

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, FEBRUARY 9, 2021**

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 Oldani, Commissioner Siepert, and Commissioner Chandler. Also present: Kari Papelbon, Planner 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, Siepert, 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.

Minutes of the January 26, 2021 meeting

Commissioner Siefert moved to approve the minutes of the January 26, 2021 meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Planner Papelbon read the Significant Common Council Actions for the record (see Summary of Significant Common Council Actions report for details).

CONDITIONAL USE PERMIT OC HOLDINGS, LLC 10001 S. HOWELL AVE. TAX KEY NO. 924-9009-001

Planner Papelbon provided an overview of the request for outdoor storage on the property at 10001 S. Howell Ave. (see staff report for details).

Kevin Risch, Project Engineer, 8308 43rd Ave., Kenosha, WI 53142, stated that they had taken some of the concerns that were brought up from the January 12 meeting into consideration. Mr. Risch said they have extended the berm to the northwest corner next to residential area and made it as close to the fence as allowed. He mentioned that they are willing to raise the fence up to get the berm much closer. Mr. Risch explained that they are looking into planting arborvitaes along the fence on the southside and southwest corner as well. When mature, the arborvitaes will be 20-30 feet in height, which will create a wall along the property lines to shelter the view. Colorado Spruces will also be planted on the berm, near the pavement and on the east side, and these plantings start out at ten (10) feet and mature to 20-30 feet. Mr. Risch said they have heard the Commission regarding the screening, and have added plantings instead of fence materials to create a permanent solution. Mr. Risch mentioned they are working with staff on the details of the stormwater detention. Mr. Risch said the property owner and tenant do understand that the Conditional Use will terminate when the tenant vacates the building. Mr. Risch stated the lighting at 5,000 Kelvins are widely used. The height of poles around the building and on north side along the parking lot and the residential area, and also along Howell Avenue are 25-foot. The proposal for the height of about seven (7) 35-foot poles will be along the perimeter of the building and a 25-foot pole will be on the east side between the berm and the parking lot. If the 5,000 Kelvins are a concern, the property owner is willing to exchange the fixtures to 3,000 Kelvins. He expressed appreciation to the Commissioners for taking the time to listen again.

Tom Burner, Vice President of Manufacturing in Distribution for the Mining Division of Komatsu, N38 W23344 Broken Hill Circle South, Pewaukee, WI, mentioned that over the years, as tenant, they have shown their concerns and maintained the look of the facility. Mr. Burner expressed they are dedicated to continue the standard level of appearance and also improve beyond the appearance by making this an amazing facility in the Milwaukee area. Mr. Burner continued that this year, they have a very large investment along the lakefront and this facility will be taking in some of the workload from the National Avenue facility, which will create more jobs in the community.

Commissioner Sullivan questioned if a condition could be written requiring the removal of the additional pavement when Komatsu decides to leave. Planner Papelbon said that can be a language in the Conditions & Restrictions to have the property restored when the tenant leaves. Commissioner Sullivan stated that Staff and Commissioners have similar concerns, and that he appreciates Komatsu's efforts in working through these concerns.

Commissioner Loreck stated that he appreciates that Komatsu is working through the concerns.

Alderman Guzikowski stated that he is concerned about the light pollution, and would like them (Applicant) to consider going down to 3,000 Kelvins.

Commissioner Oldani asked if the lighting would be part of the Conditions & Restrictions. Planner Papelbon responded that it would be.

Commissioner Siefert expressed concern about the stormwater runoff, and stated that he believes it is under control.

Commissioner Chandler questioned the storage amount with the pavement reduction of 3,000 square feet.

Christopher Farmer, 2437 Mariah Lane, Oconomowoc, WI 53066, responded that, based off of the analysis that was done at the National Avenue location, it would be an estimate of about 200 to 400 crates, depending on the volume of sales. Mr. Farmer explained that the last meeting misrepresented the crate placement to the east, and stated that he believes that the space will not all be used because of the continuous movement of crates and being able to move the trucks around safely.

Commissioner Chandler questioned the placement of the arborvitae along the fence line. Mr. Framer responded that they will be on the inside of the fence line skirting the crates.

Commissioner Chandler asked if there would be a marker for the crate stacking height restriction (seven feet) since the planting of trees will be eight (8) feet minimum and could mature to thirty (30) feet. Kevin Risch answered that the crate stacking will be seven (7) feet as it will be written in the restrictions. Mr. Risch said the reduction of the pavement is due to all the plantings of arborvitae which increased the space from the fence to the parking area from 6 feet to 8 feet. He also said the trees will be planted close to each other to create a what would look like a hedge when they mature.

Mayor Bukiewicz asked Assistant Fire Chief Mike Havey if the Fire Department has any concerns. Assistant Fire Chief Mike Havey said there were no concerns as it is outside storage and there are no hazardous or flammable materials being stored.

Commissioner Chandler asked about the safety of how the crates will be secured since they will be stacked so high. Mr. Farmer said the crates will not be stacked. Mr. Burner followed up with the safety is the number one priority at the facility in everything they do. He explained the number crates are roughly about 40 trucks and 11 rail cars which make up one of their products. Most of the crates stored outside will be empty and will be used to package the products. Mr. Burner reiterated that safety is number one and the stacking of crates will not happen because they are not small.

Mayor Bukiewicz commented that he had visited the site and expressed concerns on what the Commissioners had from the January 12th meeting and talked with the Alderman of the District. Mayor Bukiewicz talked about the back corner having 2 houses from the subdivision that could see the crates. He mentioned the berm on the north side has been extended to the tree line to conceal the existing semi-trailers, and stated that he thinks once the trees mature it will provide a barrier. He mentioned that the trees in the front have been improved as that was a concern from the subdivision across the street. Mayor Bukiewicz went on to say that even though there is loss of green space, he is happy with the increase in landscaping, and it solves the issue on what to do with the fence materials.

Mayor Bukiewicz stated that he recommends that the lighting could be at 3,500 Kelvin since it was a concern at the January 12th meeting for the subdivision to the north. He suggested to work with staff on coming up with a solution since they had issue with light pollution with FedEx in the past.

Mayor Bukiewicz commended the staff for working with the applicant on coming up with the solution for the screening of the crates. He stated that he believes that the greenspace is well over the 30%. He also said it is a big site and well-maintained. Mayor Bukiewicz concurred with Mr. Burner about the crates being large, and reiterated that they will not be stacked. All traffic will come on the existing road on the north side of the building, and make its way around the building and exit out the South side. He mentioned that the loading will be on the manufacturing side, away from the residential side of the building. Mayor Bukiewicz stated that he is satisfied with what was presented.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit outdoor storage of materials on the property at 10001 S. Howell Ave., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Commission's review at the next meeting (February 23, 2021). Commissioner Siepert seconded. Mayor Bukiewicz asked Planner Papelbon if the restoration that Commissioner Sullivan recommended will be in the Conditions and Restrictions. Planner Papelbon answered yes. On roll call: all voted aye except Commissioners Hannah and Chandler voted no. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 6:47 pm.

ATTEST:



Karl Papelbon, Plan Commission Secretary

2-23-21

Date