



PLAN COMMISSION

July 10, 2018
6:00 P.M.

Common Council Chambers

8040 S. 6TH Street
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chaucey Chandler
Patrick Correll
Chris Guzikowski
Brian Johnston
Gregory Loreck
Fred Siepert
Christine Hanna
Edward Ciechanowski – ex-officio
Doug Seymour – ex-officio

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – June 12, 2018 & June 26, 2018
4. Significant Common Council Actions – NONE (no meeting 7/3)
5. New Business
 - a. ZONING TEXT AMENDMENT – Review an amendment to Section 17.0325 of the City's Zoning Ordinance regarding permitted and conditional uses allowed as part of a Planned Unit Development. Follow this item on Twitter **@OakCreekPC#TextAmend.**
 - b. REZONE/PLANNED UNIT DEVELOPMENT – Review a request submitted by Michael Faber, Ryan Business Park, LLC, to rezone and establish a Planned Unit Development for the properties at 9600, 9700, & 9900 S. 13th St. and 741 & 1001 W. Ryan Rd. (Tax Key Nos. 905-9994-001, 905-9993-003, 925-9999-000, 905-9999-006, 905-9995-001). Follow this item on Twitter **@OakCreekPC#OCPCRezonePUD.**
 - c. CONDITIONAL USE PERMIT – Review a request submitted by Brian Schoenleber for a conditional use permit for a Community Based Residential Facility on the property at 7801 S. Pennsylvania Ave. (Tax Key No. 779-9010-000). Follow this item on Twitter **@OakCreekPC#OCPCCBRF.**
 - d. CERTIFIED SURVEY MAP - Review a certified survey map submitted by Brian Schoenleber dividing the property at 7980 S. Cecily Dr. (Tax Key No. 814-0296-000). Follow this item on Twitter **@OakCreekPC#OCPCCecilyCSM.**
 - e. CERTIFIED SURVEY MAP - Review a certified survey map submitted by John Thomsen, Highgate, LLC, combining and reconfiguring the properties at 7781, 7811, and 7869 S. 13th St. (Tax Key Nos. 784-9991-001, 784-9990-001, 784-9993-001). Follow this item on Twitter **@OakCreekPC#OCPCHighgateCSM.**

- f. **REZONE – Review a request by submitted by John Thomsen, Somerstone, LLC, to rezone the properties at 7781 and 7811 S. 13th St. from Rs-3, Single Family Residential to B-4, Highway Business, and a portion of 7869 S. 13th St. from B-4, Highway Business to I-1, Institutional (Tax Key Nos. 784-9991-001, 784-9990-001, 784-9993-001). Follow this item on Twitter @OakCreekPC#OCPCHighgateRezone.**

Adjournment.

Dated this 5th day of July, 2018

Posted 7-5-18 JF

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JUNE 12, 2018**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Johnston, Commissioner Carrillo, Alderman Loreck, Alderman Guzikowski, Commissioner Siepert and Commissioner Chandler. Commissioner Hanna and Commissioner Correll were excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator; and Doug Seymour, Director of Community Development.

Minutes of the May 22, 2018 meeting

Commissioner Siepert moved to approve the minutes of the May 22, 2018 meeting. Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

PUBLIC HEARING

SIGN APPEAL

KENWORTH

9350 S. 22ND ST.

TAX KEY NO. 827-9028-000

Zoning Administrator/Planner Wagner read the public hearing into the record.

Mayor Bukiewicz made three calls for public comment. Seeing none, the public hearing was declared closed.

SIGN APPEAL

KENWORTH

9350 S. 22ND ST.

TAX KEY NO. 827-9028-000

Zoning Administrator/Planner Wagner provided an overview of the sign appeal request. (See staff report for details.)

Steve Kruit, Wisconsin Kenworth, 9350 S. 22nd St., spoke regarding the need for this sign. He stated it would be a great benefit for the truck drivers that exit the highway to find their location. Mr. Kruit stated that Kenworth is set back from the highway and due to overgrowth of trees is no longer visible. Mr. Kruit stated that an exception should be made based on the fact that the sign is not visible for much of the City. Also, as the sign is raised, there will be less light pollution for the hotel that is nearby.

Martin Westburg, Badger Lighting & Signs, 16271 Lincoln Ave., New Berlin, stated there is a berm on the south side of the road that was not there initially.

Commissioner Siepert asked about the size of the sign. Mr. Westburg responded that the proposed design is 5'4" tall by 31'4" wide.

Commissioner Chandler asked for more information on why they are requesting an 80' tall sign. Mr. Westburg responded that they are trying to avoid trucks seeing the sign at the last moment and missing 0being able to safety exit the expressway.

Commissioner Chandler asked why they are going from 40' to 80' because that is such a huge difference. Mr. Kruit responded that with the trees there, the sign is not visible at 40'. In order to be above the tree line, it would have to be at a height of 80'.

Alderman Guzikowski asked how the business model has changed from when they opened and if the 40' sign is working and stated his concurrence with the other Commissioners that it is a big jump in size. Alderman Guzikowski asked if there is something that they could come to an agreement on that would work with everyone.

Commissioner Carrillo asked for an explanation as to why the large sign is needed in a day where people can GPS the location. Mr. Kruit stated that for a lot of drivers, they have GPS to get them there, but to focus on that when trying to exit the expressway might be somewhat difficult.

Mayor Bukiewicz opened the discussion about the size of signs along the expressway in Oak Creek and how many of them are grandfathered in under an older sign code. Director Seymour responded that when Arby's came in, they were at 60'. He pointed out that the 40' sign that Kenworth already has is actually 15' higher than the maximum allowable in the zoning district right now, and that the applicant had previously applied for permission to put a truck on their roof to draw attention to the business. Director Seymour stated he is having difficulty understanding how they are different than any other business in the area and that setting a future precedence has to be kept in mind when making a decision about this sign appeal. Director Seymour stated that there is a set of criteria that must be looked at when considering a sign appeal, and he does not see that that criteria is being met.

Mayor Bukiewicz asked about the height of the berms. Commissioner Johnston responded he does not know the height, but the ramp configuration is changing and you can see where that berm is coming off Ryan Road. That is where the new layout is going to be. Commissioner Johnston stated that the sign is going to be close to 1,000 feet from the expressway. It was visible coming on the ramp. It is not really visible from the expressway itself.

Mayor Bukiewicz asked about the square footage of the sign. Zoning Administrator/Planner Wagner responded that it is going to exceed 100 SF. They are proposing 167 SF, so the variance would be required to go larger than 100 SF. Zoning Administrator/Planner Wagner stated that staff has more of a concern with the height variance being requested than with the size. Mayor Bukiewicz agreed.

Comments from Commissioners and Mr. Westburg not audible due to not speaking into the mics.

The question arose about why IKEA was allowed their signage along the expressway. Director Seymour responded that each application for a sign appeal should stand on its own merits and not be compared to other uses. Also, IKEA is a national chain with only 48 stores nationwide and draws people from a long way, including upper Wisconsin and Illinois.

Mayor Bukiewicz added that the signage was allowed for IKEA because the property is in a special zoning district, the only one of its kind in the City. Mayor Bukiewicz also stated his concern about setting precedence for height variances.

Commissioner Siepert asked if they could keep the original signage they have now and just raise it up. Mayor Bukiewicz responded that they are now going to a monopole, so they will replace the base and probably get a better product.

Alderman Guzikowski suggested giving the variance for size, but bringing it down in height to match what is required in the area.

Discussion ensued on granting sign requests.

Joe Heller, 8527 S. Braeburn, stated that if he were a truck driver coming in from out of town, he would really like to see that sign and it would help him.

Mr. Kruit stated that if they could increase the height of the sign, the need for the truck on the roof would diminish.

Mayor Bukiewicz suggested giving the applicant the ability to move the sign up 10' maximum. It is not quite a restaurant and if someone is looking for this Kenworth sign, you probably need service and are in trouble.

Zoning Administrator/Planner Wagner showed on an aerial photo where the business, berm and sign are located. Commissioner Johnston added that the berm is temporary due to the Ryan Road construction and will be going away sometime this year when the construction is done.

Commissioner Carrillo suggested waiting until the new bridge work is completed and then taking this matter up when it is over. Mr. Kruit stated that what drove the need for a new sign is that the sign needs new lighting inside.

Director Seymour stated that if the goal is to have every business have visibility from 2 miles away on the freeway, that has some very serious implications on the character of a community. Mr. Westburg responded that he is not looking for visibility from two miles away, just from the off ramp.

Alderman Guzikowski concurred with Commissioner Carrillo's earlier comment about relying on technology to find the business rather than a sign off of the expressway.

Mayor Bukiewicz summed up the Commissioner's opinion that the sign will not be 80' in height.

Director Seymour stated that if this was a new business being built today, code would be a sign at 25'. Commissioner Carrillo stated she doesn't think an extra 10' will do anything and they should just stick with the code.

Commissioner Johnston stated he is okay with the 40' height and a larger sign. Commissioner Siepert agreed.

Commissioner Johnston motioned that the Plan Commission recommends to the Common Council to grant a sign variance allowing the installation of a 40' tall and 167.11 SF in the area pole sign located at 9350 S. 22nd St. Alderman Guzikowski seconded. On roll call: all voted aye.

**PUBLIC HEARING
SIGN APPEAL
CITY OF OAK CREEK
7978 S. MAIN ST.
TAX KEY NO. 813-9050-000**

Zoning Administrator/Planner Wagner read the public hearing into the record.

Mayor Bukiewicz made two calls for public comment. .

Doug Seymour, 650 E. Deer Ridge Court, Oak Creek, WI stated that the City is the applicant on this item. Director Seymour stated that this is not a matter of having no window covers there. There is an obvious pitfall of having clear glazing going directly into a bathroom facility. Right now, there is some translucent/opaque film covering on the windows, which is in violation of the City's ordinance. However, there are obvious privacy concerns that are unique to this leased space. Director Seymour stated that this is an opportunity to provide some color or some life to the street in what otherwise could be a little bit of a sterile environment. Staff has asked the City's marketing people to see what they can do to liven up that space without a big restroom sign on the windows. The suggested covering shows images portraying the activities that take place within the entire City. It is a whimsical approach that provides color to the street while at the same time provides vital privacy.

Mayor Bukiewicz stated that this is a vast improvement and is needed. Mayor Bukiewicz suggested that it say Oak Creek somewhere.

Commissioner Carrillo stated that on behalf of all of the Farmer's market vendors and guests, they knocked this out of the park.

Commissioner Siefert asked if this is the only design that was created. Director Seymour responded that as a concept, when the City described to the marketing firm what the goals were, the danger is especially in this venue to try and graphically design a sign that can get the City into trouble sometimes. Whether reasonable people can disagree on what is good art or what is good graphics or good design, but the charge was given to the marketing people to be a little whimsical, and not wanting this to scream "restrooms" at the public. Director Seymour suggested trusting the marketing professionals that have recommended this in terms of design of the sign. Mayor Bukiewicz stated that other than wanting the City being identified with maybe the website address, he does think this is a given to put up this signage.

Commissioner Carrillo stated that she likes it. It has one basic color so you could direct people to it and that it's the City's own and not stock photography. Commissioner Johnston stated that other than rearranging the bathrooms so you don't look right into the doors, there needs to be some type of screening there. He is okay with clear glazing, and does not care for this design.

Commissioner Loreck motioned that the Commission approve a variance allowing the applicant to install whole window coverings on the south elevation of the public restroom tenant space located at 332 S. Town Square Way. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP
HSI PROPERTIES, LLC
APPLE TOWER DEVELOPMENT INC. LLC
8300, 8304, 8310, 8380 S. 27TH ST., 8370 S. ORCHARD WAY
TAX KEY NOS. 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000**

Planner Papelbon provided an overview of this certified survey map request. (See staff report for details.)

Tony DeRosa, HSI Properties, 18500 W. Corporate Drive, Brookfield, WI, stated that he only had a comment about Condition #5, which states that the certified survey map shall not be recorded should the sale of the properties not occur within 4 months of the date of Common Council approval. He requested that the time period of 4 months be modified to 9 months. The reason for that is that 4 months from approval of the certified survey map, which he anticipates occurring in the month of July, is the middle of the fall. He would like to avoid having to come back on November 1 on a technicality requesting more time.

Planner Papelbon explained that the 4-month suggestion was made based on conversations that occurred, and it was deemed reasonable that 120 days was acceptable and appropriate. Staff is willing to modify the condition to 6 months, which was also discussed with the City Administrator.

Mr. DeRosa gave a brief overview of the project. The project consists of approximately 20.5 acres. The back third of it is currently zoned Rm-1, PUD, which is the rezoning classification they will be requesting for the rest of the property. The other 2/3 of the property is currently zoned B-2 and B-4. The 27th Street Corridor Plan does identify this site as mixed density residential, which is consistent with this plan. General design guidelines for the 27th Street Corridor match up with their plan in terms of respecting the natural topography. Buildings were to be two stories, which they are, and buildings should be located close to the street. The proposed development is consistent with the 27th Street Corridor Plan and will be catalytic for the rest of the corridor.

Mr. DeRosa gave an overview of the market demand. They feel strongly that there is a pent up demand for modern, luxury apartment homes in Oak Creek, and will draw from empty nesters//baby boomers, young professionals and those choosing to rent.

Mr. DeRosa further described this proposed community as a development that will cater to those who are not looking to live in the typical 3- or 4-story building with common corridors. It has oversized attached garages and private entries.

Mr. DeRosa continued by stating that there will be 225 apartments. The overall parking lot will exceed the code requirements at 2.48 stalls per unit. The density is just shy of 11 units per acre. He has been in discussions with the DOT regarding access points, and preliminary feedback from WisDOT has been favorable with the conceptual plan.

Mr. DeRosa stated that there will be two-story, townhouse style buildings and went on to describe the inside apartment amenities. There will be a clubhouse, pool, fitness center and green space.

Mr. DeRosa projected the site plan of the buildings. He explained that there are different types of buildings: some with 20 units and some with 15 units.

Mr. DeRosa stated that they have incorporated, at the City's request, for Orchard Way to extend through the development as a public street. They have also been in discussions with City staff regarding a potential public/private partnership for a proposed City park, which would be adjacent to the water tower.

Mr. DeRosa stated that storm water management is regulated by the City and WDNR. Currently, there is an easement for stormwater that goes onto the County-owned land at the far northeast corner of the property. Also, there is reference in the letter from Milwaukee County that there is a high-quality wetland that is located in Falk Park. It is about 100 feet east of the property line. There is about a 19-foot buffer from their property line to the parking lot. In total, from the area that they had any concerns about, they are roughly about a 120-foot setback. City zoning code requires a 10-foot impervious surface setback from all wetlands, so they have provided an adequate buffer to satisfy any County concerns. Milwaukee County is also requesting staking of property lines and they do not have a problem with that request.

Mr. DeRosa showed the Commission colored renderings of the buildings and site.

Commissioner Loreck asked for clarification of the connection of the road going through. Mayor Bukiewicz stated that this development cannot happen without that road. Director Seymour responded that when the City does neighborhood plans, the future streets are laid out so that when people make an investment, they hopefully do so knowing what the future plans are for the area. This street has been on the official map for some time. It is important to make this connection for efficient provision of services, whether it is plowing, garbage pick-up, or public safety. Director Seymour stated that neighborhoods need to be connected, and the DOT does not necessarily want to promote local trips having to go on 27th Street or any state highway. As part of the access management plan that they have adopted for 27th St., they have restricted access to known, logical points so that every property doesn't necessarily have to have a driveway or two on it on 27th St. It is making sense, given what they expect the development to be on both the Oak Creek and Franklin side. This is really about having connected neighborhoods and that provides long-term value to the neighborhood. It is not going to be supported by everyone, but over the long-term viability of what we do as a community, it is vitally important that there are connections between neighborhoods.

Mayor Bukiewicz invited Asst. Fire Chief Kressuk to speak regarding the Fire Department's concerns. Asst. Fire Chief Kressuk stated he was going to speak in generalities with regards to access to any new development. From the Fire Department's perspective, the issue is access to the site, multiple points of access. There are many ways to accomplish that; however, they look for the easiest access points, especially when there is a dense population base. With an apartment complex, they look for at least two access points into the complex. Ideally, they look for three access points. That gives the Fire Department a better chance of getting in there quickly and addressing emergency needs in a timely fashion. Multiple access points are for disaster planning on the Fire Department's part. Blocked access roads, increased amount of traffic, and other City services such as garbage pickup, plowing - all those can contribute to blocking access points for the Fire Department.

The following are citizen concerns.

Elizabeth Landrum, 8603 S. Melrose Drive:

"Our subdivision has narrow roads with no lane dividers. When larger cars or trucks park on both sides of the road, there is only enough space for one-way traffic to move through at a very

limited slow speed. Our subdivision has no overhead lighting. Very few homes have lighting at night. This means that it is hard to see where the street edges are and the yards begin. There are culverts on all the properties and many of them are steep-sided. Our property at 8603 S. Melrose, quite frequently had cars driving into a culvert during the night. Ten years ago, we moved in 13 years ago, we asked the City to install those black and white posts along the edge of the culvert to alert night-time drivers to the corner of our property because they were always driving into the culvert and damaging our property as well as themselves. These have been knocked over by drivers. One of our neighbors, who is here tonight, used to bring over duct tape to repair the damaged posts. We requested that he stop doing so so that the City could see whenever it broke. This should tell you just how dark it is in here at night.

No. 3, the size of the new subdivision to our north will house about 500 cars. From personal experience, I know that they will choose to use this subdivision, you're calling it, what are you calling it, access, this shortcut through our subdivisions to get to the grocery stores, gas stations, and other shortcuts to Howell Avenue. I do so now. I use Liberty to get to Woodman's. It saves a lot of hassle. The difference between Liberty and 6th Street to get to here and ours is that it is lighted, curbed, guttered, and has sidewalks. We have none of that. I don't have to wait through the light at Puetz and Howell and wait a long time, and sometimes multiple times at the light just to get through and then wait again to make the left into the store property. Reasonable people are going to do the same things getting out of that new subdivision and onto Puetz. You're diverting a lot of traffic into our subdivision when they're going to be 500 cars in there. They are going to quickly learn to avoid the light at Puetz and 27th too. This means not just fire trucks and police going through our subdivision, but many of the new tenants from the property to our north. The subdivision was not designed 20 years ago for that kind of traffic. Twenty years ago, there was an empty, abandoned property where Woodman's sits and where Drexel Town Square now sits. Today's situation is very different. Were any of you here on the Plan Commission when my subdivision was planned? So none of you even remember how our little bitty property became into being with that little bitty road. Today's situation is very different. We're all reasonable people. We are avoiding Drexel also after all Oak Creek has lavishly put up signs telling us about IKEA and all of its Drexel, all of the traffic on Drexel and prudent people do not want to be involved in the heavy traffic with cars not familiar to the area. The only prudent way through is through our subdivision.

Next, your 20-year old plan is now out of date with the new reality. Please, please do not let our subdivision bear the brunt of that. Please divert this new traffic into the undeveloped land to the east of our subdivision. It's currently for sale. Did you know that? Did you know that? Did you even know that? It's immediately to our east of our subdivision. But it's undeveloped. You still have a chance to move all this traffic away from what is really inadequate for what you are proposing. Please don't divert this new traffic onto the undeveloped land to the east of our subdivision on Puetz. Thank you."

Vicki Hoeller, 8527 S. Braeburn Drive:

"I want to point out that several years ago, there was an attempt to build a large condominium area where these apartments are now proposed. There was an arborist that got up and testified that even the car fumes would damage the forest. It's a designated as a rare forest due to the type of trees that grow back in that woods. And the traffic would totally destroy that within a couple of years as well as the extra traffic from people wanting to study nature, taking walks back there and just wanting to enjoy the wooded area. Also, when we moved in 15 years ago, it was wonderful. We could go out and look at things and not have to be quite so careful of traffic, which now would totally cease. There would be no more evening walks because as stated

before, the roads are narrow. The traffic is going to be a lot heavier from people taking shortcuts. It just would not work out with kids, dogs, the total subdivision would suffer if this road is to go through. Even though it may not look like it on a map, individuals with health disorders that require clean area are going to soon have to leave the community because they are going to be unable to live with the air conditions that would change with this type of traffic.”

Erin Eaton, 2140 W. Orchard Way:

“I have a very, very vested interest. I’m not against this development at all. Frankly, I was worried you were going to put in a Walmart or the Costco. I do want a Costco, just not here. So this is great, but Orchard Way is obviously why I am here. I guess I would ask all of you to drive by my house and tell me if you think this is reasonable. I have two small children. These are single-family homes. There are a lot of children. As I think her name is Elizabeth, there’s no lane dividers, there’s no sidewalks. I have neighbors begging me not to ask for sidewalks because they’re going to put in \$35,000,000 and we’re going to be socked with the fee on sidewalks, which doesn’t seem fair to me. I get the, you need an entrance, we need to be safe. I will say there’s been comments about how we should have known what the deal was. I moved in 11 years ago, so I’m kind of a newbie, and it was pretty obvious, whatever the plan was wasn’t going to happen. I don’t know if you know the history, but bankruptcy developers who fled the country, so I didn’t know what the deal was, but it seemed like a nice neighborhood. It didn’t seem like a place that people were going, 500 cars would be driving by to get to Woodman’s.

The other things is, and Mayor Dan you helped me with this, five years ago I was concerned about the traffic, and the small children, and there not being enough room for kids to walk down the side of the roads without being hit by cars. We had to fight to get that stop sign in. So I don’t know, I don’t know what the answer is. I’m just telling you, like, this is very dangerous. So I don’t know if it’s speed bumps. I don’t know if it’s stop signs. I don’t know if it’s sidewalks. I’m not against the development, I’m just asking you to drive by my house and kind of, like, see the absolute train wreck that is going to come when you put 500 cars driving through to Woodman’s right past my house where my kids are on their tricycles. So that’s it. Thank you.”

Theresa Kasprzak, 8437 S. Cortland Drive:

“You’re talking about my back yard. I’m the third condo in and I’m on Cortland, and if I just walk up, if I could walk up, those three properties, I’d be on Orchard Way. I am devastated, I know that I have been ill, I must have missed a meeting, I’m usually, try to be here. Orchard Way, are you not in the woods? Those woods are protected. Like the other gal said, I remembered being here and them talking that those woods were protected and they’d never be touched. Okay, well I don’t like that street anyhow. But please, please don’t start on our...I’m not against the development either. I’ve been to enough of these meetings. I liked the hospital that was going to be one story behind my house. This is going to be just in my back yard. It’s just going to reach it. I’m not too happy about that. I always wanted, myself, I wanted to cut the funeral homes, because they do nice with landscaping. But if you could find another way to do that Orchard Way, it sure would be appreciated. Thank you.”

Mayor Bukiewicz stated that this is part of the 27th Street Plan, and the way it is zoned in the Comprehensive Plan, it does allow for many uses. At some point in time, someone is going to want that exposure out to 27th Street, whether it is this development or something else. Regardless of what goes in there, what is being looked at is the connectivity of the road.

Regarding the traffic, Mayor Bukiewicz stated that it would increase and they will be using the street to get through.

Commissioner Johnston stated that subdivision roads average in width 22 feet to 24 feet. This subdivision does not have curbs in it, which is not uncommon - that's a rural section. The City doesn't build that section anymore. The City has an urban section that has curb and gutters and sidewalks. They also don't do lane delineations on subdivision roads, because of the low volume of traffic and 25 MPH speed limits. As far as lighting, this development didn't have lighting installed when it was developed. It is definitely something that the property owners would be assessed for if installed. Commissioner Johnston stated that not all the traffic is going to run up and down this road. Some will use it, but not all 500 cars will be going up and down this road every day. There are other access points - there is a public road to the north and to the south. It is logical to connect those two sections together. This is where that connection point is.

Asst. Fire Chief Kressuk stated that, with regard to the comment about emergency vehicles using the side streets for emergency vehicles, the Fire Department understands that residential roads are slower speeds and narrower in width. They generally use the path of least resistance. Their response to this development would primarily occur Puetz to 27th, Rawson to 27th Street, 27th Street south and then into the complex. If an emergency does occur, as vehicles approach that scene, the access roads would be clogged. Residential roads are the last resort for entering that complex.

Mayor Bukiewicz stated that as far as this development abutting up to the back yard of Ms. Kasprzak, there will be some separation there through landscaping, berming and fencing; something to not infringe on anyone's backyard.

Commissioner Chandler asked about the safety features of the new road. Planner Papelbon responded that it will be constructed to City specifications, which will address some of the concerns.

Mayor Bukiewicz called for a motion. Planner Papelbon asked the Plan Commissioners to make a decision on the timeframe for recording of the CSM as mentioned in Condition #5.

Commissioner Siefert moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Tony DeRosa, HSI Properties, LLC, for the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way be approved, with the following conditions:

1. That a wetland delineation is completed by a Wisconsin DNR-approved professional and included on the map prior to recording.
2. That all easements are shown and clearly labeled on the map prior to recording.
3. The signature page is updated to include the dedication language for the extension of Orchard Way.
4. 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.
5. That the Certified Survey Map shall not be recorded should the sale of the properties not occur within 6 months of the date of Common Council approval.

Commissioner Johnston seconded. On roll call: all voted aye, except Commissioner Loreck and Commissioner Chandler. Motioned carried.

REZONE/PLANNED UNIT DEVELOPMENT

HSI PROPERTIES, LLC

APPLE TOWER DEVELOPMENT INC. LLC

8300, 8304, 8310, 8380 S. 27TH ST., AND 8370 S. ORCHARD WAY

TAX KEY NOS. 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000

Planner Papelbon provided an overview of this rezone/planned unit development request. (See staff report for details.)

Commissioner Loreck stated that this is in his district. He feels that it is much more appropriate to have multifamily development versus the current zoning, B-4 Business, knowing what could be built in a B-4 district. The few residents he spoke to about this also agree. As far as the design, it is very nice. His only concern right now would be with all of the talk about increased traffic coming into the neighborhood and going down Orchard Way, the driveway where the water tower is emptying the parking lot for two buildings directly into the area of concern. He stated his concern about the headlights shining into homes directly in front of that. As far as the rezone itself, Commissioner Loreck stated he is definitely in favor of it.

Commissioner Johnston stated that the driveway comes out of the intersection, so it could be a way to get a street light at that intersection. That corner is then lit for the people that are driving off into the culvert (as stated above). There will not be lights shining into houses either because it is going to an intersection. It will be more like a typical street pattern at that point. Commissioner Johnston mentioned that there will be street lights along Orchard Way as well.

Commissioner Chandler inquired about the park that was mentioned in the staff report. Planner Papelbon responded that there was a letter from Milwaukee County Parks regarding the wetlands that are in Falk Park to the east. They are requesting there to be some consideration for that. Whether that includes a landscape buffer or additional space is something that would be up for discussion. However, there are no landscape plans at this time, but there are plans to have landscaping along the perimeter. There is quite a bit of distance between the HSI property and the delineated wetland. Runoff is going to be considered in the storm water plans, and the integrity of that wetland must be protected. For the PUD, it is premature because there is no landscape plan to look at; however, there does appear to be adequate space to address some of those concerns.

Mayor Bukiewicz advised the applicant to respect the 20-foot buffer with regards to the parks.

Mayor Bukiewicz asked if the section along the water tower right-of-way is going to be dedicated parkland. Planner Papelbon responded that that is not actually part of the rezone request. That is City-owned property there, so it is already zoned I-1. It could be rezoned to P-1, but there really is no reason to do that - parks are allowed in an institutional district.

Mr. DeRosa stated that the letter from Milwaukee County Parks does not request a 20-foot buffer. They were requesting to stake the property line to prevent encroachments. As part of this development plan, they would be providing a buffer that would be beneficial to all parties.

Commissioner Johnston stated that Lot 2 of CSM 7769 (just south of Forest Hill) is not part of this CSM or rezoning that parcel as well in this PUD. Planner Papelbon stated that that lot is

included in this. Commissioner Johnston stated it is not included in the CSM, but is included in the rezoning. Planner Papelbon stated they are proposing it to be part of Lot 1. It is identified as the former Lot 2 of CSM 7769.

Commissioner Loreck moved that the Plan Commission recommends that the Common Council approves the rezoning of the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way to Rm-1 (PUD), Multifamily Residential Planned Unit Development after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at their next meeting (June 26, 2018). Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

**TEMPORARY USE
TREE-RIPE CITRUS COMPANY
501 W. RAWSON AVE.
TAX KEY NO. 765-9046-000**

Zoning Administrator/Planner Wagner provided a review of the temporary use request. (See staff report for details.)

Commissioner Loreck asked if the items are sold by the pound or pre-boxed. Tiernan Payne, 636 N. 99th St., Wauwatosa, WI responded that everything is sold by bulk pack, so volume-filled.

Commissioner Siepert stated he is not in favor of this use because it does not set a good example of the City.

Commissioner Carrillo asked how the sales went last year. Mr. Payne responded very well. The sales increased throughout the course of the winter. Customers are very happy to have a location in Oak Creek. To address Mr. Siepert's concerns, Mr. Payne stated that they do run a very professional operation, good equipment, new equipment with tasteful signage.

Commissioner Carrillo asked about insurance and City permits and if they are applicable to him. Zoning Administrator/Planner Wagner responded that the insurance is on the land owner. Mr. Payne responded that they do carry their own insurance, which is provided to Farm and Fleet.

Commissioner Loreck motioned that the Plan Commission approve the temporary use permit for the outdoor produce sales in the parking lot of 501 W. Rawson Avenue. Commissioner Johnston seconded. On roll call: all voted aye, except Commissioner Siepert. Motion carried.

Zoning Administrator/Planner Wagner noted that there was no date mentioned in the motion.

Commissioner Loreck amended his motion to include dates of 6/23/18, 7/21/18 and 8/11/18. Commissioner Johnston seconded. On roll call: all voted aye, except Commissioner Siepert. Motion carried.

**REZONE/CERTIFIED SURVEY MAP/VARIANCE REQUEST
LAVERNE BOERS
3280 E. OAKWOOD RD.
TAX KEY NO. 919-9991-005**

Planner Papelbon provided an overview of this rezoning/certified survey map/variation request. (See staff report for details.)

Monica Perkins, 3408 E. O'Brien Rd:

"I have lived there since 1988 and ever since I've lived there, that parcel has been mowed grass. My question, I guess, is okay, why was that parcel of land that this other person has cut for all these years been residential and right next to it is agricultural and another house resident. Why haven't they been taxed on this as residential? Why was it just this one parcel that was, you know, niched out all these years? Plus, on that map where it was all red, that floods every single year. I don't know if you guys are familiar with Oakwood Road. We've had people and kids that are in canoes catching carp. I'm not kidding, pictures, this big, when it floods. There is a water drainage there. My concern is if they start building houses there, where is that water going to go? We already have major issues in our basement when it floods. The gentlemen that house sits there. His backup generator built on the outside of his house. His house will never flood. Unfortunately, we don't have that luxury. And they say, no development at this time for the other parcel. What does that mean? It's a floodplain. Does that mean you fill it up and the water comes into our old subdivision? I have major concerns with it, not so far as, you know, the little inch. My concern is the extra water that's going to be displaced. And what are the future plans. When I bought the house, I inquired, are there going to be sidewalks. What's the use for that area over there? It's floodplain. They'll never be able to use it. A few years back, we had an engineer comes in for something on our property. We talked to him. He said no, because it's a floodplain. They'll have to constantly pump the water out of it. We're not going to do anything with it. And now I hear that, not at this time. Well I intend on staying there until they put me in the grave. So what does "not at this time" mean as far as a timeframe. I don't want that floodplain filled up with fresh dirt, because I know you can't dig into it. Those are my concerns. You know, why was it agricultural all these years, and now, all of a sudden they want to just sell that part off. Why we're they taxed as residential if that is what it was going to be now."

Director Seymour explained that the terminology "at this time" is because the purpose of this proposal is just for that lot. There is no intention to develop the remainder of the property. In fact, they have been talking about preserving that property. In the event that someone would propose any additional development for the remainder of those unplatted lands, the City would have the same concerns. Director Seymour reiterated that there is no proposal at this time to change any of that. This is only affecting the small piece of property on the east end of the property.

Director Seymour continued by saying that taxes are based on the use of the property. If the property was used for agricultural, and they applied for the agricultural use exemption, they received that. If they qualified under agricultural, then they would be treated to that exemption. Mayor Bukiewicz stated that agricultural use was what they declared.

Monica Perkins:

"My thought was, in that little slot there, that's, that's their house. And the other side where you want to change it now, just cuts the lawn. There's nothing growing there, but grass. Same as on the other side. It looks like a park."

Director Seymour responded that it is all part of the same property.

Monica Perkins:

“Right, I understand that. I just don’t want the floodplain to be filled in.”

Director Seymour stated that this is not changing the floodplain at all.

Monica Perkins:

“Yeah, because I looked at the DNR paperwork, or went on their website, and it’s like, this would not be a pretty thing if they filled it in. Because we know where the water would all go.”

Commissioner Johnston stated that the owner is not looking at filling in the wetlands or floodplain at this time. With this lot, it is one single family home that’s being built there. The City would definitely have concerns if anyone wanted to come in and fill in those wetlands. There is a lot of water that is down there that needs to go someplace. The City does not want to see that filled in. Commissioner Johnston stated he has not seen a grading plan yet. The lot itself is fairly flat and it splits and drains to the back. There is a swale that comes off that row of homes that is off of Oakwood. That drains to the west. Commissioner Johnston stated he assumes that is how this house is going to be designed that it’s draining to that swale and all that water is going to drain to the west.

Sharon DeWitt, 3380 E. Oak Lane:

“My mother, Laverne Boers, is the owner of this property. And I have some answers for Monica’s concerns. First of all, the, this particular lot has been zoned agricultural, however, it is, as you can see on the map, surrounded by three residential properties and the force side is Oakwood Road. It is not conducive to get farm equipment in there. So all these years, my brother, who lives just to the west of lot no. 1, has been cutting the grass there to maintain it as a groomed lot for the City because we can’t use it as agricultural because you can’t get in there. So that’s why it has been maintained as cutting the grass. Our family is aging and it’s very difficult for us to maintain that property now and so that’s why we’re requesting to have that split off by one lot. The variance according to the survey company who did the survey is 3/8 of an inch short of the 80’. And my question for Monica was, you said the person that lives the next lot has a backup generator outside. Is that what you were saying? The property...to the west of this lot no. 1? Yes, that’s not a backup generator - that is just an automatic generator. So when he’s not home, it will go on if the power goes out. So it’s not necessarily a backup generator. So those are my answers for Monica’s questions and I’m available if anyone else has any questions.”

Commissioner Johnston moved that the Plan Commission recommends to the Common Council:

1. That a portion of the property at 3280 E. Oakwood Rd. shown as Lot 1 on the proposed Certified Survey Map be rezoned from A-1, Limited Agricultural to Rs-3, Single Family Residential; and
2. That the Certified Survey Map and variation requests submitted by LaVerne Boers for the property at 3280 E. Oakwood Rd. be approved with the following conditions:

- a. That the 7-foot-wide storm sewer easement along the southern property line is included on the map prior to recording.
- b. That a note is included on the map indicating that the remaining unplatted lands are to remain agricultural or conservation. Any change to the use or development of the property will require additional review and approval by the City, including but not limited to a wetland delineation.
- c. That the floodplain boundary is included on the map prior to recording.
- d. 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.

**CONDITIONAL USE AMENDMENT
SELF-STORAGE VENTURES, LLC
275 E. DREXEL AVE.
TAX KEY NO. 814-9038-000**

Planner Papelbon provided an overview of this request for a time extension for the existing Conditional Use Permit. (See staff report for details.)

Attorney Brian Randall, Davis and Kuelthau, 111 E. Kilbourn Ave., Milwaukee, spoke on behalf of the developer, Kelly Gallacher. Mr. Randall stated that in the spring of 2017, Mr. Gallacher had a pair of Phase II environmental site assessments completed. Consultant number one found some stockpiled construction debris on this site. Consultant number two verified that there was, indeed, some contamination. In July, 2017, 37 tons were trucked off the site and disposed of properly. Mr. Gallacher submitted the documentation (No Further Action Request) to the DNR in September, 2017 identifying in the reports what was found on the site. It was construction debris put there by someone else. There is one stockpile there today that is clean. There is another stockpile that they took care of and that is what this is time extension request is really about. Unfortunately, the DNR denied the No Further Action Request in October, 2017. In doing that, the DNR asked for additional information. When a submission goes in, the DNR has 60 days to respond. They have typically been experiencing a response time from the DNR of day 57, 58 or 59 from the date the requests are being submitted. That resets the 60-day clock. Mr. Gallacher has been responding to the DNR requests within 7 to 10 day, but then the DNR takes sometimes another 60 days to respond to him.

Mr. Randall continued that what the DNR did in this instance in January 2018 is indicate that they were going to hold this site to a standard that was higher (residential standard.) Mr. Gallacher was proposing capping the site, covering it with buildings and pavement, but because there is adjacent residential, the DNR asked them to make sure it is done to a higher standard. There is no groundwater contamination and that has been documented, but the other residual contaminates they want to make sure are dealt with to a residential standard. The DNR requested additional information and those documents were submitted after the DNR did that in January 2018. In March 2018, another information request came from the DNR, and seven days later Mr. Gallacher submitted that. Right now, they are on the clock. They hope, with the site investigation report they submitted, that the DNR will provide the concurrence and the response. Then Mr. Gallacher has to do the full building plans because he is holding onto that five-figure commitment for the engineers and architect to finalize the building permit level plans. Until they know the DNR will permit the site layout exactly as shown on the screen, Mr. Gallacher is holding back on letting the engineer go and that is about a 10- to 12-week process.

Mr. Gallacher is well invested in the site (the purchase price of the land, the legal fees, and the environmental consultants). Because the delays have not been due to his doing, they would like the full amount of 12 months so as to avoid having to ask the City for another extension.

Eric Hayes, 7955 S. Wynbrook Ct:

"We're one of the properties that face his property that we are just glad to see it happen someday. There was other proposals and we're glad to see a storage unit and they did respond to all our requests as far as views and landscaping and everything else. And then we saw the "for sale" sign up again and we thought this whole thing went away. And we were just here to see what's going on. And then we got a little notice in the mail and so we just wanted to make sure that this actually ends up as originally proposed and all his work to make us satisfied does actually happen. When we saw the signs up for sale again, we thought, okay, here we go again. What's up?"

Mayor Bukiewicz asked for Commissioners opinion on length of time extension.

Commissioner Johnston stated he was good with the time extension of 6 months. Mayor Bukiewicz said he is good with 9 months. Commissioner Carrillo concurred with Mayor Bukiewicz.

Planner Papelbon asked the Commissioners to change the reference to Section 11 in the suggested motion to read Section 12.

Commissioner Johnston moved that the Plan Commission recommends that the Common Council approve a conditional use permit amendment extending Section 12, Time of Compliance to a deadline of six (6) months of the date of adoption of the amendment ordinance for the property at 275 E. Drexel Ave., after a public hearing. Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siefert seconded. On roll call: all voted aye. The meeting was adjourned at 8:34 p.m.

ATTEST:

Douglas Seymour, Plan Commission Secretary

June 21, 2018

Date

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JUNE 26, 2018**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Johnston, Commissioner Carrillo, and Commissioner Correll. Alderman Loreck, Alderman Guzikowski, Commissioner Siepert and Commissioner Chandler were excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator; and Community Development Director Doug Seymour.

Minutes of the June 12, 2018 meeting

Commissioner Johnston moved to approve the minutes of the June 12, 2018 meeting. Commissioner Carrillo seconded. Upon discussion, Mayor Bukiewicz moved to hold the approval of the minutes until the next meeting when a voting quorum is present. Commissioner Johnston so moved. Commissioner Correll seconded. On roll call: all voted aye. Approval of the minutes will be held until the July 10, 2018 Plan Commission meeting.

PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT

UPDATE PLANNED LAND USE CATEGORY AND MAP 2 FROM "PLANNED BUSINESS," "RESOURCE PROTECTION AREA," AND "LIMITED DEVELOPMENT AREA" TO "PLANNED INDUSTRIAL" AND "RESOURCE PROTECTION AREA"

9600 & 9700 S. 13th ST. and 1001 W. RYAN RD.

TAX KEY NOS. 905-9994-001, 905-9993-003, 905-9995-001

Planner Papelbon read the public hearing notice into the record.

Mayor Bukiewicz made three calls for public comment. Seeing none, the public hearing was declared closed.

COMPREHENSIVE PLAN AMENDMENT

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9600 & 9700 S. 13th ST. and 1001 W. RYAN RD.

TAX KEY NOS. 905-9994-001, 905-9993-003, 905-9995-001

Planner Papelbon provided a brief summary of the request (see staff report for details). Mayor Bukiewicz commented that this amendment fits in with the overall Comprehensive Plan and 2020 Vision and helps in being prepared for what may come forth in the future.

Commissioner Correll moved that the Plan Commission adopts Resolution 2018-05, amending the Comprehensive Plan and Planned Land Use map to reflect the changes in land use from "Planned Business," "Resource Protection Area," and "Limited Development Area" to "Planned Industrial" and "Resource Protection Area" for the properties at 9600 & 9700 S. 13th St. and 1001 W. Ryan Rd. following review and adoption by the Common Council. Commissioner Johnston seconded. On roll call: all voted aye. Motion carried.

CONDITIONS AND RESTRICTIONS

**HSI PROPERTIES, LLC AND APPLE TOWER DEVELOPMENT INC., LLC
8300, 8304, 8310, & 8380 S. 27th St. AND 8370 S. ORCHARD WAY
831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000**

Planner Papelbon provided an overview, and highlighted the conditions and restrictions specific to this proposed development (see staff report for details).

Commissioner Hanna asked if the Milwaukee County Parks letter had been addressed. Planner Papelbon responded that the letter refers to a wetland that is more than 100 feet away. As proposed, the general development plan shows that the parking lot is more than 20 feet from the property line, more than 120 feet way from the nearest impact potential. The County letter did not request any specific buffer, so landscaping is being planned along the east side, which will be determined at the time of site plan review.

Commissioner Hanna inquired about the encroachment or impact of properties. Planner Papelbon responded that the request is for the property to be staked so that there would be no encroachment beyond that. The applicant has indicated that they are willing to do that.

Mayor Bukiewicz referenced the clubhouse where it is stated that no other accessory building would go above 17 feet in height. There were issues with that at Drexel Ridge. Planner Papelbon explained that the issue with the Drexel Ridge clubhouse is that it was going to be an accessory structure that exceeded 17 feet in height (Code restriction). The 30-foot allowance was actually requested by the applicant at that time. This height allowance is the same as was proposed in that document as a point of conversation between the applicant and the Plan Commission. Planner Papelbon stated that she does not believe that the Drexel Ridge clubhouse exceeded 30 feet or 20 feet in height. This conditional allows the proposed clubhouse in this development to be a maximum of 30 feet in height.

Tony DeRosa, 18500 W. Corporate Drive, explained that at the time they requested 30 feet because they didn't have a design height at that point, but they knew they were going to a tower element. He stated that that building is approximately 20 feet. Mayor Bukiewicz stated that he does not have an issue with that as it fronts 27th Street.

Mayor Bukiewicz stated that a traffic impact analysis (TIA) will be done for the area and they are looking for solutions for the potential increase in traffic on Orchard Way. Commissioner Johnston responded that staff is still looking at what can be done for traffic calming. Director Seymour stated that as you come up Orchard Way to the north, there is a driveway from the two 20-unit buildings adjacent to the water tower. The City is asking that the driveway be eliminated and that the southernmost driveway between the two 15-unit buildings be eliminated. The only access to Orchard Way, aside from the individual garage units, would be from the northernmost driveway. Staff feels that will make Orchard Way a much less attractive option for those that are to use Orchard Way as a through street. Mayor Bukiewicz stated that there will be a "no left turn" sign at the northernmost driveway/roadway with the two 20-units that abut the park. Mr. DeRosa did have some reservations about this.

Paul Ruffalo, 8486 S. Melrose Dr:

"I was listening and I must not have caught it - are only the two 20-units and the 15-unit going to have access to that or is it still all going to open to 27th St. ultimately?"

Mayor Bukiewicz responded that the farthest road to the south that ties into Cortland will go away so there would be no access there. The intersection between the two 15-units would be closed off so no one could come from the apartments west. The only way you could is on the north, and the 20-units would come out on the northern end.

Commissioner Johnston mentioned the setbacks discussed at the last meeting. He asked if these numbers show the new setback along Orchard Way. Mr. DeRosa responded that the drawing on the overhead does not reflect it. If anything, those setbacks have increased. Planner Papelbon stated that because there are changes to the general development plan in terms of access, and because there were changes to the setbacks, updated exhibit drawings are needed so there is accurate reflection of the conditions and restrictions. Mr. DeRosa stated that they would provide those. Planner Papelbon stated she would need those before the Council hearing.

Mayor Bukiewicz stated that the three 15-unit buildings will have driveways on Orchard Way, but that is only 1 unit per building. It's not like all 15-units can utilize that drive.

Commissioner Johnston moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Multifamily Residential Planned Unit Development for the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way, after a public hearing. Commissioner Correll seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE AMENDMENT
CAMP BOW WOW
8411 S. LIBERTY LN.
TAX KEY NO. 828-0001-000**

Planner Papelbon provided an overview of the amendment to the existing conditional use permit. (See staff report for details.)

Mayor Bukiewicz stated his concern about the proposed capacity of 137 dogs at this facility.

Leah Bouchart, 8411 S. Liberty Lane, Oak Creek, WI, camp director for the Waukesha location, stated that they are slated to have 108 dogs at their facility as there are a lot of people that need this service. The location in Oak Creek is going to be larger than the one in Waukesha. This location is going to have an additional play yard for a total of 5 indoor and 5 outdoor play yards. This will be 2,000 SF larger than the Waukesha location. Waukesha is at 108 dogs; with the additional space in Oak Creek, they can comfortably house 137 dogs. That is the maximum capacity. The number of suites for overnight care is at 70 spaces. They would never likely house over 80 dogs a night and that is at booked capacity. This number includes daycare and boarding. The capacity is often reached at the Waukesha location and that is why they are seeking additional space. The larger space in Oak Creek will allow them to accommodate more dogs as needed. Also, being close to the airport is an advantage.

Commissioner Correll asked what the capacity is based on. Planner Papelbon responded that they based it on interior space because there will not be any outdoor boarding. There will be periods of time when dogs are rotating in and out, so the interior square footage is what staff was using for calculations. The 60 SF per dog calculation came from the submitted narrative. The interior square footage is an estimate based on the general interior floorplan. The 108 came from the narrative supplied saying what was similar to Waukesha. The calculation of 62

dogs is based on the interior calculations. The calculation for that is taking the additional interior space that may be devoted to kenneling and that is because staff does not have those calculations/measurements. The 137 number is a round-up based on the entire square footage of the facility.

Ms. Bouchart stated that they are a year-round facility. The dogs have access to the inside and outside the entire time that the facility is open. There are boarding dogs that go in the cabins for specified meal breaks and daycare dogs that are out in the play yards all day long. There are 5 play yards with roughly 25 dogs per play yard. That is corporate mandated and there is one camp counselor to every 25 dogs. The 137 capacity includes the daycare dogs.

Planner Papelbon stated that calculations are based on just interior space. The figure that she quoted for 3700 SF is probably a little bit low. That is because that was based on the number of kennels. The actual number is probably higher than that, which is why staff is comfortable with the 108 that was recommended in the Waukesha example. Planner Papelbon asked if there is inclement weather, where the 137 dogs would go. Ms. Bouchart responded that when inclement weather occurs, 99% of the time, they are not at capacity because people are choosing to keep their dogs at home because they are home. There are the cabins, and the indoor yards can get shut. There are also luxury suites, which are 8' x 7' interior rooms that have cameras in them, so the owners can check up on their dogs 24/7 to see how they are doing. There is a grooming area, the offices, the bathrooms, the lobby; it is not necessarily where they would stay without staff, but during inclement weather, they go in those places with staff. There is one staff person for every 15 dogs in the building and 1 to 25 dogs in the play yards. There is also additional staff out of the play yards helping move dogs as needed if there was an emergency or during inclement weather.

Planner Papelbon stated that if the addition is roughly 5100 SF and the luxury suites are 8' x 7' and there are going to be six of those, that means there is approximately 5,487 SF for an addition for dog space, interior only. When divided by the 60 SF required per dog, the number is already up to 91 dogs. That is only interior space devoted to dogs.

Ms. Bouchart stated that the 137 number corporate is comfortable with. She stated she would contact corporate and get another letter about those facilities.

Planner Papelbon stated that there is one more update to the math. If the outdoor play areas are included, that adds some square footage, and 126 dogs would be allowed for the interior and exterior space for the dogs only.

Commissioner Hanna stated she would only be comfortable with 108 regardless of square footage. Unfortunately for all of us we live in Wisconsin, so there are only three months out of the year, maybe four that the weather would be nice and people travel. Even if the weather is inclement, people travel so they are not at the luxury of coming home and picking up their dogs.

Commissioner Johnston stated there might be some confusion as to space for overnight and space for dogs during the daytime. If the 60 SF per dog is boarding space, we're talking a maximum of 80 dogs to board there. The 137 is feasible is corporate is okay with that and the dogs are running around in play spaces.

Ms. Bouchart stated that they have no problem if they see inclement weather coming shutting down the daycare portion of their business and just accepting the boarding dogs.

Commissioner Johnston stated that there are 70 kennels plus the inside areas that they can be using to accommodate that amount of dogs.

Planner Papelbon explained that if the Plan Commission wanted to split out the number of dogs that can be there for a daycare facility as opposed to boarding, staff can do that with direction of the Plan Commission.

Commissioner Correll asked if there is a boarding number. Ms. Bouchart responded that if there are 70 cabins with one in every cabin, there are 70 boarding dogs. There are families that have more than one dog and they want them boarding together, so there may be three in a cabin.

Planner Papelbon stated that based on the kennel sizes, the 60 SF is a general daytime and not a kenneling situation.

Commissioner Correll stated the location is right for this type of use and the City has a need for this.

Commissioner Correll asked Planner Papelbon if he were to propose a change to the restrictions, where would they include the daytime and boarding numbers. Planner Papelbon responded on page 2 of 5 of the conditions and restrictions under Section 3, Site and Use Restrictions Maintenance and Operation Requirements, letter D there shall be no more than 108 dogs at the facility at any one time. Ms. Bouchart stated that it is difficult to do a boarding/daycare number because if she only has 20 boarding dogs, then they can take 110 daycare dogs. If she has 80 boarding dogs, they can take way less daycare dogs. Ms. Bouchart stated she would be comfortable with a maximum number for both the boarding and the daycare. Planner Papelbon stated that if they give her the maximum boarding and the maximum total, she will say that the Plan Commission has changed the conditions and restrictions. It isn't necessary to specify that in the motion as long as everyone is clear on what D is going to say. Commissioner Correll stated his proposal would be a maximum number of 80 boarded dogs or 125 dogs total on a daily basis. Commissioner Correll stated he is okay with the 85 boarded dogs and a maximum of 125 dogs.

Commissioner Hanna stated that she is not okay with stuffing dogs in cabins just because they want to get numbers. Ms. Bouchart stated that that is not what they do. She majored in animal behavior at Carroll University, has four dogs of her own and safety is number one. All dogs go through the interview process so there are not aggressive dogs. It is not the place for every dog. Of her four dogs, one of them doesn't do well at camp. They are not about the money. It is about dogs having fun and the owners having a safe place for the dogs to go. They have live web cams that owners can watch their dogs while they are there. They want to be able to provide an environment that they can do that and give owners a place that they can trust. She does not have a problem dismissing dogs from camp if they start to develop behavior problems or if they start to get extra nervous. She doesn't want them there because it stresses them out. They are all about safety and she would never cram dogs in nor will they be shoved in random places. When there is inclement weather, they will shut down and make sure that there are spaces to monitor everyone. She is not putting dogs in cabins just so that she can reach their maximum capacity. The dogs are not just put in cabins to get them in the door so they can make money.

Commissioner Hanna stated that 80 is her maximum for boarding and 125 total. Commissioner Correll suggested leaving it at 80 and 125.

Commissioner Correll moved that the Plan Commission recommends the Common Council approve a Conditional Use Permit Amendment for the property at 8411 S. Liberty Lane, after a public hearing. Commissioner Johnston seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP
R.W. HOWELL, LLC
8355 S. HOWELL AVE.
TAX KEY NO. 828-9997-000**

Planner Papelbon provided an overview of this certified survey map request. She noted that all of the Commissioners should have had a copy of the latest version of this CSM at their stations. (See staff report for details.)

Commissioner Johnston moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Richard Ruvin, R.W. Howell, LLC, for the property at 8355 S. Howell Ave. be approved, with the condition 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 Correll seconded. On roll call: all voted aye. Motion carried.

**PLAN REVIEW
BAY VIEW INDUSTRIES, INC.
7821 S. 10TH ST.
TAX KEY NO. 783-9032-001**

Planner Papelbon provided an overview of the plan review of the proposed addition. (See staff report for details.)

Red Klausegger, 1160 W. Drexel Ave., stated that he has three concerns.

One of his concerns is the light pollution coming off the factory. He has trees in his yard that are 40-45 feet tall. He has done a lot to try to screen it, but there are gaps. He does have a light shining into his living room window, which is kind of obnoxious at night. He is concerned that any development going north behind him is well screened with landscaping and additional direction of the light to put it down where it needs to be. Mayor Bukiewicz stated that they did have a light there, but a few years ago changed it to LED and it was literally shining across Drexel Avenue. Mayor Bukiewicz stated that when he was alderman, he addressed this issue by having them put a cutoff shade on it. Mr. Klausegger stated that as it currently exists, those lights don't have any shade on the building itself. The parking lots are not an issue; it is the lights on the building.

Mr. Klausegger stated that his second concern is that his wife walks to work. With the additional parking spaces and employees, he is concerned about being able to walk to the crosswalk at 10th & Drexel so she can safely cross the street. Right now, she has to cut through their parking lot and she is concerned that there is a safety issue. He stated there should be a sidewalk along there. They have sidewalks in front of their property. They can just extend that to the corner.

Mr. Klausegger stated that the last issue is the drainage. On his survey map, the back corner of their yard is considered a wetland. As it is now, the berm area that is on their property; all the water kind of drains towards them. When they get more than 2 inches of rain, that wetland area fills and that is not a concern. It's a wetland. That's what it's supposed to do. However, any development might increase the drainage to the point where their yard is going to be constantly flooded. In addition to that, he has spent up to \$10,000 and four season's worth of work landscaping his yard and does not want any storm drainage to affect them.

Commissioner Johnston responded that the way this is graded out, they are just adding a building there. It is already an impervious area. They are just adding a building on top of it. Mr. Klausegger asked if they are doing anything to that property north of him. Commissioner Johnston stated that the only thing they are doing is building on the southwest corner of the existing site.

Commissioner Johnston stated that sidewalks may be a little challenging given the utilities that are out there, but they can look into it.

Mayor Bukiewicz stated that the City's Electrical Inspector can go out and look at the lighting to see if something can be done. Mayor Bukiewicz asked Commissioner Johnston to take a look at the lighting proposal.

Jeff Hook, Briohn Building Corp., stated that this is the first he has heard about the lighting and he will address the problem. He extended his contact information to Mr. Klausegger so they can discuss the situation.

As far as the sidewalk, Mr. Hook stated it makes sense, but he doesn't have any kind of a budget for that.

Mr. Hook stated that the expansion they are doing was in some plans from 1995, so it was always in the plan. They are cleaning up the storm water, but they are not adding anything in the back area. Mr. Hook asked Mr. Klausegger to contact him regarding his issues.

Commissioner Correll moved that the Plan Commission approves the site and building plans submitted by Geno Plitt, Bay View Industries, Inc., for the property at 7821 S. 10th St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That the plans are revised to include locations for all mechanicals, transformers, and utilities (if added). All mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.
3. That the landscape plan is revised to include the heights of plants both at installation and maturity.
4. That all revised plans (site, building, landscaping, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.

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

**CERTIFIED SURVEY MAP
AY LIN SOK
6616 & 6622 S. 27TH ST.
TAX KEY NO. 715-9981-003 AND 715-9980-001**

Planner Papelbon provided an overview of this request for a certified survey map (see staff report for details.)

Cynthia Kalman, 2610 W. Sycamore, stated that she has a few concerns about this. They removed the very first house and they never cleaned up. Since they put in the traffic lights, they have a lot of traffic that comes into the subdivision, where there are a lot of little children. The motorists come into her driveway and back out of her driveway. She stated that she bought that property because it is very private with shrubs and trees all around it and the neighbors are not visible. She stated she put a jungle gym there for her grandchildren so they can feel safe. If it is a commercial property that is going to abut up to the back of her lot, she will no longer feel safe being the only person that lives in this house; or if her grandchildren come over and there are consistent strangers at the back of her lot. She questioned what that is going to do to the value of the houses?

Mayor Bukiewicz stated that all they are doing is combining lots. At this time, he does not know of anyone who is interested in buying the properties on Sycamore.

Ms. Papelbon stated that this is a B-1 zoning district, and any kind of business district that abuts a residential district has to comply with the buffer requirements. The buffer requires them to be even further away from Ms. Kalman's property. If they do propose something, they would have to meet the setback requirements. For example, if there is a 10-foot setback, they will be required to have a 20-foot buffer on top of that. Parking lots and everything else also have to conform to setback requirements. There would also be vegetation or a screened fence as part of that buffer to that residential district, which includes the three homes on Sycamore. Whenever that proposed commercial development happens, that would all have to come back before the Plan Commission. It would not require a rezone, but depending on what is proposed, a conditional use may be required.

Don Kleineider, 6612 S. 27th St., asked if the combining is also taking the zoning and making the whole lot B-1. Planner Papelbon responded that the current zoning is B-1 for the entirety of what will be Lot 1. Nothing needs to change in terms of zoning.

Commissioner Johnston moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Ay Lin Sok and Sotthy Koeling for the properties at 6616 and 6622 S. 27th St. be approved with the condition 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 Hanna seconded. On roll call: all voted aye. Motion carried.

**TEMPORARY USE
HOUSE OF HARLEY-DAVIDSON & ONE HEADLIGHT POWER SPORTS, LLC
9725 S. 13TH ST.
TAX KEY NO. 904-9011-001**

Zoning Administrator/Planner Wagner provided an overview of a temporary use for a motorcycle safety course. (See staff report for details.)

Commissioner Hanna stated she is very concerned about the noise. Tom Mills, House of Harley instructor, stated the level of noise will be no louder than what he is speaking now and the motorcycles cannot be heard about the road traffic on I-94. They have not had anyone complain about the noise. This is one of two locations that they operate. The other one is at the Loomis Road park and ride. There is a residential home approximately 100 yards from the training site and they have not had any neighbors complain of noise. They will be using 500 cc motorcycles and basically, they sound like a sewing machine.

Zoning Administrator/Planner Wagner asked what type of motorcycle they would be using. Mr. Mills responded that they use a Harley-Davidson Street 500 cc. It is a mid-sized motorcycle, but it is available for the general public to buy. Mayor Bukiewicz stated there would be more noise from I-94, and there would not be noise off the loud pipes in these classes. Most importantly, they want people to learn properly how to ride them and get the feel of them.

Zoning Administrator/Planner Wagner stated that they did operate last summer.

Commissioner Johnston asked if the plan is to have only one container. Zoning Administrator/Planner Wagner responded yes, there is one container that will store the motorcycles and paperwork.

Commissioner Johnston asked where the container will be located. Mark McClain, House of Harley, 6221 W. Layton Avenue, stated that the container would be located in the far northwest corner. That is required by the State of Wisconsin. There has to be a minimum of 20 to 40 feet runoff from where the actual bikes operate to where any kind of obstacle would be.

Commissioner Correll moved that the Plan Commission approves the Temporary Use permit for the operation of a motorcycle training course with the following conditions:

1. That operations can be conducted seven days a week between 7:00 a.m. and 8 p.m.
2. That signage is limited to two, 32 square-foot signs attached to the cargo container.
3. That the permit expires October 31, 2018.

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

Commissioner Carrillo moved to adjourn. Commissioner Correll seconded. On roll call: all voted aye. The meeting was adjourned at 7:31 p.m.

ATTEST:

Douglas Seymour, Plan Commission Secretary

June 21, 2018
Date



PLAN COMMISSION REPORT

Proposal: Zoning Text Amendment – Planned Unit Development Allowed Uses

Description: Review of a request to amend Section 17.0325 of the Municipal to specify and clarify permitted and conditional uses within a Planned Unit Development.

Applicant(s): City of Oak Creek

Address(es): N/A

Suggested Motion: That the Plan Commission recommends to the Common Council that Section 17.0325 of the Municipal Code be amended as presented to specify and clarify permitted and conditional uses within a Planned Unit Development, and that subsequent subsections of the Code be renumbered, after a public hearing.

Owner(s): N/A

Tax Key(s): N/A

Lot Size(s): N/A

Current Zoning District(s):

Overlay District(s): PUD

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: N/A

Background:

City staff are initiating a zoning text amendment for Plan Commission and Common Council consideration to both specify and clarify uses that are considered permitted and conditional within the context of a Planned Unit Development (PUD) review. Currently, Section 17.0325(a) of the Code states:

Permitted Uses. Uses permitted in a Planned Unit Development Overlay District shall conform to uses permitted in the underlying basic use district. Individual structures shall comply with the specific building area and height requirements of the underlying basic use

district. All open space and parking requirements of the underlying basic use district shall be complied with either individually or by providing the combined open space and parking space required for the entire development in one (1) or more locations within the development

However, no such specifications are included in this Section of Code regarding conditional uses. Staff is proposing to amend the text to the following:

- (a) Permitted Uses. Uses permitted in a Planned Unit Development Overlay District shall conform to uses permitted in the underlying base zoning district, as more particularly set forth in the specific PUD Overlay District pursuant to Section 17.0325(2)(a) of the Municipal Code. Individual structures shall comply with the specific building area and height requirements of the underlying basic use district unless otherwise modified pursuant to Section 17.0325(c)(2)a.4 of the Municipal Code. All open space and parking requirements of the underlying basic use district shall be complied with either individually or by providing the combined open space and parking space required for the entire development in one (1) or more locations within the development.
- (b) Conditional Uses. Uses listed as Conditional Uses in the underlying base zoning district may be allowed as permitted uses as part of a Planned Unit Development if all of the following requirements are fulfilled:
 - (1) Uses Requested – The petitioner shall submit a written request for consideration by the Plan Commission at the time of application for a proposed Planned Unit Development that details each requested use. Only those uses listed as Conditional Uses in the base zoning district shall qualify for consideration.
 - (2) Compliance with Code – Each requested use shall comply with the Performance Standards, Conditional Use Permit requirements, and all other applicable Sections of the Municipal Code.
 - (3) Recommendation – The Plan Commission shall review and make recommendation to the Common Council for approval or disapproval of the requested uses as part of the proposed Planned Unit Development, including any Conditions and Restrictions deemed appropriate. Any recommendation for Common Council approval of Conditional Uses to be permitted as part of the Planned Unit Development shall be by a majority vote of the Plan Commissioners present at a meeting.

The proposed language provides clear direction to applicants, consultants, staff, the Plan Commission, and the Common Council regarding PUD allowed uses.

Should the Plan Commission agree with the proposed amendment to Section 17.0325, a motion recommending Council approval is provided above.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Zoning Text Amendment, recommend approval with changes, or that the Common Council not approve of the proposed amendment. Disapproval of the proposal may affect future proposals for Planned Unit Developments within the City, up to and including loss of potential projects and the existing conditions of undeveloped or underutilized parcels to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Planner

Attachments:

Section 17.0325

PUD DISTRICT

SEC. 17.0325 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT.

The PUD Planned Unit Development Overlay District is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, diversified building types, and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning. The PUD Overlay District under this Chapter will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community, while at the same time maintaining insofar as possible the land use density and other standards or use requirements set forth in the underlying basic zoning district.

- (a) Permitted Uses. Uses permitted in a Planned Unit Development Overlay District shall conform to uses permitted in the underlying basic use district. Individual structures shall comply with the specific building area and height requirements of the underlying basic use district. All open space and parking requirements of the underlying basic use district shall be complied with either individually or by providing the combined open space and parking space required for the entire development in one (1) or more locations within the development.
- (b) Minimum Area Requirements. Areas designated as Planned Unit Development Overlay Districts shall be under single or corporate ownership or control, and shall contain a minimum development area of:

	Principal Uses	Minimum Area of PUD
a.	Residential PUD	10 acres
b.	Commercial PUD	10 acres
c.	Industrial PUD	20 acres
d.	Mixed Compatible Use	20 acres

- (c) Procedural Requirements.
 - (1) Pre-Application Conference. Prior to the official submission of the application for the approval of a Planned Unit Develop-

ment Overlay District, the owner or his agent making such application shall meet with the City Plan Commission staff to discuss the scope and proposed nature of the contemplated development.

- (2) Application. Following the pre-application conference, the owner or his agent may file an application with the Department of Community Development for approval of a Planned Unit Development Overlay District. Such application shall be accompanied by a filing fee, as required by Section 3.40 of the Municipal Code of the City of Oak Creek, and the following information:
 - a. A statement which sets forth the relationship of the proposed PUD to the City's adopted master plan, or any adopted component thereof, and the general character of and the uses to be included in the proposed PUD, including, but not limited to, the following information:
 - 1. Total area to be included in the PUD, area of open space, residential density computations, proposed number of dwelling units, population analysis, availability of or requirements for municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.
 - 2. A general summary of the estimated value of structures and site improvement costs, including landscaping and special features.
 - 3. A general outline of the organizational structure of a property owners' or management association, which may be proposed to be established for the purpose of providing any necessary private services.
 - 4. Any proposed departures from the standards of development as set forth in the City zoning regulations, other City regulations or administrative rules, or other universal guidelines.
 - 5. The expected dates of commencement and completion of physical development as set forth in the proposal. If the PUD is to be developed in phases, a phasing plan setting forth the starting and completion dates of each phase shall be submitted. A statement indicat-

ing the type of Federal or State program being used to provide a subsidy or less-than-market rents for the units proposed.

- b. A general development plan including, but not limited to:
 1. A legal description of the boundaries of the subject property included in the proposed PUD and its relationship to surrounding properties.
 2. The location of public and private roads, driveways, and parking facilities.
 3. The size, arrangement, and location of any individual building sites and proposed building groups on each individual site.
 4. The location of institutional, recreational, and open space areas and areas reserved or dedicated for public uses, including schools, parks, and drainageways.
 5. The type, size, and location of all structures.
 6. General landscape treatment.
 7. Architectural plans, elevation, and perspective drawings and sketches illustrating the design and character of proposed structures.
 8. The existing and proposed location of public sanitary sewer and water supply facilities.
 9. The existing and proposed location of all private utilities or other easements.
 10. Characteristics of soils related to contemplated specific uses.
 11. Existing topography on the site with contours at no greater than two (2) foot intervals.
 12. Anticipated uses of adjoining lands in regard to roads, surface water drainage, and compatibility with existing adjacent land uses.
 13. Anticipated phasing of the development, if applicable.
- (3) Referral to Plan Commission. The application for a Planned Unit Development Overlay District shall be referred to the City Plan Commission for its review and recommendation, including any additional conditions or restrictions which it may deem necessary or appropriate. For such an application, property owners within 300 feet of the subject property, or more if requested by the Alderman of the district, will be sent a notice of the meeting

at which it will be discussed. In addition to the notice, a copy of the staff review will be sent; which will provide an explanation of the proposal, as well as the staff recommendation. As soon as is practical following the meeting, the Plan Commission, through its Corresponding Secretary, shall report its findings and recommendations to the Common Council; which may be a recommendation for approval, approval with conditions or denial of the application.

- (4) Common Council Public Hearing. Following the Plan Commission public hearing and the formulation of the Plan Commission recommendation, the Common Council shall hold a public hearing pursuant to the requirements of Sections 17.1200 and 17.1300 of this Chapter. Notice for such hearing shall include reference to the development plans filed in conjunction with the requested Planned Unit Development Overlay District. Following the public hearing, the Common Council shall decide whether the Planned Unit Development Overlay District application is to be granted or denied.
- (d) Basis for Approval of the Application.
 - (1) The City Plan Commission in making its recommendation and the Common Council in making its determination, shall consider:
 - a. That the applicants for the proposed Planned Development Overlay District have indicated that they intend to begin and complete the physical development of the PUD within a time frame approved by the Common Council, after recommendation by the Plan Commission.
 - b. That the proposed Planned Unit Development Overlay District is consistent in all respects to the purpose of this Section and to the spirit and intent of this Chapter; is in conformity with the adopted master plan or any adopted component thereof; and, that the development would not be contrary to the general welfare and economic prosperity of the community.
 - c. The constraint or burden that will be imposed on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas by the proposed development.
 - d. All property to be included in a Planned Unit Development Overlay

District shall be held in single ownership. However if there is more than one (1) owner, the applicants shall create a property owners association; whose responsibility it shall be to agree upon any plan prior to it being presented to the Plan Commission for approval and, thereafter, shall be the responsible entity for the maintenance of the exterior of all buildings, as well as all common areas within its Planned Unit Development Overlay District. The by-laws of this association, which contain its duties and responsibilities, shall be first approved by the Plan Commission and shall be written so that all subsequent amendments shall also have to be approved by the Plan Commission before they can take effect.

- e. The proposed site shall be provided with adequate drainage facilities for surface and storm waters.
 - f. The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.
 - g. The streets and driveways on the site of the proposed development shall be adequate to serve the residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the City.
 - h. Public water and sewer facilities shall be provided.
 - i. Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public.
- (5) That in the case of a proposed residential Planned Unit Development Overlay District:
- a. Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community.
 - b. The total net residential density within the Planned Unit Development Overlay District will be consistent with development permitted in the

underlying basic use district. The district area, width, and yard requirements of the underlying basic use district may be modified, however, in no case shall the average density in the district exceed the number of dwelling units that would have been permitted on that amount of land if the PUD Planned Unit Development Overlay District regulations had not been utilized. This allows for transfer of density within a site, but not an increase in density.

- c. Each residential planned unit development, having more than one property owner involved and featuring common open space or other common improvements, shall be managed by a Property Owners' Association, or other appropriate management mechanism, to assure that any common facilities are properly maintained. A copy of the by-laws of the management association shall be included with the PUD application; which shall initially be approved by the Plan Commission as well as any subsequent amendments thereto.
- (6) That in the case of a proposed commercial Planned Unit Development Overlay District:
- a. The proposed development will be adequately served by off-street parking and truck service facilities.
 - b. The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets, and that the development will not create an adverse effect upon the general traffic pattern of the surrounding neighborhood.
 - c. The architectural design, landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with the surrounding neighborhood.
 - d. Each commercial planned unit development featuring common open space or other common improvements shall be managed by a Property Owner's Association, or other appropriate management mechanism, to assure that any common facilities are properly maintained. A copy of the by-laws of the management association shall

- be included with the PUD application.
- (7) That in the case of a proposed industrial Planned Unit Development Overlay District:
- a. The operational character, physical plant arrangement, and architectural design of buildings will be compatible with the latest in performance standards and development design and will not result in adverse effect upon the surrounding neighborhood.
 - b. The proposed development will include adequate provisions for off-street parking and truck service areas and will be adequately served by rail and/or arterial highway facilities.
 - c. Each industrial planned unit development featuring common open space or other common improvements shall be managed by a Property Owner's Association, or other appropriate management mechanism, to assure that any common facilities are properly maintained. A copy of the by-laws of the management association shall be included with the PUD application.
- (e) Determination. The Common Council, after due consideration, may deny the application, approve the application as submitted, or approve the application subject to additional conditions and restrictions; including but not limited to, beginning and completing the physical development of the PUD within a time frame approved by the Common Council, after recommendation by the Plan Commission and that the City shall be a part of the approval process for any amendment to the by-laws of the Property Owners' Association. The approval of a Planned Unit Development Overlay District shall be based upon and include as conditions thereto the building, site and operational plans for the development as approved by the City Council. The approval of a planned unit development, and the attendant conditions of approval, shall be applicable to the developer, his heirs, successors, or assigns.
- (f) Existing Planned Developments. All properties with planned development zoning, on the effective date of this Chapter, which remain planned developments after the effective date of this Chapter are hereby declared to be conforming planned developments. Such planned developments shall be subject to the regulations contained in the resolution or ordinance which authorized and approved the planned development.
- (g) Changes and Additions Prior to Final PUD Approval. Any change or addition to the plans or uses prior to the issuance of an occupancy permit shall first be submitted for approval to the City Plan Commission and if in the opinion of the Plan Commission, such change or addition constitutes a substantial alteration of the original plan, a public hearing before the Plan Commission shall be required and notice thereof be given pursuant to the provisions of Section 17.1300 of this Chapter, and said proposed alterations shall be submitted to the Common Council for approval after a public hearing.
 - (h) Subsequent Land Division. The division of any land or lands within a Planned Unit Development Overlay District for the purpose of change or conveyance of ownership shall be accomplished pursuant to the land division regulations of the City and when such division is contemplated, a subdivision plat or certified survey map, as may be appropriate, of the lands to be divided shall accompany the application for PUD approval.
 - (i) Changes and Additions to the PUD After Final Approval.
 - (1) Any change in occupancy within an approved planned unit development project shall be administered in the same manner as a change in occupancy in a basic use district as set forth in Section 17.1006 of this Chapter. A certificate of compliance shall not be issued to a use that is not consistent with conditions placed on approval in any PUD district.
 - (2) Any addition to a planned unit development in years subsequent to construction and occupancy shall be considered a new and separate proposal, and shall be required to comply with all of the review and approval requirements of this district, including the requirement for submittal of development plans and the conduct of public hearings required by this section.

SEC. 17.0326 ADJUSTMENTS TO MINIMUM AREA REQUIREMENTS.

The purpose of this section is to allow adjustments to the minimum area requirements for the creation of a Planned Unit Development (PUD) district. Reducing the minimum area requirements, where justified, will allow for the more efficient development of certain properties that are less likely to develop under a conventional zoning district due to such limiting factors as shape, size and accessibility. The Plan Commission may recommend approval to the Common Council of a request for a PUD district on a property, that does not meet the minimum area requirements as



PLAN COMMISSION REPORT

Proposal: Rezone and Planned Unit Development

Description: Review a request to rezone the properties at 741 (portion) and 1001 W. Ryan Rd. & 9600, 9700, and 9900 S. 13th St. to M-1, Manufacturing with a Planned Unit Development (NO CHANGE TO FW, FLOODWAY OR C-1, SHORELAND WETLAND CONSERVANCY).

Applicant(s): Michael Faber, Ryan Business Park, LLC (and landowners)

Address(es): 741 (portion) and 1001 W. Ryan Rd. & 9600 (portion), 9700, and 9900 S. 13th St.

Suggested Motion: That the Plan Commission recommends that the Common Council approves the rezoning of the properties at 741 (portion) and 1001 W. Ryan Rd. & 9600, 9700, and 9900 S. 13th St. to M-1 (PUD), Manufacturing Planned Unit Development (NO CHANGE TO FW, FLOODWAY OR C-1, SHORELAND WETLAND CONSERVANCY) after a public hearing and subject to conditions and restrictions that will be prepared for the Commission’s review at their next meeting (July 24, 2018).

Owner(s): Charles Koehler, Deborah Meyer, & Bernice Bartel (741 W. Ryan Rd.)
 Evershine Corporation (1001 W. Ryan Rd.)
 Milwaukee County (9600 S. 13th St.)
 Ryan Business Park, LLC (9700 S. 13th St.)
 CQ South Oak Land, LLC (9900 S. 13th St.)

Tax Key(s): 905-9999-006, 905-9995-001, 905-9994-001, 905-9993-003, 925-9999-000

Lot Size(s): See Attached Site Layout Options (2)

Current Zoning District(s): Rs-3, Single Family Residential A-1, Limited Agricultural
 P-1, Park District M-1, Manufacturing
 FW, Floodway

Overlay District(s): FF, Flood Fringe C-1, Shoreland Wetland

Wetlands: Yes No **Floodplain:** Yes No

Comprehensive Planned Industrial
Plan:

Background:

The Applicant and landowners are requesting the following zoning changes:

Property	Current Zoning	Requested Zoning
741 W. Ryan Rd.	Rs-3, FW, FF, A-1	Rs-3 North of FW, M-1 (PUD) South of FW
1001 W. Ryan Rd.	A-1	M-1 (PUD)
9600 S. 13 th St.	P-1, FF, FW	M-1 (PUD) outside of FW (70 ft on each side of creek)
9700 S. 13 th St.	A-1, FW	M-1 (PUD) outside of FW
9900 S. 13 th St.	M-1, FW, C-1	M-1 (PUD) outside of FW & C-1

Plan Commissioners will recall that the future land use category and map in the Comprehensive Plan were recommended for amendment to “Planned Industrial” at the last meeting in anticipation of an industrial Planned Unit Development on these properties.

There are two proposed PUD options included in this request: one option shows up to nine (9) potential development lots with a signalized intersection and development road beginning at 1001 W. Ryan Rd., through the center of the PUD, and connecting to S. 13th St. between Lots 1 & 2. The second option shows up to four (4) potential development lots with a development road in the same location as the first option, but ending in a cul-de-sac at Lot 2. Lot 2, a 69-acre parcel, could be for a single, large user.

Ryan Business Park has all parcels under contract or ownership. This includes a property exchange that was recently approved and executed between Milwaukee County and Ryan Business Park, LLC. As stated in the submitted narrative, the land swap will result in the creation of a neighborhood park at the southeast corner of the PUD. Industrial and complementary uses in approximately 1,100,000 square feet of building space would be anticipated in the development. Potential commercial uses may occur closer to Ryan Road.

Conceptual development plans and a list of deviations from the Zoning Code are included in your packets for review. Staff has reviewed the list, and most of them can be addressed within the Conditions and Restrictions for the PUD.

If the Plan Commission recommends approval of the rezoning and PUD, staff will prepare conditions and restrictions for presentation at the next Plan Commission meeting (July 24).

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed rezone request and PUD, or that the Common Council not approve of the proposed requests. Disapproval

of the rezone would result in the parcels remaining zoned for agricultural, residential, park, and manufacturing uses, and likely remaining in their existing conditions for the foreseeable future.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Planner

Attachments:

Location Map

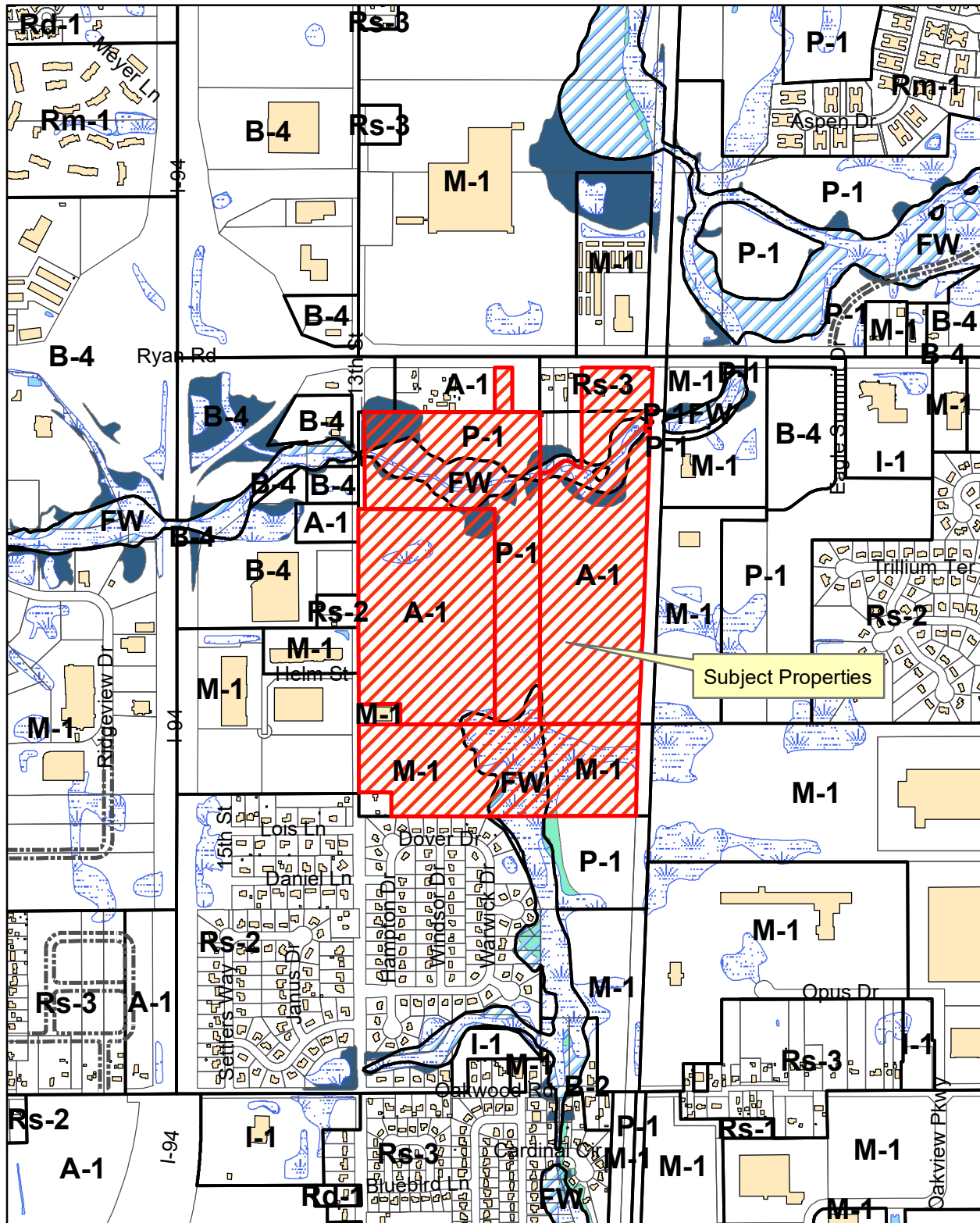
Site Layout (9 lots)

Site Layout (4 lots)

Narrative (2 pages)

PUD Changes Request (2 pages)

Location Map: 1001 & 741 W Ryan Rd., 9600, 9700, & 9900 S. 13th St.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

- Officially Mapped Streets
- Subject Properties
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

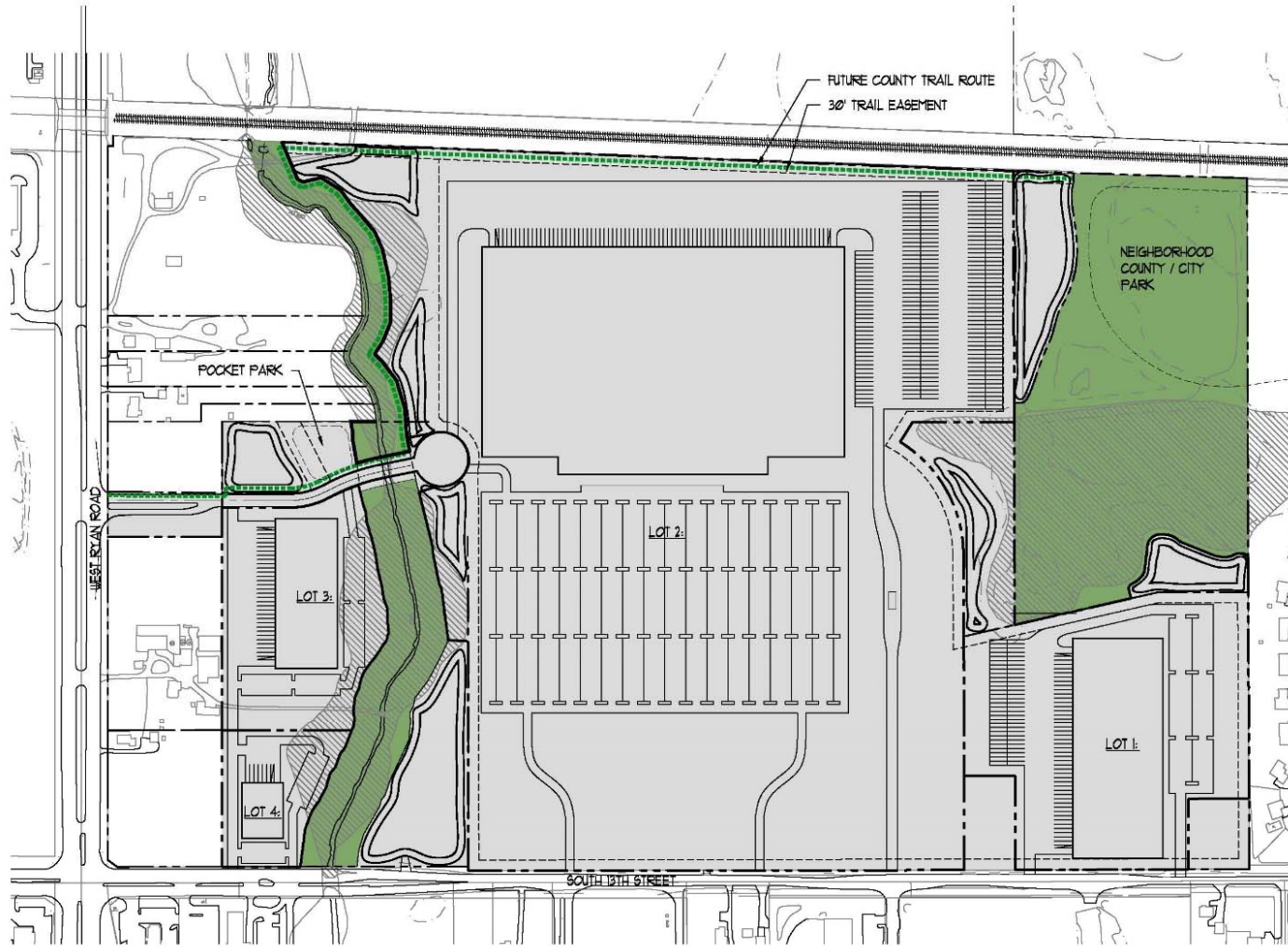


- TOTAL PARK AREA: 106.51± acre
- TOTAL DEVELOPABLE AREA: 81.23± acre
- LOT 1: 12.20± acre
- LOT 2: 24.71± acre
- LOT 3: 5.61± acre
- LOT 4: 1.22± acre
- LOT 5: 8.72± acre
- LOT 6: 8.86± acre
- LOT 7: 11.05± acre
- LOT 8: 6.35± acre
- LOT 9: 2.51± acre
- TOTAL COMMON AREA: 19.34± acre

SITE LAYOUT

1" = 300'-0"





■ HYPOTHETICAL LOT LAYOUT

GENERAL DEVELOPMENT PLAN 'B'
1" = 300'-0"



RYAN BUSINESS PARK
Oak Creek, Wisconsin
GENERAL DEVELOPMENT PLAN 'B'

2210 Lake Cook Road Suite 200
Northbrook, Illinois 60062
PH: (847) 940-0300
FAX: (847) 940-0345

Partners in Design
ARCHITECTS



PROJECT NO.:
63413021
DRAWN BY: MDS CHECKED BY: WJB
DATE: **06.20.18**
SHEET NO.:

B

CAPSTONE QUADRANGLE

GENERALCAPITAL



Narrative Request

Rezoning and PUD overlay: Attachment 2 for the creation of Ryan Business Park

11 June 2018

Location: Generally, the Ryan Business Park will be located in the SE corner of the intersection of Ryan Road (STH 100) and 13th Street (CTH V). Attached is a map showing the intended Ryan Business Park boundaries. The Park size will be approximately 90 acres. The specific parcels which are the subject of this request are 1001 W. Ryan Road (the “Evershine Parcel”), the portion that lies south of the Oak Creek of 741 W. Ryan Road (the Koehler Parcel”), 9600 S. 13th Street (“the County Parcel”), and 9700 S. 13th Street (the “Tischendorf Parcel”), and 9900 S. 13th Street (the “South Oak Parcel”).

Description: Capstone Quadrangle and its partner General Capital Group (together, “RBP LLC”) have already purchased or have under contract all the land to create the business park with the exception of the County Parcel. With regard to the County Parcel, on March 22, 2018 RBP LLC obtained Milwaukee County Board of Supervisors approval for a Land Swap with other land fully controlled by RBP LLC, and the binding agreement for the Land Swap has been drafted and is expected to be executed in the near future. The Oak Creek Common Council passed a resolution authorizing staff to begin work on a proposed TID to support the creation of this business park, and in addition passed a resolution on March 6, 2018 approving a term sheet for the Land Swap with Milwaukee County due to City of Oak Creek involvement in the future creation of a joint City/County neighborhood park utilizing some of the land involved in the Land Swap. The Ryan Business Park is projected to have primarily industrial and compatible uses with approximately 1,100,000 square feet of buildings and an ultimate market value of approximately \$80 to \$90 million.

Scope: The South Oak Parcel is already zoned M-1. The remaining 4 parcels are currently zoned A-1 Limited Agriculture District or P-1 Park District, and this application is requesting to rezone all the subject land (except for a 70 foot wide swath of land on each side as applicable from the centerline of the creek, which would remain P-1) to M-1, with a PUD overlay for all 5 parcels to as well as requested revisions to the M-1 zoning code text.

Together with previously requested modifications to the Oak Creek Comprehensive Plan, the requested action will bring the zoning of this land into conformance with the proposed revised Comprehensive Plan, permit the creation of a modern business park with the critical mass and access capable of handling a variety of user sizes, and realize the vision shared by both the City of Oak Creek and developer RBP LLC. In our opinion, the requested zoning change is completely consistent with the long-range vision the City has proposed for the development of this area.

General Development Plans. We are requesting approval of two versions for development plans. One version provides for the park road and infrastructure to begin with a main signalized access from Ryan Road, crossing the creek, and eventually bending out to a 13th Street connection. The parcel layout is shown purely for hypothetical sizes, but is configured to be able to respond to a variety of medium size buildings as well as the ability to handle a few smaller buildings in the SE corner. The second version has the same main signalized entry road and crosses the creek, but then terminates in a cul-de-sac. This second version is a configuration that allows for the largest contiguous parcel to accommodate a large user. We hope to be in a position to respond to the size of transactions that are “in market” as we put all the pieces in place.

Request. RBP LLC requests the Plan Commission recommend approval of the requested rezoning, M-1 text amendment and PUD Overlay for the 5 parcels.

Sincerely,



Michael Faber
Ryan Business Park, LLC

CAPSTONE QUADRANGLE



Requested Changes

Rezoning and PUD overlay: Attachment 3 for the creation of Ryan Business Park

19 June 2018 amended

Scope: General description of desired changes to the M-1 Zoning District requirements, to take the form of either a new Zoning District or a PUD Overlay:

1. Permitted uses should include "Distribution Centers" (i.e. not just Food Distribution).
2. Permitted uses should include "Storage of goods for future retail sale".
3. Permitted uses should remove "Adult Entertainment".
4. In permitted uses, Office functions should be expanded to include "Training".
5. Permitted Accessory Uses should be expanded (clarified) to include semi truck and trailer parking ancillary to the Permitted Use.
6. Regarding Permitted Accessory Uses, modify (7) to replace "1,250 square feet" with 2% of the floor area square footage of the principal building" and expand (7) to provide: "However, retail sales to employees of a building tenant (such as vending or food service) shall not be limited in square footage".
7. Under Conditional Uses, amend (29) to read "Truck parking lots for third-party trucks unrelated to the Permitted Use". The intent is to clarify that truck parking areas for trucks and trailers that are related to the Permitted Use is not a Conditional Use but rather a Permitted Accessory Use.
8. Regarding (e) Building Height and Area, amend (1) to read: No principal building or parts of a principal building shall exceed ninety (90) feet in height, except that such height shall be limited to fifty-five (55) feet in height if any part of the principal building is within 600 feet of a residential zoning district.
9. Regarding (e) Building Height and Area, amend (2) to read: The sum total of the floor area on all floors of the principal building and all accessory buildings shall not exceed ninety (90) percent of the lot area, except that if such principal building is within 600 feet of a residential zoning district, such sum total shall not exceed eighty (80) percent of the lot area.
10. Regarding (f) Setbacks, amend (1) to read: There shall be a minimum front setback of thirty (30) feet from the right-of-way of all streets. In addition, regarding (f) Setbacks, add a section to permit a Parking and Drive Aisle setback of not less than 5 feet if the principal building on the parcel is 600 feet or greater distance from a residential zoning district boundary.
11. Specifically provide that hours of operation may be 24/7, subject to all other restrictions such as noise, odors, and the like.
12. Signage for the business park as a whole is intended to include lower height but large signage at the intersection of Ryan Road and 13th Street, and the main park entrance in a boulevard configuration coming south from Ryan Road to cross over the creek is intended to

Capstone Quadrangle

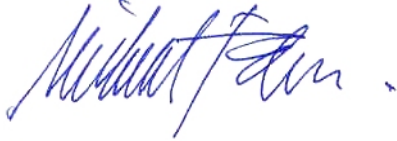
Chicago Milwaukee Kansas City San Francisco
N17 W24222 Riverwood Drive, Suite 160, Waukesha WI 53188-1134
(262) 523-1122 www.capstonequadrangle.com

have major large monument signage identifying two major tenants of the business park in addition to the name of the business park, both of which signs will be approved in details and sizes by the City.

13. Confirm that liquid storage of water is not a conditional use trigger covered by 17.0317(c)(15).
14. Amend Section 17.1009(a) 21, removing the second sentence and replacing it with: "A minimum of 30% of the overall PUD area shall be set aside as open space"

Request. Ryan Business Park LLC requests approval of the requested rezoning and either a new zoning district or PUD Overlay for the 5 subject parcels.

Sincerely,



Michael Faber
Ryan Business Park, LLC



PLAN COMMISSION REPORT

Proposal: Conditional Use Permit – Brian Schoenleber

Description: Review a request for a Conditional Use Permit for a Community-Based Residential Facility (CBRF) with a capacity between 9 and 20 persons.

Applicant(s): Brian Schoenleber

Address(es): 7801 S. Pennsylvania Avenue

Suggested Motion: That the Plan Commission recommends that the Common Council approves a Conditional Use permit allowing a Community-Based Residential Facility (CBRF) with a capacity of at least nine, but no more than twenty persons located at 7801 S. Pennsylvania Avenue after a public hearing and subject to conditions and restrictions that will be prepared for the Commission at the next meeting (July 24, 2018).

Owner(s): Humble Habitat, LLC

Tax Key(s): 779-9010-000

Lot Size(s): 1.99 acres

Current Zoning District(s): Rs-1, Single Family Residential

Overlay District(s):

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Single Family Residential

Background:

The Applicant is requesting a Conditional Use Permit for the property at 7801 S. Pennsylvania Avenue in anticipation of constructing a Community-Based Residential Facility (CBRF) with a capacity of 20 beds in 10 rooms. Per Section 17.0307(c)(2), licensed community living arrangements with a capacity between 9 and 20 persons is considered a Conditional Use. In 2016, the Plan Commission recommended approval and the Common Council approved this request for a CBRF for 9-20 persons at this location. As part of the conditions and restrictions, the applicant needed to receive building permits within 12 months of approval.

The applicant was unable to meet this requirement and as a result must go through the review process again. Nothing has changed since the last time the conditional use permit was requested.

Current operational plans call for one care aid employee on site per 8-hour shift, with two managers that will be on call or as needed. The facility will have one employee onsite 24/7.

No residents of the facility will be able to drive; therefore, the Applicant is requesting a reduction in the required number of parking stalls. This would be addressed at site plan review.

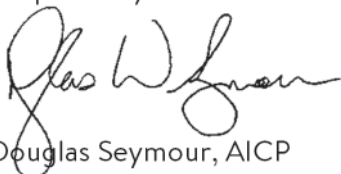
Staff is concerned that the proposed use is too large for the buildable area of the property as presented. The majority of the property contains wetlands. This may require modifications to the size and orientation of the building. The proposed building is setback 2 feet from the delineated wetland as illustrated on the CSM. The foundation for the building would encroach into the wetland which is not permitted.

The Engineering Department stated concerns about the impacts to the surrounding wetlands and that the applicant will need to get approval from the DNR as to how this development will not impact the wetlands. Per Code, recommendations for conditional uses should take into consideration whether a use is found to be not hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the City. As such, the submitted site plan is to provide the Plan Commission with a conceptual plan for the site. Staff continues to work with the Applicant to determine the most appropriate location and size for the building.

If the Commission agrees that the conditional use is appropriate for this location, staff will prepare conditions and restrictions for review at the July 24, 2016 Plan Commission meeting.

Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the Conditional Use Permit request. Should the request not be recommended for Council approval, Plan Commissioners must provide the Code Sections upon which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions. Disapproval would likely result in the existing vacant condition of the property to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Peter Wagner, AICP
Zoning Administrator/Planner

Attachments:

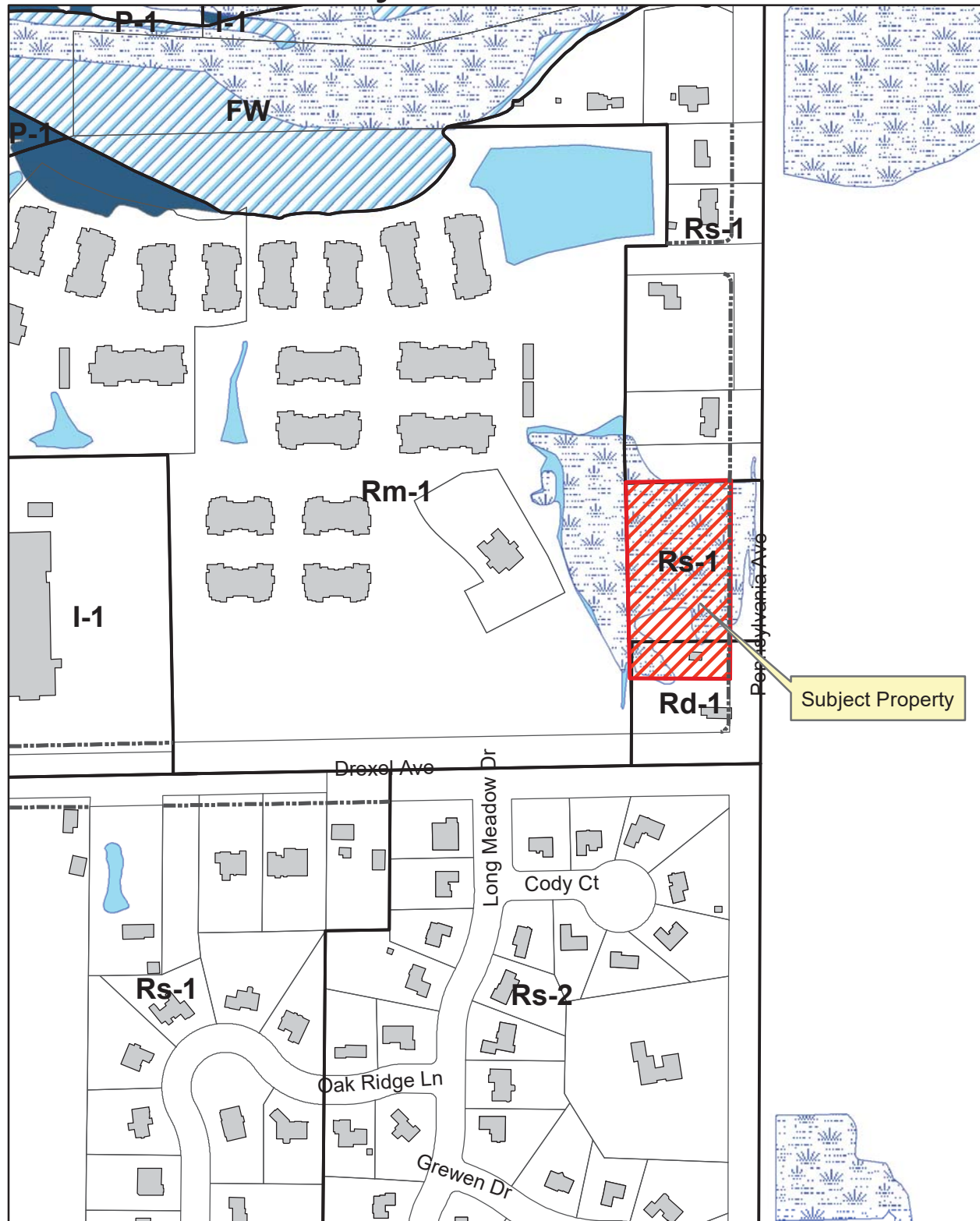
Location Map

Certified Survey Map

Elevation Drawing

Location Map

7801 S Pennsylvania Ave



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

- Officially Mapped Streets
- Subject Property
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

MAY 24 2018

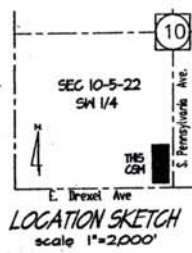
RECEIVED

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

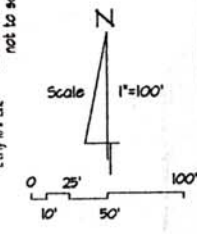
Being part of the SE 1/4 of the SW 1/4 Section 10, Town 5 North, Range 22 East of the Fourth Principal Meridian, City of Oak Creek, Milwaukee County, State of Wisconsin.

WETLANDS LOCATION

LINE	DIRECTION	DISTANCE
L1	S28°12'42"W	8.26'
L2	S56°38'33"W	21.60'
L3	S77°32'17"W	19.70'
L4	S61°18'57"W	16.97'
L5	N75°33'15"W	14.93'
L6	N40°28'01"W	15.36'
L7	N83°45'51"W	27.86'
L8	N14°04'14"W	16.63'
L9	N74°41'13"W	17.69'
L10	N83°48'48"W	15.79'
L11	N75°58'17"W	18.04'
L12	S50°55'45"W	21.46'
L13	S76°33'57"W	22.55'
L14	S08°57'06"W	23.33'
L15	S30°13'55"E	15.22'
L16	S20°04'03"E	10.79'
L17	S25°10'02"E	24.91'
L18	S31°43'36"E	29.61'
L19	S08°24'11"E	30.25'
L20	S31°39'00"W	12.11'
L21	S13°06'39"E	28.61'
L22	S02°06'20"E	14.62'
L23	S77°28'57"W	12.63'
L24	N41°53'49"W	19.19'
L25	N46°02'04"W	18.76'
L26	N67°51'17"W	18.17'
L27	N37°44'16"W	25.65'



Center of Section 10-5-22E
338,187.18(n)
2,567,545.03(e)
(conc non utraque cap)



Wetlands boundaries were field staked by SEHRPC staff on June 2, 2011, SEHRPC file # CA-411-142

PROPERTY BEING SUBJECT TO:

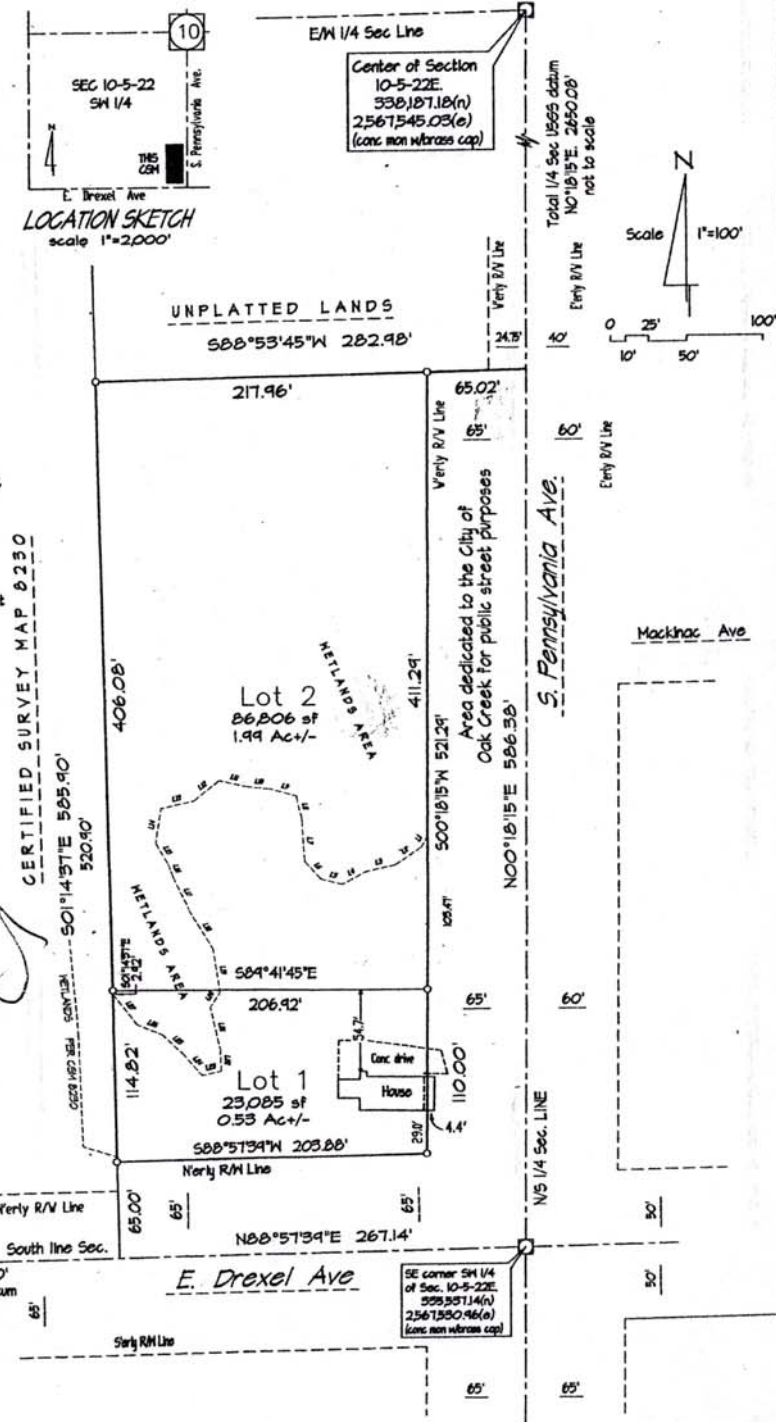
- Permanent Storm Drainage Easement recorded in Reel 5164, Image 548 as Doc 7200004
- Permanent Watermain and Sanitary Sewer Easement in Reel 3184, Image 208 as Doc 6876195.

ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SW 1/4 OF SECTION 10, T5N, R22E. ASSUMED BEARING N0°18'15"E. STATE PLANE COORDINATE SYSTEM SOUTH ZONE MARCH 2011 DATUM.

⊕ DENOTES 1"x18" IRON PIPE SURVEY MARKER SET. Weighing not less than 113 lbs per ft.



December 2nd, 2014
January 26th, 2015



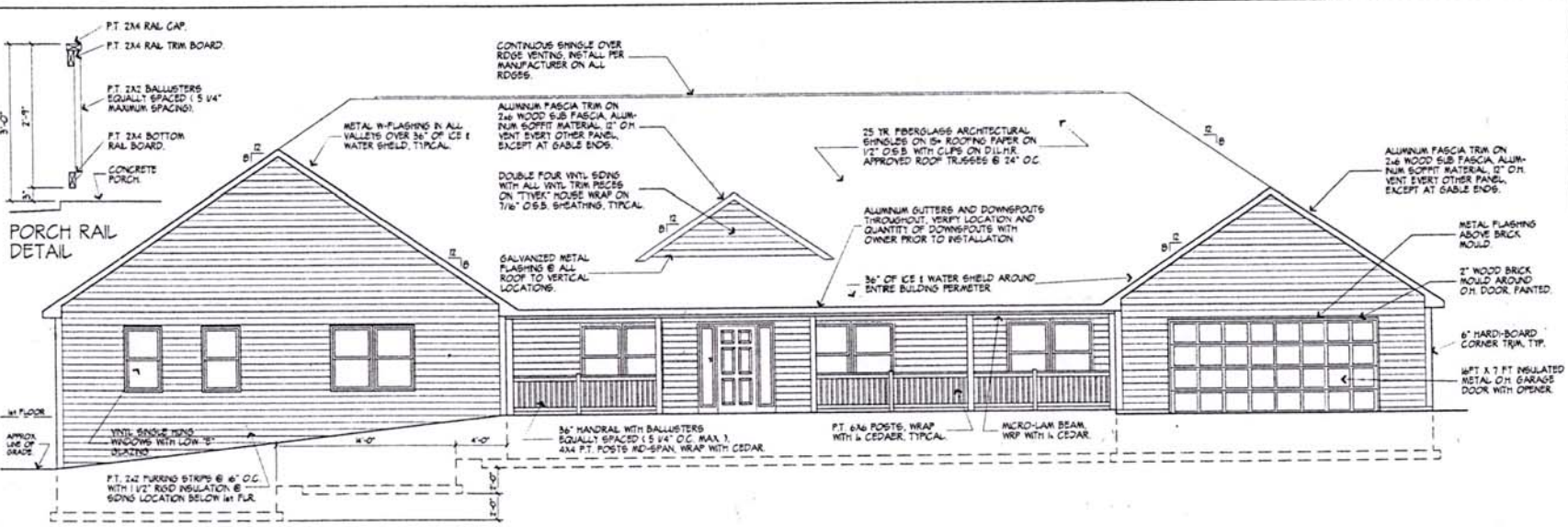
5.88°57'34"W 2610.30'
Total 1/4 Sec USGS datum
not to scale

SE corner SW 1/4 of Sec. 10-5-22E
338,237.14(n)
2,567,580.46(e)
(conc non utraque cap)

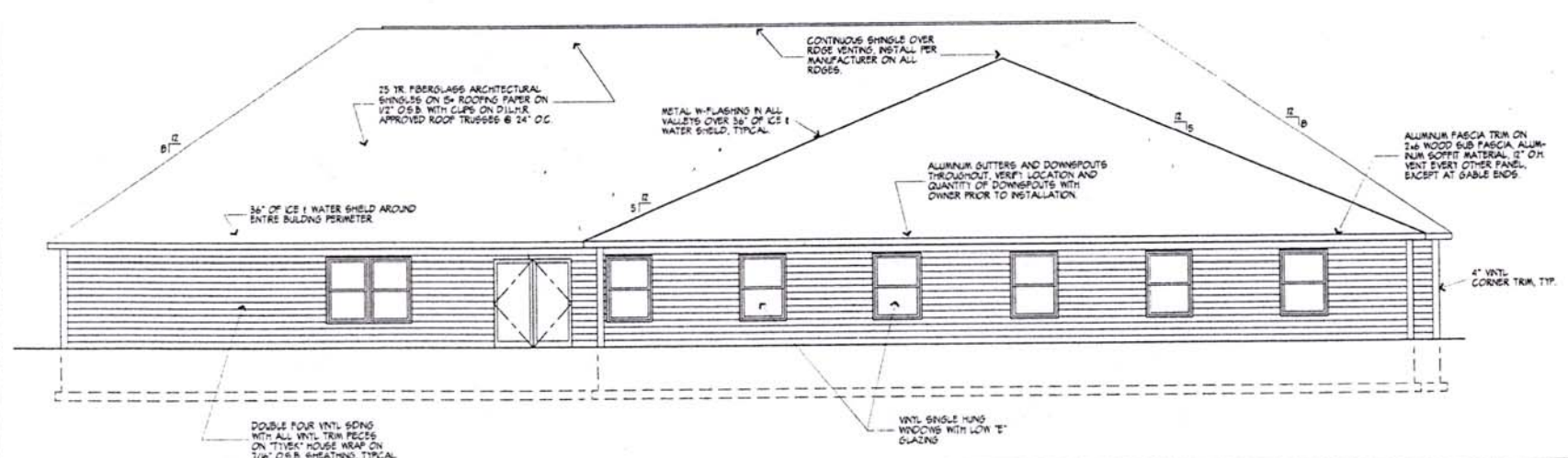


MAY 24 2018

RECEIVED



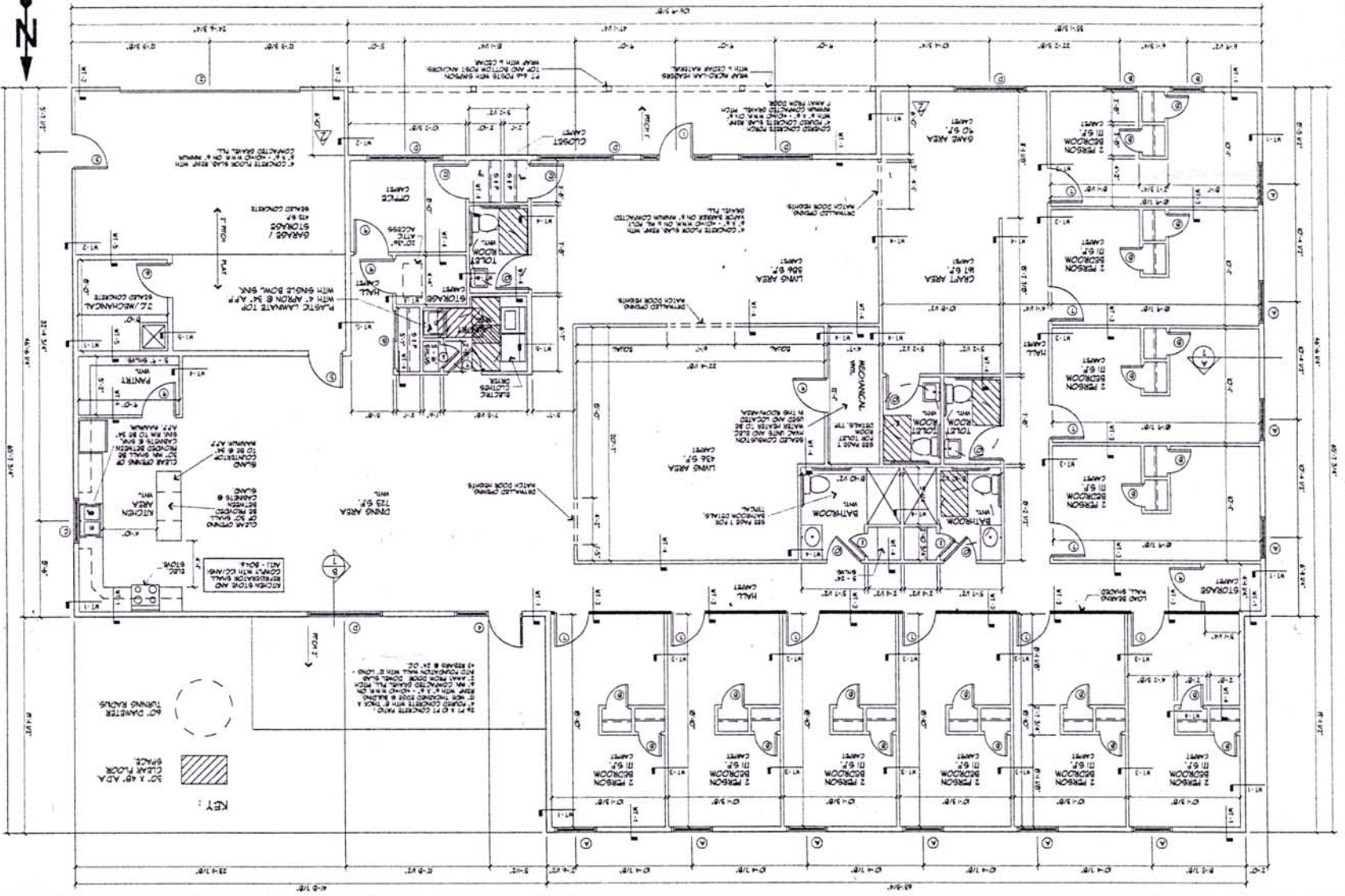
FRONT EXTERIOR ELEVATION
SCALE 1/4" = 1'-0" (1/8" = 1'-0" ON 1" x 17" PAPER SIZE)



REAR EXTERIOR ELEVATION
SCALE 1/4" = 1'-0" (1/8" = 1'-0" ON 1" x 17" PAPER SIZE)

REVISIONS JUL 17, 2015
STAFF
PAUL MEER INC. 1456 SOUTH 14TH STREET WEST ALIS, WISCONSIN 5318 PHONE: (414) 255-1458
PROPOSED 20 BED CBRF FOR : AUTUMN CREEK 1 1526 WILLOW DRIVE OAK CREEK, WI
DESIGNED BY P.A.M. - P.E. DATE JUNE 26, 2015 SOLE AS NOTED JOB NUMBER 2015-3 SHEET 2 OF 4

NOTE: ALL DIMENSIONS ARE TO FACE OF STUD OR CENTRAL OF WINDOW DOOR OPENING



REVISIONS	DATE	BY
1	06.17.20	...
2	07.17.20	...

OWNER	PAUL MEIER NC.
ADDRESS	458 SOUTH 74TH STREET WEST ALIS, WISCONSIN 53244
PHONE	(414) 255-7458

DESIGN BY	PROPOSED 20 BED CBRF FOR :
DATE	AUTUMN CREEK 1
JOB NUMBER	524 WILLOW DRNG
SCALE	ONE CREEK, WI
SHEET	02

CITY OF OAK CREEK

MAY 24 2018

RECEIVED

PLAN COMMISSION REPORT

Proposal:	Certified Survey Map
Description:	Review of a Certified Survey Map request to divide the existing parcel at 7980 S. Cecily Drive into two buildable parcels.
Applicant(s):	Brian Schoenleber
Address(es):	7980 S. Cecily Drive
Suggested Motion:	<p>That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Brian Schoenleber, for the property at 7980 S. Cecily Drive be approved with the following conditions:</p> <ol style="list-style-type: none">1. That a 10-foot setback along the wetland line in conformance with Section 13.106(j)3.a of the Municipal Code is depicted on the CSM prior to recording.2. That the Mayor's name is updated on the signature page (Mayor Daniel J. Bukiewicz).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.

Owner(s):	Humble Habitat, LLC
Tax Key(s):	814-0296-000
Lot Size(s):	Lot 1 = 0.35 ac, Lot 2 = 0.37 ac
Current Zoning District(s):	Rs-3, Single Family Residential
Overlay District(s):	N/A

Wetlands:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Floodplain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Comprehensive Plan:	Single Family Residential
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Background:

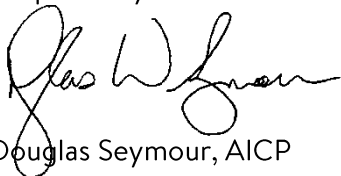
The Applicant is requesting approval of a Certified Survey Map (CSM) for the property at 7980 S. Cecily Drive. The proposal is to divide an out lot into two future single-family residential lots. In 2014, the Applicant received an approved Letter of Map Amendment from FEMA stating that the parcel is no longer located within the floodplain. Wetlands are delineated and included on the map.

Staff has concerns regarding the encumbrances that exist on the proposed parcels, and provided information to the Applicant that that a 50-foot wetland buffer line must be shown on the CSM along with a notation that no impervious surfaces are allowed within the 50-foot wetland protective area that drain to the wetlands. This includes, but is not limited to accessory buildings, accessory structures, decks, patios, pavement, pavers, sidewalks, and pools. All dwelling roof drains must drain to the storm sewer in S. Cecily Drive. Including this notation will provide a future resident about the restrictions this parcel has regarding the creation of impervious surfaces in the rear yard. While this has been incorporated into the CSM included with this report, there is one additional requirement for a 10-foot setback along the wetland per Code. This information has been provided to the Applicant and their surveyor, and is included as a condition of approval above.

Finally, one additional error has been identified on the submitted CSM. The Mayor's name must be updated on the signature page. Conditions of approval to correct this and any additional minor technical errors are provided above.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed CSM with specified conditions, or that the Common Council not approve of the proposed division. Disapproval will likely result in the existing condition of the property to remain as one lot.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Peter Wagner, AICP
Zoning Administrator/Planner

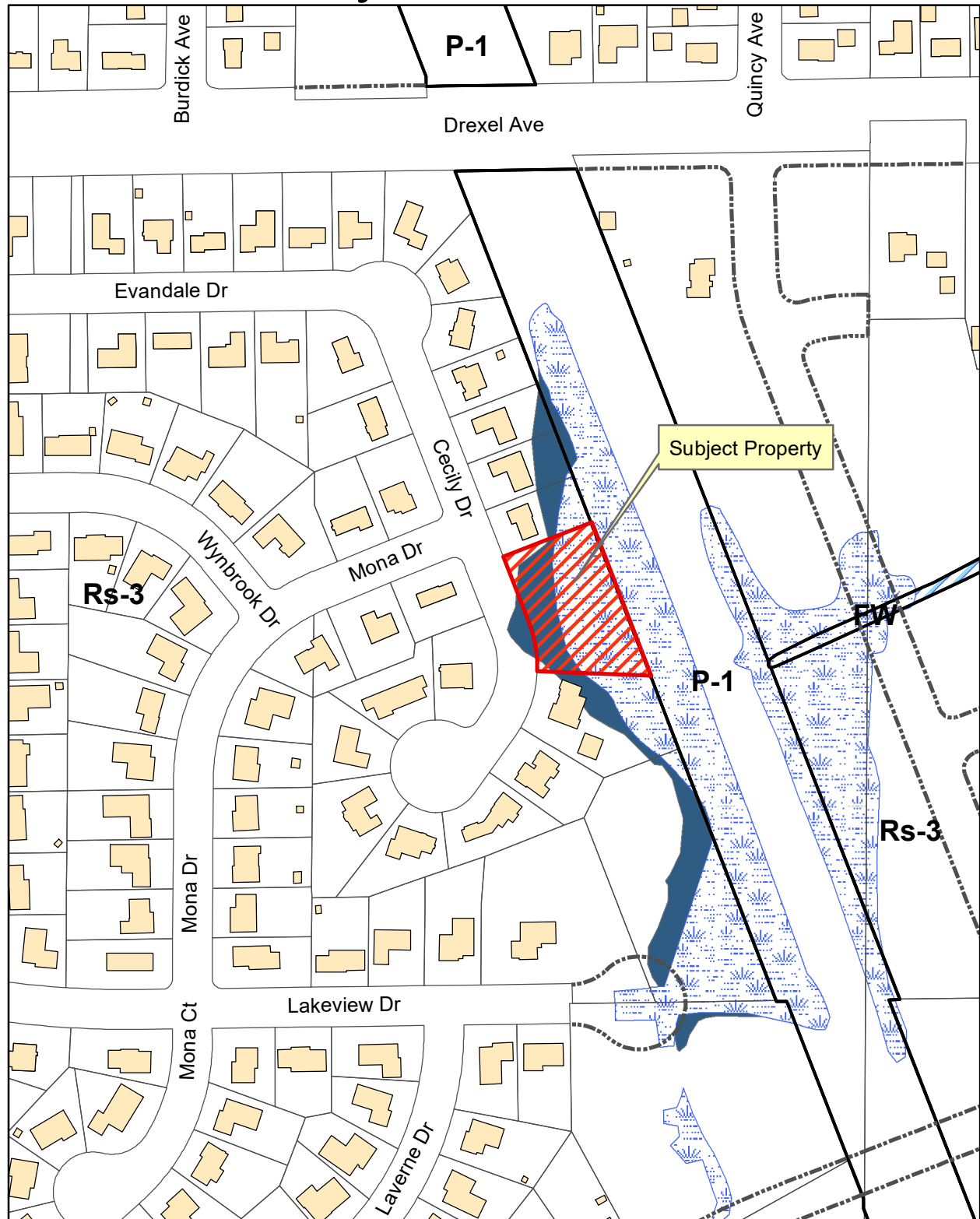
Attachments:

Location Map

CSM

Location Map

7980 S. Cecily Dr.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

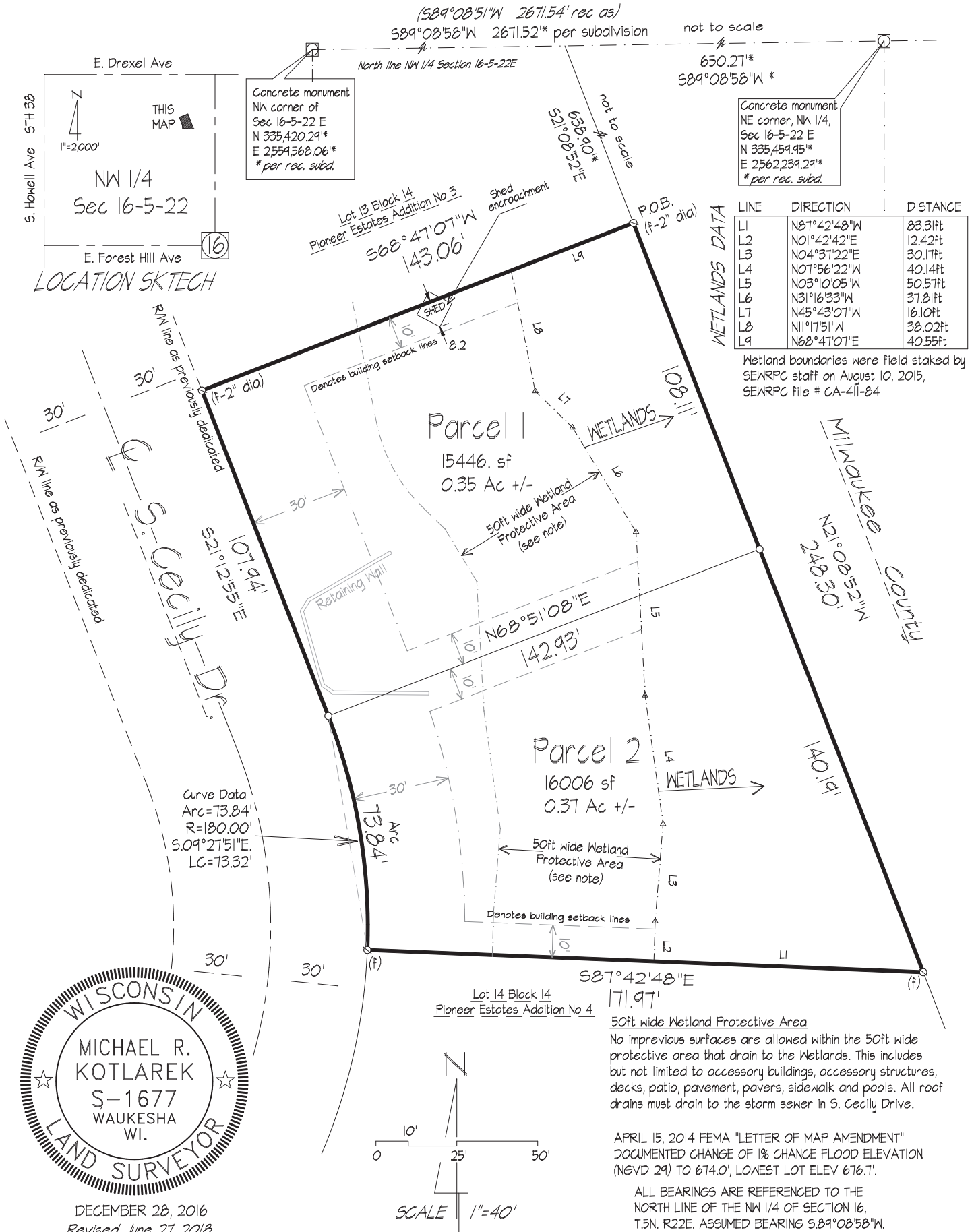
- Officially Mapped Streets
- Subject Property
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

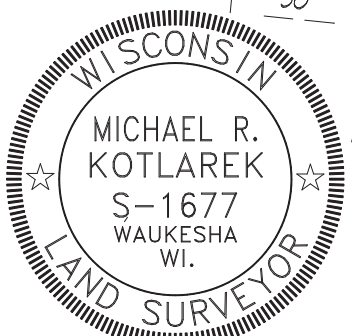
MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

All of Outlot 1, Block 14, Pioneer Estates Addition No.4, being a recorded subdivision of part of the NE 1/4 of the NW 1/4 of Section 16, Town 5 North, Range 22 East of the Fourth Principal Meridian, City of Oak Creek, Milwaukee County, State of Wisconsin.



LINE	DIRECTION	DISTANCE
L1	N87°42'48"W	83.31ft
L2	N01°42'42"E	12.42ft
L3	N04°31'22"E	30.17ft
L4	N07°56'22"W	40.14ft
L5	N03°10'05"W	50.57ft
L6	N31°16'33"W	37.81ft
L7	N45°43'07"W	16.10ft
L8	N11°17'51"W	38.02ft
L9	N68°41'07"E	40.55ft

Wetland boundaries were field staked by SEWRPC staff on August 10, 2015, SEWRPC File # CA-411-84



DECEMBER 28, 2016
Revised June 27, 2018

APRIL 15, 2014 FEMA "LETTER OF MAP AMENDMENT" DOCUMENTED CHANGE OF 1% CHANGE FLOOD ELEVATION (NGVD 29) TO 674.0', LOWEST LOT ELEV 676.7'

ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NW 1/4 OF SECTION 16, T.5N. R.22E. ASSUMED BEARING 5.89°08'58"W. REC AS 5.89°08'51"W. PER THE STATE PLANE COORDINATE SYSTEM SOUTH ZONE FEB, 2015

⊕ DENOTES 1"x18" IRON PIPE SURVEY MARKERS SET. Weighing not less than 1.13 lbs per foot.

(f) DENOTES FOUND IRON PIPE SURVEY MARKERS BELIEVE TO BE THE ORIGINAL MARKERS PER THE SUBDIVISION PLAT.

BENCHMARK LAND SURVEY TECHNOLOGY
Full Land Surveying Services
3717 - 52nd Street, Kenosha, WI, 53144 (262)658-1686
N80W28352 Keesus Rd, Hartland, WI, 53029

This instrument was drafted by: Michael R. Kotlarek

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

All of Outlot 1, Block 14, Pioneer Estates Addition No.4, being a recorded subdivision of part of the NE 1/4 of the NW 1/4 of Section 16, Town 5 North, Range 22 East of the Fourth Principal Meridian, City of Oak Creek, Milwaukee County, State of Wisconsin.

SURVEYOR'S CERTIFICATE:

I, Michael R. Kotlarek, surveyor, hereby certify that at the direction of the present owner Brian T. Schoenleber, that I have surveyed the land described as:

All of Outlot 1, Block 14, Pioneer Estates Addition No.4, being a recorded subdivision of part of the NE 1/4 of the NW 1/4 of Section 16, Town 5 North, Range 22 East of the Fourth Principal Meridian, City of Oak Creek, Milwaukee County, State of Wisconsin being more particularly described as follows: commencing at the NE corner of the NW 1/4 of said Section 16; thence S.89°08'58"W. along the north line of the NW 1/4 of said Section 16 a distance of 650.27 feet; thence S.21°08'52"E. 638.90 feet to the NE corner of said Outlot 1, said point being the point of beginning; thence S.68°47'07"W. along the northerly line of said Outlot 1 a distance of 143.06 feet to the NW corner of said Outlot 1; thence S.21°12'55"E. along the westerly line of said Outlot 1 and the Easterly line of S. Cecily Drive as dedicated, a distance of 107.94 feet to a point of curvature; thence Southeasterly along said Easterly line 73.84 feet along an arc of a curve to the right with a radius of 180.00 feet, a long cord of 73.32 feet which bears S.09°27'51"E. to the Southwest corner of said Outlot 1; thence S.87°42'48"E. along the southerly line of said Outlot 1 a distance of 171.97 feet to the Southeast corner of said Outlot 1; thence N.21°08'52"W. along the Easterly line of said Outlot 1 a distance of 248.30 feet to the point of beginning.

And that such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

And that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Chapter 18 of the Municipal Code of the City of Oak Creek in surveying, division and mapping the same.

Dated this 28th day of December, 2016

Michael R. Kotlarek, surveyor
Revised June 27, 2018



BENCHMARK LAND SURVEY TECHNOLOGY
Full Land Surveying Services
3717 - 52nd Street, Kenosha, WI, 53144 (262)658-1686
N80W28352 Keesus Rd, Hartland, WI, 53029

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

All of Outlot 1, Block 14, Pioneer Estates Addition No.4, being a recorded subdivision of part of the NE 1/4 of the NW 1/4 of Section 16, Town 5 North, Range 22 East of the Fourth Principal Meridian, City of Oak Creek, Milwaukee County, State of Wisconsin.

OWNER CERTIFICATE:

I, as owner, hereby certify that I have caused the land described on this map to be surveyed, divided, mapped, and dedicated as represented hereon. I also certify that this map is required by s.236.34 of the Wisconsin Statutes and Chapter 18 of the Municipal Code of the City of Oak Creek.

Dated this _____ day of _____, 2018

Brian T. Schoenleber

STATE OF WISCONSIN)
MILWAUKEE COUNTY)ss

Personally came before me this _____ day of _____, 2018, the above named Brian T. Schoenleber, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public
My Commission Expires _____

PLANNING COMMISSION APPROVAL:

Approved by the Planning Commission of the City of Oak Creek on this _____ day of _____, 2018

Chairman: Stephen Scaffidi

Secretary: Douglas Seymour

COMMON COUNCIL APPROVAL:

Certified Survey Map approved by the Common Council of the City of Oak Creek and dedication accepted on this _____ day of _____, 2018, by Resolution No. _____

Mayor: Stephen Scaffidi

Clerk: Catherine A. Roeske



BENCHMARK LAND SURVEY TECHNOLOGY

Full Land Surveying Services

3717 - 52nd Street, Kenosha, WI, 53144 (262)658-1686

N80W28352 Keesus Rd, Hartland, WI, 53029



PLAN COMMISSION REPORT

Proposal: Certified Survey Map

Description: Review of a Certified Survey Map request to combine and reconfigure the parcels at 7781, 7811, and 7869 S. 13th St.

Applicant(s): John Thomsen, Highgate, LLC

Address(es): 7781, 7811, and 7869 S. 13th St.

Suggested Motion: That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John Thomsen, Highgate, LLC, for the properties at 7781, 7811, and 7869 S. 13th St. be approved with the following conditions:

1. That the CSM approved by the Common Council December 19, 2017 is submitted for recording prior to or concurrently with submission of this CSM for recording.
2. That the CSM is revised to incorporate the “no access” restrictions along Drexel Avenue, a portion of 13th St., and along I-94.
3. That the CSM is revised to incorporate all wetland areas on all sheets.
4. That easements (access, utilities, etc.) are depicted on the map prior to recording.
5. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections (as provided), and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Owner(s): Dennis and Susan Cieslak; Highgate, LLC

Tax Key(s): 784-9991-001, 784-9990-001, 784-9993-002

Lot Size(s): Lot 1 = 24.56948 ac, Lot 2 = 2.1365 ac (following reconfiguration)

Current Zoning District(s): Rs-3, Single Family Residential B-4, Highway Business

Overlay District(s): N/A

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Planned Mixed Use

Background:

The Applicants are requesting approval of a Certified Survey Map (CSM) to combine the properties at 7781, 7811, and 7869 S. 13th St. Plan Commissioners may recall that a CSM was approved last year combining the properties at 7705, 7725, 7751, 7831, and 7869 S. 13th St. That CSM has yet to be recorded, and a condition of approval is included above requiring recording prior to or concurrently with the proposed CSM.

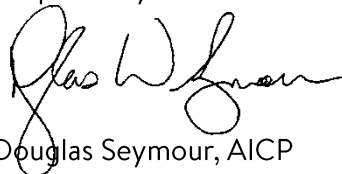
Two lots of conforming size are proposed: Lot 1 will be in excess of 24 acres following consolidation, and Lot 2 will be just over 2 acres in size. While development plans for the larger parcel are in progress, Lot 2 is anticipated for future development of a medical user. This will require a rezone in addition to site, building, landscaping, lighting, and related reviews at a later date. Rezoning the parcels to be incorporated into Lot 1 is the subject of the next item on the agenda.

As with the previously-approved CSM, the same conditions requiring “no access” along Drexel Ave. and a portion of S. 13th Street will be required to be shown on the map. There should also be a “no access” restriction shown along the west property line shared with the I-94 right-of-way. The Applicants are aware of the requirement, and staff will continue to work with their consultants on this requirement.

Wetlands have been delineated and are shown on the northeast side of the proposed parcel on Sheet 2. However, wetlands should be shown on all pages of the CSM prior to recording, and a condition of approval for such is recommended above. Coordinate geometry errors between Sheets 1 and 3 for the northeast portion of the parcel were also provided to the Applicants’ consultants for correction. A condition that such errors be corrected prior to recording is included above.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed CSM with specified conditions, or that the Common Council not approve of the proposed CSM. Disapproval will likely result in the existing condition of the properties to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Planner

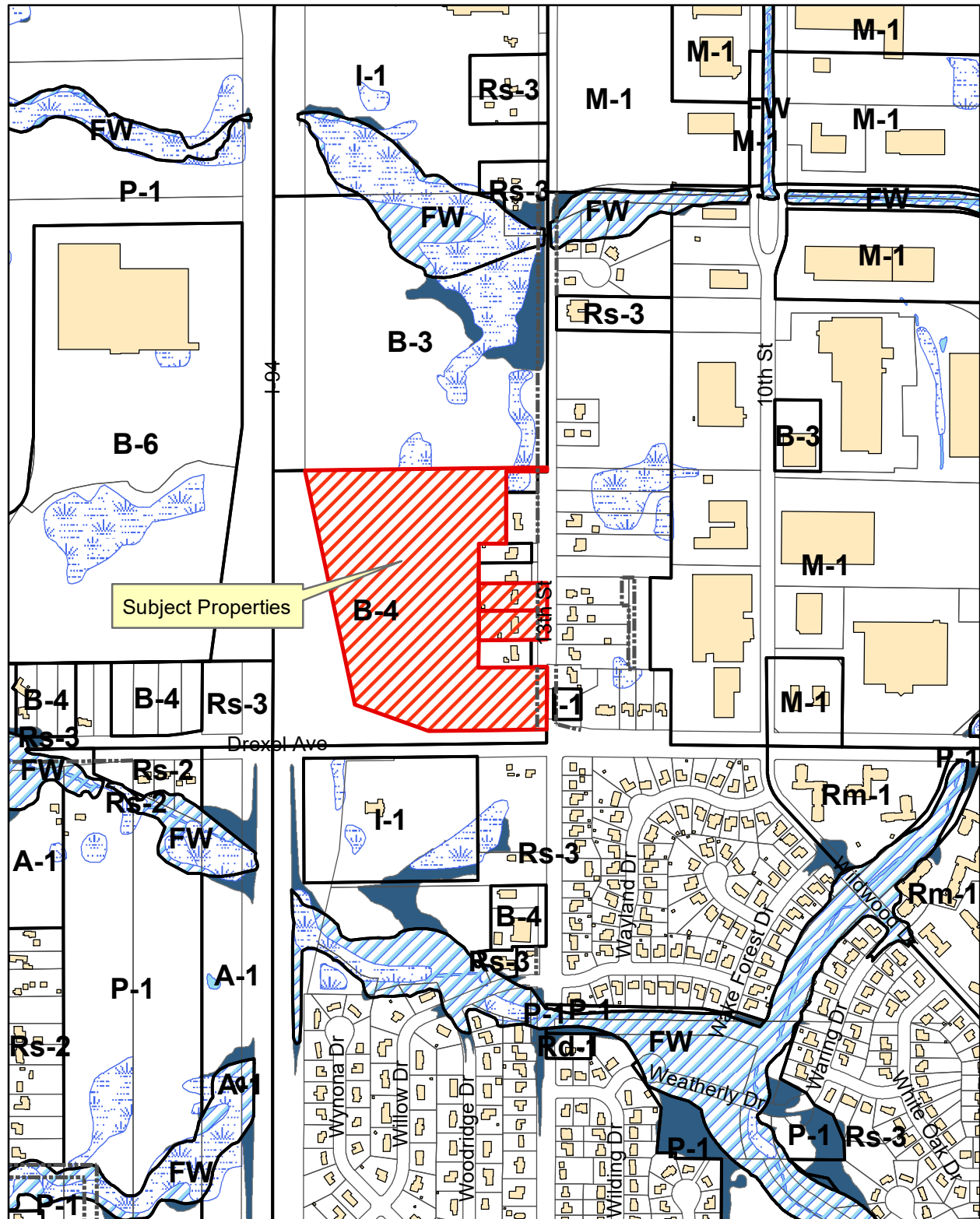
Attachments:

Location Map

CSM

Location Map

7781, 7811, & 7869 S. 13th Street



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend

- Officially Mapped Streets
- Subject Properties
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

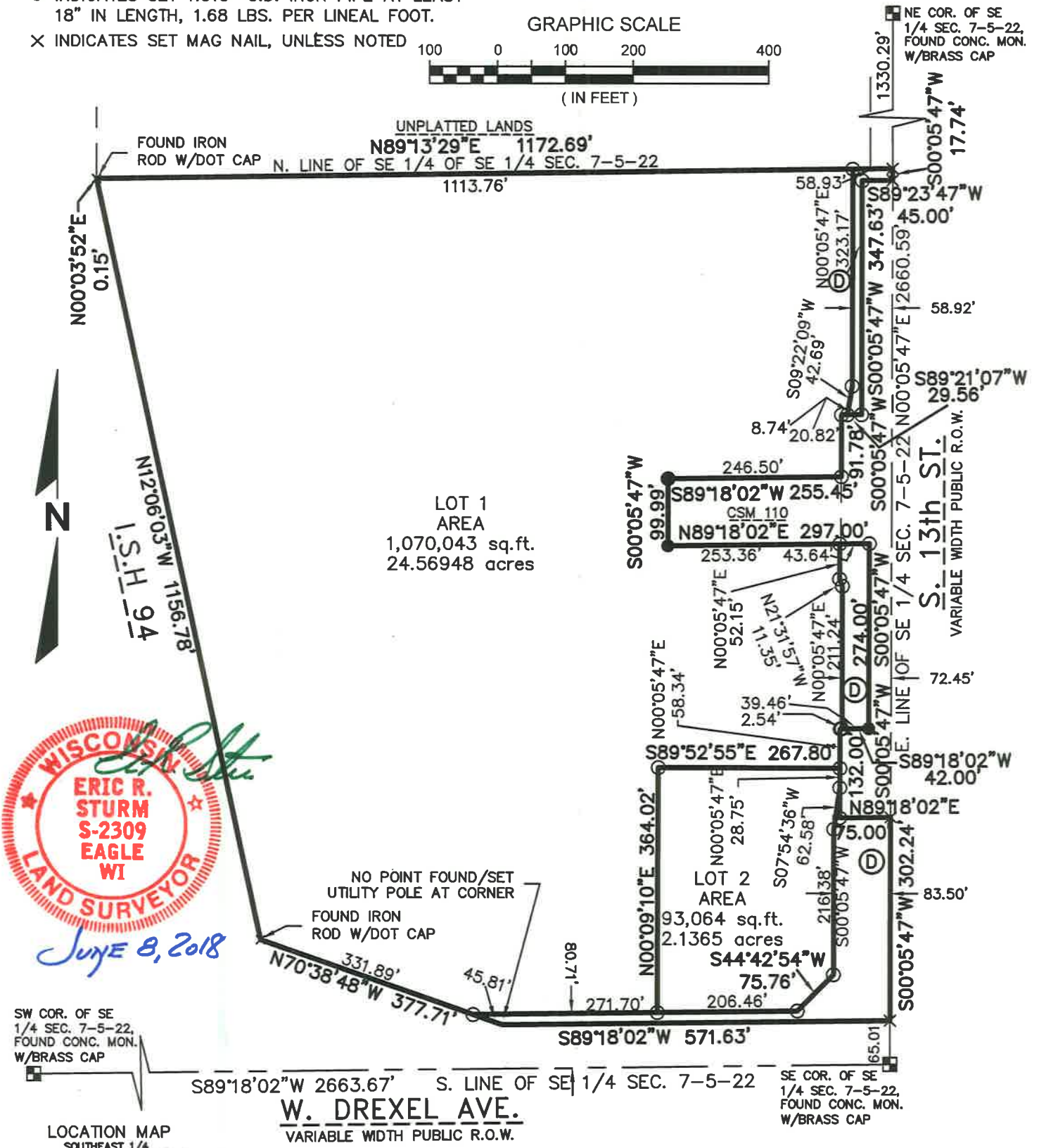
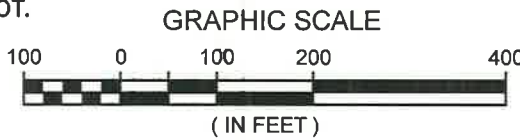
- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 271, Lot 1 of Certified Survey Map No. 130, Lots 1 and 2 of Certified Survey Map No. 7578, and lands, being part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- × INDICATES SET MAG NAIL, UNLESS NOTED

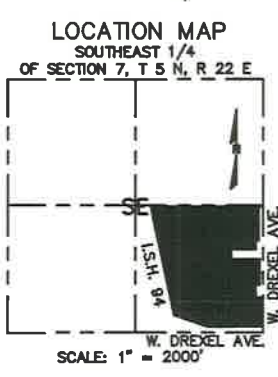
Ⓧ INDICATES LANDS DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC ROAD PURPOSES.



WISCONSIN
ERIC R. STURM
S-2309
EAGLE
WI
LAND SURVEYOR
June 8, 2018

SW COR. OF SE 1/4 SEC. 7-5-22, FOUND CONC. MON. W/BRASS CAP

SE COR. OF SE 1/4 SEC. 7-5-22, FOUND CONC. MON. W/BRASS CAP



SEE SHEET 2 FOR EASEMENT DETAILS
 ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SE 1/4 OF SECTION 7, T 5 N, R 22 E, WHICH BEARS N00°05'47\"/>

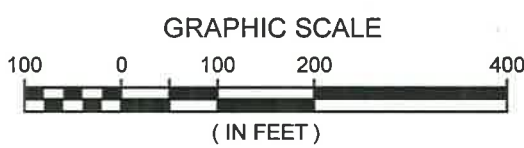
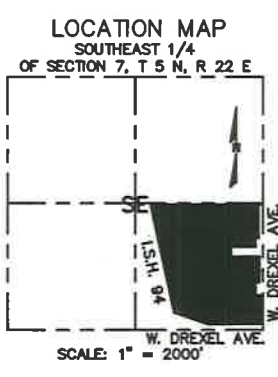
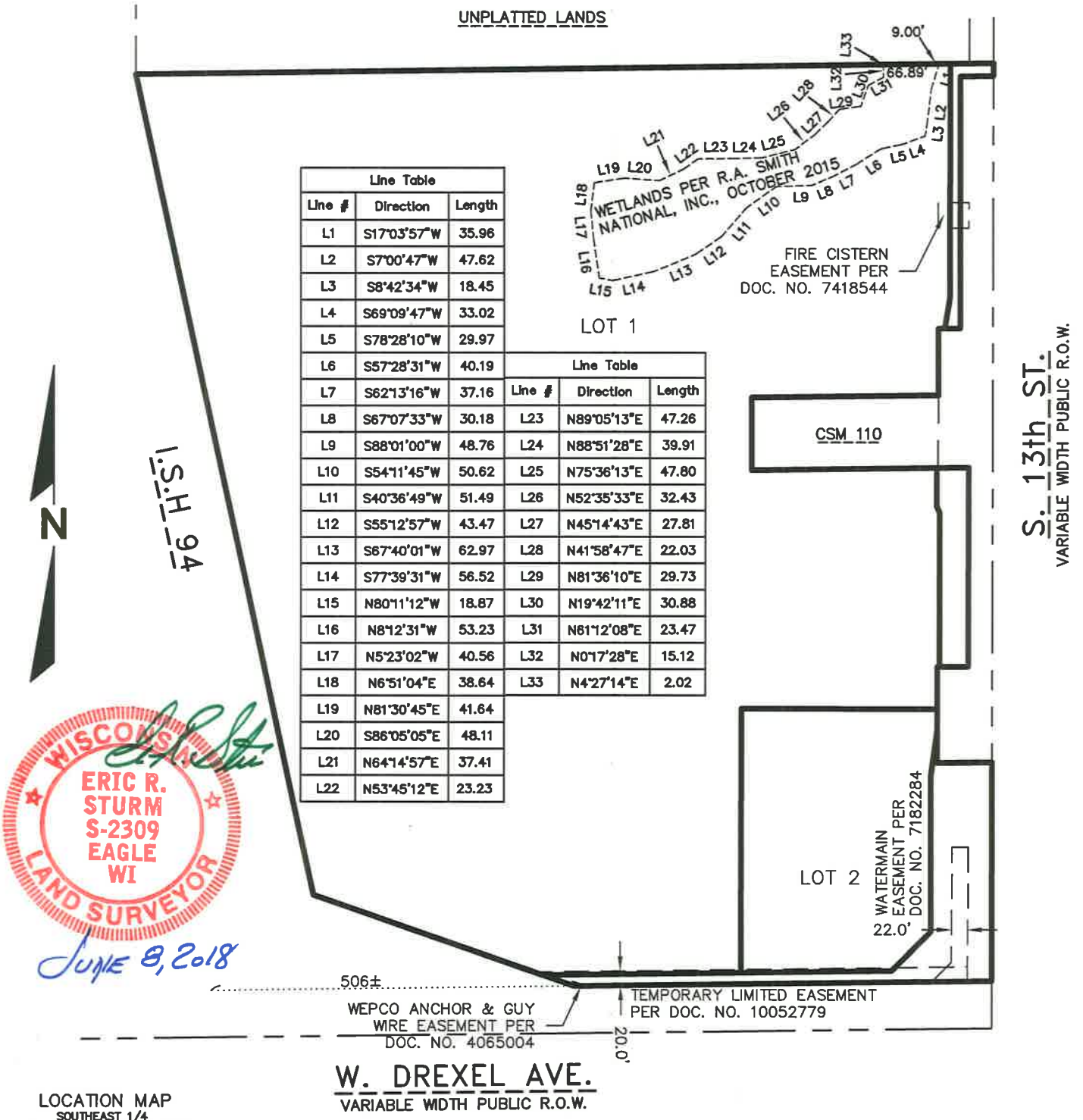
OWNER:
 SOMERSTONE LLC
 19035 W. CAPITOL DR. STE. 108
 BROOKFIELD, WI 53186

raSmith
 CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
 Brookfield, WI 53005-5938
 (262) 781-1000
 rasmith.com

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 271, Lot 1 of Certified Survey Map No. 130, Lots 1 and 2 of Certified Survey Map No. 7578, and lands, being part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



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CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 271, Lot 1 of Certified Survey Map No. 130, Lots 1 and 2 of Certified Survey Map No. 7578, and lands, being part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

SOMERSTONE LLC, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said corporation has caused the land described on this map to be surveyed, divided, dedicated and mapped in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code.

SOMERSTONE LLC, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

IN Witness Whereof, SOMERSTONE LLC has caused these presents to be signed by _____, its _____, this _____ day of _____, 2018.

STATE OF WISCONSIN }
 :SS
MILWAUKEE COUNTY }

PERSONALLY came before me this _____ day of _____, 2018, _____, of the above named SOMERSTONE LLC, to me known to be the person who executed the foregoing instrument, and to me known to be the Mayor of the City of Oak Creek, and acknowledged that he executed the foregoing instrument as such officer as the deed of the corporation, by its authority.

_____(SEAL)
Notary Public, State of _____
My Commission Expires _____



CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 271, Lot 1 of Certified Survey Map No. 130, Lots 1 and 2 of Certified Survey Map No. 7578, and lands, being part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

PLANNING COMMISSION OF APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this _____ day of _____, 2018.

MAYOR DANIEL BUKIEWICZ, CHAIRMAN

DOUGLAS SEYMOUR, SECRETARY

COMMON COUNCIL APPROVAL

Certified Survey Map approved by the Common Council of the City of Oak Creek on this _____ day of _____, 2018, by Resolution No. _____.

DANIEL BUKIEWICZ, MAYOR

CATHERINE ROESKE, CITY CLERK



166553.lcsm

THIS INSTRUMENT WAS DRAFTED BY ERIC R. STURM,
REGISTERED LAND SURVEYOR S-2309



PLAN COMMISSION REPORT

Proposal: Rezone

Description: Review of a request to rezone the parcels at 7781 and 7811 S. 13th St. (to be combined via CSM with 7869 S. 13th St.) from Rs-3, Single Family Residential to B-4, Highway Business, and a portion of 7869 S. 13th St. from B-4, Highway Business to I-1, Institutional (Lot 2 of proposed CSM).

Applicant(s): John Thomsen, Highgate, LLC

Address(es): 7781 and 7811 S. 13th St., portion of 7869 S. 13th St.

Suggested Motion: That the Plan Commission recommends to the Common Council that the properties at 7781 and 7811 S. 13th St. be rezoned from Rs-3, Single Family Residential to B-4, Highway Business, and a portion of 7869 S. 13th St. (Lot 2 of proposed CSM) from B-4, Highway Business to I-1, Institutional after a public hearing.

Owner(s): Dennis and Susan Cieslak; Highgate, LLC

Tax Key(s): 784-9991-001, 784-9990-001, 784-9993-002

Lot Size(s): See proposed CSM and attached Exhibits

Current Zoning District(s): Rs-3, Single Family Residential B-4, Highway Business

Overlay District(s): N/A

Wetlands: Yes No **Floodplain:** Yes No

Comprehensive Plan: Planned Mixed Use

Background:

The Applicants are requesting that the properties at 7781 and 7811 S. 13th St. be rezoned from Rs-3, Single Family Residential to B-4, Highway Business District, and a portion of 7869 S. 13th St. (Lot 2 of proposed CSM) from B-4, Highway Business to I-1, Institutional. This request is in advance of pursuing a future mixed-use Planned Unit Development (PUD) and a future medical development (both plans in progress), and which were part of the CSM reviewed in the previous agenda item. The Comprehensive Plan was amended in 2017

to reflect Planned Mixed Use for the area. The proposed rezone requests would be consistent with that amended Land Use Category.

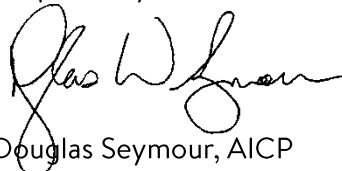
Existing parcels in the immediate area are zoned for residential, commercial, and institutional uses. Within 1,000 feet are manufacturing and park uses. The B-4, Highway Business district “is intended to provide for the orderly and attractive grouping at appropriate locations along federal, state, and county highway routes of those businesses and customer services which are logically related to and dependent upon highway traffic or which are specifically designed to serve the need of such traffic.” The parcels are located along a county (13th Street) highway route, adjacent to the larger parcel along I-94. Considering the consolidation via CSM and plans for the development of a commercial PUD, the proposal appears to be consistent with the B-4 purpose statement.

The I-1, Institutional district, “is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public, public-related or private ownership and where the use for public purpose is anticipated to be permanent. Uses permitted shall generally serve the public benefit.” Based on the proposal for Lot 2 shown in the CSM reviewed in the previous agenda item to be developed with a medical use, the proposed rezone appears to be consistent with the I-1 purpose statement. Considering the proximity to the mixed-use PUD currently in the planning stages, the proposed rezone for the proposed Lot 2 is not incompatible with the zoning in the area. Staff supports the proposed rezone requests.

Should the Plan Commission agree with staff that rezoning 7781 and 7811 S. 13th St. to B-4, Highway Business, and a portion of 7869 S. 13th St. to I-1, Institutional, is appropriate, a motion recommending Council approval is provided above.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed rezone, or that the Common Council not approve of the proposed rezone. Disapproval of the rezone would result in the parcels remaining zoned for residential uses, and likely remaining in their existing conditions for the foreseeable future.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Planner

Attachments:

Location Map

CSM (Sheet 1 only)

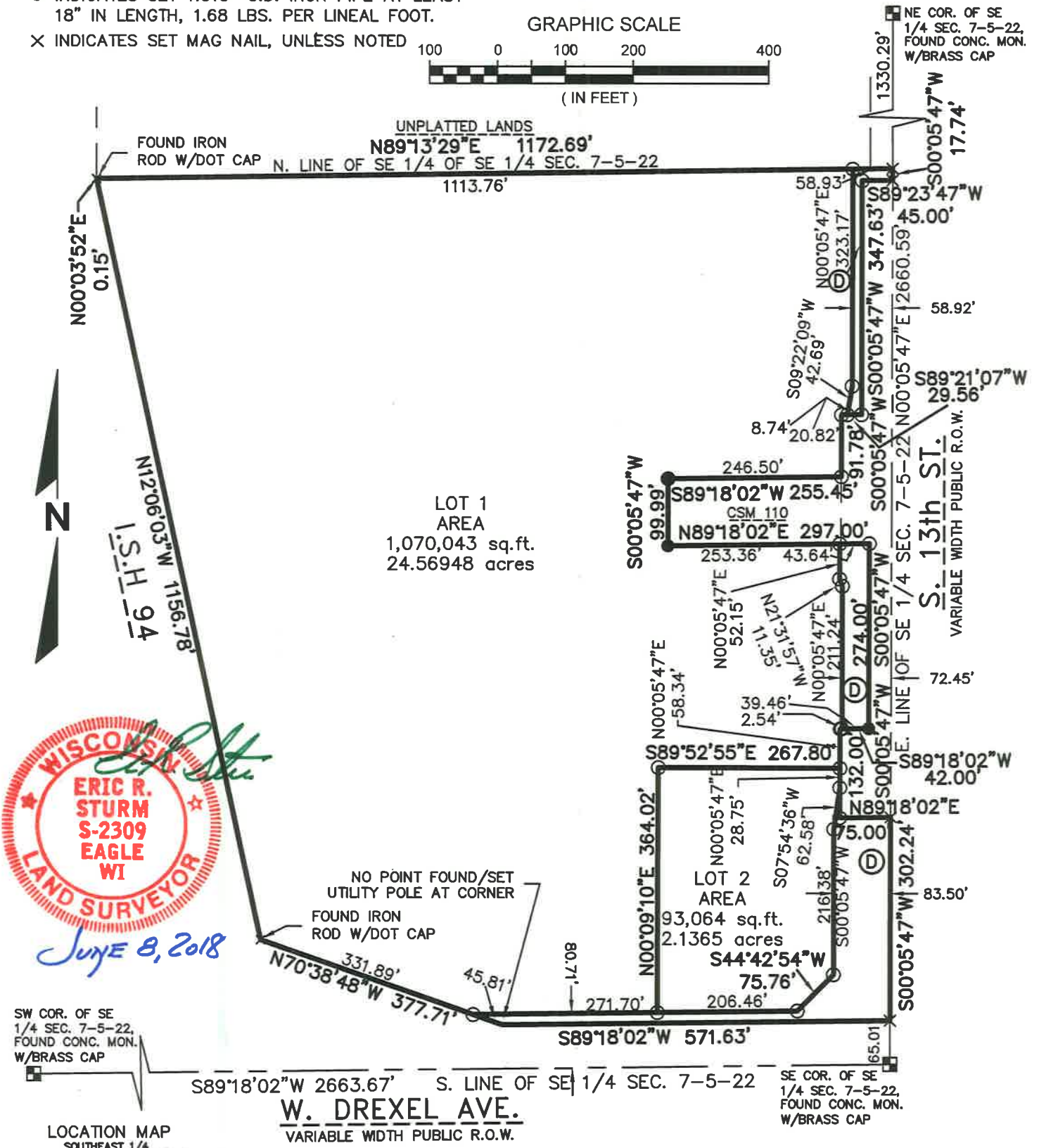
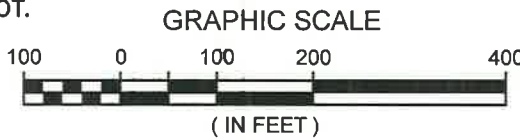
Rezoning Exhibits (3 sheets)

CERTIFIED SURVEY MAP NO. _____

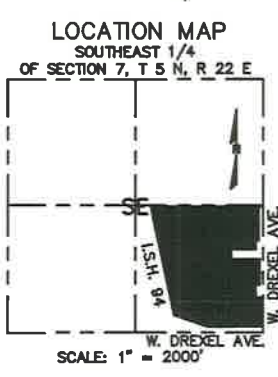
A division of Lot 1 of Certified Survey Map No. 271, Lot 1 of Certified Survey Map No. 130, Lots 1 and 2 of Certified Survey Map No. 7578, and lands, being part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- × INDICATES SET MAG NAIL, UNLESS NOTED

Ⓧ INDICATES LANDS DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC ROAD PURPOSES.



ERIC R. STURM
S-2309
EAGLE
WI
 LAND SURVEYOR
 June 8, 2018



SEE SHEET 2 FOR EASEMENT DETAILS
 ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SE 1/4 OF SECTION 7, T 5 N, R 22 E, WHICH BEARS N00°05'47"E.
 OWNER:
 SOMERSTONE LLC
 19035 W. CAPITOL DR. STE. 108
 BROOKFIELD, WI 53186

raSmith

CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
 Brookfield, WI 53005-5938
 (262) 781-1000
 rasmith.com

REZONING EXHIBIT

Known as 7781 South 13th Street, in the City of Oak Creek, Milwaukee County, Wisconsin.

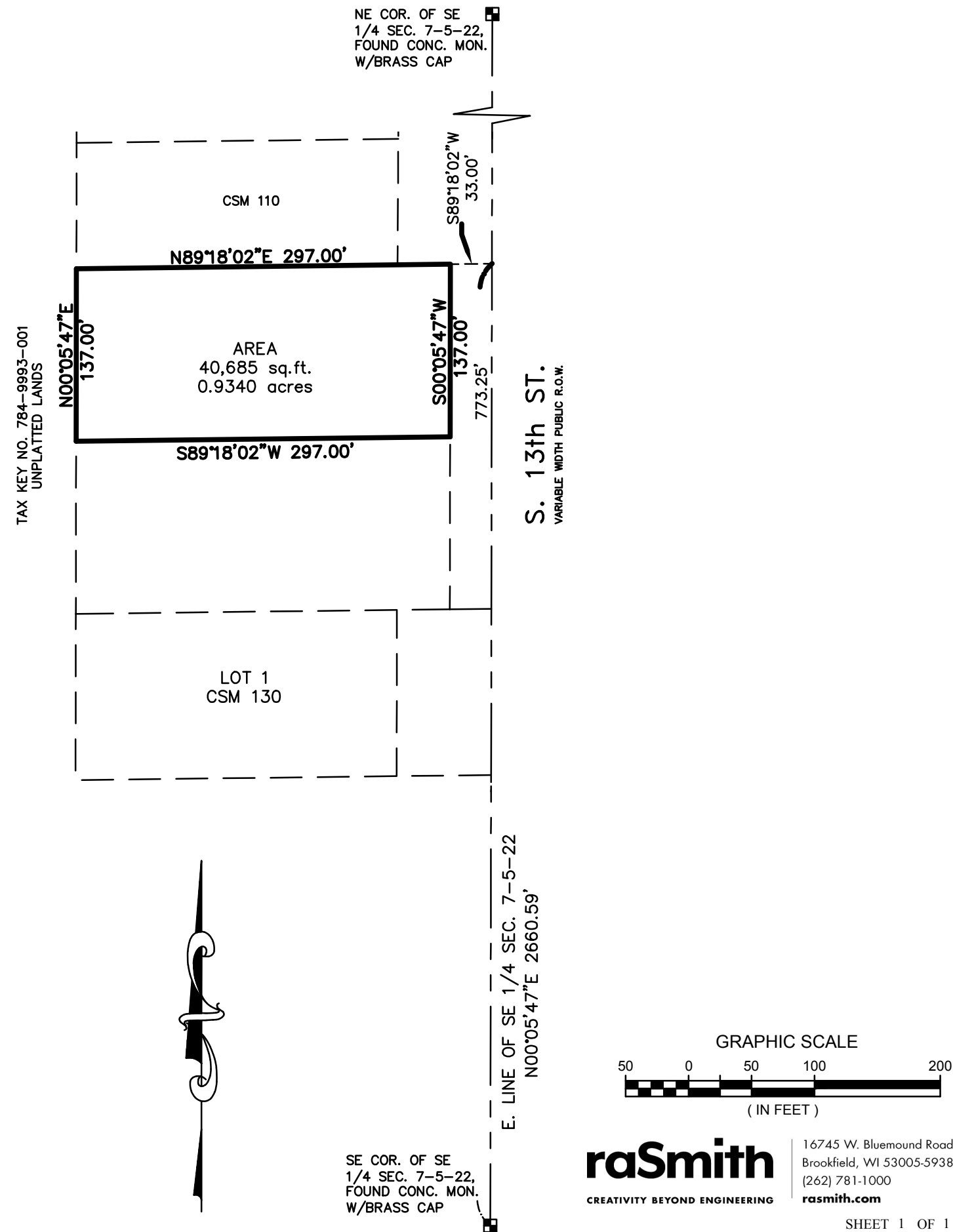
Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 773.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 00°05'47" West along the West line of South 13th Street 137.00 feet to a point; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to the point of beginning.

Containing 40,685 square feet or 0.9340 acres.

June 8, 2018

Project No. 166553-ERS



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REZONING EXHIBIT

Known as 7811 South 13th Street, in the City of Oak Creek, Milwaukee County, Wisconsin.

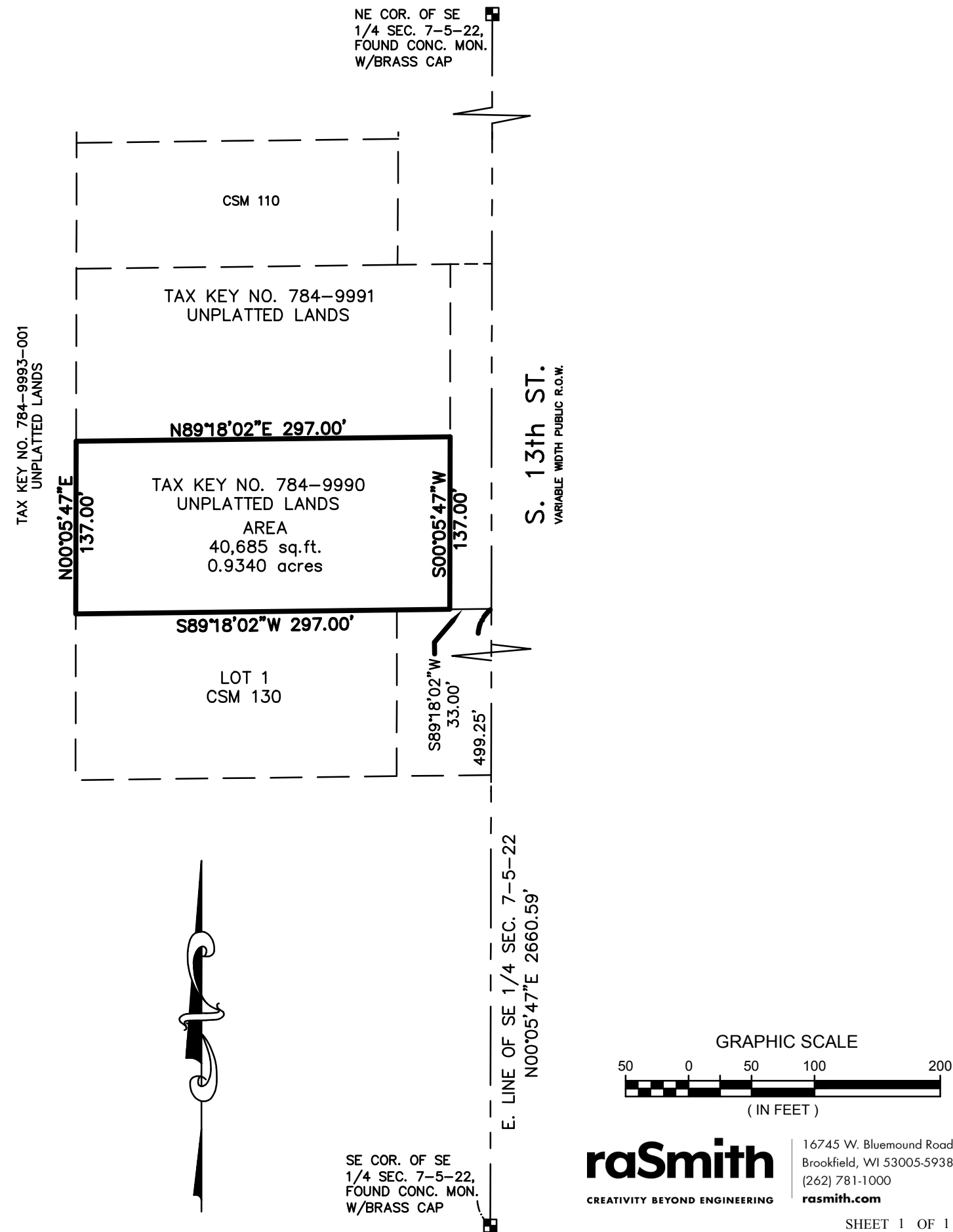
Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 499.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to a point on the West line of South 13th Street; thence South 00°05'47" West along said West line 137.00 feet to the point of beginning.

Containing 40,685 square feet or 0.9340 acres.

June 8, 2018

Project No. 166553-ERS



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REZONING EXHIBIT

Situated on South 13th Street, in the City of Oak Creek, Milwaukee County, Wisconsin.

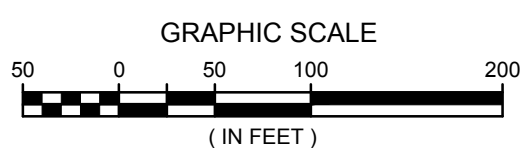
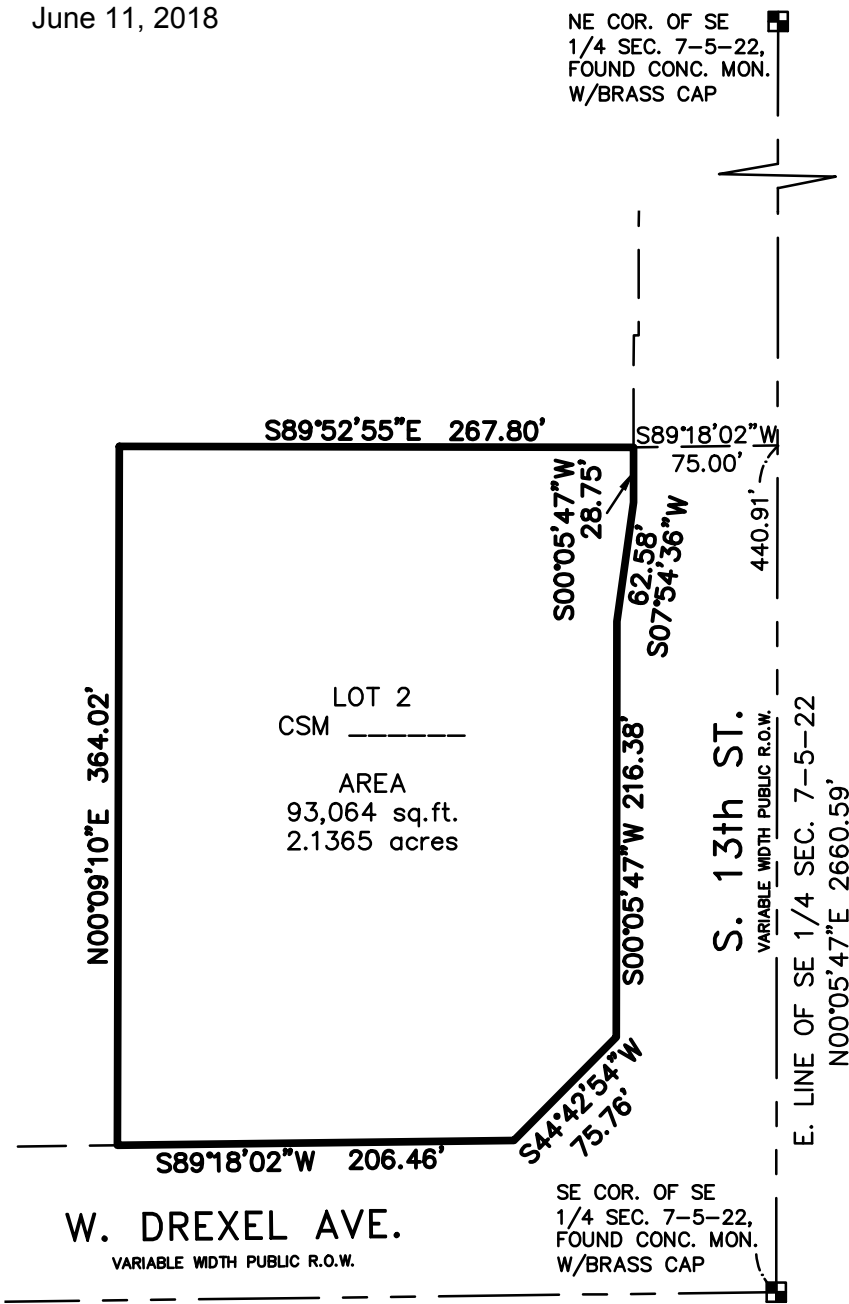
Lot 2 of Certified Survey Map No. _____, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 440.91 feet to a point; thence South 89°18'02" West 75.00 feet to the point of beginning of lands to be described; thence South 00°05'47" West along the West line of South 13th Street 28.75 feet to a point; thence South 07°54'36" West continuing along said West line 62.58 feet to a point; thence South 00°05'47" West along said West line 216.38 feet to a point; thence South 44°42'54" West 75.76 feet to a point on the North line of West Drexel Avenue; thence South 89°18'02" West along said North line 206.46 feet to a point; thence North 00°09'10" East 364.02 feet to a point; thence South 89°52'55" East 267.80 feet to the point of beginning.

Containing 93,064 square feet or 2.1365 acres.

June 11, 2018

Project No. 166553-ers



raSmith
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com

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