

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 9, 2013

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Alderman Bukiewicz, Mayor Scaffidi, Alderman Michalski, Commissioner Correll, Commissioner Siepert and Commissioner Chandler. Also present were Peter Wagner Zoning Administrator and Battalion Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the Tuesday, March 26, 2013 regular Plan Commission meeting. Commissioner Johnston seconds. Roll call, all voted aye. The minutes were approved as submitted.

Significant Common Council Actions

There were no comments or concerns from the Commission.

**Temporary Use-West View Garden Center
7501 S. Howell Avenue
Tax Key No.: 782-9036**

Mr. Wagner explained that this is the third year the applicant is looking to operate a garden center, they have gone through the proper channels getting permission from Classic Lanes to have that operation and provide water and restrooms for employees and customers. In the past there were some issues with signage. One year they had clearance painted on the hoop house. Staff talked to the applicant about that at that time and last year they did not do that. They kept their advertising to a one-32 sq. foot sign. Therefore, we are recommending that this condition be on this temporary use as well.

Commissioner Dickmann questioned if the length of the dates was sufficient with the applicant. The applicant Larry Schutz 1247 51st St is fine with the dates for the temporary use.

Mayor Scaffidi moved to approve the temporary use for the temporary garden center at 7501 S. Howell Avenue from April 20, 2013 through July 4, 2013 with the following conditions:

1. That all building and fire codes are met.
2. That the temporary use shall expire on July 4, 2013.
3. Allow one sign no larger than 32 square feet.
4. That the applicant obtains a tent permit prior to opening.

Commissioner Sipert seconds. Roll call, all voted aye. The motion to approve carries.

Conditions & Restrictions- Oak View Business Park
10303 & 10711 S. Howell Ave, 405 & 641 W. Oakwood Road
Tax Key No.: 955-1001, 955-1002, 974-1003, 975-1004

Mr. Wagner explained that at the March 26, 2013 meeting the Plan Commission recommended Common Council rezone the properties to M-1 PUD, which will allow the creation of Oak View Business Park. Staff has prepared the conditions and restrictions for this PUD for the Plan Commission to review. The section of the PUD that is specific to this development on page 2, section 1, letter J in bold, talks about the green space requirement, it states that “the 30 percent green space requirement will be for the entire development.”

Mr. Wagner motioned that the Plan Commission recommends that the Common Council adopt the conditions and restrictions as part of the Planned Unit Development for Oak View Business Park located at 10303 & 10711 S. Howell Ave. and 405 & 641 W. Oakwood Road after a public hearing.

Commissioner Johnston questioned if the 32 acres outlot is included as additional space of the green space or is it included with the 220 acres. Mr. Wagner stated the 32 acres will be included. Commissioner Johnston mentioned that the 32 acres parcel is mostly wetland, trees, conservancy area but it is part of the development. Mayor Scaffidi suggested to that the 32 acres outlot meet the same requirements. Mr. Wagner indicated that there are woodlands in the center, east of Mardeand Park as well as the southwestern corner. Commissioner Johnston mentioned there are a lot of green spaces remaining with this development and wanted clarification if the 32 acres will be included with the 220 acres or as additional green space.

Mayor Scaffidi opened the public hearing for comments.

Mr. Tom Miller of 320 W. Oakwood Road questioned about the parcel, outside of his front window, how does that compares to Yaskawa’s property, it appears to be smaller. Mayor Scaffidi answered it’s about not even half. Commissioner Johnston pointed out that those are preliminary lots. Mayor Scaffidi mentioned the lots are truly flexible for different size companies.

Alderman Michalski questioned about the outlot as big as it is, is it going to be kept out of the project or will Mr. Wagner look into how this will fit into this project. Mr. Wagner stated the 32 acre will be part of the project. Alderman Michalski questioned how much green space will there be remaining or required? Mr. Wagner states it’s difficult to tell because this is not going to be developed all at one time.

Mr. Randy Ritter with Air Product at 701 W. Oakwood Rd questioned how close is the property line butting up to the Air Product plant and what industries do you foresee coming into the development. Mayor Scaffidi stated that it would be speculating but the idea of this park is to be technology based given the high speed that runs along the

railroad tracks. He answered that the property line shouldn't be any closer than the code will allow. Mr. Ritter stated that the emissions of anything could affect our plant. He questioned about the zoning of Oakwood Road to the development. He states as of right now it's semi-truck only to Air Products, so would Oakwood road be opening up to semi-truck to this development or would have to go to Howell Avenue and would Oakwood Road get wider. Mayor Scaffidi mentioned he had this discussion this with Doug Seymour that the traffic is expected to go back out onto Howell Avenue to Ryan to the expressway. He stated Oakwood Road will have some improvements to get traffic into the future site. Mr. Ritter questioned about the wetlands/woodlands area behind Air Product. Commissioner Johnston stated it is part of the conservancy green space outlot.

Cathy Jahns of 543 W. Oakwood Road questioned about parcel zoned Rs-1 since she wasn't at the last meeting. Mr. Wagner explained the zoning abbreviation on the map and the rezoning of the 220 acres is the purpose of this meeting. Ms. Jahns questioned about the layout of the roads. Mr. Wagner explained that this is just a preliminary development plan of the business park showing the parcels and the roads may go. Mayor Scaffidi added that the plan is to match the road to the current driveway across the street. Ms. Jahns questioned about a little L-shaped strip that runs along Air Product and to the west of her property, would it possibly be a road for future entrance to that side of the business park. Mayor Scaffidi stated that it isn't big enough to be developed and he didn't think that it would be. Alderman Bukiewicz mentioned that it would be an access to the conservancy.

Robert Mleczo of 431 W. Oakwood Road questioned of some sort of buffer for the existing residents from the development. Mayor Scaffidi states that there are landscaping plans to protect homes with berms, plantings, mature trees, and some cases nice fencing and to give a better look in the area. Mr. Wagner mentioned there is a code that states that there is a minimum of 100 foot buffer from residential to manufacturing. Mr. Robert mentioned that the development affects the east and south his property. Mayor Scaffidi mentioned the plan tries to keep the road away from the adjacent property, and protect the neighborhood from the traffic.

Commissioner Siepert questioned about any additional road patterns to Howell Avenue. Mr. Wagner stated the proposed plan has only one Howell access point into the development and that there hasn't been any other Howell access proposals as yet.

Commissioner Dickmann moved that the Plan Commission recommends that the Common Council adopt the conditions and restrictions as part of the Plan Use Development for the Oak View Business Park located at 10303 & 10711 S. Howell Ave and 405 & 641 W. Oakwood Road after a public hearing.

Alderman Bukiewicz seconds Roll call Dickmann; aye, Johnston; aye, Carrillo; aye, Bukiewicz; aye, Scaffidi; aye, Michalski; nay, Correll; nay, Siepert; aye, and Chandler; aye. The motion to approve carries.

Conditions and Restrictions –EVO CNG
7155 S. 1st St
Tax Key No.: 765-9036

Mr. Wagner explained at the March 26, 2013 meeting, the Plan Commission recommended that the Common Council approve the conditional use permit that would allow EVO CNG to operate a compressed natural gas filling station at 7155 S. 1st St. Staff has prepared the conditions and restrictions for this conditional use permit for review.

Commissioner Dickmann questioned about the building without a roof, does it have to meet the views. Mr. Wagner explained the building will be an accessory structure as an equipment compound and will be made out of masonry. Mr. Wagner stated there will be conditions for the gates in the front and when we do the site building review, we may want to ask for private sliding but cyclone fencing is proposed. Commissioner Dickmann questioned about the note on future concrete paving to extend further east and questioned does it meet the 30% requirement. Mr. Wagner stated they do have to meet the requirement and it has a 36 percent green space as approved. He stated the preliminary stormwater management plan shows how the stormwater will be accommodated. Mr. Wagner mentioned that the additional paving will have to come before Plan Commission when expanded. Mr. Wagner also stated there will be a retention pond in front of the property and north of the equipment building and will be reviewed by Engineering.

Damen Kuzik of 9899 W. Roosevelt, Tolleson, Arizona mentioned that the green space was calculated with the future paving and it is still above the 30 percent threshold.

Commissioner Siefert questioned the chain link fencing covering 3 sides of the property on the. Mr. Kuzik stated there is no proposal to put a chain link fence around the property and the proposal is the chain link gate with privacy slats going into the compressor building so you wouldn't be able to see the equipment that are inside the compound. He stated the chain link may be an existing fence. Mayor Scaffidi suggested that it may be on the neighboring property. Commissioner Johnston clarified that it's on the neighbor's property.

Alderman Bukiewicz questioned to Mike Kressuk about hydrant placement as it's being a natural gas facility. Mr. Kressuk stated he reviewed the plan and safety history of compressed and natural gas is quite good. Mr. Kressuk mentioned the hydrant placement is good and having it close to these types of facilities are not very useful.

Alderman Michalski moved that the Plan Commission recommends to the Common Council that the proposed conditions and restrictions for a compressed natural gas filling station for EVO located at 7155 S. 1st be adopted as part of the conditional use permit after a public hearing

Commissioner Chandler seconds. Roll call, all voted aye. The motion to approve carries.

Carrillo moved to adjourn. Commissioner Chandler seconds. Roll call, all voted aye. The meeting was adjourned at 6:26p.m.