting processes have been started through the WI DNR and Army Corps of Engineers to fill some of the wetland. The proposed parking expansion impacted just over a half (1/2) an acre of wetland, and approximately 3/10 of that area has been deemed manmade. Therefore, that area can be filled without permitting. The remaining 7-8,000 square feet of the area will need to be permitted to fill. Additional wetlands are to the south and east of the proposed expansion, but will not be impacted.

Commissioner Siepert asked if they are not planning on filling any of the wetlands, to which Mr. Imig reiterated that the 7-8,000 square feet will need to be filled for the expansion project, but expect the DNR will grant the needed permits to do so.

Commissioner Kiepczynski stated that the floodplain re-mapping and approval from the DNR are what are needed for the Engineering Department to move forward.

Commissioner Hanna pointed out the lack of a pedestrian crossing shown on the plan. Mr. Imig stated that the northwest corner of the proposed southern parking lot has a path from the lot to the small existing building, which will be a security point. Once cleared at the checkpoint, employees will take paths to the larger facility.

Commissioner Hanna asked what the hours of operation will be, to which Mr. Imig stated that the operations are 24/7, with four (4) shifts for employees working inside the building and five (5) shifts for the drivers.

Commissioner Hanna asked if lighting and security will be enough. Mr. Imig explained that lighting will be added for the lot expansion, and special approval from ATC was granted to install six- (6) foot tall bollard lights along the southernmost edge of the lot.

Commissioner Hanna asked how the entrance to the building will be identified at night. Mr. Imig explained that there will be signage and cameras to direct employees to the entrance and for safety as the southern lot will not be as secure as the fenced-in northern lot.

Alderman Guzikowski stated that he wanted to ensure the current street parking of the tenants' vehicles and equipment will be improved with this lot expansion. Mr. Imig confirmed, and added that a request has been made to Milwaukee County Transit Service to move the existing bus stop on 6th St. closer to this location for the safety of pedestrians walking along the street.

Alderman Guzikowski moved that the Plan Commission approves the site plans submitted by Matthew Zastrow, United Parcel Service, for parking lot expansions on the properties at 6800 S. 6th St. & 6855 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the Certified Survey Map combining the properties is recorded prior to submission of permit applications.
3. That all light sources shall be full cutoff fixtures with the light source fully shielded and directed downward. The color temperature shall be limited to a maximum of 5,000 Kelvins.
4. That copies of all WI DNR approvals related to the proposed floodplain modifications are provided to the City prior to submission of permit applications.
5. 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.

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

PLAN REVIEW
JASON ATKIELSKI, ST. JOHN PROPERTIES, INC.
517 E. RAWSON AVE.
TAX KEY NO. 766-9012-000

Senior Planner Papelbon provided an overview of the site, building, and related plans for a multitenant light manufacturing development on the property at 517 E. Rawson Ave. (see staff report for details).

Jason Atkielski, 2000 Pewaukee Rd. Suite A, Waukesha, WI, 53188, presented the following additional documents, revised plans, and information to address some of the staff's Conditions.

- Letter from the Milwaukee County DOT for the road work on Rawson Avenue.

- Approval letters from the US Army Corps of Engineers and the DNR for the wetland crossing.
- Approval from the Federal Aviation Administration for the building heights.
- Proposed fence details.
- Screened wall and dumpster enclosure details.
- Updated Landscape plans showing proper tree preservation with the increased number of trees required, the required parking lot islands, and proper screening of transformers on site.
- Revised Site plans showing required setbacks have been met, locations and proper screenings for the mechanicals.
- New Lighting plans reflecting a maximum of 3,000 Kelvins, and removal of lights from the sides of the buildings, to keep the light from reaching the residential homes.
- Updated Utility plan showing updated piping and water main to 12 inches in diameter.

Mike Piechowski, 251 E. Rawson Avenue:

“Some of my concerns are again; I live right across from the St. Johns Property that’s being constructed now at 140 E. Rawson. One of my questions are, is there a time zone when they can do construction? Starting and stop times when the contractors can be in there?”

Mayor Bukiewicz answered 6:00 or 7:00 AM to 8:00 PM.

Mr. Piechowski:

“I get that, but I mean, if they say, in the summertime, which is what happens, it’s light by 5:30 in the morning...”

Mayor Bukiewicz stated that there are set times. Commissioner Kiepczynski explained that no work can take place before 7:00 AM.

Mr. Piechowski:

“What about holidays?”

Commissioner Kiepczynski stated her belief there are restrictions for holidays and Sundays.

Mr. Piechowski:

“Let me - so this is going to be a concern for these new properties coming up. Let me explain what has been going on. Basically, I think this has been about a ten-year project across the street. It took them that long to build the first two buildings and then now they are building the last building. So, it isn’t like they come in one summer and they get this thing done, and they make the noise and the dust and it’s all over with. But the issue is that - what has been going on – and I’ll give you a good example. Thanksgiving Day they had roofing contractors by me, and they were installing the steel roofing and how they do that is – these are steel corrugated panels they put this roof on, and they have a – I’m assuming air operated gun - it’s a nailer – and they

were putting this roof on all Thanksgiving Day and it's like shooting into this tin Thanksgiving Day. So, these are some of the – the things that have happened there. Also, in the summertime when they can, if they can get out there are 5:30 in the morning, they are out there with the heavy equipment and this heavy equipment is bulldozers and dump trucks which is like in goldrush – it isn't like the biggest dump trucks that we have on the road now, these are huge trucks. They're out there, they have been out there first thing in the morning, and they start these projects. And the other thing they do is that once they are done, they were done using these vehicles, they will have semis come in at midnight to pick this equipment up. So, you're sleeping in bed and all of the sudden you hear this truck coming in and they are loading this heavy equipment up and these are the issues that have – they have not adhered to any kind of..."

Mayor Bukiewicz stated that if contractors are starting before 7:00 AM, call City Hall and the Engineering staff will handle the situation. He commented on the danger of midnight pickups, and how that can be worked out through the City as well.

Mr. Piechowski:

"They have. But the one point I want to make is that - as always - they have not had any consideration for the homeowners when it has come to construction. This is going to be worse because these are these' people's backyards. And so, as far as – which I don't understand – if St. Johns knows this, why they don't – why do we have to constantly say hey, you know, could you guys have some common sense here and make sure your contractors work within the timeframe they are supposed to? And we have to be made - I have to made out to be the bad guy and complain."

Mayor Bukiewicz stated his understanding, and reiterated that if these problems are happening, to let the City know to correct the issues.

Mr. Piechowski:

"Well, that's because it's right across the street. But these are the things I mention for this project coming up because this project is even bigger than what they're doing across the street now. And they are building basically the same thing – could be the same issues. That's all."

Commissioner Hanna asked what the first sentence from the approval letter of Army Corps of Engineers means – "request for authorization to permanently discharge fill material into wetland from the construction of four commercial use buildings."

Mr. Atkielski explained that the site will have a road that crosses over a wetland. That part of the wetland must be filled, and a culvert will need to be installed under the road to ensure natural runoff can continue to feed the wetland onsite.

Commissioner Hanna asked if material testing will need to be done to ensure there will be no hazardous material in the soil.

Mr. Atkielski stated that the ground was tested and there are none.

Commissioner Kiepczynski stated that a Development Agreement will be required for the public water main, including cross-section requirements for the driveway. She asked if turning movements for trucks within the entire site has been considered.

Mr. Atkielski stated that his engineers have vetted the plans and were comfortable, but if more information is needed, the information can be submitted. Commissioner Kiepczynski stated that a closer look at the space between buildings two (2) and three (3) would be helpful.

Assistant Fire Chief Havey stated his initial review confirmed Code compliance, but just barely. Assurance that there are no finite changes to the plans will be required to ensure compliance is maintained. The water utility plans for the site will be reviewed, and must conform to Code requirements and flow testing in the area.

Commissioner Siefert asked how many trucks will be utilizing the facilities. Mr. Atkielski stated that the answer is speculative, based on what kinds of tenants will be filling the building. But, based on the traffic from the development across the street, most get box truck traffic.

Commissioner Chandler asked for clarification regarding the wording “steps to give architectural break-up” in describing the look of the buildings. Mr. Atkielski explained that the designers have bump-outs on the building elevations to give depth to the building, and those bump-outs are called “steps.”

Commissioner Chandler asked if the colors on the plans are the colors the buildings will be, to which Mr. Atkielski answered in the affirmative.

Commissioner Chandler asked if there will be pedestrian movement between the back three (3) buildings. Mr. Atkielski answered in the negative, explaining that if a tenant needs to expand, they will have the ability to expand to the space directly next to them in the same building, not across different buildings.

Mayor Bukiewicz confirmed semi-truck traffic will not be needed for what may move into the buildings.

Many of Mayor Bukiewicz’s comments were inaudible regarding fire department concerns, neighborhood consideration, and the planned lighting plan.

Senior Planner Papelbon stated that, per Code, lighting for the site will have to be extinguished to 50% in off-hours.

Mayor Bukiewicz stated that there will be a 200-foot turn lane coming up to the property, development will never attach to the neighborhood to the east, and the drainage will probably improve in this area.

Mr. Atkielski presented examples of the materials that will be used for the exterior of the building.

Commissioner Hanna asked about the type and maintenance of screening materials of the site. Senior Planner Papelbon stated that the walls will be CMU and the fences will be a vinyl material. Landscaping will be installed farther from the building. Maintaining the landscaping is a PUD requirement.


Alderman Guzikowski moved that the Plan Commission approves the site and building plans submitted by 517 E. Rawson Ave, LLC, for four (4) multitenant speculative flex buildings on the property at 517 E. Rawson Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all approvals and/or permits from the Milwaukee County Department of Transportation are provided to the City prior to the submission of permit applications.
3. That the landscape plans are revised to meet Code requirements.
4. 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.
5. All light sources shall be full cutoff fixtures with the light source fully shielded and directed downward. The color temperature of the fixtures shall be limited to a maximum of 3,500 Kelvins. Shields shall be on the side facing residential properties.
6. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

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

Commissioner Carrillo moved to adjourn the meeting. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:34 PM.

ATTEST:



Kari Papelbon, Plan Commission Secretary

2-27-24

Date