

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

Alderman Bukiewicz 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, Alderman Michalski, Commissioner Correll and Commissioner Siepert. Mayor Scaffidi and Commissioner Chandler were excused. Also present were Douglas Seymour Director of Community Development, Peter Wagner Planner/Zoning Administrator and Assistant Fire Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the June 25, 2013 regular Plan Commission meeting. Commissioner Johnston seconds. Roll call, all voted aye with the exception of Commissioner Correll who abstained. The minutes were approved as submitted.

Significant Common Council Actions

There were no comments or concerns from the Commission.

Comprehensive Plan Amendment – Public Hearing

Mr. Seymour explained this would be a public hearing on a series of proposed text amendments to the Comprehensive Plan that was adopted in 2002 for the City of Oak Creek. At their meeting of May 28, 2013 the Plan Commission was introduced to a number of proposed text and map amendments to the City's Comprehensive Plan relating to the City Center District as well as the development of Drexel Town Square.

The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objective, goals, and policies contained within the comprehensive plan. Amending the current comprehensive plan will allow the City to move forward with planning for the future use of the former Delphi property.

Alderman Bukiewicz opened the public hearing and made three calls for public comments or concerns, hearing none he closed the public hearing.

Comprehensive Plan Amendment

Commissioner Dickmann questioned how the change on page 59 would fit into the plan. Mr. Seymour explained it would rebalance the chart that showed the planned land use under the concept and rearranges it to reflect the change of the Delphi site from the general manufacturing to the planned mixed use.

Mr. Seymour explained the Common Council would also be considering these planned amendments and they are asking at this time the Plan Commission approve the resolution.

Commissioner Michalski moved that the Plan Commission adopt Resolution No. 2013-02, amending the adopted comprehensive plan for the City of Oak Creek.

Commissioner Correll seconds. Roll call, all aye. The motion to adopt Resolution No. 2013-02 carries.

Conditions and Restrictions – Kids n’ Care
6901 S. 20th Street
Tax Key No.: 737-9027

Mr. Wagner explained to the Commission at the June 25, 2013, meeting they recommended the Common Council approve a conditional use permit allowing Kids n Care to operate a day care center with an outdoor activity area. At this time they are being asked to review the conditions and restrictions.

Commissioner Dickmann questioned if the twelve months to get the operation up and running was an acceptable time to get occupancy. Mr. Naser Saleh explained they would be requesting occupancy as soon as possible.

Alderman Bukiewicz questioned if there were plans in place for a fence and also if the parking was adequate for the size of the business. Mr. Wagner explained there is a requirement for one parking space for every 150 square feet of area and there should be enough parking already in place. Mr. Wagner stated the fencing was an option for the business owner and at this time they have a three foot retaining wall. Mr Saleh explained they would be installing an additional three feet high fence on top of the retaining wall and another five foot high fence all the way around. Alderman Bukiewicz expressed concern for the speed of the traffic on 20th Street.

Commissioner Siefert questioned if the applicant was aware of the future street pattern on the map. Mr. Wagner stated the applicant was aware of the officially mapped streets.

Alderman Bukiewicz questioned if the future streets were not eliminated with the changes for Rawson and 27th Street. Commissioner Johnston thought the street pattern was removed.

Commissioner Johnston questioned if the applicant had any issues with the hours of operation being from 6 am to 6 pm Monday through Friday. Mr. Saleh stated those hours were acceptable.

Assistant Fire Chief Mike Kressuk noted the residential portion of building was not sprinkled and encouraged the applicant to contact the Fire Department regarding the sprinkler system in the building and evaluate the overall usage since the occupancy was changing. Mr. Saleh stated he was 90% sure the residential portion of the building did have a sprinkler system.

Commissioner Correll moved that the Plan Commission recommend that the Common Council adopt the conditions and restrictions as part of the conditional use permit allowing for a group day care center with an outdoor activity area located at 6901 S. 20th Street after a public hearing.

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

Plan Review – EVO CNG
7155 S. 1st Street
Tax Key No.: 765-9036

Mr. Wagner explained to the Commission the applicant was requesting approval of site, building, and landscaping plans for a proposed compressed natural gas filling station on the property located at 7155 S. 1st Street. The type of use is a conditional use and the applicant has received the conditional use approval.

The proposed station will be unmanned and will be monitored via video and data streams at a remote location. The station will consist of a canopy with four fueling stations and a fueling compound building. The site will be paved entirely of concrete. The fueling compound will initially contain three compressors and an air dryer. The fueling compound will be constructed out of split face concrete masonry with a green stripe on top of the wall. The compound will be enclosed with chain link fencing on the east elevation. Because the compound does not meet the architectural standards it will need a ¾ majority approval.

The landscape plan will need to be revised to meet the minimum requirements for perimeter landscaping of one tree for every thirty-five linear feet. The site has 36 percent green space which meets the 30 percent minimum requirement.

Commissioner Siepert questioned if there would be a sign located at Rawson Avenue and 1st Street to identify the location. Mr. Wagner stated they would just have on-site signage. Mr. Damon Cuzick explained the stations were more often than not a destination. They do want to have significant signage because they do want to garner some public use there if possible. Compressed natural gas is becoming more and more common particularly in the trucking application but there are passenger vehicles as well. If you are running a natural gas vehicle you know where the stations are located.

Commissioner Johnston requested a condition be added to the recommendation to include a stormwater management plan be approved by Engineering. He also questioned the noise level of the compressors. Mr. Cuzick did not know the exact decibel levels but stated they were not any noisier than a standard compressor. You should not be able to hear a ton with it being surrounded by CMU on three sides. Commissioner Johnston questioned if there was anything they could do with the chain link fence. Mr. Cuzick stated they could potentially install some privacy slats in certain sections if it is a concern to the Commission. They have had situations in the past where they have put privacy slats in around the compressors and it causes them to overheat and breakdown. Commissioner Johnston questioned if they have ever tried a different material. Mr. Cuzick stated they have primarily used the chain link fencing. Anything they put there will have to have air flow through it for the compressors.

Commissioner Dickmann questioned how remote the monitoring station was. Mr. Cuzick stated it was located in Salt Lake City but they do have local maintenance people and crews that are on the ground and can be there quickly. They have several stations in Wisconsin and they could have people on the ground quickly. There is someone actually watching in real time. If something happens they will see it.

Commissioner Dickmann questioned if the Fire Department had any concerns. A.C. Kressuk stated as a point of reference the LNG plant at the Pilot Travel center does not have anybody on site either. It is the same situation with a remote monitor. It certainly does create some concerns but mainly for restarting the station. Most of the protection devices, if they are activated, there is a total system shut down. At that point it really takes the immediate need for them to have somebody on site out of the equation. It is more at that point restoring the system and restoring the alarm. If there are local technicians they are versed in the ability to do those things. The one question they do have is with the compressors and the overheating of the compressors. He would imagine there is a fail-safe in place if there is an overheat it would shut down. Mr. Cuzick confirmed it would shut down the compressor if it overheated and their goal was to have someone on-site within an hour.

Alderman Michalski questioned if there was any thought given to adding some type of fans to help circulate the air so there would not be issues with the type of fencing. Mr. Cuzick explained there are already exhaust fans located on the roof of the building. Alderman Michalski was aware of the exhaust fans but would like additional fans to help circulate the air within the facility. Mr. Cuzick stated they have never really looked at that. Any time that you close the space off and you are not getting new fresh air being brought in is where you get into trouble. He does not believe adding fans would solve the problem.

Alderman Bukiewicz questioned what would shut down the system. Mr. Cuzick stated they are monitored by pressure and gas leak detectors. What would really shut it down would be the gas leak. It would recognize that there was a gas leak and it would shut down the system. There are methane detectors in the building and near the dispensers. Alderman Bukiewicz questioned if they could put the slats in the fence to spell out EVO or would that be considered a sign. Mr. Wagner explained the way the Code is defined any advertisement is something that is used to sell a service or identify a brand and the slats spelling EVO would be a wall sign on the building. Mr. Cuzick stated they could put some slats in as long as they would not be required to put slats across the entire thing. They would be willing to put them in one every four or so. Alderman Bukiewicz suggested painting the fence green. Mr. Cuzick stated it would not help hide the equipment.

Commissioner Carrillo questioned if they would be able to utilize a natural buffer. Mr. Cuzick stated they needed to be able to drive maintenance vehicles up to the building. They would be willing to work with staff to try to come up with some kind of mitigation. They do need the air flow and could potentially look at putting some slats in and look into painting the fence although it would not hide anything. Mr. Wagner explained they have talked about revising the landscape plan and there may be something that could be done with landscaping to minimize the impact as you drive down 1st Street.

Mr. Cuzick commented they would be happy to work with staff on adding some trees in strategic locations to try and block the view particularly coming from Rawson Avenue. Mr. Wagner questioned if there was any opportunity to put some trees or shrubs on the southern part of the parcel. Mr. Cuzick commented they wouldn't necessarily have a problem with that but they do have the electrical transformer at that location and there may be a utility easement that they cannot put trees in. If the utility company was okay with the trees they would not have a problem with that.

Commissioner Michalski moved that the Plan Commission approves the site, building and landscaping plan for the property at 7155 S. 1st Street with the following conditions:

1. That all building and fire codes are met.
2. A revised landscaping plan is submitted for review and approval by the Department of Community Development and Forestry.
3. That the stormwater management plan be approved by the Engineering Department.

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

**Minor Land Division – Douglas Fintak
2410 & 2338 W. Oakwood Road
Tax Key No.: 927-9024 & 927-9023**

Mr. Wagner explained to the Commission the applicant was requesting approval of a certified survey map that would redraw the property lines so that the property located at 2338 W. Oakwood Road would be reduced to 0.41 acres and the property located at 2410 W. Oakwood Road would be enlarged to 4.11 acres. Both parcels meet the zoning requirements for the Rs-3 District.

Douglas Fintak, 2410 W. Oakwood Road explained his mother passed away and his son would like to buy the house but cannot afford the land that it is sitting on so they would like to make the lot smaller.

Commissioner Johnston requested to have the floodplains and wetlands delineated on the map.

Alderman Bukiewicz questioned if Mr. Fintak had any issues with the officially mapped streets. Commissioner Johnston pointed out the officially mapped streets were not shown on the certified survey map and they would need to be done as a technical correction.

Commissioner Correll moved that the Plan Commission recommend to the Common Council that the minor land division for the properties at 2410 & 2338 W. Oakwood Road is approved, subject to any technical corrections being made prior to recording.

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

Commissioner Carrillo motioned to adjourn. Commissioner Dickmann seconds. Roll call, all voted aye. The meeting was adjourned at 6:38 p.m.