

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 28, 2023**

Mayor Bukiewicz called the meeting to order at 6:02 p.m. The following Commissioners were present at roll call: Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, and Alderman Loreck were excused. Also present: Senior Planner Kari Papelbon and Assistant Fire Chief Mike Havey.

Minutes of the March 14, 2023, meeting

Commissioner Siefert moved to approve the minutes of the March 14, 2023, meeting. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

**CONDITIONS AND RESTRICTIONS
NEXT BEST PLACE CHILD CARE & PRESCHOOL
150 W. RYAN RD.
TAX KEY NO. 875-9004-002**

Senior Planner Papelbon provided an overview of the Conditions and Restrictions for a Conditional Use Permit for a private playground/outdoor recreation facility on the property at 150 W. Ryan Rd. Senior Planner Papelbon requested under Section 2 of the proposed Conditions and Restricts, item I be removed, as there is no requirement for landscape plans. (see staff report for details).

Senior Planner Papelbon discussed the following proposed Conditions and Restrictions:

Section 3

- Uses allowed per Code
- Hour of Operation
- No outdoor storage
- Landscaping/ fencing required
- Sign restrictions and removal
- Trash/recycling enclosure required

Section 4

- Parking per Code
- Remove nonconforming asphalt

Section 5

- Lighting per Code

Section 6

- Setbacks

Kathleen Smigielski, 3701 W. Holmes Ave., Greenfield WI, 53221, stated she will be available to answer questions.

Alderman Guzikowski stated his approval for the location of the use and had no concerns.

Mayor Bukiewicz asked if there is a timeframe to remove the nonconforming asphalt. Ms. Smigielski answered the asphalt will be transformed to landscaping soon. Senior Planner Papelbon explained a timeline wasn't included in the conditions and restrictions because it would be for the property, not the outdoor recreation facility / private playground specifically. Mayor Bukiewicz requested a timeline be implemented to which Senior Planner Papelbon suggested two (2) years.

Ms. Smigielski asked how to follow the guidelines regarding the monument sign Conditions and Restrictions. Mayor Bukiewicz asked Senior Planner Papelbon to explain the process.

Senior Planner Papelbon stated that the existing pole sign is no longer in compliance with the current requirements, and would need to be removed. The sign could be replaced with either a conforming monument sign or wall signs on the building.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for an outdoor recreation facility/playground on a portion of the property at 150 W. Ryan Rd. after a public hearing.

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

**CONDITIONS AND RESTRICTIONS
OAK CREEK RESIDENCES, LLC
9102, 9120, AND 9140 S. 27TH ST.
TAX KEY NOS. 878-9999-000, 878-9998-000, AND 878-9997-000**

Senior Planner Papelbon provided an overview of the Conditions and Restrictions for the residential Planned Unit Development on the properties at 9102, 9120, and 9140 S. 27th St. (see staff report for details).

Senior Planner Papelbon discussed the following proposed Conditions and Restrictions:

Section 2

- Home Designs
- Master Landscape Plan required

Section 3

- Maximum 10 buildings, 36 units
- Attached garages per Exhibit B
- Building material allowances
- Deed restrictions & bylaws required
- Accessory structures, pet relief
- Roads, path, trash, snow private

Section 4

- Access to 27th St. per WisDOT
- Minimum two (2) car garage /unit
- Minimum 20-foot clear area required

Section 5

- Lighting per Code

Section 6

- Impact Fees

Section 7

- Dimensional Standards

Anthony Garza, TGAR Group, Inc., 1213 55th St., Kenosha, WI, 53140, stated that he and the owners were available for questions.

Mayor Bukiewicz asked if the Fire Department had any other concerns with the presented roads or access. Senior Planner Papelbon explained that the 20-foot clearance for emergency services must be maintained, and fire suppression systems for each building will be required.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Planned Unit Development submitted by Chandra Sekhar Vasireddy, Oak Creek Residences, LLC for the properties at 9102, 9120, 9140 S. 27th St.

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

CERTIFIED SURVEY MAP

ANDERSON ASHTON

6340, 6448, AND 6460 S. HOWELL AVE.; AND 239 & 325 E. COLLEGE AVE.

TAX KEY NOS. 719-9012-000, 719-9987-002, 719-9986-000, 719-9995-000, 719-9007-000

Senior Planner Papelbon provided an overview of the Certified Survey Map combining and reconfiguring the properties at 6340, 6448, and 6460 S. Howell Ave.; and 239 & 325 E. College Ave. (see staff report for details).

Eric Neumann, Anderson Ashton, 3316 W. Links Dr., Franklin, WI 53132, stated that he and Mark Goldstein are available to answer questions.

James Beyer, 320 E. Jewell St.:

“Good evening. So, I guess I’d like to know because - this is the first we’re seeing this – obviously, from the mail. So, what type of manufacturing, especially when they mention heavy manufacturing? What are the hours of operation? What kind of trucks are going to be involved in, obviously, moving product – if they’re making it there? What about the noise, the lighting? What does the airport have to say about this, because I know when this property’s tried to been developed in the past obviously there’s always been issues or concerns of Mitchell Field as well. I guess also, concerned about what’s going to happen to our property values because it’s mostly residential and that property has never really been developed for anything. And lastly, there’s the gravity feed pipe – we used to have a lift station on Jewell Street that was converted over to gravity lift feed wastewater pipe, which actually runs on that property. So, if something were to need to be repaired, what kind of provisions are going to be in place if they’re going to build something right on there? Thank you.”

Mayor Bukiewicz stated that the current agenda item is to rezone the property, but the comments made will be addressed in the following agenda item.

Chris Jaszewski, 143 W. College Ave.:

“And I still am going to defer to the item number ‘D’. But, zoning – if you’re going to make that zoning law right now, if you’re going to pass it-”

Mayor Bukiewicz suggested comments made about the next agenda item be brought up at the correct time.

Mr. Jaszewski:

“I don’t want ‘C’ to happen. Okay? Lot of stuff here but I’ll keep it down. Right, yeah, you’re gonna put bio-retention ponds in the middle of a wetland catchment basin. This is wrong. Last week in New Berlin there was an oil spill seeping into a retention pond that used to be a natural pond, now it’s a retention pond. There is landfills in Franklin and Brown Deer and globally there is a very small percentage of recycling going on in this globe. We need to think about recycling. We’re still cleaning up from the railroad hazardous toxic spill in Ohio, and where else? Yesterday, on Monday March 27th, 2023 there were 30 thousand gallons of chemicals spilled in the Delaware River in Philadelphia, mostly acrylics and latex. We don’t need to change the zoning unless it is zoned for residential or a clean space. We need buffer zones for industry, we don’t need more manufacturing. So, I don’t want the zoning to change from what it is now. Not worse, in other words, not heavy manufacturing. I will save the rest of the comments for the next one.”

Commissioner Oldani asked if the item in discussion is for the map only. Senior Planner Papelbon confirmed.

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Matthew Mehring, Anderson Ashton for the properties at 6340, 6448, and 6460 S. Howell Ave. and 239 & 325 E. College Ave. be approved with the following conditions:

1. That all floodplain boundaries are included on the map prior to recording.
2. That all expired temporary easements are removed from the map prior to recording.
3. 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.

REZONE / CONDITIONAL USE PERMIT

ANDERSON ASHTON

6340, 6448, AND 6460 S. HOWELL AVE.; AND 239 & 325 E. COLLEGE AVE.

TAX KEY NOS. 719-9012-000, 719-9987-002, 719-9986-000, 719-9995-000, 719-9007-000

Senior Planner Papelbon provided an overview of the request to rezone the properties at 6340, 6448, and 6460 S. Howell Ave.; and 239 & 325 E. College Ave. to M-1, Manufacturing, and establish a Conditional Use Permit for heavy manufacturing on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. (see staff report for details).

Marc Goldstein, American Industrial Motor Service (AIMS), 5850 N. Lake Dr., Whitefish Bay, WI 53217, explained what his company would do at the Oak Creek location - repair and assemble/disassemble industrial motors primarily for metal recycling industry, work on electrical equipment like transformers and breakers, and controls engineering.

Alderman Kurkowski requested to read an email from Kenneth Haggerty, 300 E. Jewell St., into record.

"I and my wife are sick and cannot attend tonight's meeting. Just a few of my thoughts that I would like to share if I were there. The intersection of College and Howell on every master development plan is known as the Gateway to Oak Creek. It is totally wrong to put a heavy manufacturing plant on that corner. There are close and vacant areas in both north and south branch industrial parks suitable for this business. If TIF 10 is the reason for this, this would be the second time this property received it, they can't be right. Also, TIF 10 guidelines only allows for light manufacturing."

Alderman Kurkowski stated that he believed TIF 10 is not a reason. Mayor Bukiewicz stated his agreement, and requested that Alderman Kurkowski pass along that information to the resident.

Alderman Kurkowski:

"A large building at the very East not only borders a county nature preserve but is 70 yards from the FedEx airplane crash site and 250 yards from the Midwest DC-9 crash site. Also, the airport has a maximum height restriction of all close buildings. The total development should not be zoned M-1 in block. The zoning is very broad and could cause environmental concerns. Each project should be viewed individually. Oak Creek is now in a position that it can be more selective in its development. This is the most serious. The southern portion of this area was, for a long time, an industrial waste dump site. This includes the lower area owned by Stramowski. There is a flow of caustic liquid from the southeast of the property. I took a sample to the meeting at City Hall and was told that I wasn't qualified to collect a sample. I took the Interim City Engineer and Assistant City Planner to the discharge area and took the sample. When we took the sample to get tested and the results are serious. Any official wanting to review the test results, I have copies."

Alderman Kurkowski stated that former City Engineer Mike Simmons was mentioned in the email.

Alderman Kurkowski:

"I know that there is a worry at the City Hall that Oak Creek could be liable for allowing this unlawful dumping, but that is nothing compared to the cost of clean up after"

excavating turns up the full extent of the environmental problem – magnitude. I also took State Representative Honadel to the discharge site to try to get state input. All he got from that walk was a pair of damaged dress shoes from the sludge.”

Alderman Kurkowski acknowledged the amount of time the City has been trying to develop the property to showcase Oak Creek, voiced his support for the type of business wanting to come to Oak Creek, but did not support the rezoning to allow for heavy manufacturing at this location. Alderman Kurkowski stated his agreement with the comments Mr. Haggerty made regarding the position the City is in to be more selective with what businesses come and where they go.

Mr. Jaszewski:

“Foxconn, Pleasant Prairie, cut down 500-year-old trees, put up a parking lot that’s still unfilled. Rexnord, on 5th and Chase in Bayview was flipped by CGI and AIMS. They had to use pension funds as collateral. AC Sparkplugs – pollution of its factory on Howell and Drexel with Beryllium. That’s atomic number four (4) on the periodic scale. It caused the death of a friend of mine, (inaudible). That’s years ago, lots of people around here had to deal with the Beryllium. On 2nd and Oklahoma, AIMS has a plant. Do they have to move? Are there brownfields there that they’re leaving? This manufacturing, this refurbishing - machinery from South Africa - engines - it’s only going to employ 50 people. That’s what I heard, but now it’s 60 people. Oh, that’s a lot of people. A repurposed factory, now it’s a low-income housing plant, low-incoming housing, on 32nd and (inaudible) downtown Milwaukee, north side of Milwaukee, had to be evacuated last week because of hazardous waste. Trichloroethylene– left there by the manufacturers. Milwaukee has century-old technology in lead piping. It has to be replaced, that’s Milwaukee, okay? Today’s technology is not tomorrow’s technology. We don’t need to think about putting that kind of thing here now. What about the kids who are thinking about life. North Ridge Lakes, on Brown Deer Road there’s a company named Phoenix, it’s seeking to buy the place from the ownership of Black Spruce. They need developers there. I’m almost done. Are there municipal bonds issued by Oak Creek to cover the cost of future generation’s needs? The needs that are not manufacturing needs. Yesterday, Monday March 27th, 2023, another mass shooting occurred in Nashville. Three (3) children were killed. There have been 130 U.S. mass shootings since January, three (3) months, three (3) months. 130 mass killings, in the United States. 49 years ago, March 28th, 1979, Three Mile Island had a meltdown. Okay. What are you giving to children? What are you thinking about? We need that open space; we need the corridor of the wetlands to buffer what we’re doing already. We don’t need another manufacturer to come in here and say this is fine. Are we going to clean up? Who’s going to clean up the mess that’s already there? Who’s going to clean up the next one? Don’t build here at all. You want an open area so that Milwaukee can see Oak Creek, that’s a real creek and that has real Oak trees.”

Mr. Beyer:

“No, I understand. So, I just want to say I concur with my alderman one hundred percent. With regards to that I think we have enough industrial park space that that business could be moved somewhere else. As Ken Haggerty’s neighbor, because we live right next door to one another, I’ve lived there since 1968, I can tell you as a kid I

would see all the foundry trucks that would be dumping all the extra residual from wherever that was coming from not only up on that property but on the property directly behind our homes. So, what he's telling you is the truth because I was the one who took the sample to have it analyzed. And there were chemicals in that sample. That, at the time, the mayor did not want to discuss. It was discussed behind closed doors."

Commissioner Chandler asked Senior Planner Papelbon for the current zoning of the property. Senior Planner Papelbon answered that the properties are zoned M-1, B-4, FW, and C-1 with a recent wetland delineation resulting in the need for further review by the WIDNR to determine if a separate rezoning of the current C-1 property will be needed.

Commissioner Chandler requested confirmation that the applicant will not be doing heavy manufacturing.

Mr. Neumann stated that he did not support staff's recommendation of the Conditional Use requirement as it was felt the business is not heavy industry, but followed the recommendation.

Commissioner Chandler asked Senior Planner Papelbon for more information on why the M-1 zone and heavy manufacturing were suggested.

Senior Planner Papelbon explained that based on the information provided, the proposed business met the definition of heavy manufacturing per Code.

Commissioner Chandler asked for more information on the general overview of services that would be provided.

Mr. Goldstein stated that nothing will be built from the ground-up. Motors used in metal recycling will come in, be taken apart for cleaning, put back together, tested, and either sent back to the client or placed in storage. Breakers will be rebuilt at a customer's site or in the shop, which will then get sent back. Light transformers would be from the City of Milwaukee that will be rebuilt and sent back as well.

Commissioner Chandler asked why this location was selected over an industrial park or other location.

Mr. Neumann answered that the other locations available were not received well by staff or the City in previous discussions, and stated the desire to address the residents' comments.

Mayor Bukiewicz stated that hours of operation and the type of manufacturing were already discussed, with lighting having to meet City Code.

Mr. Neumann stated that the AIMS mentioned [by a resident] is not the proposed tenant, and Mr. Goldstein confirmed his company has only ever been at 235 W. Oklahoma.

Mr. Neumann stated work with the FAA is being done for approval of every single building, a wetland delineation has been completed, approval has been granted by the DNR to fill the small corner of wetland on the M-1 parcel, and there is no request to fill any other wetlands

in the proposed area. An extensive cleanup plan is in place for the current materials onsite, including professional engineering, test borings, and documents.

Mayor Bukiewicz asked if the applicant has gone through a Phase One (1) [environmental assessment], to which Mr. Neumann stated they had.

Mr. Neumann stated that a deep sewer runs through the property, and the conceptual road that would service the developed area would go over the existing line, following the easement. Work with DPW has been done to ensure the connection of the proposed sewer service would not need to interrupt the existing when connection happens, nor will it disturb any extra ground than needed. The plans presented for the AIMS tenant are conceptual, and will follow guidelines needed to submit a full site plan review. When and if the full development of the site happens, the two (2) proposed storm water ponds shown on the concept plans for the AIMS buildout would be replaced with one (1) large pond in the southeast corner of the development area.

Mr. Neumann and Senior Planner Papelbon confirmed that the northwest parcel for the proposed development is the only lot currently zoned M-1, the remaining parcels are zoned B-4. Mr. Neumann acknowledged the conservation lots to the east [Cudahy Woods Preserve].

Commissioner Chandler asked what the impact of traffic will be for AIMS and possible future tenants.

Mr. Neumann explained that all loading and unloading of trucks for AIMS will be internal to the site. Mr. Goldstein stated that one (1) or two (2) heavy trucks will come to the location a week, with smaller trucks for pickups, deliveries, and mail on a regular basis.

Mr. Neumann stated that work with DOT and Milwaukee County will happen for acceleration/deceleration changes, if needed. Traffic study information was provided to them, and will be readdressed individually as the rest of the property gets developed.

Commissioner Chandler asked if discussions have occurred with the residents in the area, to which Mr. Neumann answered in the negative. He acknowledged the issues presented, and stated that they answer any questions, talk more, and give tours of the existing plant, if requested.

Commissioner Chandler requested confirmation that the applicant is requesting AIMS reside at the northwest corner of the property, in addition to the remaining parcels being changed to M-1.

Mr. Neumann answered in the affirmative, explaining that the Conditional Use request is for the AIMS business specifically.

Commissioner Siefert asked what chemicals are used in the processes at AIMS. Mr. Goldstein answered that polyurethane is used to soak motor coils, mineral oil, kerosene for the trucks, and paint.

Commissioner Siepert asked about cleaning materials, to which Mr. Goldstein explained all the electrical equipment is steam-cleaned.

Commissioner Siepert asked about the size of the motors that would be repaired. Mr. Goldstein explained that the motors will be very large, averaging 30,000 – 40,000 pounds, but possibly up to 120,000 pounds, depending on the size of the shredder the motor operates.

Commissioner Oldani asked the applicant to confirm that the immediate development plan would only be for the northwest corner of the properties, to which Mr. Neumann answered in the affirmative.

Commissioner Oldani and Senior Planner Papelbon then discussed different rezoning timelines and options, vehicle access options, and future steps if the item is approved.

Mayor Bukiewicz commented on the importance of the sewer going to the area in the past, and stated that he liked that the applicants have a plan that wouldn't cover the access with buildings. He stated that he agreed with Alderman Kurkowski's comment about this area being the gateway to the City, and that, if approved, the applicant will be held to a very high standard for what the building will look like. Mayor Bukiewicz acknowledged that the future tenants of the proposed buildings are unknown, shared personal experience with businesses like AIMS, confirmed the process that was explained, and stated his opinion that the locations are quite clean. Mayor Bukiewicz stated the landowners must be very conscious of what the land will be used for, and that the applicant has been diligent in creating a plan to clean the property as it will be the landowner's responsibility.

Mr. Neumann stated that AIMS is currently leasing their space on Oklahoma Avenue, and that they would be able to own the property at the corner of College and Howell.

Assistant Fire Chief Havey stated that the road access was reviewed, and the hazard commodity classifications for the fire suppression systems will be developed as more specific details are known about the products being used and operations of the future tenants, which must meet Code.

Commissioner Siepert asked if Assistant Fire Chief Havey would define acetone as a chemical, non-toxic or non-flammable.

Assistant Fire Chief Havey explained that a table in the [Fire] Code would need to be used to confirm the classification.

Commissioner Siepert stated that he would consider it to be flammable.

Assistant Fire Chief Havey explained that specific amounts and detailed chemical ingredients would have to be identified and compared to the [Fire] Code for classifications to be determined.

Mayor Bukiewicz asked if the contractors or owners would be responsible for repairs to any damage made to the existing sewer lines on the property. Mr. Neumann answered in the affirmative.

Mr. Beyer:

“So, I guess the rub for myself, and probably some of the other residents from Jewell Street is, wanting to move those other parcels, which are unknown - and will be unknown - to M-1 rezoning. (inaudible) Mr. Oldani, is that how you pronounce it? I kind of was along his thought process. And to sit there and say that you can only have one access, well there’s several accesses on the Milwaukee side, you’ve got Tuff Shed, you’ve got the woodcutting, you know that has chip, woodchips that people can purchase. I’m just saying, you’ve got, you’ve got a number of access points there. You could do the same thing. I don’t really have an overall issue with the fact that it’s already zoned M-1. I mean, that doesn’t seem to be the point. You know? Then if you’re going to take B-4, why can’t you put that, if you re-zone that, put your entrance point right there.”

Mayor Bukiewicz stated that option was denied.

Mr. Beyer:

“Okay, well I guess until that point is resolved, to make a general statement, say there can only be one access point. You know, I don’t quite agree with that. And that’s what she had mentioned.”

Senior Planner Papelbon stated that College Ave. is Milwaukee County’s jurisdiction. Consolidated access is what the County and WisDOT are looking for, and is not required, but encourage by the City.

Mr. Beyer:

“What she said, there was something that’s been seen, hasn’t really been outright discussed. So, I guess I would just say-”

Mayor Bukiewicz stated that the applicant stated traffic analysis would be done for each future phase.

Mr. Beyer:

“I get it. I get it. I guess I just don’t see moving forward on the other parcels without knowing what those businesses are going to be and automatically giving a rezoning to M-1. I object to that.”

Mr. Neumann stated that there had been communication with DOT about Howell Ave. access on the south end of the site, to which Mayor Bukiewicz and Mr. Neumann confirmed access on Howell Ave. at the hard corner wasn’t allowed.

Alderman Kurkowski stated that while due diligence should be made to ensure the best uses are in the correct location, the Comprehensive Plan for the City shows a business park for this corner.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the properties at 6340, 6448, and 6460 S. Howell Ave. and 239 & 325 E. College Ave. be rezoned to M-1, Manufacturing with a Conditional Use Permit for heavy manufacturing on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (April 11, 2023).

Commissioner Oldani seconded. On roll call: Commissioner Chandler, Commissioner Oldani, and Commissioner Siepert voted no; all others on roll call voted aye. Motion denied.

PLAN REVIEW

BLECK & BLECK ARCHITECTS, LLC

9141 S. 13TH ST.

TAX KEY NO. 877-9010-000

Senior Planner Papelbon provided an overview of the site and building plans for screening elevated exterior mechanical equipment on the property at 9141 S. 13th St. (see staff report for details).

Robert Bleck, 200 E. Church St., Libertyville, IL, 60048, explained that the refrigeration equipment needed by the tenant (Thrive Foods) to freeze dry food is large, and needs to be gravity-fed to the interior units, resulting in the elevated mechanical equipment. Putting the equipment on top of the building would require significant re-structuring of the existing building. Maintenance needs and visual aesthetics are other reasons for the location choice. Mr. Bleck explained that the area under the proposed enclosed equipment will remain open for ventilation, there will be a five (5) foot space between the enclosure and main building, the enclosure will be painted to match the rest of the building, and the south side of the building was chosen due to the use of this area and consideration of the residents around the property.

Commissioner Siepert asked if the west side of the area under the enclosure could be shielded.

Mr. Bleck explained a berm between the highway to the west and the property will block the view of the lower portion of the building, and the enclosure will be brought down to the top of the existing overhead doors.

Charles D. Bleck, 200 E. Church St., Libertyville, IL, 60048, stated that the tops of the existing overhead doors on the south side of the building are 14 feet from the ground, and confirmed that the berm will block the view of this area of the building.

Mr. Charles Bleck asked Senior Planner Papelbon if the berm is proposed to be landscaped or earthen. Senior Planner Papelbon explained that the berm should be landscaped, but there are no current plans or photos of the berm available. What has been landscaped is not yet mature enough to provide sufficient screening. Senior Planner Papelbon stated that staff does not have a problem with the bottom of the unit being unscreened.

Mr. Charles Bleck explained the mechanical equipment would require as much ambient air as possible to work properly.

Senior Planner Papelbon asked if an estimate of how much of the bottom would be open. Mr. Charles Bleck answered 14 feet, explaining that the equipment will sit at 20 feet above grade with the needed pipes dropping down from the bottom of the equipment to 14 feet above grade. He stated that he normally would rather the proposed generator be painted to match the building than enclosed for fire safety issues.

Commissioner Oldani asked for Staff's input regarding the screening of the proposed generator. Senior Planner Papelbon stated that two walls and a gate would be fine. Commissioner Oldani asked the applicant if that is what is proposed, to which Mr. Bleck answered in the affirmative.

Commissioner Chandler asked if the mechanical equipment already exists in the location. Mr. Black explained that it would be new to the building.

Commissioner Chandler asked if anyone would be able to access the proposed stairs up to the equipment. Mr. Charles Bleck answered that there will be a locked gate from the internal existing exit door, not allowing the public to use the stairs.

Commissioner Chandler asked for more information about the metal enclosure. Mr. Bleck explained that it would be similar to the enclosure used on top of City Hall - it would be visually solid corrugated metal around the equipment with grates at the bottom for ventilation.

Mayor Bukiewicz commented that the building is a large industrial building, the proposed equipment will sit hundreds of feet from 13th Street, and stated that he appreciated that the enclosure will be painted.

Commissioner Chandler asked if the proposed generator would need to be included in the motion. Senior Planner Papelbon recommended the generator screening be included in revised plans submitted to staff. The motion did not need to be changed.

Commissioner Oldani moved that the Plan Commission approves the site and building plans submitted by Charles & Robert Bleck, Bleck & Bleck Architects, LLC, for screening of an exterior elevated ground-mounted mechanical unit on the property at 9141 S. 13th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all conditions of approval from the March 9, 2021 approval remain in effect.
3. That all final plans (site, building, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

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

CERTIFIED SURVEY MAP

CR DEVCO, LLC

2231 & 1933 W. PUETZ RD., 8843 S. 13TH ST., AND 8950 S. 20TH ST.

TAX KEY NOS. 856-9999-001, 857-9993-000, 857-9992-000, 857-9991-000

Senior Planner Papelbon provided an overview of a certified survey map (CSM) dividing and reconfiguring the properties at 2231 & 1933 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St. (see staff report for details).

Barbara Linder, 2411 W Puetz Rd.:

“Now, the corner next to me on Puetz Road now, how did you – how is that zoned? Because it was, last year when I was at the meetings, it was right next to my home, it was zoned single family resident, one (1) could be put in there, just one (1).”

Mayor Bukiewicz clarified the item is not about zoning, but about a CSM.

Ms. Linder:

“Oh, well that too. How come on that survey map they don’t have the pond?”

Mayor Bukiewicz stated that the topographic isn’t specified, just the lots. Senior Planner Papelbon explained that the pond hasn’t been constructed yet, so it wouldn’t show on a CSM.

Ms. Linder:

“There is a pond. This is what I’m saying. And the original map that we had, and because we’ve lived there so long, I know. There’s a pond, that’s why there would have only been, for years they said only one home could go next to me, a single-family home. Then, it would have been on the, towards 27th Street, they would be allowed, that’s all business, zoned all business property there. But-”

Senior Planner Papelbon stated that she believed the pond being referred to is a wetland, which is shown on page two (2) of the CSM. It wasn’t one of the sheets chosen to be shown in the presentation as it wasn’t connected to the Official Map Amendment compliance or future connection to the west.

Ms. Linder:

“How are you, this is for the zoning or the survey map?”

Mayor Bukiewicz and Alderman Guzikowski explained that the applicant did not have the map officially recorded in time, so the item is a renewal of that approval.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by CR Devco, LLC for the properties at 2231 & 1933 W. Puetz Rd., 8843R S. 13th St., 8950 S. 20th St. be approved with the following conditions:

1. That all applicable Code Sections remain in effect.
2. That the future public road to serve the development from W. Puetz Road be renamed to Apple Creek Drive.

3. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

PLANNED UNIT DEVELOPMENT AMENDMENT

CR DEVCO, LLC

2231 & 1933 W. PUETZ RD., 8843 S. 13TH ST., AND 8950 S. 20TH ST.

TAX KEY NOS. 856-9999-001, 857-9993-000, 857-9992-000, 857-9991-000

Senior Planner Papelbon provided an overview of a request for an amendment to the Time of Compliance Section of the existing Planned Unit Development affecting properties at 2231 & 1933 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St. (see staff report for details).

Christina Meyer, 2200 W. Grays Ln.:

“Thank you. Owls, possum, turkeys, deer, woodpeckers, hawks, rabbits; I have seen all of these in my backyard in the last week. This invaluable ecosystem, the peace it brings that is irreplaceable. This increasingly rare, incredibly diverse, display of the best that nature can be is everything I’ve ever dreamed of having and being able to give my children. The ever-shrinking wild areas and mature trees just beyond my property inline to be stripped, for yet another subdivision. Those are vital ecological connection which holds even deeper significance for those who are native. In addition to being a new homeowner, I’m also a graduate of UW-Milwaukee with a degree in public health. This involved being taught by leading local experts in environmental health, including how built environment effects population health. Healthy forests and wild areas are essential for soaking up precipitation in the aftermath of crazy snowstorms; I think we’re on four (4) this year, already. In the coming years, Wisconsin is projected to get more rain and more intense weather episodes. With most of our natural protection gone, overflowing storm drainage easements, soil erosion, and overwhelmed sewer systems are some of the pricey consequences that await. Between all of these proposals and 27th street’s construction status, Oak Creek’s motto ‘where city meets country’, won’t be applicable for much longer. I am asking the city council to remember there is no sustainable future without balance. Please, if you decide to go forward with this, insist on nature preserve amendments to PUD’s before re-approving any proposal that will irrevocably damage our city.”

Mayor Bukiewicz explained the properties to be developed will only be the two (2) lots at the east, along I-94. The remaining lots to the west will remain due to the wetlands present.

Ms. Meyer:

“Do you have something concrete?”

Senior Planner Papelbon explained that the site development plan details will still need to be presented to Plan Commission, allowing for the attachment of additional conditions like buffers, landscaping etc. to the site plan approval at that time. At this time, the proposed future development would see most of the area to the west remain open and undeveloped,

with a possible exception to a portion of the northwest-most corner lot. Any development in that portion would take into consideration, and not have an impact on, the existing wetlands.

Mayor Bukiewicz added that new City Ordinances require developers to take a tree inventory of the property. Senior Planner Papelbon further explained what a tree inventory entails, and that the City has incorporated maintenance of tree canopy and habitat into the new Code.

Ms. Meyer:

"Thank you."

Ms. Linder:

"Like she said. They, before, did not have any interest in (inaudible) do have interest in the corner, and that interests me. Because I'd like to know what this is zoned for and what they plan to, you know, as far as, is this going to be a bunch of his apartments like-"

Mayor Bukiewicz stated discussion must stay on topic.

Ms. Linder:

"Well, it's for zoning. So, I wanna know what that whole corner is."

Mayor Bukiewicz stated the zoning question can be answered, but speculation on what the development might be cannot be discussed.

Ms. Linder:

"Well, for zoning, is it zoned for-"

Mayor Bukiewicz and Senior Planner Papelbon stated that the northwest corner lot is currently zoned B-4, General Business.

Ms. Linder:

"And that goes all the way to (inaudible)."

Senior Planner Papelbon confirmed the B-4 zone goes all the way to the east property line, and explained a request to rezone the area is not being discussed at this time.

Ms. Linder:

"So, what was the request?"

Senior Planner Papelbon explained that the agenda item is only to discuss providing additional time for the development to begin, and that the hard corner is not a part of the request.

Ms. Linder:

"Alright."

Commissioner Chandler asked if the additional time would be sufficient for compliance. Senior Planner Papelbon stated that she felt confident the applicant would have mentioned to staff whether proposed the time frame was an issue.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves an amendment to Section 8, Time of Compliance, of the existing Planned Unit Development on portions of the properties at 2231 & 1933 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St.

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

Commissioner Siepert moved to adjourn the meeting. Commissioner Chandler seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:06 pm.

ATTEST:



Kari Papelbon, Plan Commission Secretary

4-11-23

Date