

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, September 22, 2020**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Siefert and Commissioner Chandler. Commissioner Oldani was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development, Director; and Mike Havey, Assistant Fire Chief. Kevin Koenig, IT Manager facilitated the video conference.

Planner Papelbon read the following into the record:

The City of Oak Creek is authorized to hold this public meeting remotely during the COVID-19 public health emergency under the March 16 and March 20 advisories from the Office of Open Government in the Wisconsin Department of Justice and subsequent Common Council approvals. Per the advisories and approvals, this meeting being conducted via Zoom video conference with telephone conferencing capabilities was duly noticed per the City of Oak Creek Municipal Code and Statutory notice requirements more than 24 hours in advance of the meeting. Members of the public have been advised of the options for participation via direct mailing to property owners within 300 feet of a proposal, via the COVID-19 information page on the City's website, via social media, and via the information contained on the meeting agenda. This meeting may also be viewed at the City's YouTube page, the link for which was contained in all aforementioned notice methods. The meeting recording will also be accessible on the City's YouTube page within 48 hours.

Plan Commissioners and participants are initially muted upon joining the meeting. Plan Commissioners and staff have the ability to mute and unmute their microphones throughout the meeting. Please mute at all times except for roll call, motions, voting, and when recognized by the Chair. Roll call and voting will occur per the usual and customary procedure, starting from Plan Commissioner seating positions south to north in the Common Council Chambers (e.g., Hanna, Sullivan, Carrillo, Loreck, Bukiewicz, Guzikowski, Oldani, Siefert, Chandler). The Chair will facilitate questions and comments by calling on each Plan Commissioner, or by requesting the use of the "raise hand" function in the Zoom webinar control panel. Only speak once you have been recognized by the Chair or moderator.

Applicants, their representatives, and all other participants who wish to speak will be unmuted

- When there is a direct request for information from the Plan Commission or staff;
- When the participant utilizes the "raise hand" function within the Zoom webinar control panel, and the moderator verbally indicates that they are unmuted;
- When a phone participant dials *9 to indicate they wish to speak, and the moderator verbally indicates that their line is open.

When unmuted, all participants must state their name and address for the record, then proceed with comments or questions.

Questions and comments may also be entered into the Q&A function within the Zoom webinar control panel. Staff and/or the moderator will monitor this function during the meeting, and provide the information requested. There shall be no private messages or side conversations during the meeting utilizing the chat or Q&A functions. Chat and Q&A messages are part of the public record.

There are one or more public hearings scheduled as part of this meeting after the chair announces the public hearing staff will read the Public Hearing notice into the record. State that the hearing is open and subject to the meeting procedure above and provide a brief overview of the proposal. The Chair will then proceed with the hearing by making calls for public comment. Following the third call for public comment. The Chair will close the public hearing and proceed to consideration of the remaining agenda items.

Minutes of the September 8, 2020 meeting

Commissioner Siefert moved to approve the minutes of the September 8, 2020 meeting. Alderman Guzikowski seconded. On roll call: all voted aye, except Mayor Bukiewicz and Commissioner Chandler, who abstained.

**PUBLIC HEARING
SIGN APPEAL
LANDMARK CREDIT UNION
8129 S. HOWELL AVE.
TAX KEY NO. 813-9018-001**

Planner Papelbon read the public hearing notice into the record (see Public Hearing Notice for details).

Mayor Bukiewicz made three calls for public comment. Seeing no public comments, he closed the public hearing.

**SIGN APPEAL
LANDMARK CREDIT UNION
8129 S. HOWELL AVE.
TAX KEY NO. 813-9018-001**

Planner Papelbon provided an overview of the request to install one (1) 3' 6" x 13' 3/4" wall sign on the east elevation of the existing building (see staff report for details).

Commissioner Chandler asked the applicant how far the proposed sign is from the existing sign.

Planner Papelbon explained the existing sign is on the west elevation. Planner Papelbon referenced the site plan and stated the proposed sign is on the opposite side of the building from the existing sign.

Commissioner Siefert moved that the Plan Commission approves a sign variance allowing the installation of one (1) 3' 6" x 13' 3/4" wall sign on the east elevation of the existing building on the property at 8129 S. Howell Ave. Alderman Loreck seconded. On roll call: all voted aye.

**PLAN REVIEW
CROTHALL LAUNDRY SERVICES
9905 S. 13TH STREET
TAX KEY NO. 926-9030-000**

Planner Papelbon provided an overview of the site plans for a proposed truck parking addition to the south side of the existing building (see staff report for details).

Commissioner Chandler asked the applicant if there are any other safety measures that are required for the proposed outdoor electrical outlets.

Rizal Iskandarsjach, Site Civil Engineer, JSD Professional Services, Inc., (W238N1610 Busse Rd., Ste. 100, Waukesha, WI 53188) explained the outlets are on a 5' x 5' post. Each post will have two outlet boxes coming out of it. The outlets will be standard outdoor electrical outlets. Mr. Iskandarsjach stated there will be one pole per two stalls.

Mayor Bukiewicz stated these are usually 120v/20-amp outlets that are usually mounted to a post. The outlets will be weather proof, and are usually GFCI protected. The Inspectors will take care of the specifics for that.

Alderman Guzikowski stated the applicant is proposing these outlets to help keep the engines warm in the winter and reduce running emissions. Alderman Guzikowski stated that he feels this will help mitigate the noise for the nearby neighbors.

Michael Faber, Capstone Quadrangle, N17W24222 Riverwood Drive, Waukesha, WI, states that he believes the proposed parking spaces will be perfectly compatible with the site plan that will be presented by Mr. Faber for the neighboring site.

Alderman Guzikowski moved that the Plan Commission approves site plans submitted by Scott Laux, Crothall Laundry Services, for the property at 9905 S. 13th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the plans are revised to include locations and screening for any new mechanical equipment, transformers, and utilities (if applicable).
3. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

**CONDITIONAL USE PERMIT AMENDMENT
MEGA MARTS, LLC (DBA PICK 'N SAVE #387)
2320 W. RYAN ROAD
TAX KEY NO. 878-9037-001**

Planner Papelbon provided an overview of the request to amend the existing Conditional Use Permit to allow outdoor display of retail merchandise (propane tanks) at the entrance to the existing Pick 'n' Save store on the property at 2320 W. Ryan Rd. (see staff report for details).

Assistant Fire Chief Havey stated there are no concerns as long as the applicant is following the requirements.

Alderman Guzikowski thanked Planner Papelbon for working closely with the Fire Department and appreciates Pick 'n Save for complying.

Commissioner Siefert asked the applicant if these storage containers are attached or secured to the building.

Director Seymour stated he does not believe it [the propane cage] will be secured to the building. Director Seymour stated that clarification is needed regarding the number of proposed storage cages for the conditions and restrictions. Director Seymour stated it may be more than one cage, but it would be one unit.

Mayor Bukiewicz stated it would be one unit measuring 70" x 40" x 30."

Director Seymour asked Planner Papelbon if the applicant specified if it would be one cage or two.

Planner Papelbon stated that the applicant originally submitted plans without measurements. The applicant received measurements from the propane company, but did not provide an updated rendering to staff. Planner Papelbon stated that she thinks it is one cage, but will confirm with the applicant.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit Amendment to allow outdoor display of retail merchandise (propane tanks) on the property at 2320 W. Ryan Rd., after a public hearing. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT AMENDMENT
MEGA MARTS, LLC (DBA PICK 'N SAVE #862)
8770 S. HOWELL AVE
TAX KEY NO. 860-9041-000**

Planner Papelbon provided an overview of the request to amend the existing Conditional Use Permit to allow outdoor display of retail merchandise (propane tanks) at the entrance to the existing Pick 'n' Save store on the property at 8770 S. Howell Ave. (see staff report for details).

Assistant Fire Chief Havey stated there are no additional comments from Fire for this item.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit Amendment to allow outdoor display of retail merchandise (propane tanks) on the property at 8770 S. Howell Ave., after a public hearing. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW
VERIZON WIRELESS
7555 S. 10TH ST.
TAX KEY NO. 783-9033-000**

Planner Papelbon provided an overview of the site and building plans for a proposed accessory equipment building west of the existing building on the property (see staff report for details).

Commissioner Hanna referenced the provided map and asked Planner Papelbon if there was a way to add landscaping or some sort of aesthetic.

Planner Papelbon stated it [the proposed building] is shielded from the road. The proposed building will be located on the west side of the existing building.

Commissioner Hanna stated she is okay with no landscaping as long as it is not seen from the street.

Planner Papelbon clarified the proposed building will be completely screened from 10th Street by the existing building. The proposed building will not affect any of the existing landscaping, and the current landscaping will remain intact.

Commissioner Chandler asked the applicant how often someone would need to go to this building for upgrades or repairs.

Bill Schrader, authorized agent for Verizon Wireless, Insite RE, Inc, 1s660 Midwest Road Suite 140, Oakbrook Terrace, IL, explained this is an unmanned facility and is technical in nature. A tech might come out once or twice a month to perform maintenance inside the shelter. This should not present added traffic or nuisance with a service tech truck going in and out of the parking lot. The facility should run fairly hands-free.

Alderman Guzikowski moved that the Plan Commission approves site and building plans submitted by Errol Outarsingh, Verizon Wireless, for the property at 7555 S. 10th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all detailed, revised 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.

**LANDSCAPE PLAN REVIEW
UNITED STATES POSTAL SERVICE (USPS)
2201 E. COLLEGE AVE
TAX KEY NO. 721-8017**

Director Seymour provided an overview of the landscape plans for a new facility at 2201 E. College Avenue (see staff report for details).

Mary Liebsch, 6405 S Pennsylvania Ave:

"I am particularly interested in this conversation and I must admit I don't have plans that are at the clerk's office and I will state those. I am the first house among those five that have the Post Office in back. Which means I am exposed to the west and the north and it's the north that I really am confused on because I don't, I have a lawn service and I know what I own and I know what's on the tax list and this has been marked that it is my property and they mow that and I used to mow the other, just to keep the weeds down even though I didn't own it. I just didn't want that weed bed there and then when the Post Office started the building I stopped the mowing, I told my lawn mowers, ya know, don't put that on my bill, I don't own it. But it's just a pile of grass and there's trees that were there before that are not, I don't own those and I wonder what they're going to do with that section north of my house. The west of the house is pretty understandable, I think that some kind or evergreen or some type of tree, but just to block it. I am just walking right on to the property and back. Maybe I should be dealing just with the Planning Commission and work with them to because it sounds like they're very involved and listening to the conversation there's been a lot of conversation with the Plan Commission and the Post Office and I think they're pretty well aware of what's going on."

Mayor Bukiewicz stated there was a lot of conversation in 2008; when they came back around years later there was a lot less conversation. The Post Office exercised their immunity from City ordinance. Mayor Bukiewicz stated the Plan Commission can address Ms. Liebsch's concerns regarding the north side of her property. Looking at the diagram, Mayor Bukiewicz stated the Post Office could also enhance the west side of Ms. Liebsch's property.

Ms. Liebsch:

"There's a big part of the west because if you look at the map that you furnished me before this conference. I'm the first house among the five that go down towards Chapel Hills, ya know that's number five house and I'm number one and I have the biggest lot of the five properties and I have north exposure because that's where the Post Office is and then I have the west exposure. So, I really have two areas of concern. What really confuses me is what I own, or what I don't own, or what I can ask for, or what I am eligible for in terms of the north property because that is right now, it's a mess."

Mayor Bukiewicz asked if there was a representative for the Post Office on the call.

IT Director Kevin Koenig stated there was no representative for the Post Office on the line, and there were about six more residents wishing to speak.

Ms. Liebsch:

"Should I talk with Doug than? Or should I talk to the clerk's office and get those plans? I notice in the letter we got and I had talked to her to that the plans are on file. With the Post Office, ya know, visually I can see what they've done because it is right in my backyard."

Director Seymour stated he would be happy to speak with Ms. Liebsch. Director Seymour continued by stating that the submitted plans do not show anything on her north property line except a fence.

Ms. Liebsch:

"Okay, so then where do I, I have some questions that as I said, I don't know what I own or what I don't own. I know where my property line ends, but then there is another stake further north and I don't know, that's where I'm not mowing. Then Beck used to, well I'm telling you way too much, then Beck used to own that land and there's a house there and he demolished the house, but the foundation, the basement foundation is still an open exposure, so they got a hole over there and now there's grass going around it. My lawn is mowed because my mowers come and mow, but I told them I don't want to pay for what I don't own. So, I told them, don't mow it."

Director Seymour stated the City won't come out to show Ms. Liebsch the stakes, but he can show her how many feet the lot line is from the house. Director Seymour stated that he would be happy to work one-on-one with her, and she can call tomorrow so he can provide her with more plans to give her a better idea of where her lot line is.

Mayor Bukiewicz explained to Ms. Liebsch that she can come to City Hall and staff can work with her.

Ms. Liebsch:

"And that's Doug talking, right? Doug Seymour?"

Director Seymour confirmed he was speaking.

Ms. Liebsch:

"Yeah, I've talked to him in the past because as this thing, because we sold that property to the Post Office back in 2008. And my sister, we owned the back 11 acres and then Beck owned on the one side and then we owned the 11 and then Don Bourdo owned in front of Chapel Hills so that's our property that we sold, so I have the contracts and plans from 2008, but my sister didn't have the current ones and I don't either, so if you can get, I don't have a computer and that's the problem, that's why I'm on the phone, but I can talk to Doug and maybe get those, what you have and then maybe he can tell me what I do. Where I sit I don't know, I'm seeing stakes, I'm seeing posts, I don't know what it means, and I think I have a whole row of trees and I thought those are old trees and they're going to knock 'em down because, ya know, that was from the old property, but they put a fence, according to people that, I'm kind of immobile, I'm stuck in the house so I can't really see too much. People drive by and they say there's a fence that goes up against those trees. The trees are too far to stop snow brakes or anything for me and here I am sitting with a weed bed. I don't know, but I will talk to Doug tomorrow and I'll give him a call and then you can go to your other callers. We'll try to, I mean like you said they're going to do what they want, they just kind of started before they really, you knew what was going on so, there are some issues there, but I'll call Doug and then you can go to your other callers, but thanks much."

Director Seymour and Mayor Bukiewicz thanked Ms. Liebsch for her call.

Russell Birkholz, 2051 E Poplar Ave:

"I'm heavily concerned with the tree line they are currently in the process of planting on the end of Poplar. If you could zoom into that area. This tree line, David Frank is currently digging holes and they have a whole bunch of trees parked out there ready to be plopped in. so, there's nothing we can say or do to change anything there. That's going to be said and done by tomorrow. I happen to see this project every single day and consequently it wasn't until roughly two or three weeks ago that they put the berm up. Prior to that there was a big hill of dirt that they took half of it away, I don't know where they took it to. What my comment on my registration was, that I would like to see a pine type trees, planted along the top so they are close enough to grow into each other, there by giving a wind break and also a site line break from their trucks. The tractors will be parked right behind, pretty much my house and a lot of the tractor trailers will be out in that area by the docks. I can only congratulate your parks department on the plantings they've put in to that area of the park that is behind my house. Received those plans early spring and excellent choice of trees that were planted. And consequently, absolutely no complaint on my side, they did a lot of diligence in maintaining them through our drought area this summer. So that was good. The biggest problem I have with the Post Office stuff is, once they plant it they're going to wash their hands. What happens to the things that die? Let's face it, not every one of these trees are going to make. That's sort of a known fact. All I can is that, some what worthless, the meeting tonight because they are doing what they do. I don't know if any of you have spent any time coming over, looking at the situation, but ya know they're in my back yard constantly. The damage to my house and trees from the lack of dust management is there as well. As far as Mary Liebsch is concerned, there is a fence that is going around her property, it's on the north side and on the south side. I would simply say that you cut the grass in your property line since you know what they are and leave the rest and then put in a noxious weed complaint to the City and let the City deal

with that from that stand point. Doug, you did a very good job of explaining the lack of corporation from the Post Office, which is the first statement that I've heard from you, since this thing began and unfortunately, we in Chapel Hills subdivision are the ones that are going to put up with the brunt of this problem. I think that's all I got for now."

Mayor Bukiewicz thanked Mr. Birkholz for his comments and stated City staff is working hard to get as close to the 2008 agreement as possible.

Kristin Chmielewski, 2030 E Norwood Dr:

"I think Doug pretty much explained a lot of what I was calling about. I might have a lot of conversations with the neighbors right behind me and of course right next to me. The ones we're most concerned about is, yes, the Post Office looks like they are going to be planting a lot of trees in there, starting today it looks great. We're still worried about what that sound barrier is going to look like around the semi parking lot, pretty much around that fence. There was a very large rock there. I know when I was talking I did send an email to Doug, I'm not sure if he got that one a while ago, but right where that semi parking lot is there was the berm that is there now and then there is a giant rock and there was like an L-shaped berm and it did hide a lot from us and we were kind of happy that it did hide that and then all of a sudden that berm was gone so now there is no sound barrier there, there's no dust protection, there's not even going to be trees there. I talked to, even the landscapers because I am fortunate enough to be home every day and I do live right next to the property just like Russell does. So, we do see this all the time, but when I did try to reach out with the landscapers they said no trees were even, they were told that none were going to go around that area. So, that's my biggest, biggest concern is what is going to go around there. Is it going to be that 20-foot wall like you were talking about back in 2008? Something, put the berm back. Right now, I know that Doug mentioned the berms are supposed to be taller than the fencing. They're not, they don't hide the fencing, the fencing is actually taller than the berms, the only berm that covers it is going to be the one behind Russell's house at the end of Poplar. That berm actually hides the fencing, but over on our side we can see the fencing. So those were my biggest concerns, along with a couple of my neighbors that I did talk to that said I could talk for them. We would just like to know what's going in over there in hopes that something is going to be covering that semi parking lot.

Mayor Bukiewicz reiterated that staff will continue to pursue that wall, the berm, and everything that went along with the 2008 plan.

Ms. Chmielewski:

"I appreciate that. I do appreciate being able to talk with Doug, there's been a couple of times he has come here and talked to me. Doug, I really appreciate you getting back to me on everything and actually coming out and spending the time with, so I do appreciate that. At this time, I think we can go on to the next caller. That's really all I had."

IT Director Koenig stated Heidi Rodriguez was no longer in the meeting and moved to the next caller.

Michael Kniess, 6419 S. Pennsylvania Avenue:

"Well, I got some issues, with the west side of my property line, which faces the Post Office parking area. It's right next to Mary. They put a chain link fence in on top of the berm and in front of that between our two property lines looks like they got a drainage ditch."

Mayor Bukiewicz asked to clarify that they have a drainage ditch at the bottom of berm between the Post Office land and Mr. Kniess' land.

Mr. Kniess:

"Well it's not really a ditch. It looks like it could be, it looks like a drainage, it's not designed for a drainage ditch, but it's sloping down in both directions, like a ditch would be."

Mayor Bukiewicz apologized for not having good answers.

Mr. Kniess:

"I didn't think you would. I want to voice my concerns."

Mayor Bukiewicz explained that Mr. Kniess is more than welcome to do that. Mayor Bukiewicz stated that part of this motion is to pursue the 2008 plan and make them concur to that. City staff has been reaching out to them trying to get that. Mayor Bukiewicz stated this plan is inadequate and does not meet Oak Creek's standards.

Mr. Kniess:

"Yeah, no, it's kind of goofy looking, but if we're stuck with it I reckon we're stuck with it. Maintain on my side of the fence."

Mayor Bukiewicz explained it is their property and it could be a long-term enforcement battle with the USPS.

Mr. Kniess:

"The weeds will grow as tall as that fence, if it ain't my property. I'm with the guy that was talking earlier after Mary. I live next to Mary, I'll tell Mary to, don't touch that property, it's theirs, let them deal with it."

Mayor Bukiewicz stated Mr. Kniess is correct and the City would like to have it done correctly the first time, rather than fight for years and have unhappy residents.

Mr. Kniess:

"I don't think there's too many people happy with it because I have the same issues as everybody else around that thing. I got six inches of dust every week in the house that I got to take care of along with the vehicles are everything else. Can't imagine what the exhaust is going to be when it happens. Especially with west winds predominately. We're going to be eating some fuel."

Mayor Bukiewicz stated he hears Mr. Kniess and understands.

Mr. Kniess:

"I used to drive, I know what trucks do, they ain't going to sit in their truck and be cold. Thank you for your time."

Mayor Bukiewicz thanked Mr. Kniess for his input.

Mr. Kniess:

"If you could keep us posted on what's going on there in some kind of communication, I'd greatly appreciate it."

Mayor Bukiewicz stated as the City gets solid information they used to try to do town hall meetings, but it has been challenging this year.

Mr. Kniess:

"I understand, thank you."

Robert Oleniczak, 2050 E Norwood Dr:

"I think Kristin said it best, I am her neighbor and the big concern we have has to do with the berm, how it's short, how it doesn't wrap around the trailer parking lot and what it does in terms of sight lines, noise, and everything else. So, I pretty much would be echoing exactly what she indicated."

Mayor Bukiewicz thanked Mr. Oleniczak for his comments, and reiterated that the Plan Commission will be discussing this with staff and trying to get back to the original agreement from 2008.

Mr. Oleniczak,

"Okay, and for me noise is a big thing in terms of, if you're talking 300 trailers a day, like they indicated in the last town hall. That becomes a big concern. Thank you for your time."

Rachel Miliacca, 6470 S Crane Dr:

"I am on the dead end of Crane Drive. My concern is just the small amount of trees that we're going to have on the other side of the fence to, ya know, there was a tree line there before that the Post Office had taken down. I don't know that, that's going to be enough of a barrier between us and the Post Office for the sound, as well as, ya know, now we're going to have those west winds come whipping through there. Then there already is a water problem, so if they're going to be watering those trees there's going to be more of a water problem, especially in that corner because it seems like the water is accumulating there now. Those last two rains, I know that they were extreme, but we did have big puddles of water in that area and that was one of my concerns that I brought forth the last time that we met with the US Post Office was water and that's still going to be a problem and then we do have, as the other two neighbors up the street had said, they did put the chain-link fence and it's on top of the berm so there's nothing covering that chain-link fence."

Mayor Bukiewicz thanked Ms. Miliacca. Mayor Bukiewicz stated that he does not believe the Post Office went through the City's Engineering Department. As discussion continues, the Assistant City Engineer will be able to provide a little more clarification.

Nancy Sobczak, 6485 S Crane Drive:

"Right across from Rachel at the end of Crane. My problem is the landscaping also, not enough, I'm just looking at a big parking lot or whatever they're doing there, big fence. My other question is, I have a dead tree and I believe it's on their property because their markers are showing it on their property. We have their corner lot line marker right next to the tree and it's dead and it's going to fall on my property. I mean I was going to have it taken down because I wasn't sure if it was mine, but the tree service told me it's theirs because they have their lot line marker there. So now I don't know who to contact about that."

Ms. Sobczak made a comment that was inaudible.

Mayor Bukiewicz asked Director Seymour for advice as to who should clarify whose property the tree is on.

Director Seymour stated the City can not come out and mark the property lines, but using known distances from Ms. Sobczak's house to the lot line could be determined. Director Seymour stated the USPS probably knows exactly where the property lines are, and probably have them marked somewhere. Director Seymour suggested getting Ms. Sobczak in touch with Joseph Ceci, the local USPS representative. Director Seymour stated it seems like an easy fix to take the dead tree down.

Ms. Sobczak:

"Yeah, and it says right on the marker that they placed there, 'Corner Lot Line, USPS'. It says it right on the thing, on the wooden stake, but it's north of the tree, ya know the tree is kind of like there, but it's right next to it, but it's and it's a big tree, so maybe part of it might be on my property, but most of it would be on theirs."

Director Seymour agreed that might be the case.

Ms. Sobczak:

"Ya know, it's probably a couple hundred-year-old tree or something too. It's huge. Okay, if someone could get me in touch with Joseph, that would be great."

Commissioner Hanna asked if the City has any maintenance agreement with USPS.

Director Seymour explained the City has a set of Conditions and Restrictions from 2008 that has expired, but there are no other agreements with the Post Office other than their word that they would abide by the 2008 agreements.

Commissioner Hanna clarified that the City had a maintenance agreement from 2008, but it expired. Commissioner Hanna asked if the Plan Commission is considering having a maintenance agreement, if the plans are approved, to make sure the applicant is following the landscaping plans that are under review and addressing all the residents' concerns.

Director Seymour stated if the Post Office committed to fulfilling all of the obligations from the 2008 plan, the maintenance agreement would be one of them.

Commissioner Hanna inquired what happens if the Post Office does not follow the maintenance agreement.

Director Seymour explained the avenue available is to contact elected officials and remind them of their obligations to maintain that property.

Commissioner Hanna observed that the contractors did not follow the landscaping plan from 2008, and there does not seem to be any consequences.

Director Seymour stated there are no consequences from the City's perspective because the post service is not bound by any local regulations.

Commissioner Hanna understands they are state, but there should still be some sort of consequence that can be written and agreed upon.

Mayor Bukiewicz corrected that this project is the federal government.

Commissioner Hanna agreed with Mayor Bukiewicz.

Mayor Bukiewicz stated the City has been reaching out to Senator Baldwin, Senator Johnson, Congressman Steil, and anybody else the City can reach.

Commissioner Hanna asked about the stance of the people previously listed.

Mayor Bukiewicz explained they are trying to back the City and get the Post Office to abide by the agreement, but it is a difference of opinions.

Director Seymour stated their response is the Post Office will comply with the 2008 agreement, but they are not.

Commissioner Hanna asked if there is any way for the City to stop.

Director Seymour said no.

Commissioner Hanna inquired why we are looking at this plan if the USPS will do whatever they want.

Director Seymour stated the City is trying to make the best of a bad situation.

Commissioner Hanna agreed and said we need to save as many trees as possible.

Commissioner Sullivan explained the City has been out there and driven by multiple times. He stated that he believes the Post Office cleared more trees than they needed to. Commissioner Sullivan stated that the Plan Commission needs to push as much as possible for the residents to get more trees back in there, as well as berms, sound barriers, land barriers, and vision barriers. Commissioner Sullivan stated that he does not believe the City had the opportunity to approve the storm water management, but did have the opportunity to provide comments. Oak Creek's storm water management engineer did work with MMSD and SEWRPC to provide comments. Commissioner Sullivan stated that he believes those comments were implemented to help get the site close to City standards. Commissioner Sullivan addressed Mr. Kniess' concerns regarding drainage, and stated the City Engineering Department could go out and take a look if the Plan Commission wanted.

Mayor Bukiewicz stated he would appreciate that, and stated that Ms. Miliacca had concerns regarding drainage as well.

Commissioner Sullivan stated that he believes it all drains down to that property area, and Engineering can take a look in that area to find things that can be improved or changed.

Mayor Bukiewicz explained it would be appreciated and helpful to add it to the list of concerns the City will take to the Post Office.

Commissioner Sullivan reiterated this meeting is an effort for the City to get as much as they can for the residents.

Commissioner Carrillo agreed with Commissioner Hanna and Commissioner Sullivan to do the best the Plan Commission can for the residents.

Alderman Loreck thanked the residents for their comments, and Director Seymour for his thorough presentation and pushing for the best landscaping plan. Alderman Loreck asked Director Seymour if all his suggestions made in the presentation are part of the conditions of the suggested motion.

Director Seymour suggested that the Plan Commission request again for the USPS to attend a meeting to hear residents' concerns and answer residents' questions. Director Seymour stated he would not endorse this proposed plan.

Planner Papelbon read a question asked in the Q&A chat from Rachel Miliacca, 6470 S Crane Dr.: "What is the purpose of the gate on the southeast corner of the fencing currently in place?"

Director Seymour and Mayor Bukiewicz stated they do not have answer for her.

Commissioner Sullivan stated when Engineering is out in the field they will look at the size of the gate and make an interpretation of what it could be used for.

Alderman Guzikowski stated that he would move to hold this item in order to have USPS be part of the dialog. The residents in the area are being impacted day-in and day-out, so at a minimum we could respectfully ask that they come and talk to the Plan Commission to discuss how they can mitigate some of these concerns. Alderman Guzikowski stated the biggest concern of neighbors that he took away from this meeting is the noise. Alderman Guzikowski stated there are a lot of berms that have fences on them, but no decorations or planting around any of them.

Commissioner Siepert expressed a concern about the storm water potentially draining into the residential area on the east side. He stated that he thinks there needs to be some more work done on the stormwater. Commissioner Siepert agreed with Alderman Guzikowski that this should be put on hold so the Plan Commission can get answers to what has been asked.

Mayor Bukiewicz read a question asked in the Q&A chat from Kristin Chmielewski, 2030 E Norwood Dr.: "Will the neighbors know what the answers are when we talk to them [the USPS]?" Mayor Bukiewicz stated if the City is able to get a meeting with USPS, a short meeting could be called for the neighborhood or a letter sent out to neighbors in regards to their questions.

Mayor Bukiewicz read a comment stated in the Q&A chat from Russell Birkholz, 2051 E Poplar Ave.: "The drainage along Poplar does not drain anywhere."

Mayor Bukiewicz agreed with Commissioner Siepert that the Plan Commission has a lot of questions for the USPS, but there have not been good communications on their part. Mayor Bukiewicz stated the City will continue to pursue them and find a way to get the information out to the residents of Chapel Hills.

Commissioner Chandler stated a lot of her items have been discussed and listed the following concerns: drainage, barriers, berms, trees, landscaping, walls, etc. Commissioner Chandler stated that she agrees with Alderman Guzikowski to put this item on hold. Commissioner Chandler asked Director Seymour if drainage items, screening walls, and Oak Creek-planted trees that were removed to the list of concerns for the USPS.

Director Seymour reiterated that the City cannot force them to do anything, but staff will take a look at what was previously agreed upon, what has been done, and remind the USPS of their obligations.

Mayor Bukiewicz reiterated that this project is nowhere near Oak Creek standards for a normal project with a private entity. The agreement from 2008 expired, but the City is still pursuing the USPS. Moving on this item is just a statement from the City to say the City does not agree with what the USPS is doing. Mayor Bukiewicz encouraged residents to reach out to Congressmen and Senators about concerns.

Mayor Bukiewicz read a question asked in the Q&A chat: "Are they not doing this due to budget?"

Mayor Bukiewicz stated that he does not believe it is budget concerns, but does not know that for a fact. Mayor Bukiewicz explained the building has been scaled back a lot from the 2008 plan.

Director Seymour explained it appears that the USPS thought they would not have to comply with the 2008 plan. The USPS allowed the City to review the plans, but the City is not approving anything. Director Seymour applauds the Plan Commission for holding the USPS to the statements that they made at public meetings and in writing that they would commit to the responsibilities and obligations of the 2008 plans.

Mayor Bukiewicz agreed with Director Seymour and stated that he does not believe the USPS ever had any intentions of going back to the 2008 deal because they put out for bid the current plan, not the previous plan. Locally, instruction to staff will be to bring the Post Office in with our list of deficiencies on the plan and proceed from there. Mayor Bukiewicz suggested to Director Seymour the City tries to get a meeting with the USPS again.

Commissioner Hanna asked if there was any environmental documentation done for this landscaping and project to see the impact on the residents and the neighborhood.

Director Seymour clarified there is not for the landscaping plan, and stated the only contact the City had with them up to this point was a wetland fill permit. Director Seymour stated there are wetland regulations in respect to federal projects, but they choose what to share.

Commissioner Hanna asked to confirm that this project is 100% funded by the federal government.

Director Seymour confirmed, but stated that is for them to say.

Commissioner Hanna explained that roadway projects for the state or federal government must follow the NEPA process regardless of who the project is for. Commissioner Hanna asked if the City can follow the NEPA process in this situation.

Commissioner Sullivan stated that Engineering is not aware if USPS did or did not because the City has not received any environmental documentation or any impact studies.

Commissioner Hanna explained these are federal regulations so it would be a way to hold them accountable.

Alderman Loreck asked if the Plan Commission can make a motion to not concur with the landscaping plan as submitted.

Planner Papelbon recommended that the Plan Commission handle it like any other non-recommendation: make the motion in the affirmative and then vote against.

Director Seymour believes that it might be more helpful to hold the item to get the USPS involved in the conversations.

Alderman Guzikowski moved the Plan Commission hold the landscaping plan review for 2201 E. College Avenue conditions and restrictions for the USPS. Commissioner Siepert seconded. On roll call: all voted aye, except Commissioner Sullivan who voted no. Motion carried.

Mayor Bukiewicz stated staff will do their best to get USPS back to the table and will use all avenues to get a better plan. The City will come up with a communication method to communicate to the residents of Chapel Hills.

PLANNED UNIT DEVELOPMENT AMENDMENT

WALDEN OC, LLC

**1920, 1900, 1850, 1848, 1816, 1800, 1750, AND 1700 W. DREXEL AVE. AND 7700 S. IKEA WAY (TO BE CONSOLIDATED AND RECONFIGURED BY PREVIOUSLY-APPROVED CSM)
TAX KEY NOS. 784-9012-000, 784-9013-000, 784-9014-000, 784-9016-000, 784-9994-001, 784-9008-000, 784-9009-001, 7849010-001, 784-9024-000**

Planner Papelbon provided an overview of the request to amend the existing Planned Unit Development (PUD) on the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way (see staff report for details).

Alderman Loreck referenced Section 8, buffer yards, where the Conditions and Restrictions distinguish between park districts and residential districts. Alderman Loreck asked if there were park districts that about the development.

Planner Papelbon stated there are two potential areas where the park district buffer would come into play. There is park across the street, which would not apply, but for the rest of the area that is north of Drexel Avenue and northwest of Ikea Way, there is still parkland there and there is parkland north of the Ikea site. The Park District is more for a situation in which the PUD is expanded and moves closer to the parkland.

Alderman Loreck asked if there were still residential setback requirements for the residential area that is still there.

Planner Papelbon confirmed there are.

Commissioner Sullivan asked Planner Papelbon to clarify Section 4€ by explaining what streetscaping includes.

Planner Papelbon stated streetscaping would include the master landscape plan that has the landscape elements approved by the Plan Commission within the right-of-way.

Commissioner Sullivan asked if that would include the stone planters, the benches, etc.

Planner Papelbon confirmed and stated that would be her interpretation of the Code.

Director Seymour agreed.

Commissioner Sullivan asked if the City will have something in place to determine that the signs will be maintained the same way.

Mayor Bukiewicz inquired if Commissioner Sullivan was talking about an MOU with the City.

Commissioner Sullivan stated it would be something along those lines so the City has something on paper for how the signs will be maintained.

Director Seymour explained the mechanism for doing that can take many different forms - it may include some sort of district-wide maintenance. With Walden being the majority property owner, Director Seymour stated that he has few concerns that the signs will not be maintained to a level satisfactory to the City. If all options fail, the only people the City can fall back on are the adjacent property owners.

Mayor Bukiewicz inquired if the planting, weeding, and maintenance of all the streetscaping would fall on the property owners.

Planner Papelbon explained there was a master landscaping plan has been approved. All landowners would be held to maintaining the landscaping plan. Until the land is sold, Walden would be partially responsible for the landscaping plan. Typically, these maintenance responsibilities are at least referenced in the deed restrictions.

Mayor Bukiewicz stated that he is trying to ensure this development will meet Oak Creek standards.

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves the amendments to the existing Planned Unit Development for the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way after a public hearing. 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. Alderman Guzikowski left before votes were cast for adjournment. Motion carried. The meeting was adjourned at 8:16 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

10-13-20

Date