



PLAN COMMISSION

March 28, 2023

6:00 P.M.

Common Council Chambers

8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Dawn Carrillo
Chaucey Chandler
Donald Oldani
Chris Guzikowski
Ashley Kiepczynski
Gregory Loreck
Fred Siepert
Christine Hanna
Matt Sullivan - ex-officio
Kari Papelbon - ex-officio

The City's Vision

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

Find more information on agenda items at [oakcreek.zoninghub.com](https://www.oakcreekwi.org/zoninghub.com).

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – March 14, 2023
4. Review and Discuss Report on Recent Common Council Actions
5. Review and Discuss Report on Recent Board of Housing and Zoning Appeals Actions – NONE
6. Review and Discuss Report on Recent Quarterly Parks & Recreation Commission Actions – Next Report April 11
7. New Business
 - a. CONDITIONS AND RESTRICTIONS – Review Conditions and Restrictions for a request submitted by Kathleen Smigielski, Next Best Place Child Care & Preschool, for a Conditional Use Permit for a private playground/outdoor recreation facility on the property at 150 W. Ryan Rd. (Tax Key No. 875-9004-002; 3rd Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/I3MO4K0DD5>
 - b. CONDITIONS AND RESTRICTIONS - Review Conditions and Restrictions for a request submitted by Chandra Sekhar Vasireddy, Oak Creek Residences, LLC, to establish a residential Planned Unit Development on the properties at 9102, 9120, and 9140 S. 27th St. (Tax Key Nos. 878-9999-000, 878-9998-000, and 878-9997-000; 6th Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/D2JPBI8667>
 - c. CERTIFIED SURVEY MAP – Review a certified survey map submitted by Matthew Mehring, Anderson Ashton, combining and reconfiguring the properties at 6340, 6448, and 6460 S. Howell Ave.; and 239 & 325 E. College Ave. (Tax Key Nos. 719-9012-000, 719-9987-002, 719-9986-000, 719-9995-000, 719-9007-000; 1st Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/0757J5OJMX>

Visit our website at www.oakcreekwi.org for the agenda and accompanying Plan Commission reports.

- d. REZONE / CONDITIONAL USE PERMIT – Review requests submitted by Matthew Mehring, Anderson Ashton, to rezone the properties at 6340, 6448, and 6460 S. Howell Ave.; and 239 & 325 E. College Ave. to M-1, Manufacturing, and establish a Conditional Use Permit for heavy manufacturing on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. (Tax Key Nos. 719-9012-000, 719-9987-002, 719-9986-000, 719-9995-000, 719-9007-000; *1st Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/OZ0WUI8APO>
- e. PLAN REVIEW – Review site and building plans submitted by Charles and Robert Bleck, Bleck & Bleck Architects, LLC, for screening elevated exterior mechanical equipment on the property at 9141 S. 13th St. (Tax Key No. 877-9010-000; *6th Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/U2FK4USY6G>
- f. CERTIFIED SURVEY MAP – Review a certified survey map submitted by Ryan Swingruber, CR Devco, LLC, dividing and reconfiguring the properties at 2231 & 1933 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St. (Tax Key Nos. 856-9999-001, 857-9993-000, 857-9992-000, 857-9991-000; *6th Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/GHZ7KOTKN0>
- g. PLANNED UNIT DEVELOPMENT AMENDMENT – Review a request submitted by Ryan Swingruber, CR Devco, LLC for an amendment to the Time of Compliance Section of the existing Planned Unit Development affecting the properties at 2231 & 1933 W. Puetz Rd., 8843 S. 13th St., and 8950 S. 20th St. (Tax Key Nos. 856-9999-001, 857-9993-000, 857-9992-000, 857-9991-000; *6th Aldermanic District*).
More info at ZoningHub: <https://s.zoninghub.com/KMBYET70SQ>

Announcements & Adjournment.

Dated this 23rd day of March, 2023
Posted 3/23/23 dj

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.

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 14, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Carrillo, Commissioner Kiepczynski, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Commissioner Hanna arrived at the end of item 7a. Also present: Senior Planner Kari Papelbon and Assistant Fire Chief Mike Havey.

Note: Audio recording was unavailable until around 6:03

Minutes of the February 28, 2023, meeting

Commissioner Siefert moved to approve the minutes of the February 28, 2023 meeting. Alderman Guzikowski seconded. On roll call: Commissioner Chandler abstained; all others voted aye. Motion carried.

PLAN REVIEW

HAND AND STONE

7978 S. MAIN ST. (TENANT ADDRESS: 7956 S. MAIN ST.)

TAX KEY NO. 813-9050-000

Senior Planner Papelbon provided an overview of the Site and Building Plan review for a proposed building modification to change the clear glazing of the north windows to opaque with a graphic covering at 7956 S. Main St. (see staff report for details). *****Audio began during Senior Planner Papelbon's overview.*****

Tom Piazza, 1245 Humbracht Circle, Bartlett, Illinois, explained they are presenting four (4) different options in order, from the applicant's most preferred to least preferred.

Commissioner Chandler asked Senior Planner Papelbon if options three (3) and four (4) would be over the maximum allowed square footage of 250 square feet. Senior Planner Papelbon stated that both options are for the same bank of windows.

Commissioner Oldani stated his preference for options three (3) or four (4), and asked Senior Planner Papelbon if the Plan Commission needs to pick between them. Senior Planner Papelbon stated she thinks it is within the Plan Commission's authority to specify that options three (3) or four (4) are approved, rather than picking one (1) of the two (2) options.

Mr. Piazza explained that the difference between options three (3) and four (4) is more than just a color change. Option four (4) is a drywall constructed wall, which will make it tougher for construction, whereas option three (3) includes millwork panels that go in front of the wall that give more texture and matches the color scheme of the studio.

Commissioner Oldani stated he would like option three (3).

Alderman Guzikowski stated his agreement with Commissioner Oldani, and that he would choose option three (3).

Alderman Loreck stated his agreement, and that he would select option three (3).

Commissioner Kiepczynski stated her agreement with option three (3).

Commissioner Carrillo stated that she thinks option three (3) also if it matches the inside.

Mayor Bukiewicz thanked the applicant for working with staff. Mayor Bukiewicz asked the applicant if there are little shelves in option three (3) to display items. Mr. Piazza stated that is correct.

Mayor Bukiewicz stated that he thinks the applicant can enhance his business with this display, and that he would choose option three (3) as well.

Alderman Loreck moved that the Plan Commission approves the site and building plans submitted by Sean Phelan, DTS Mixed Use, LLC, for exterior building modifications on the north elevation of the tenant space at 7956 S. Main St. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That option three (3) is approved.
3. That a maximum of 250 square feet of the windows on the north elevation in the location depicted on the approved plan is approved for the window treatment.
4. That all approved window treatments are installed on the interior of the tenant space.
5. That all revised plans (site, building, etc.) are submitted in digital format for review by the Department of Community Development prior to the submission of building permit applications.

Alderman Guzikowski seconded. On roll call: Commissioner Hanna abstained; all others voted aye. Motion carried.

**PLAN COMMISSION CONSULTATION
ST. JOHN PROPERTIES, INC.
140 E. RAWSON AVE.
TAX KEY NO. 733-9991-001**

Kristen Parks, St. John Properties, 2000 Pewaukee Road, Waukesha and Megan Duersteler, Microbial Discovery Group, 7420 S Howell Ave. presented their concept.

Ms. Parks explained that Microbial Discovery Group already has a space in Oak Creek, are looking to expand into one (1) of the buildings at 140 East Rawson Avenue, and would like to install a semi-permanent greenhouse behind the building and the parking. Ms. Parks stated that she is not sure if they will occupy Building B or C, but the greenhouse would be by the loading docks.

Mayor Bukiewicz asked Ms. Parks which building has the ambulance tenant. Ms. Parks stated it is Building C, the building furthest to the east.

Mayor Bukiewicz asked if the greenhouse would be seen from Howell Ave. if the tenant was in Building C. Ms. Parks explained that if it was in Building C it would abut to the far east end,

and if it was in Building B it would face Howell Avenue, but when Building A is built it would block that view.

Ms. Parks explained that other tenants in the building do use the parking spaces in the rear.

Senior Planner Papelbon stated that before this item can move forward it would require a text amendment. This is a consultation to see if there is non-binding direction from the Plan Commission as to whether staff should prepare something like that, should a text amendment request be received. Senior Planner Papelbon stated that, in staff's opinion, this is something that would qualify for a Conditional Use Permit since it is unique. The item is before the Plan Commission to determine if it should move forward and whether it would require a Conditional Use Permit with a text amendment.

Commissioner Hanna asked what agricultural research concept is. Ms. Duersteler explained that Microbial Discovery Group is a bacterial manufacturing fermentation company. Their headquarters is based in Oak Creek, and they make beneficial bacteria for different applications, such as human probiotics, animal feed, environmental applications, and waste treatment. They are trying to get in the business of using the beneficial bacteria as a soil amendment to enhance crop growth and help produce more food. Ms. Duersteler explained that in order to develop those products, the research and development (R&D) team needs to be able to grow plants. They will need more space to do that, and would be looking to build a greenhouse, like what is built at schools or universities, to be able to conduct the research of whether their products are enhancing the growth of crops like corn or tomatoes.

Commissioner Kiepczynski asked for clarification regarding the location of the greenhouse. Ms. Parks stated that it would be in the rear parking area, not the public parking area, where there is a screen wall and the loading docks.

Alderman Loreck asked how wide the space is where they are proposing to put the greenhouse, and whether it will fill the space. Ms. Parks stated that the leased space is 30 feet wide, and the applicant's proposal is for a 24 feet wide by 36 feet deep [greenhouse].

Alderman Loreck asked if this would be the northernmost tenant, or if a lane would need to be added around the greenhouse to get to the more northern tenants. Ms. Parks state that it should not interfere with traffic. The landowners would not want it to interfere with traffic because other tenants could be coming in and out with trucks. The greenhouse would fit within the applicant's parking area in the rear part of the building.

Alderman Guzikowski stated that he is in favor of this idea.

Commissioner Oldani stated that it sounds like a good idea to him as well.

Commissioner Siefert asked if this would help speed up the growth of plants and help them grow healthier. Ms. Duersteler said yes, grow faster and produce more yields, bigger tomatoes, and better use of nutrients to reduce the amount of fertilizer needed.

Commissioner Siefert asked how the product would be applied. Ms. Duersteler explained that the product is a dry powder that would usually be mixed in with the irrigation system and applied into the soil that way.

Commissioner Chandler asked what is meant by “semi-permanent.” Ms. Parks stated that when the tenant leaves, she assumes the applicant will take it [the greenhouse] with them and it will not remain a part of the building, but it is strong enough to withstand storms and snow. Ms. Parks also stated that it will be a commercial-grade structure.

Commissioner Chandler asked how long this structure is planned to be on the property. Ms. Parks stated that they are in the very early stages of this proposal. Ms. Duersteler stated that they are hoping to move in sometime in 2023, but that she is not sure how long they will be tenants - several years at least.

Commissioner Chandler asked how long the testing cycle is. Ms. Duersteler stated that it will depend on the crop, but it is a long-term research project.

Commissioner Chandler whether, once one crop has provided the specific micro-organisms that are wanted, new plants are planted to investigate another focus area. Ms. Duersteler clarified that they are testing products that are applied to the plant, and that there will be several iterations. This is ongoing research and developing new products, so it will be several years of repeating that similar process.

Commissioner Chandler asked if there will be some sort of system built into the greenhouse to make sure the plants are fed, watered, etc. Ms. Duersteler stated that there will likely be an irrigation system for watering, but there will be staff on site monitoring the greenhouse and plants to make sure everything is working properly and collecting data.

Commissioner Hanna asked if this is an organic type of research material. Ms. Duersteler stated it is organic - it is microbes/live organisms.

Commissioner Hanna asked if it is university or business-based research. Ms. Duersteler stated Microbial Discovery Group is a business, developing commercial products, but there is a lot of research in this area of using live microorganisms for this purpose.

Commissioner Hanna asked if these microorganisms have been approved to be processed or researched. Ms. Duersteler stated that in order to sell these products, states require registration, which they are not at that point yet, but they have prototype product that is approved for use in certain states. All the species they work with are considered safe by the CDC, and are often used in animal feed or human probiotics.

Commissioner Hanna asked who is funding this research. Ms. Duersteler stated that it is funded by the business.

Assistant Fire Chief Havey stated that the fire department has not seen a site plan yet; however, once that is received, they can analyze what the impact would be for access, but there are no immediate concerns.

Mayor Bukiewicz asked if there will be grow lights on 24 hours. Ms. Duersteler stated that she does not believe so. There would be some heating systems in the greenhouse, but the plants would usually use the natural light cycle.

Mayor Bukiewicz stated that he would have some concerns regarding lighting.

Senior Planner Papelbon asked the Plan Commission to keep in mind that the property is zoned B-4, so staff and the Plan Commission would need to think about the limitations. When a proposal comes up that is a more robust R&D type situation, it needs to be put in the correct zoning district, which would be Lm-1 or M-1. Senior Planner Papelbon explained that a Conditional Use Permit would be a likely requirement. Because the site is being altered with the addition of a building, a site and building plan review would be required.

Mayor Bukiewicz whether the structure would not have full footings due to the temporary nature. Senior Planner Papelbon stated that even though it is called “temporary” it would still require Plan Commission approval because it is being proposed for longer than staff can approve on a temporary basis.

Mayor Bukiewicz made comments that were inaudible.

Senior Planner Papelbon stated that anything beyond a year is not temporary in the eyes of the City in terms of permitting. Anything beyond 30 days is the purview of the Plan Commission because that is all staff can approve at the administrative level.

Commissioner Oldani stated his recommendation to move forward, and that he does not see a reason not to.

Commissioner Chandler asked to clarify that this type of use is acceptable in a Light Manufacturing District. Senior Planner Papelbon stated that R&D is allowed in Lm-1.

Commissioner Chandler asked to confirm that this property is B-4. Senior Planner Papelbon stated that is correct. The way the Code is written, the Lm-1 District is intended to facilitate R&D, where the basis of the business is actual research and development. R&D that is purely agricultural would be allowed in the Agriculture District with some parameters. Senior Planner Papelbon explained that this is a unique situation because it is a small-scale operation, and it is R&D for a very specific purpose. That is why, when we move forward with a text amendment, it will be considered a Conditional Use. If it grows or gets larger, it is something the City would want to make sure is in the correct zoning district.

The Commissioners all gave the opinion that they are okay with the proposal to move forward.

**CONDITIONAL USE PERMIT
NEXT BEST PLACE CHILD CARE & PRESCHOOL
150 W. RYAN RD.
TAX KEY NO. 875-9004-002**

Senior Planner Papelbon provided an overview of the request for a Conditional Use Permit for an outdoor recreation facility/private playground on the property at 150 W. Ryan Rd. (see staff report for details).

Kathy Smigielski, 3701 W. Holmes Ave., Greenfield, WI, explained that one (1) area would have nine (9) inches of mulch, and it would be connected with a gate to the asphalt area where kids could ride scooters, play ball, and run around more.

Commissioner Siepert asked if the asphalt area and the mulch area would be fenced in. Ms. Smigielski stated that it would be.

Commissioner Siepert asked to confirm it would be a six (6)-foot-tall fence. Ms. Smigielski stated that it would.

Alderman Loreck asked Senior Planner Papelbon what the Code states regarding chain-link fences. Senior Planner Papelbon stated that because this is a commercial district, it is not subject to the residential standards. So chain-link would be considered a security fence unless the Plan Commission otherwise determines.

Commissioner Carrillo asked if there would be only one (1) access to both areas. Ms. Smigielski stated that, from the building, there is one (1) door, and then there will be an exit to the parking lot. Ms. Smigielski stated that at the end of the day if parents are coming to pick up their kids and they are outside, there would be a gate for the parents to enter the play area. There would be a lock on the gate to the parking lot, but there would be a teacher standing there at the time of pickup.

Commissioner Hanna asked if there was any concern of the kids climbing the fence. Ms. Smigielski stated that she has been in childcare for many years, and, no - there are rules, and the children need to follow the rules. There would always be a supervisor with the children.

Mayor Bukiewicz asked whether metal slats should be included in the fence so people cannot see the children. Senior Planner Papelbon stated that the play area is on the back of the building, and she is not sure the play area would be seen from the road. It is more of a matter if the Plan Commission wants to require that. Senior Planner Papelbon stated that her only recommendation would be to require vinyl coated chain-link.

Mayor Bukiewicz asked where the trash enclosure is, and if there will be any traffic on the road on the west of the play area. Ms. Smigielski said yes, it would be one-way to go around it. Ms. Smigielski stated that the play area will be in the area where the grass is already, and the fencing would be on the whole perimeter of the parking lot. She stated that she will measure to make sure the fence is in the drive-through area, and can add cones to make sure drivers can make the turn.

Mayor Bukiewicz asked if the garbage truck will be driving by there. Ms. Smigielski nodded her head yes.

Mike Smigielski, 3701 W. Holmes Ave., Greenfield, WI, stated that they made contact with GFL, and they were not aware of anything regarding fenced-in disposal for garbage pickup. Mr. Smigielski stated that, if needed, the garbage could be moved to the far northwest corner of the parking lot.

Senior Planner Papelbon stated that the property owner was made aware that the trash containers need to be in an enclosure per Code, so the applicant should work with the landowner to get that provided.

Mayor Bukiewicz stated that he is concerned about the garbage truck backing up and hitting the fence. Mr. Smigielski explained that the parking lot is one-way, and if the trash was put in the far northwest corner, the truck would be pulling in forward and backing to the north.

Mayor Bukiewicz stated that he does not think they need to go as far as a guardrail, but maybe adding some decorative planters around the fence.

Commissioner Hanna stated that Mayor Bukiewicz brought up a good point, and maybe some additional protective barriers could be added to protect the asphalt.

Ms. Smigielski asked if she could use the big cement barriers. Commissioner Hanna stated it could be more decorative, and any landscaper could help her get some.

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit allowing an outdoor recreation facility/playground on a portion of the property at 150 W. Ryan Rd. after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (March 28, 2023).

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

**TEMPORARY USE PERMIT
CE FARMS
7501 S. HOWELL AVE.
TAX KEY NO. 782-9036-000**

Senior Planner Papelbon provided an overview of a Temporary Use Permit request for the outdoor display/sale of merchandise as part of the operation of a garden center in the Classic Lanes parking lot at 7501 S. Howell Ave. (see staff report for details).

Commissioner Oldani moved that the Plan Commission approves the Temporary Use Permit request submitted by Casie Ertl, CE Farms, for the operation of a garden center in the parking lot on the property at 7501 S. Howell Ave. with the following conditions:

1. That all relevant Code requirements remain in effect.
2. That all garden center activities shall be located within the portion of the parking lot as per the proposed map.
3. That operations shall occur between 9:00 AM and 6:00 PM Monday through Saturday, and between 9:00 AM and 5:00 PM Sunday.
4. That signage for the operation is limited one 32 square-foot temporary sign.
5. That a tent permit is obtained prior to operation.
6. That the Temporary Use Permit shall be valid between April 15, 2023 and July 15, 2023. The property shall be restored to its pre-temporary use condition by no later than July 17, 2023.

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

**PLANNED UNIT DEVELOPMENT
OAK CREEK RESIDENCES, LLC
9102, 9120, AND 9140 S 27TH ST.**

TAX KEY NOS. 878-9999-000, 878-9998-000, AND 878-997-000

Senior Planner Papelbon provided an overview review a request by Chandra Sekhar Vasireddy, Oak Creek Residences, LLC, to establish a Planned Unit Development on the properties at 9102, 9120, 9140 S. 27th St. (see staff report for details).

Commissioner Hanna stated that she likes the idea that the applicant is leaving the wetland untouched and not modified, and that she supports the idea of separating the wetlands and the condominiums with potentially a decorative fencing.

Alderman Loreck stated that he would support some type of simple fencing to separate that area [wetlands].

Alderman Guzikowski stated his agreement, and that he would support some type of simple fencing.

Commissioner Siefert stated that he has concerns about parking, especially around the holidays, and asked where the visitors will park.

Jason Christensen, Nielsen Madsen & Barber, 1458 Horizon Boulevard, Racine, WI, stated that there will be a two (2) car garage with room for two (2) additional spaces in front of each unit. There may be times when a resident needs more parking, and hopefully the neighbors will be friendly enough to accommodate the resident.

Commissioner Siefert stated that a lot of people use garages as storage because there are no basements. Mayor Bukiewicz stated that is a personal choice - garages are meant to house a vehicle.

Mayor Bukiewicz made a comment regarding condos that was partially inaudible.

Mr. Christensen clarified that these units would have unfinished basements.

Commissioner Chandler asked the applicant for feedback on the potential fence in the buffer area. Mr. Christensen stated that there are no concerns with providing that, and that he thinks a wood split-rail fence would look pretty nice in that area. It would give a visual barrier away from the wetlands, but does not take away from the feel of the wetlands.

Commissioner Chandler referenced the material that was provided to Commissioners, stated there was a request for a maximum façade relating to the garages, and asked for more information. Senior Planner Papelbon stated that the modification request that was submitted was for the overall width of the front façade that the garages are proposed to comprise. Within the Code are specific limitations with regard to garages set in front, inline, or behind. In these configurations, they would exceed what would be allowed by Code, and therefore the modification request is asking the Plan Commission for leniency. Other items are being incorporating into the overall plans to supplement the Code requirements elsewhere.

Commissioner Chandler asked if the request is for the applicant to meet garage requirements. Senior Planner Papelbon clarified that the request is for the Plan Commission to consider allowing them to exceed what is allowed by Code.

Commissioner Chandler asked the applicant for feedback on exceeding the Code. Mr. Christensen explained that the developer believes two (2) car garages are necessary for these condo units, but due to the site limitations, the garages take up a fair amount of the front façade. Mr. Christensen explained that if they were to widen the units to meet the Code requirements, they would lose four (4) units.

Commissioner Hanna asked how the road would be maintained. Mr. Christensen stated that it would be maintained by the association.

Assistant Fire Chief Havey stated the development has come a long way, and the Fire Department is satisfied with the development and the site layout.

Mayor Bukiewicz asked if the buildings will be sprinkled. Assistant Fire Chief Havey stated that is correct, the units will have an automatic suppression system.

Mayor Bukiewicz asked to confirm that there will be fire hydrants in the development. Assistant Fire Chief Havey said that is correct, the utilities will be provided by the Water Utility Department.

Mayor Bukiewicz asked if there was a concern about only having one (1) entrance in. Assistant Fire Chief Havey stated that the reliability of that area of road is not a large concern for the Fire Department at this point. There were concerns with previous proposals, but with how the section of road was moved and shortened, it should not be an issue.

Marvin Hunt, 2537 W. Hilltop Lane:

"I just had a question on where that buffer zone is there. I think at one time it started that it was 25 or 30 feet away our existing south property line or am I mistaken on that?"

Mayor Bukiewicz stated that, with the current proposal, he is seeing a 20-foot-wide preservation easement and goes to 30 feet.

Mr. Hunt:

"Okay, so that's taking in the ten (10) foot easement from our property line to the existing property and so forth, right? And I know she said it went through and there's trees that they're keeping?"

Mayor Bukiewicz explained that the applicant is doing a tree preservation plan as part of the new Code. The applicant will go through the trees, and if there is a tree that is dead, dying, or some type of ash tree, it will go, the rest will stay, but be enhanced to City standards.

Mr. Hunt:

“Well, I’d like to talk to that gentleman when he comes around there, and just show him a few things that I’ve learned through working”

Mayor Bukiewicz state that it would be up to the applicant to hire a certified arborist to go through the trees.

Mr. Christensen explained that in the 20-foot tree preservation area there are some dead trees and invasive trees, but they will be supplemented with new plantings in that area. Towards the end of the project, if there are some bare spots, they will plant additional trees to fill in those areas.

Mark Verhalen, 9330 S. Nicholson Road:

“As most of you know, I’ve sat on commissions and alderman for a while and whatever here, but on a lot of the other developments similar to this have come before various bodies in the past we always required, if there wasn’t any room for a second egress and access we always, for safety purposes, put a divided entrance in and there’s multiple places where this was done in Oak Creek, where they couldn’t conform to having the two (2) and basically it gives anybody that’s got to come in for emergency it’s just got median strips so there’s a lane in and lane out so if one happens to be blocked they can still have access and get into the development. That’s the only thing I was hoping that maybe could be done for this too. Make it a lot safer for everybody involved, I think.”

Mayor Bukiewicz stated that the City could take a look at that.

Commissioner Kiepczynski stated that they would have to work with the State on that as well because they have restrictions on entrance widths.

Mr. Christensen explained that because this is a private roadway, it will be a permit for a driveway connection to the State highway, so the options might be limited.

Mayor Bukiewicz stated that he thinks the proposal is a creative use of the land. He asked if the street lighting will meet City Code, and whether it will have to match what the City does. Senior Planner Papelbon stated that the developer does not need to match City lightpoles, but will need to meet requirements for fixtures.

Mayor Bukiewicz asked if there would be sidewalks. Senior Planner Papelbon stated that there are no proposed sidewalks in the development, but there are walking paths.

Senior Planner Papelbon requested that when the applicant comes back for the site and building plan review, they identify mailbox locations.

Mayor Bukiewicz asked if there would be a monument sign. Senior Planner Papelbon stated that there is one (1) monument sign location that has been identified, and as long as it meets all the setback requirements and design requirements per Code, that is something that would be handled at a permit level.

Mary Hunt, 2537 W. Hilltop Lane:

“When we met with them, we’d asked about paving that path instead of woodchips and then we suggested the doggy place, for the people that walk their animals there’s some place to put their trash instead of out on the street. The little wastepaper baskets for dogs and that the lighting just be [inaudible] and we’d like cedars behind our house, so we don’t have to look at buildings.”

Mayor Bukiewicz asked Ms. Hunt if she was aware that the walking path would not be for public use and would only be open to the residents of the development.

Ms. Hunt:

“He told us it was open to all of us.”

Mr. Christensen stated that this is a private development, and the walking path is intended for the residents of the Condo Association. That does not mean the Association will not be generous to the neighbors.

Ms. Hunt:

“When we met with them, he said it was open to the public. The walking paths to the wetlands.”

Mayor Bukiewicz reiterated that it is a private development.

Ms. Hunt:

“Well, I understand that, but now they’re changing their mind again. Ya know, just like 30 feet is down to 20 feet from our property.”

Rajani Yepuri, 420 Woodland Chase Lane, Vernon Hills, IL, explained that if the property is owned by him and rented out, then it will be his call. But if it is homeowner-occupied property, the developer cannot control. Mr. Yepuri stated that if it is controlled by the applicants, they will let everyone come in. But if the Homeowner’s Association is controlling, that is private property and they must take care of the path.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that a Planned Unit Development is approved on the properties at 9102, 9120, 9140 S. 27th St. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission’s review at their next meeting (March 28, 2023).

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

ZONING TEXT AMENDMENT CITY OF OAK CREEK

Senior Planner Papelbon provided an overview of a proposal for amendments to Sec. 17.0403(b) – (e) of Chapter 17 – Zoning and Sign Ordinance related to residential exterior building materials (see staff report for details).

Mark Verhalen, 9330 South Nicholson Road:

“No comments, on the vinyl siding part of it. I think it’s pretty much covered with what Kari has put forward, but I’m still wondering if it includes steel and aluminum siding as well because that’s not mentioned in the Code.”

Senior Planner Papelbon stated no, steel and aluminum are not included per what staff has been directed to do. So this would only incorporate vinyl siding.

Mr. Verhalen:

“And the reason I’m asking is I don’t know if it was just an oversight and it wasn’t put in the language, but I’d appreciate if it would be put in. My previous home that I had built in one of our subdivisions here, I put vinyl coated steel on that house and it was one of the most expensive siding projects that ABC Supply had seen in a long time because it’s something that a lot of people won’t look into and it’s got the wood grain effect on it and it’s really a sturdy, expensive, but it’s a sturdy and pleasing to the eye type of exterior for homes, so I’d kind of appreciate it if aluminum and steel would be included. It’s not the old type of aluminum siding and steel siding where they have just the flat panels. Ya know, but there’s a lot of homes in Oak Creek right now that have that type of siding and if it’s not included in the Code, if you wanted to replace siding, say you had a hail storm or something you can’t replace the siding because it’s not allowed in the Code anymore. So that’s two reasons why, I mean it’s something that’s resilient to the weather and something that’s been used in Oak Creek for a long time and like I said if there’s any storm damage or anything it kind of precludes it from using the same type of material on a house as what exists. So, appreciate it if you’d look at putting it in the Code as well. Thanks.”

Mayor Bukiewicz asked Senior Planner Papelbon if that is something the Plan Commission should be looking at. Senior Planner Papelbon stated that is not something that staff was directed to look at, so it was not included in the proposed amendment.

Mayor Bukiewicz state that he thought it was. Senior Planner Papelbon said it was not something that was included previously or was part of the previous discussion.

Mayor Bukiewicz stated that he would say most of the houses are probably aluminum in this city, and that staff should look at it. Senior Planner Papelbon said she is not prepared to speak on that at this meeting.

Alderman Guzikowski stated that he put steel siding on a house he previously owned.

Commissioner Hanna asked why the City would not allow it, and asked what Franklin allows. Senior Planner Papelbon stated she cannot speak to what is allowed in the surrounding areas because the discussion was to be about vinyl siding, and that is what staff prepared information for.

Commissioner Hanna stated that she is recommending staff do some investigation. Senior Planner Papelbon state that, under the previous Code materials allowed in the A-1, ER, Rs-1, Rs-2, -3 and -4 districts were “wood, wood clapboards, wood shakes, vinyl steel or aluminum beveled siding, brick, stone or other masonry-type veneer materials or other similar

materials.” Senior Planner Papelbon stated that EIFS and fiber cement were not allowed in the previous Code.

Mayor Bukiewicz stated that he thinks someone made a point, and the Plan Commission discussed vinyl and stated he would look at steel and aluminum.

Mr. Verhalen:

“Just one comment, I think what was in the old Code covers pretty much of anything and the reason some of the products aren’t mentioned is probably they weren’t on the market when that Code was adopted, 30 years ago, our products weren’t as wide ranging as they are now.”

Senior Planner Papelbon stated that the exterior building materials were incorporated into the Code somewhere in the 2000’s, especially when it came to commercial, manufacturing, and multifamily residential. Senior Planner Papelbon stated that she is not prepared for consideration of other materials at the current meeting, and asked if the Plan Commission wished to incorporate other materials into the Code and any minimum standards.

Mayor Bukiewicz stated that there should be a thickness to the siding.

Mr. Verhalen:

“Most of the materials that are on the market now are vastly improved from even stuff that was on the market ten (10) years ago, whether it’s vinyl, steel, aluminum, or whatever. All that stuff has come a long, long way. In my opinion I don’t think there’d be any problem with aluminum, steel, or vinyl as far as what products are out there. They’re way better products than.”

Commissioner Oldani inquired if this proposal was a result of all the vinyl talk the Plan Commission has had. Senior Planner Papelbon stated that if the City is going to be opening it up to all materials that can be on a residential building, in order to give the most comprehensive update, she would appreciate knowing if there are any other materials that the Plan Commission would like to include. Commissioner Oldani agreed, and stated that he does not want Senior Planner Papelbon to do all the work and then have another material be brought up when it is presented. He suggested the Plan Commission should have the discussion.

Commissioner Hanna stated that she is not a siding expert, and she is not sure what other materials are out there. Mayor Bukiewicz explained that the common ones are the aluminum and steel (*the remaining portion of the comment was inaudible*).

Mr. Verhalen:

“I understand this a different question so if the vinyl question could be answered tonight it’d be fine and then bring back the other materials, like what was suggested at a later meeting and cover all the rest of it. Gives Kari a chance to do a little research.”

Mayor Bukiewicz asked Senior Planner Papelbon if that was how she would like to proceed. Senior Planner Papelbon stated that it is up to the Plan Commission and the Common Council, and it can be brought back as many times as need-be to make modifications to the Code.

Mayor Bukiewicz asked Senior Planner Papelbon what the cleanest way to do the Code is. Senior Planner Papelbon explained that having multiple updates is not ideal, but having a giant update was incredibly cumbersome for everyone involved.

Commissioner Oldani stated that he understands not wanting a lot of little updates as a plan, but this proposal for the vinyl siding seems very close to being done. Senior Planner Papelbon stated it is, but asked if the Plan Commission really wants to keep revising the same section of Code. Commissioner Oldani said not by design, but Senior Planner Papelbon already went through all the work and said it would be up to Senior Planner Papelbon and staff.

Mayor Bukiewicz explained that once the Plan Commission adopts the change it goes to the Common Council, and once the Council adopts it all the Code books, the website, and everything needs to get updated. Mayor Bukiewicz stated that the changes should probably be made all at once.

Commissioner Kiepczynski asked whether plans submitted tomorrow would be approved with vinyl proposed. Senior Planner Papelbon stated that they would not.

Commissioner Kiepczynski stated that is something to consider - if the vinyl is going to be allowed and how long it takes to come back to the Plan Commission for approval.

Mr. Verhalen:

"If I can just comment. And the only reason this came to Plan Commission in the first place is because I discovered this because my son is right now in the process of having a modular home delivered here."

Senior Planner Papelbon corrected that the Plan Commission discussed and considered adding vinyl in September of 2022 because it was recognized as an issue then.

Mr. Verhalen:

"But whatever it was brought to light when my son was going to bring a house here. And then found out that aluminum siding, steel siding, and vinyl siding was no longer allowed anywhere in the City Code. So, I guess I'm kind of the reason, the main reason why it's here. For whatever it's worth I drove around the City a little while ago and there's three (3) or four (4) homes right now that are having vinyl siding installed on them and the Code was passed last year, this year in March, and the building permits were not even pulled until August because I asked the people that were building the house when they pulled the permits and they said it was August. So, there's probably three (3) or four (4) houses right here, right now, that if you'd want to be sticking right to the word of the Code you could go there and tell them, put a stop work on it and have them take the siding back off the houses because they're being built in violation of the Code."

Senior Planner Papelbon asked Mr. Verhalen if he knows the locations of the homes.

Mr. Verhalen:

“Yea, Midwest Homes is doing a bunch of them down on Howell Avenue and Kaerek has a couple of them going in right across from my house right now. I looked at the development agreement for Kaerek and there’s nothing in there that says anything about referencing any building materials or sidings in the development agreement. I don’t want to press the issue here, but it’s something that’s being overlooked for whatever reason and there’s stuff going on right now in Oak Creek that’s in violation of the Code because the Code was passed March 22 and some of the building permits for these places weren’t pulled until August. It’s something that should be looked into, it’s not that the building materials that are being used are shotty and they don’t stand up to the weather because there’s probably 90-95% of the homes in Oak Creek right now have siding on them, whether it’s full aluminum, vinyl, or steel at some point in time, something was overlooked here when the Code was redone and it’s got to be relooked at and fixed. That’s the only reason it’s before you guys because it’s something that’s got to be looked at and straightened out.”

Mayor Bukiewicz stated that is what the Plan Commission is doing now.

Commissioner Chandler asked Senior Planner Papelbon if there is a way to incorporate pre-existing materials. Senior Planner Papelbon stated no, it is clearer and more equitable if the Code lists allowed materials.

Mayor Bukiewicz made comments that were not audible.

Senior Planner Papelbon continued to review the proposal for amendments to Sec. 17.0403(e)(2)(a) and (b) (see staff report for details).

Mr. Verhalen:

“Just another FYI because I did a little bit of looking around before I got involved in this, but the 44-millimeter grade vinyl siding is the thickest residential siding that you can purchase. So, it’s the highest end. I think they go 30 and 42, and 44, 44 is the highest-grade stuff you can get.”

Senior Planner Papelbon clarified that the information she was using lists builders’ grade is 0.4 [mm], thin residential grade is 0.42 [mm], standard residential grade is 0.44 [mm], thick residential grade is 0.46 [mm], super thick grade is 0.5 [mm], and premium is 0.52 to 0.55 [mm]. It is possible that different opinions on the materials are causing the difference in what the thicknesses are. Mayor Bukiewicz stated that he thinks the Code is safe with the 0.44 [mm].

Alderman Loreck asked if it is written anywhere that there is a threshold. Alderman Loreck clarified his question and asked if a homeowner has to replace one (1) side of the siding on their house, is there a threshold as to replacement and what would fall under the Code.

Senior Planner Papelbon stated that she doubts anyone would notice if a property owner did not have 0.44 grade for replacement siding. Senior Planner Papelbon also stated she is not sure a permit is required even if the whole house was resided, and stated people would need to check with the Inspection Department. The Code is trying to get at something that is equitable for everyone to point to for a standard, so when someone comes in for a building permit, they are all told the same thing.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that Sec. 17.0403(b) – (e) of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code be amended as proposed after a public hearing.

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

Commissioner Carrillo moved to adjourn the meeting. Alderman Loreck seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:36 pm.

ATTEST:

Kari Papelbon, Plan Commission Secretary

3-22-23

Date



Recent Common Council Actions

March 21, 2023

ITEM: 4

DATE: March 28, 2023

- **AUTHORIZED** execution of a Conservation Easement to Milwaukee Metropolitan Sewerage District on the property at 1436 E. Forest Hill Avenue.
- **APPROVED** resolutions correcting the legal descriptions for deed restrictions and a stormwater management practices maintenance agreement for the property at 6969 S. 13th Street.
- **APPROVED** a partial release of a stormwater management practices maintenance agreement for the property at 7470 S. 13th Street.

A handwritten signature in black ink that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP

Senior Planner



PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions – Outdoor Recreation Facility/Private Playground

Description: Review draft Conditions and Restrictions as part of a request for a Conditional Use Permit for an outdoor recreation facility/private playground on the property at 150 W. Ryan Rd.

Applicant(s): Kathleen Smigielski, Next Best Place Child Care & Preschool

Address(es): 150 W. Ryan Rd. (3rd Aldermanic District)

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

Owner(s): United Auto Leasing

Tax Key(s): 875-9004-002

Lot Size(s): 2.027 ac

Current Zoning District(s): B-3, Office & Professional Business FW, Floodway

Overlay District(s): FF, Flood Fringe CCU

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Commercial, Floodway

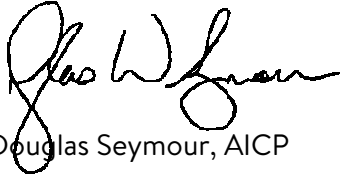
Background:

At the March 14, 2023 meeting, the Plan Commission recommended Common Council approval of a Conditional Use Permit for an outdoor recreation facility/private playground on the property at 150 W. Ryan Rd. Staff has prepared draft Conditions and Restrictions for the Commission’s review.

If the Commission is comfortable with the Conditions and Restrictions, the appropriate action would be to recommend that the Common Council approve them as part of the Conditional Use Permit.

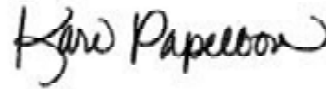
Options/Alternatives: The Plan Commission has the discretion to recommend Common Council approval of, or require modifications to, the draft Conditions and Restrictions.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

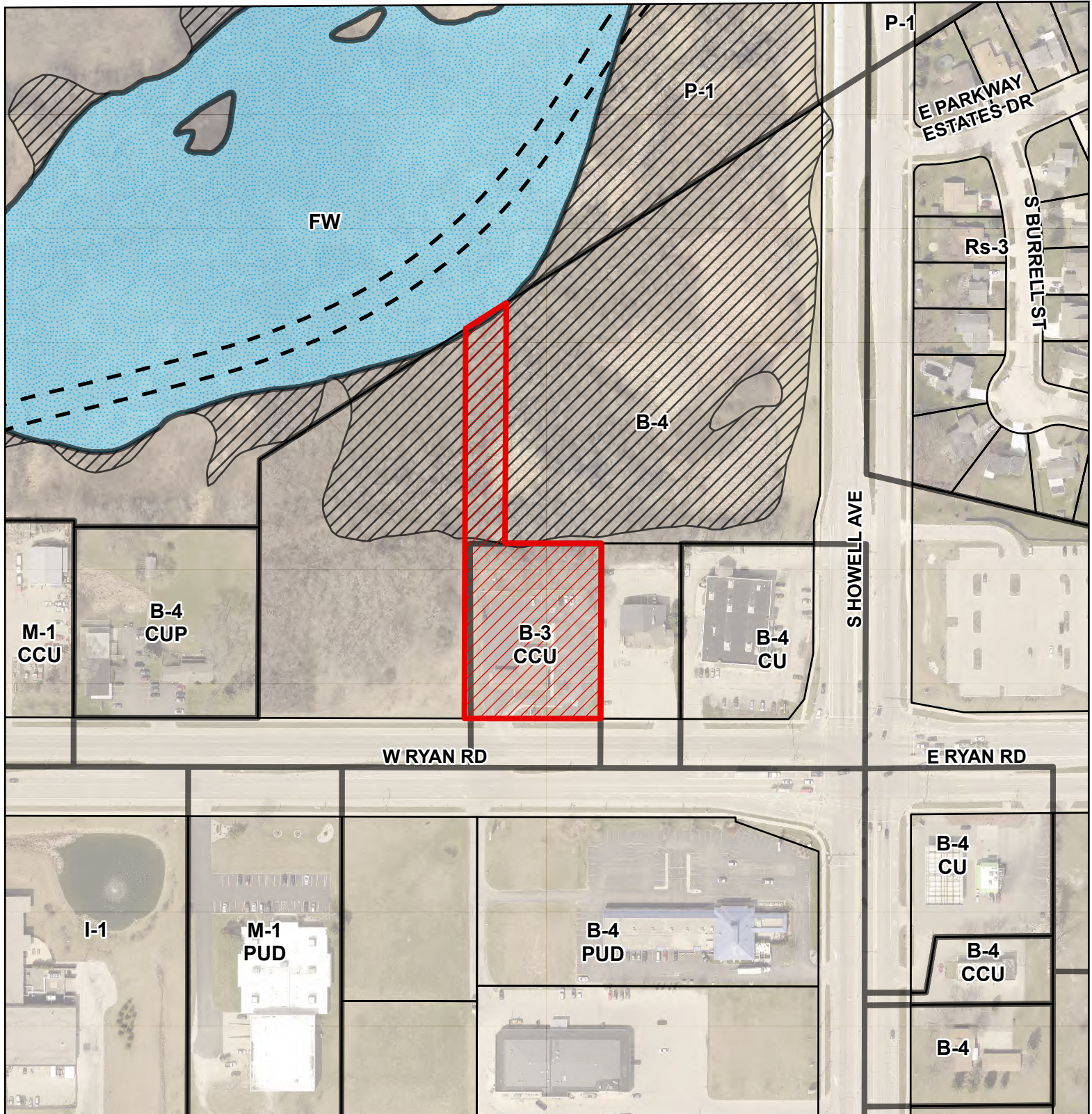
Attachments:

Location Map

Draft Conditions and Restrictions (4 pages)

LOCATION MAP

150 W. Ryan Rd.



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



Community Development

0 0.01 0.03 0.06 Miles



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 150 W. Ryan Rd.

City of Oak Creek – Conditional Use Permit (CUP)
DRAFT Conditions and Restrictions

Applicant: Kathleen Smigielski (The Next Best Place Child Care)	Approved by Plan Commission: TBD
Property Address(es): 150 W. Ryan Rd.	Approved by Common Council: TBD
Tax Key Number(s): 875-9004-002	(Ord.)
Conditional Use: Outdoor Recreation Facility / Private Playground (one)	

1. LEGAL DESCRIPTION

CSM NO. 4456 PARCEL 1 & THE E 65 FT OF PARCEL 2 SE 1/4 SEC 20-5-22 EXC SOUTH 5 FT CONV TO STATE OF WI DOT FOR ST IN DOC NO 10287757.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Conditional Use Permit shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall show and describe the following:

1) **General Development Plan**

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number & type(s) of dwellings
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of wetlands (field verified)
- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

2) **Landscape Plan**

- 1. Screening plan, including parking lot screening/berming
- 2. Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

3) **Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

4) **Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) **Fire Protection**

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
 - c) Materials of construction
 - d) Materials to be stored (interior & exterior)

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building or occupancy permit.

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for

approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.

- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).
- H. Prior to the issuance of any permits for any portion of the development, the Applicant/landowner shall submit all City-approved Certified Survey Maps for recording.
- I. A landscaping plan must be submitted for review and approval by the Plan Commission prior to the issuance of a building or occupancy permit.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the B-3, Office and Professional Business zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. Hours of operation for the outdoor recreation facility/private playground shall be between 6:00 AM and 6:00 PM Monday through Friday.
- C. There shall be no outdoor storage of vehicles, equipment, supplies, or any other materials on the property.
- D. All parking areas shall be striped and landscaped in accordance with approved site plans and applicable Codes (as amended).
- E. **Landscaping, screening, and/or fencing shall be required for all sides of the outdoor recreation facility/private playground per Sec. 17.0507 of the Municipal Code (as amended).**
- F. No pole signs, pennant flags, light pole flags, permanent banners, or flashing/blinking signs shall be permitted as part of this Conditional Use Permit. No box/cabinet signs other than logos with accompanying channel letters in conformance with all applicable Code Sections shall be allowed on a principal building. **The existing non-conforming sign shall be removed, and any replacement sign shall be sited and designed in conformance with all applicable Code Sections (as amended).**
- G. **The dimensions, location and screening of appropriate solid waste and recycling collection units shall be in conformance with Sec. 17.0506 of the Municipal Code (as amended).**
- H. Solid waste collection and recycling shall be the responsibility of the owner.
- I. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. Parking for this development shall be provided in accordance with Section 17.0504 of the Municipal Code (as amended) and these Conditions and Restrictions.
- B. Access to Ryan Road (STH 100) in accordance with executed agreements and access management plans is subject to the review and approval of the Wisconsin Department of Transportation. **Nonconforming asphalt/paved surfaces along Ryan Rd. in the location of the former second driveway access shall be transitioned to landscaping in accordance with all applicable Code requirements.**

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).
- B. All light sources shall be fully shielded full cutoff fixtures directed downward.
- C. The color temperature of the parking lot fixtures shall be limited to a maximum of 5,000 Kelvins.
- D. Garden/pathway lighting shall have a maximum height of two (2) feet.
- E. Bollard/pedestrian scale lighting shall have a maximum height of four (4) feet.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	10,000 sq ft
Lot Width	75 ft
Yard Setbacks (Minimum) (1)	
Front	25 ft
Street Facing Side	25 ft
Interior Side	20 ft
Rear	25 ft
Building Standards (Maximum)	
Height	55 ft
Building Coverage	40%
Lot Coverage	70%
Parking	
Transition areas	See Sec. 17.0505
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed buffer.	

7. TIME OF COMPLIANCE

The operator of the Conditional Use Permit shall commence work in accordance with these Conditions

and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use Permit approval shall expire twelve (12) months after the date of adoption of the ordinance if building permits have not been issued for this use. The applicant shall re-apply for Conditional Use Permit approval prior to recommencing work or construction.

8. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

9. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

10. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

The approval and execution of these Conditions and Restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these Conditions and Restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)



PLAN COMMISSION REPORT

Proposal: Conditions & Restrictions – 9102, 9120, 9140 S. 27th St.

Description: Review draft Conditions and Restrictions for a Planned Unit Development on the properties at 9102, 9120, 9140 S. 27th St.

Applicant(s): Chandra Sekhar Vasireddy, Oak Creek Residences, LLC

Address(es): 9102, 9120, 9140 S. 27th St. (6th Aldermanic District)

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

Owner(s): RAJANI YEPURI

Tax Key(s): 878-9999-000, 878-9998-000, and 878-9997-000

Lot Size(s): 14.327 ac

Current Zoning District(s): Rd-1, Two-Family Residential

Overlay District(s): CU

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Single-Family Attached

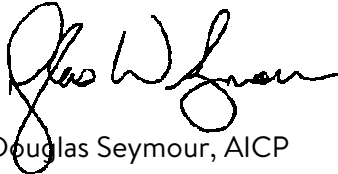
Background:

At the March 14, 2023 meeting, the Plan Commission recommended approval of the request for a single-family attached residential Planned Unit Development (PUD) on the properties at 9102, 9120, 9140 S. 27th St. Comments from the staff report and Plan Commission review are incorporated into the draft Conditions and Restrictions included with this report for Plan Commission consideration.

If the Commission is comfortable with the Conditions and Restrictions as proposed, the appropriate action would be to recommend that the Common Council approve them as part of the approval for the PUD.

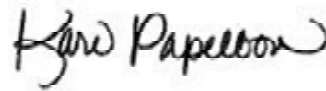
Options/Alternatives: The Plan Commission has the discretion to recommend Common Council approval of, or require modifications to, the draft Conditions and Restrictions.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

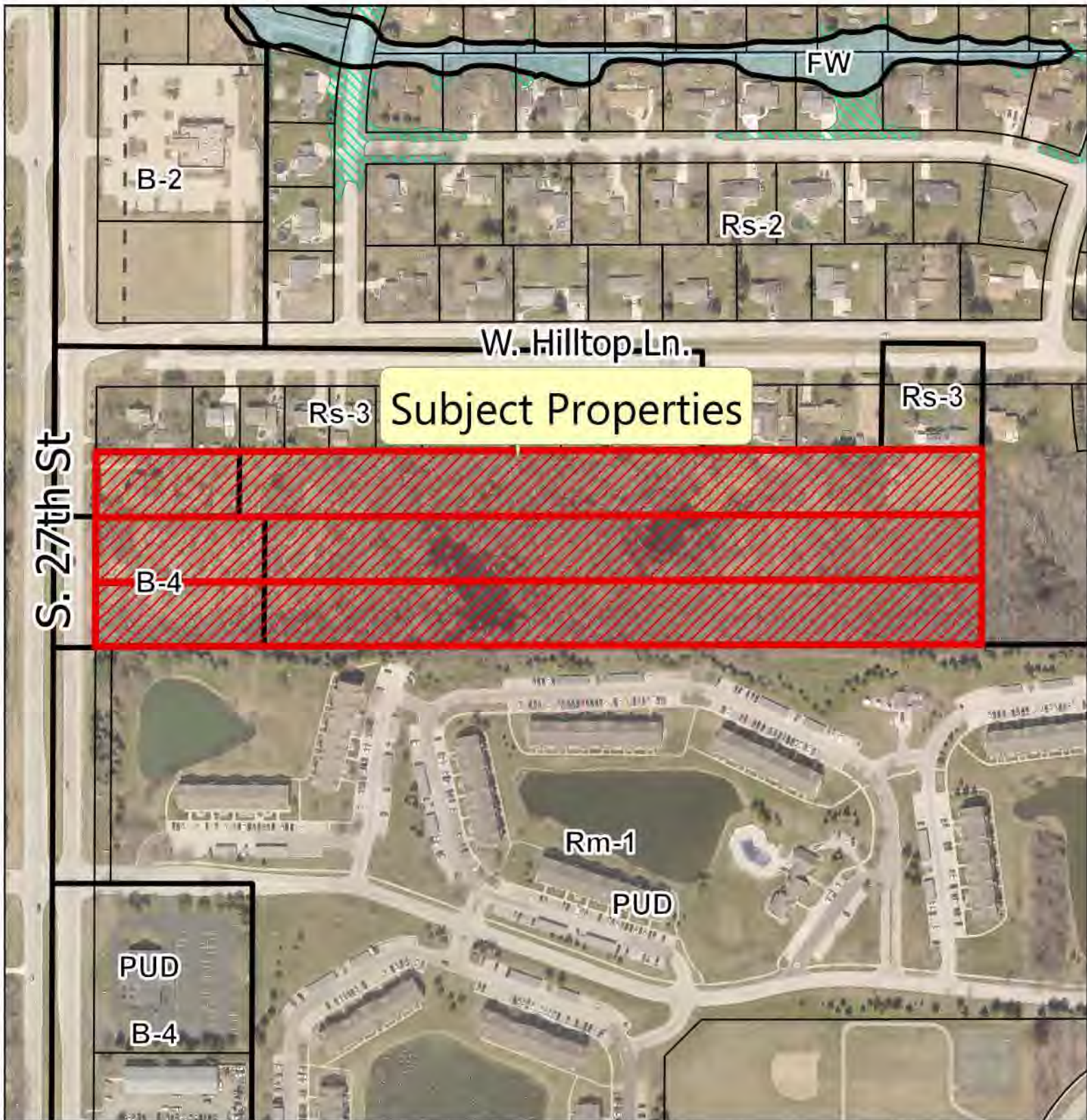
Attachments:

Location Map

Draft Conditions & Restrictions (12 pages)

Location Map

9102, 9120, & 9140 S. 27th St.



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

Legend

- Zoning
- Flood Fringe
- Official Street Map
- Parcels
- Floodway
- Subject Properties

City of Oak Creek – Planned Unit Development (PUD)
DRAFT Conditions and Restrictions

Applicant: Chandra Sekhar Vasireddy,
Oak Creek Residences, LLC
Property Address(es): 9102, 9120, 9140 S. 27th St.
Tax Key Number(s): 878-9999-000, 878-9998-000, &
878-9997-000

Approved by Plan Commission: TBD
Approved by Common Council: TBD
(Ord. #TBD)

1. LEGAL DESCRIPTION

Part of the Northwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 22 East of the Fourth Principal Meridian; more particularly bounded and described as follows: Commencing at the Northwest corner of the Southwest 1/4 of said Section 19; thence N89°18'11"E, 80.00 feet along the North line of the Southwest 1/4 of said Section 19 to a point on the East right-of-way line of South 27th Street - State Trunk Highway "241" (S.T.H. "241"), thence S00°16'55"E, 9.07 feet parallel with the West line of the Southwest 1/4 of said Section 19 and along the East right-of-way line of said South 27th Street - S.T.H. "241" to the point of beginning of this description; thence N89°20'27"E, 1684.84 feet; thence S00°16'55"E, 370.59 feet parallel with the West line of the Southwest 1/4 of said Section 19; thence S89°21'09"W, 1684.84 feet to a point on the East right-of-way line of said South 27th Street - S.T.H. "241"; thence N00°16'55"W, 370.25 feet parallel with the West line of the Southwest 1/4 of said Section 19 and along the East right-of-way line of said South 27th Street - S.T.H. "241" to the point of beginning of this description. Said land being in the City of Oak Creek, County of Milwaukee, State of Wisconsin. Subject to a 30.00 foot wide road reservation over the Easterly 30.00 feet thereof.

Containing 624,082 square feet or 14.327 acres. Lot 1 of a Certified Survey Map to be recorded.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Planned Unit Development shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall be in substantial conformance with the adopted General Development Plan (see Exhibit A) and show and describe the following:

1) **General Development Plan**

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number & type(s) of dwellings
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)

2) **Landscape Plan**

- 1. Screening plan, including parking lot screening/berming
- 2. Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

3) **Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

4) **Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)

- k) Location of storm sewer (existing & proposed)
 - l) Location(s) of wetlands (field verified)
 - m) Location(s) and details of sign(s)
 - n) Location(s) and details of proposed fences/gates
- 3. Location(s) of stormwater management structures and basins (if required)
- 6) Fire Protection**
 - a) Locations of existing & proposed fire hydrants
 - b) Interior floor plan(s)
 - c) Materials of construction
 - d) Materials to be stored (interior & exterior)

- C. Homes constructed within this planned unit development shall be of the three (3) approved designs (see Exhibit B).
- D. All plans for additions, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- E. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- F. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements (e.g., Apple Creek Dr., etc.) required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- G. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- H. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).
- I. Prior to the issuance of any permits for any portion of the development, the Applicant/landowner shall submit all City-approved Certified Survey Maps for recording.
- J. A Master Landscaping Plan for the overall development shall be submitted to the Plan Commission for approval prior to the review of any project within the Planned Unit Development. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit. Landscaping, in accordance with the approved plan, shall be installed for each phase prior to the issuance of occupancy permits for that phase.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. There shall be a maximum of 10 single-family attached buildings, and a maximum of 36 single-family attached units. Each unit shall have an attached 2-car garage.
- B. Attached garages shall be constructed per the three (3) approved designs in Exhibit B. Any garage configuration that does not conform to those in Exhibit B shall be constructed in conformance with Sec. 17.0403(d) of the Municipal Code (as amended).

- C. Exterior building materials shall be traditional, time- and weather-tested materials and techniques.
 - 1. Exterior building materials utilized on the ground floor shall be limited to wood, masonry, stucco, fiber cement, or stone veneer systems. Stone veneer systems utilized on the ground floor shall have a minimum thickness of three (3) inches.
 - 2. Exterior building materials utilized on upper floors may include all materials permitted on the ground floor as well as EIFS, stone veneer systems, or precast panels with inlaid or stamped brick texture. All materials utilized on upper floors shall have a minimum thickness of one (1) inch and shall be structurally integrated into the façade of the building.
- D. Deed restrictions (private) and condominium by-laws, while not enforceable through the City, (to the extent they do not violate Municipal Code or these conditions and restrictions) shall be reviewed and approved by the Plan Commission prior to the development of each phase.
- E. One (1) accessory structure (gazebo) not to exceed 15' (l) x 15' (w) x 20' (h) and one (1) stormwater pond overlook deck/pavilion not to exceed 15' x 10' are allowed for the development. Any other accessory building or structure shall conform to all applicable Code requirements.
- F. There shall be a minimum of one (1) pet relief waste station provided for the development.
- G. Maintenance, including reconstruction, of roadways and sidewalks/walkways/paths within this development shall be the responsibility of the property owner(s).
- H. All solid waste and recycling collection units shall be screened and sited in conformance with Municipal Code requirements. Solid waste collection and recycling shall be the responsibility of the property owner(s).
- I. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the property owner(s).

4. PARKING AND ACCESS

- A. Access to S. 27th St. (STH 100) in accordance with executed agreements and access management plans is subject to the review and approval of the Wisconsin Department of Transportation. Such approval shall be provided to the City prior to the issuance of any building permits.
- B. Each residential unit shall have, at a minimum, an attached two-car garage in accordance with Section 3 above. Parking for additional vehicles on the driveway shall not obstruct the private roadways.
- C. A minimum 20-foot wide clear area on all private roadways shall be maintained at all times.

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector.
- B. All outdoor lighting shall be designed and constructed in accordance with Section 17.0509 of the Municipal Code (as amended).

6. IMPACT FEES

Single-family attached residential buildings constructed as part of this Planned Unit Development shall be subject to the collection of impact fees as required by Section 3.40 of the Municipal Code.

7. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area (excluding wetlands)	15,000 sq ft
Lot Area/DU (square feet)	7,500
Lot Width	100 ft
Yard Setbacks (Minimum) (1)	
Front	30 ft
Street Facing Side	30 ft
Interior Side	
North (inclusive of 20-foot Woodland Buffer)	50 ft
South	10 ft
Rear	30 ft
Building Standards (Maximum)	
Height	35 ft
Building Coverage	50%
Lot Coverage	--
Parking	
Transition areas	See Sec. 17.0505
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifty (50) feet with a five (5) foot undisturbed buffer.	

8. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Planned Unit Development. This Planned Unit Development approval shall expire twelve (12) months after the date of adoption of the ordinance if a building permits have not been issued for this use. The applicant shall re-apply for Planned Unit Development approval prior to recommencing work or construction.

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Planned Unit Development shall be subject to enforcement and the

issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Planned Unit Development is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Planned Unit Development, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Planned Unit Development or to seek an injunction regarding any violation of this Planned Unit Development or any other City ordinances.

11. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Planned Unit Development approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Planned Unit Development as set forth in Section 17.1007 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: GENERAL DEVELOPMENT PLAN

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)



EXHIBIT B: APPROVED HOME AND GARAGE DESIGNS

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be submitted for and receive building permits.)

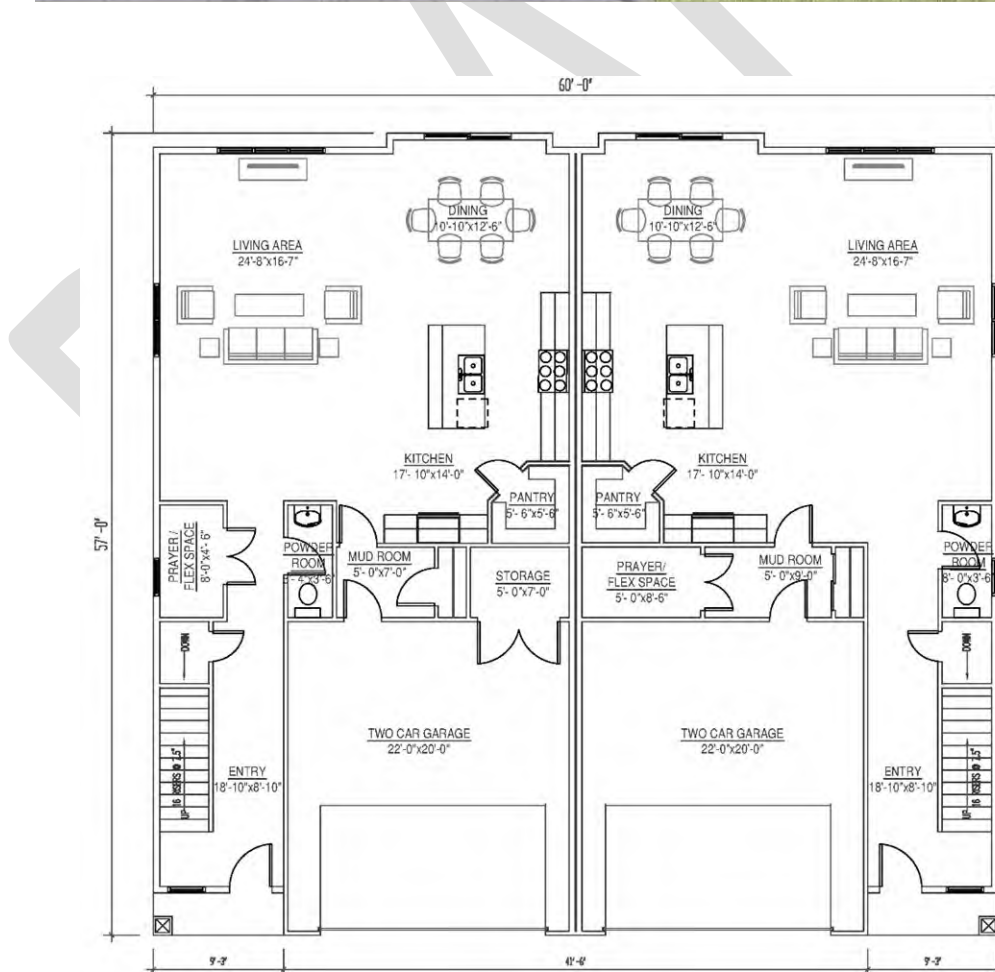


EXHIBIT B: APPROVED HOME AND GARAGE DESIGNS

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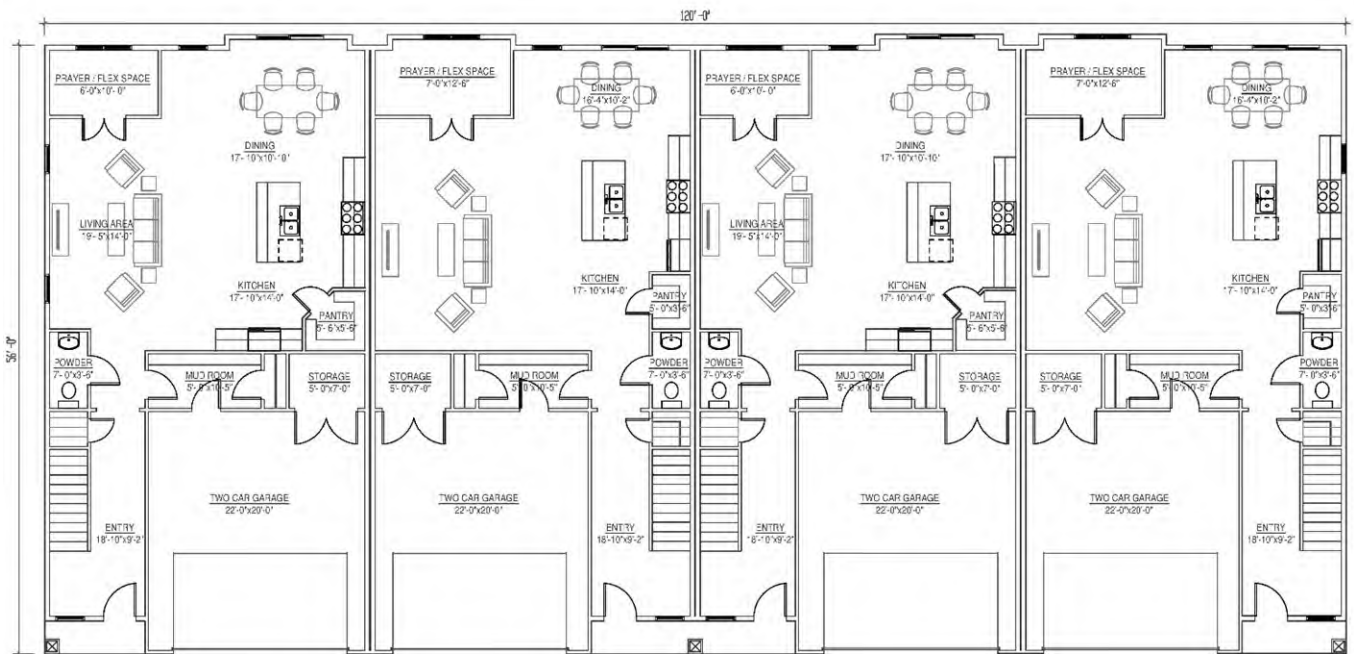


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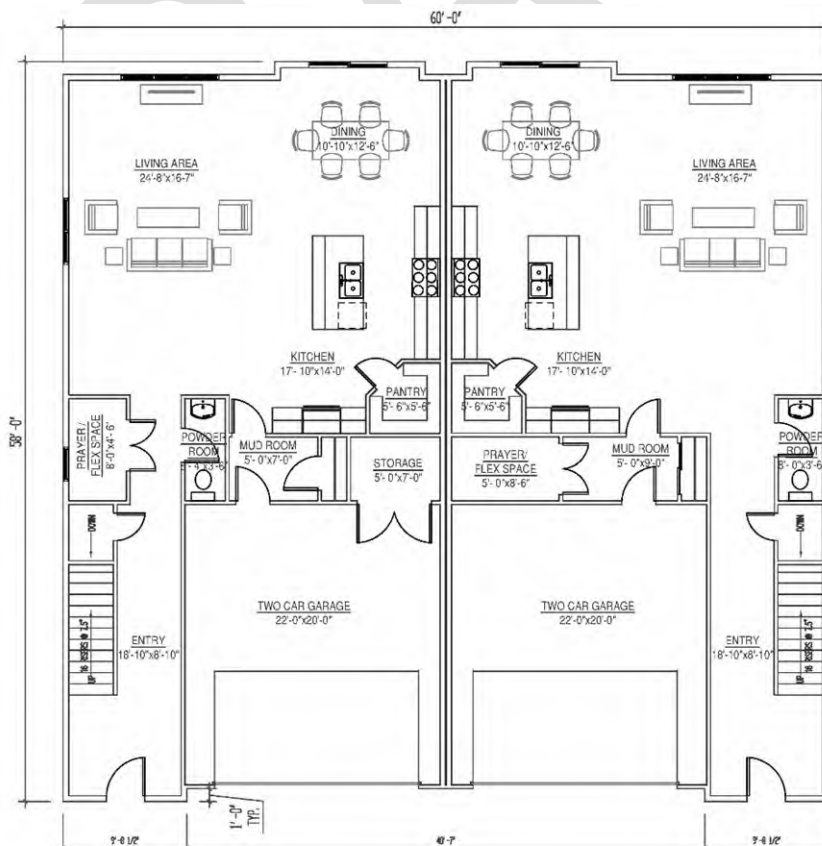


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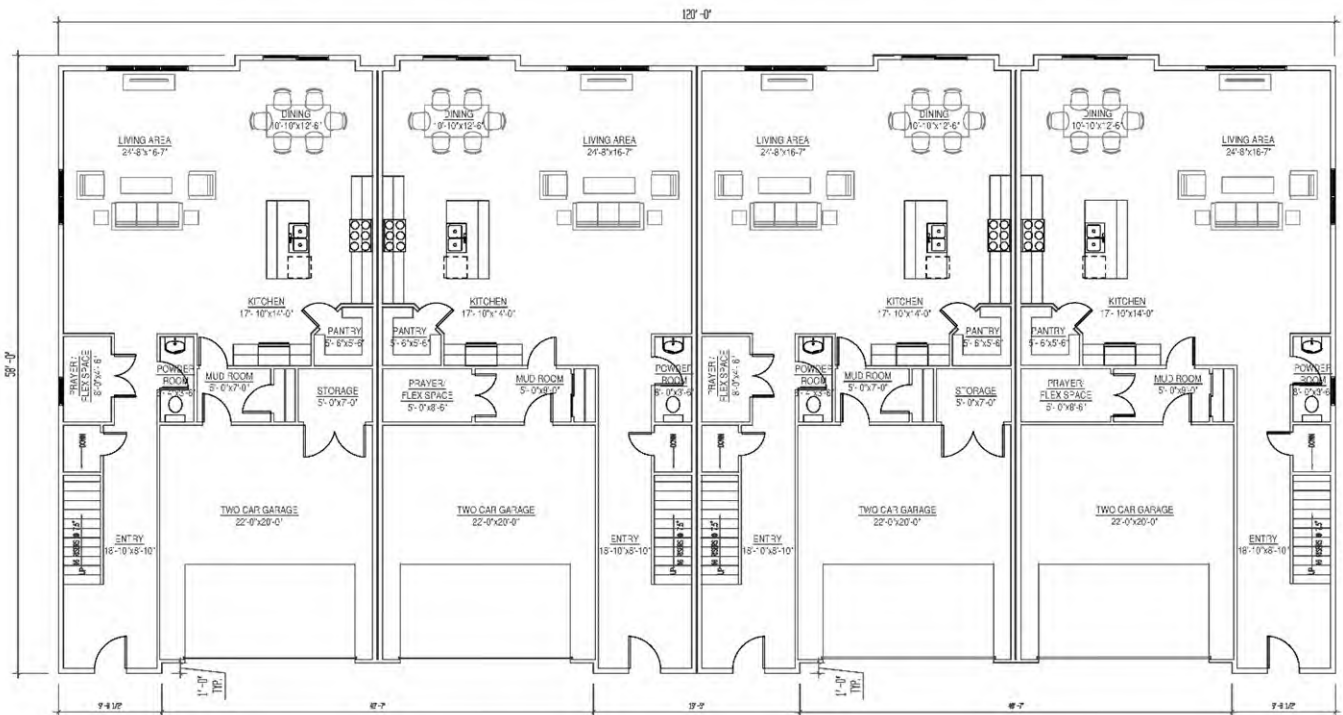


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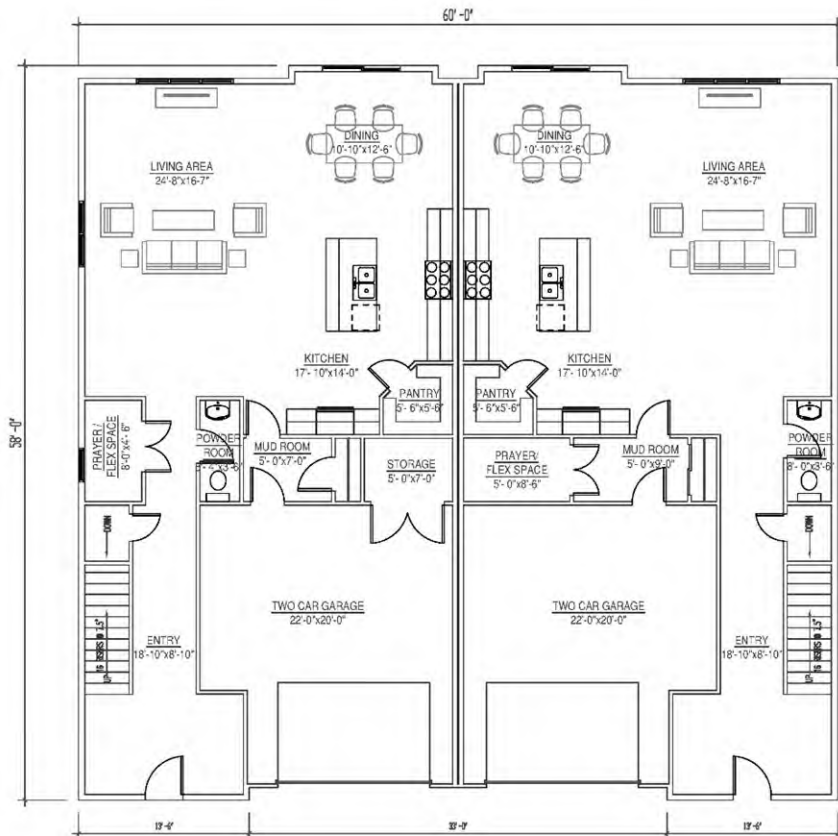
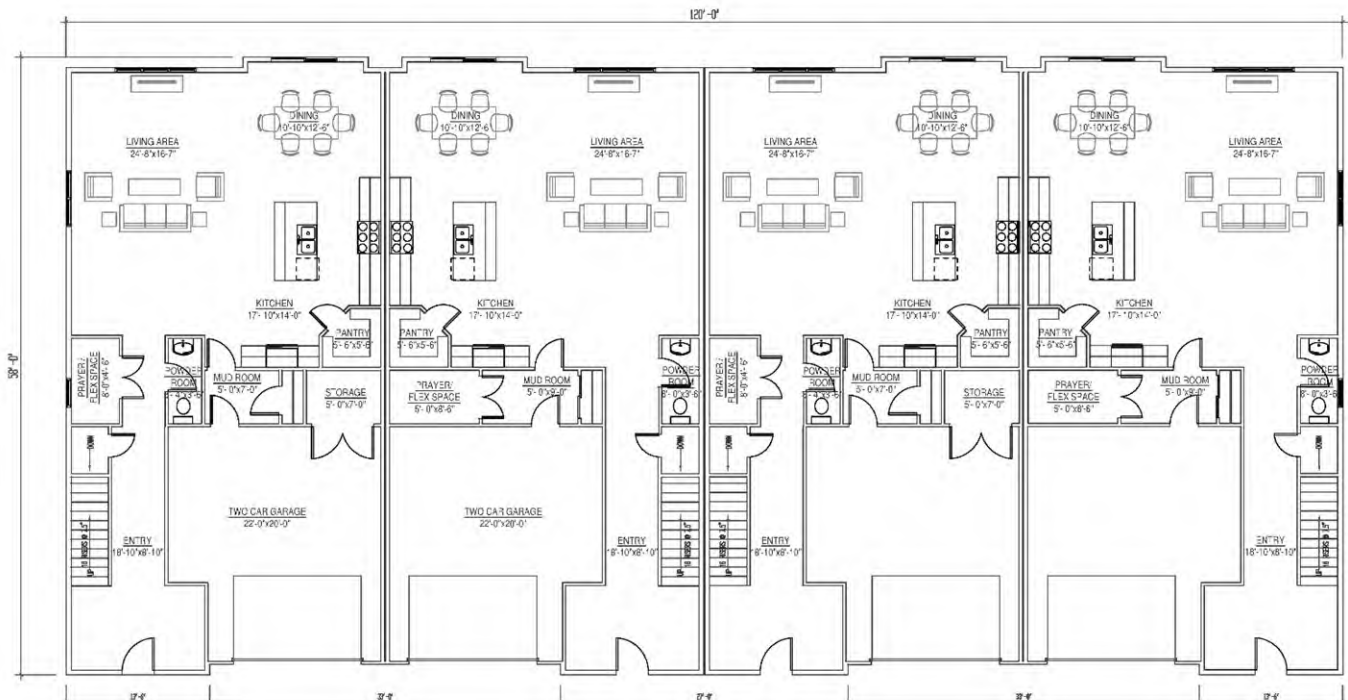


EXHIBIT B: APPROVED HOME AND GARAGE DESIGNS

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be submitted for and receive building permits.)



Background:

The Applicant is requesting recommendation of approval of a Certified Survey Map (CSM) combining and reconfiguring the properties at 6340, 6448, and 6460 S. Howell Ave. and 239 & 325 E. College Ave. This CSM request is directly related to the Rezone and Conditional Use Permit requests in the next agenda item. Ultimately, the plan for the properties is to create a future Planned Unit Development for a business park.

Following the reconfiguration, Lot 1 be just under 8.5 acres in size. Lot 2 will retain the remaining property (just over 19 acres). Each meets the minimum lot size requirements for the M-1, Manufacturing zoning district. Delineated wetlands and easements are shown on the map. However, staff note that the following revisions will be required prior to recording:

1. FEMA Floodway crosses over the southeast corner of the proposed Lot 2 and must be shown.
2. Temporary easements have expired and should be removed.
3. The signature page must be updated with the current Plan Commission Secretary.

Staff have no objections to the proposal with the conditions of approval recommended above.

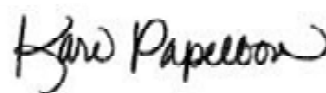
Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Certified Survey Map with specified conditions, or that the Common Council not approve of the proposed CSM. Disapproval would result in the existing configuration of the parcels to remain, and would affect the requests in the next agenda item.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

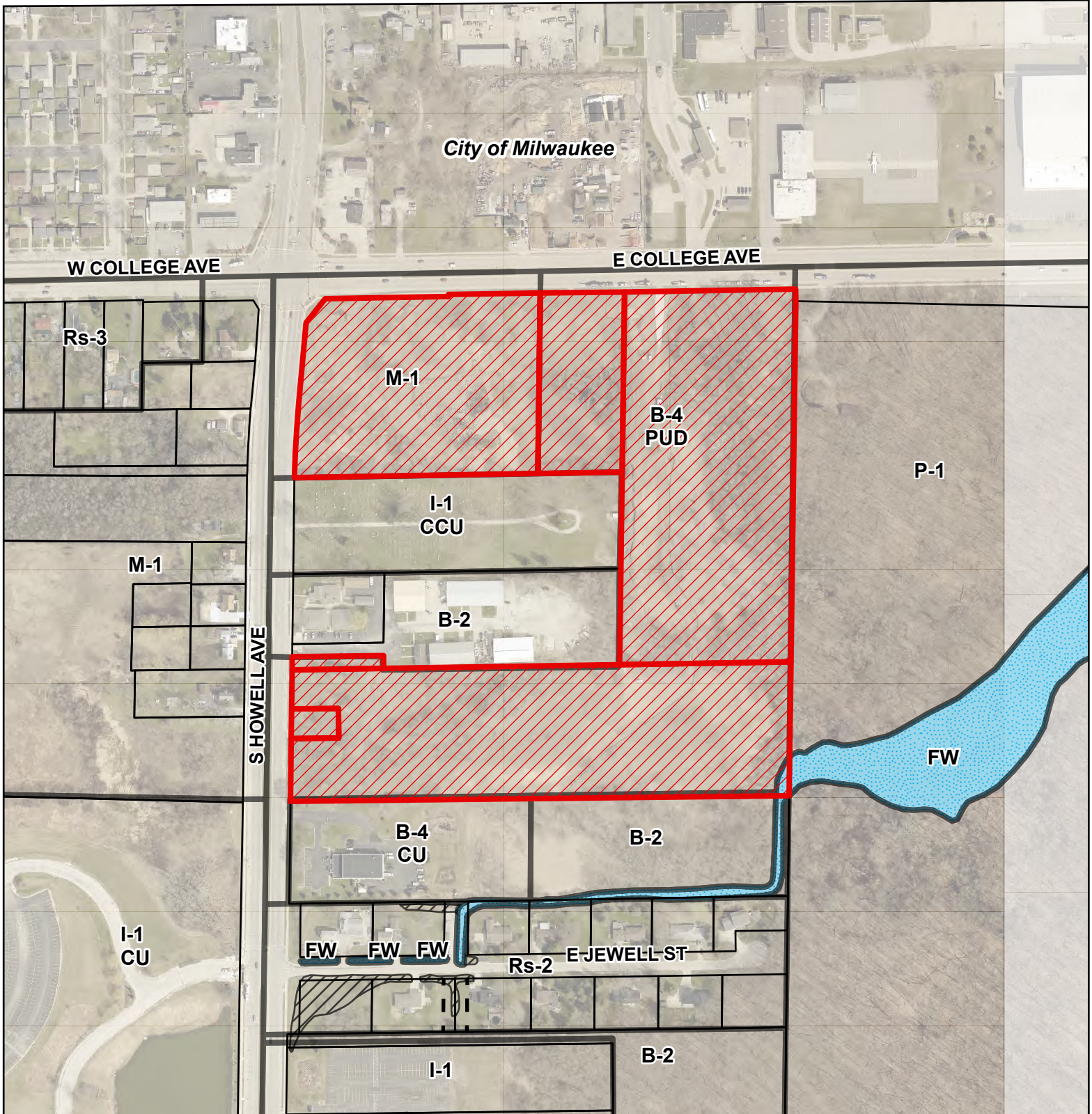
Attachments:

Location Map

Proposed CSM (4 pages)

LOCATION MAP

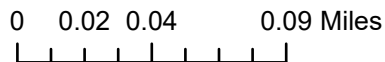
6340, 6440, 6448, 6460 S. Howell Ave. and 239 & 325 E. College Ave.



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



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Properties

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CSM 8942, PARCEL 1 OF CSM 5458, OUTLOT 1 OF CSM 4697 AND LANDS BEING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

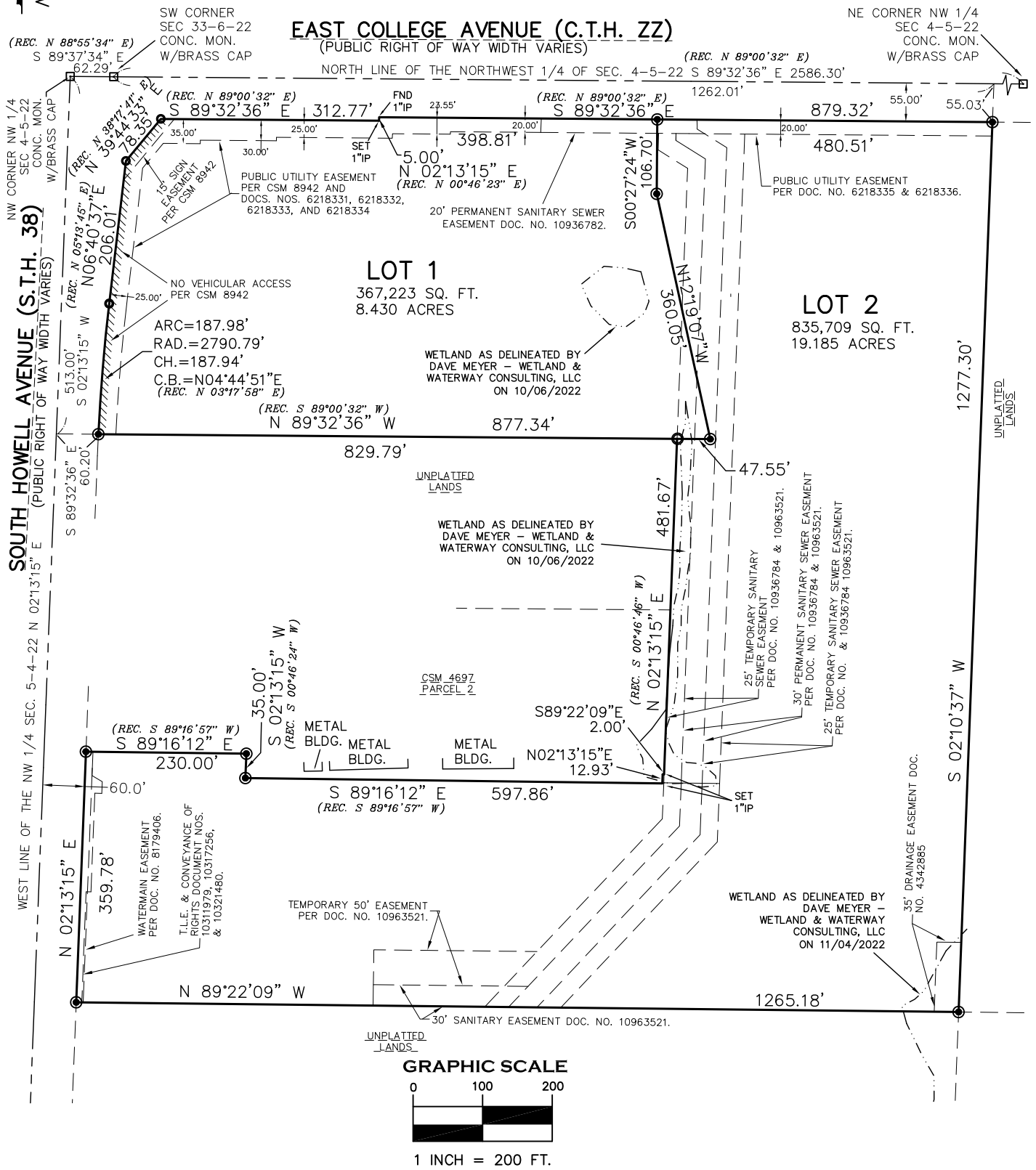
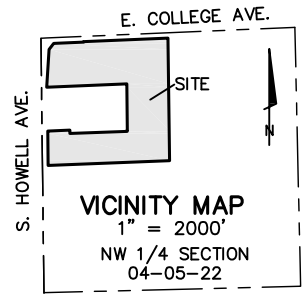
LEGEND

- INDICATES 1 INCH DIA. IRON PIPE, 18 INCHES IN LENGTH, WEIGHING 1.68 LBS PER LINEAL FOOT, SET.
- INDICATES 1" IRON PIPE FOUND

ALL BEARINGS REFER TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 04-05-22 WITH ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM (WCCS), MILWAUKEE COUNTY. NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD83(2011)) AND HAS A BEARING OF S 89°32'36" E.

PREPARED FOR:
SSV OAK CREEK 1, LLC
5050 S. SYRACUSE ST. #785
DENVER, CO 80237

PREPARED BY:
CHRISTOPHER JACKSON, PLS
CJ ENGINEERING, LLC
9205 N. CENTER STREET, #214
MILWAUKEE, WI 53222



CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CSM 8942, PARCEL 1 OF CSM 5458, OUTLOT 1 OF CSM 4697 AND LANDS BEING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN) SS
MILWAUKEE COUNTY)

I, CHRISTOPHER JACKSON, A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, MAPPED AND DIVIDED A REDIVISION OF LOT 1 OF CSM 8942, PARCEL 1 OF CSM 5458, OUTLOT 1 OF CSM 4697 AND LANDS BEING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, 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 NORTHWEST CORNER OF THE SAID NORTHWEST 1/4 OF SECTION 4; THENCE S 02°13'15" W ALONG THE WEST LINE OF SAID 1/4 SECTION 513.00 FEET; THENCE S 89°32'36" E 60.20 FEET TO THE POINT OF BEGINNING; THENCE NORTHEAST 187.98 FEET ALONG AN ARC OF A CURVE, WHOSE RADIUS IS 2790.79 FEET, WHOSE CENTER LIES TO THE EAST AND WHOSE CHORD BEARS N 04°44'51" E, 187.94 FEET; THENCE N 06°40'37" E 206.01 FEET; THENCE N 39°44'33" E 78.35 FEET; THENCE S 89°32'36" E 312.77 FEET; THENCE N 02°13'15" E 5.00 FEET; THENCE S 89°32'36" E 879.32 FEET; THENCE S 02°10'37" W 1277.30 FEET; THENCE N 89°22'09" W 1265.18 FEET; THENCE N 02°13'15" E 359.78 FEET; THENCE S 89°16'12" E 230.00 FEET; THENCE S 02°13'15" W 35.00 FEET; S 89°16'12" E 597.86 FEET; THENCE N 02°13'15" E 12.93 FEET; THENCE S 89°22'09" E 2.00 FEET; THENCE N 02°13'15" E 481.67 FEET; THENCE N 89°32'36" E 829.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,202,932 SQUARE FEET OR 27.616 ACRES MORE OR LESS

THAT I HAVE MADE SUCH SURVEY, MAP AND REDIVISION BY THE DIRECTION OF SSV OAK CREEK 1, LLC, OWNER OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE STATUTES OF THE STATE OF WISCONSIN AND CHAPTER 14 OF THE CITY OF OAK CREEK MUNICIPAL CODE IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS ____ DAY OF _____, 2023

CHRISTOPHER A. JACKSON
PROFESSIONAL LAND SURVEYOR, S-2851
STATE OF WISCONSIN

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CSM 8942, PARCEL 1 OF CSM 5458, OUTLOT 1 OF CSM 4697 AND LANDS BEING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

SSV OAK CREEK 1, LLC, A LIMITED LIABILITY CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF _____, AS OWNER, DOES HEREBY CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, MAPPED AND DIVIDED AS REPRESENTED ON THIS MAP. I ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED TO BE SUBMITTED TO THE CITY OF OAK CREEK FOR APPROVAL.

IN WITNESS WHEREOF, SSV OAK CREEK 1, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____ AND ITS CORPORATE SEAL TO BE AFFIXED THIS _____ DAY OF _____, 20__.

STATE OF _____)
_____ COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20__, THE ABOVE _____ OF SSV OAK CREEK 1, LLC. ME KNOWN TO BE THE _____ OF SSV OAK CREEK 1, LLC AND THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF _____
MY COMMISSION EXPIRES _____

CONSENT OF CORPORATE MORTGAGEE CERTIFICATE

_____, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING AND MAPPING OF THE LAND DESCRIBED ON THIS MAP AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATION OF OWNERS.

IN WITNESS WHEREOF, THE SAID _____, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, AT _____, THIS _____ DAY OF _____, 20__.

BY: _____
NAME:
TITLE:

STATE OF _____)
_____ COUNTY) SS

PERSONALLY CAME BEFORE ME ON _____, 20__, BY _____, IN HIS/HER CAPACITY AS _____ OF _____, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC _____
STATE OF WISCONSIN
MY COMMISSION EXPIRES: _____

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CSM 8942, PARCEL 1 OF CSM 5458, OUTLOT 1 OF CSM 4697 AND LANDS BEING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

PLANNING COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF OAK CREEK ON THIS _____ DAY OF _____, 20__.

DAN BUKIEWICZ, CHAIRPERSON

DATE

DOUGLAS SEYMOUR, SECRETARY

DATE

COMMON COUNCIL APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF OAK CREEK ON THIS _____ DAY OF _____, 20__ BY RESOLUTION NUMBER _____

DAN BUKIEWICZ, MAYOR

DATE

CATHERINE ROESKE, CITY CLERK

DATE

Conditional Use Permit for heavy manufacturing on portions of 6340 S. Howell Ave. and 239 E. College Ave. Heavy manufacturing uses are Conditional Uses in the M-1, Manufacturing district. The Land Use Plan within the *Comprehensive Plan* identifies this parcel as appropriate for future business park (re)development outside of floodway areas.

As was mentioned in the staff report for the CSM, the plan for the properties is to create a future Planned Unit Development. However, the first occupant of the park is prepared to proceed with their development of the corner property. American Industrial Motor Service (“AIMS Power”) will be moving their current operations from Milwaukee to the site in a proposed 80,000 sf industrial building. This includes all of the electrical apparatus repair (e.g., electrical motor repair and parts for electrical motor systems) and a sister company (Pinnacle Engineering). Initially, AIMS will have 23 employees onsite, and will have up to 60 anticipated employees once Pinnacle Engineering arrives. Hours of operation are 6:00 AM – 5:00 PM weekdays, with occasional extended and weekend hours. Between 25 and 35 deliveries are anticipated weekly. Use of paint, gasses, oils, and similar will be part of the regular operations. Per the Fire Department, the operations use and storage of the hazard commodities will be evaluated and calculated into the design of the required fire suppression system for the building.

Access to the site will be via the development road for the future PUD. No access will be provided to Howell Ave. Minimum parking requirements for manufacturing are calculated at one (1) stall for every 1,500 square feet. This equates to 53 total parking stalls, which are provided either initially or as future parking areas in the concept site plan. While this is not a review of site, building, or landscape plans, landscape screening will be required for all parking areas and screening of loading areas. Additional information is contained in the submitted narrative and concept plans included with this report.

The requested M-1, Manufacturing zoning substantially conforms to the adopted *Comprehensive Plan*, which identifies the properties as Business Park. Staff have no objections to the proposed rezoning requests.

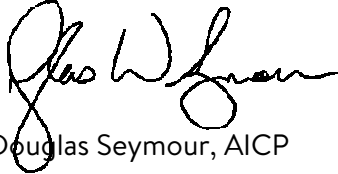
NOTE: The Commission’s initial review and recommendation of the proposed Conditional Use Permit is not an endorsement of any site, architectural, landscaping, or lighting plan that may be required as part of the final Conditional Use Permit. A more detailed review of any plans required by the Conditional Use Permit will be conducted by staff and the Plan Commission subsequent to the issuance of the Conditional Use Permit and accompanying conditions and restrictions.

Should the Plan Commission determine that the request for rezoning the property with a Conditional Use Permit for heavy manufacturing is appropriate, staff will prepare Conditions and Restrictions that for review at the April 11, 2023 meeting.

Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the rezone and/or Conditional Use Permit requests. Should the one or both requests not be recommended for Council approval, Plan Commissioners must provide the criteria per Code upon

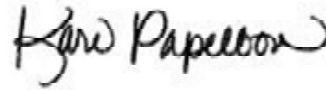
which the denial is based, and the Applicant may choose to request Council approval without recommendation. In that case, the Council would have the authority to approve the request, and remand the proposal back to the Plan Commission for Conditions and Restrictions.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



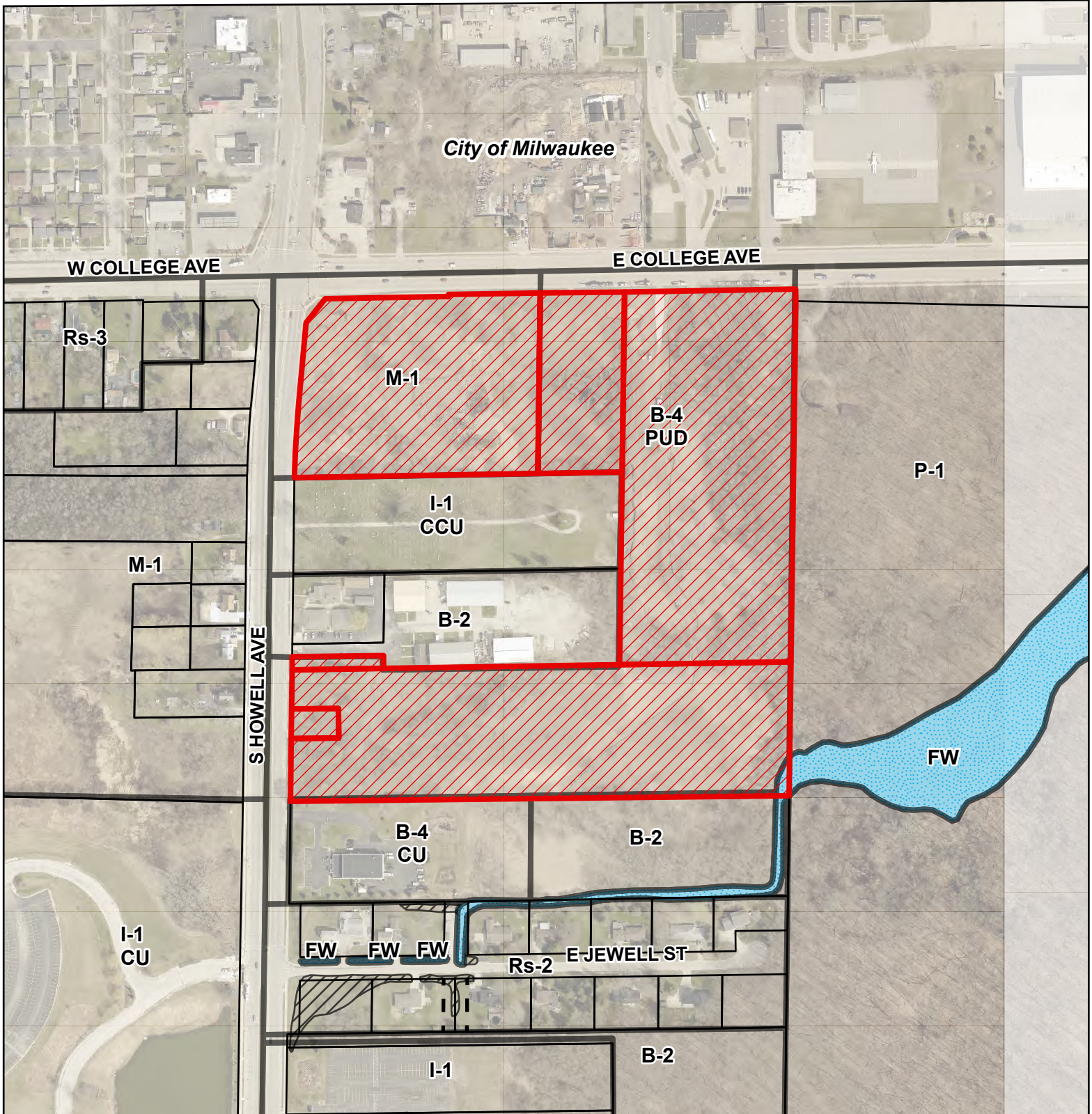
Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

- Location Map
 - Narrative (2 pages)
 - Overall Development Concept Plan (1 page)
 - Concept Site Plan, C1.0 (1 page)
 - Concept Grading & Utility Plan, C2.0 (1 page)
 - Concept Floor Plan, A101 (1 page)
-

LOCATION MAP

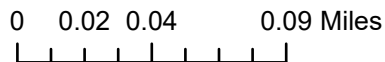
6340, 6440, 6448, 6460 S. Howell Ave. and 239 & 325 E. College Ave.



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



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Properties

REVISED 3/14/2023

Conditional Use Permit Application Information –

AIMS

Anderson Ashton and Bradbury Companies are requesting a conditional uses permit for AIMS Power (American Industrial Motor Service). AIMS power is currently located at 235 W. Oklahoma Ave, Milwaukee WI 53207. This request of Conditional use is submitted to Oak Creek for consideration for the SE Corner of College and Howell Avenues. This conditional use submittal is made at the request of Planning Staff. AIMS, Anderson Ashton and Bradbury companies feel this use is not heavy manufacturing, however staff does and we therefore provide this application for the Conditional Use Permit Oak Creek is asking for.

AIMS Power is an electrical apparatus repair business who specializes in repair of electrical motors and necessary parts for electrical motor systems. They have 3 divisions that operate under the AIMS Business. These include the following -

Motor and Generator Division

Power Systems Division

Engineering Division (Pinnacle Engineering) sister Company

The current employee count is 23 and this number once the Engineering Sister company moves in would increase to 50 to 60.

AIMS runs from 6am – 5pm M-F and does at times work weekends or longer hours.

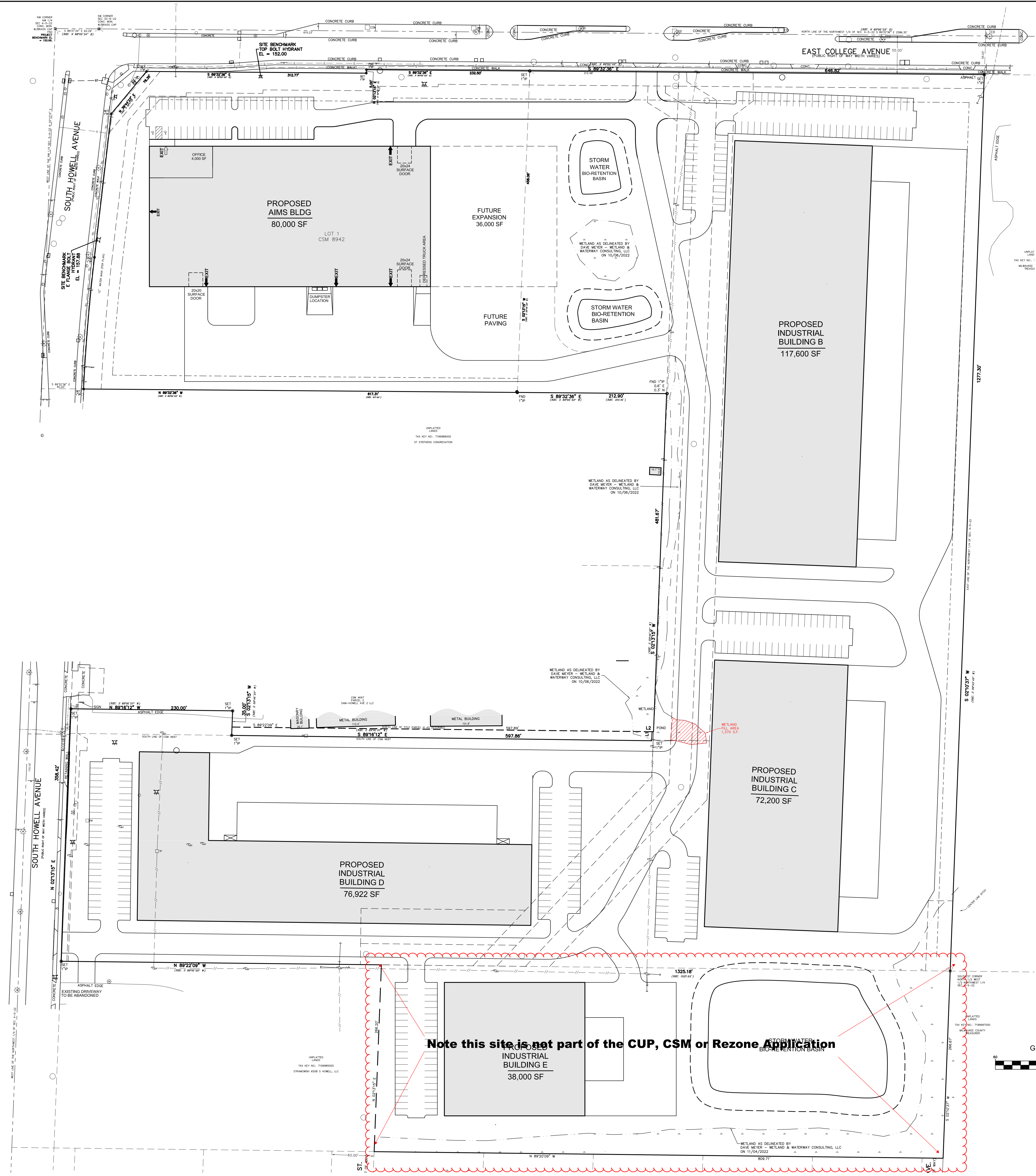
ADDITIONAL information on AIMS work specific items and materials provided by the AIMS –

- We operate one shift during normal operation. M-F, 6:00 am to 5:00 pm.
- We currently have 20-25 employees that operate from our current facility. They all work the above shift.
- We typically get around 25-35 deliveries a week, LTL or UPS type deliveries. Probably around 1 - 2 large flatbed deliveries a week.
- We use paint and thinners during our repair processes. These consist of aerosol and non-aerosol paint. We store the paint in flammable storage cabinets, currently we have two of them. We also use acetone thinner and store it in a flammable storage cabinet.
- We use some mineral oil that is stored in 55-gallon drums with containment devices under them. Roughly 5-10 drums at a time.
- We use acetylene, oxygen, argon, nitrogen, and propane that is contained in cylinders. We store the cylinders in accordance with the current codes. Labeled and divided accordingly.

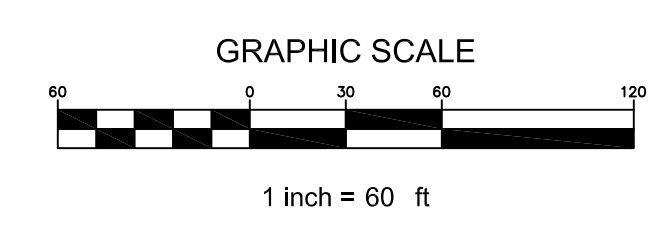
The complete history and details of AIMS can be easily seen at www.aimspower.com .

We strongly encourage any of the Oak Creek officials who would like to know more about AIMS to look at the website and to schedule a tour. We can do that via Eric J Neumann at Anderson Ashton.

HOWELL AND COLLEGE DEVELOPMENT
 OAK CREEK, WISCONSIN



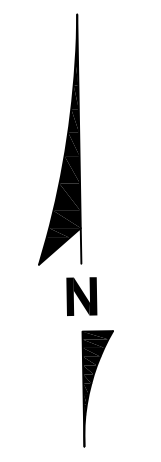
Note this site is not part of the CUP, CSM or Rezone Application

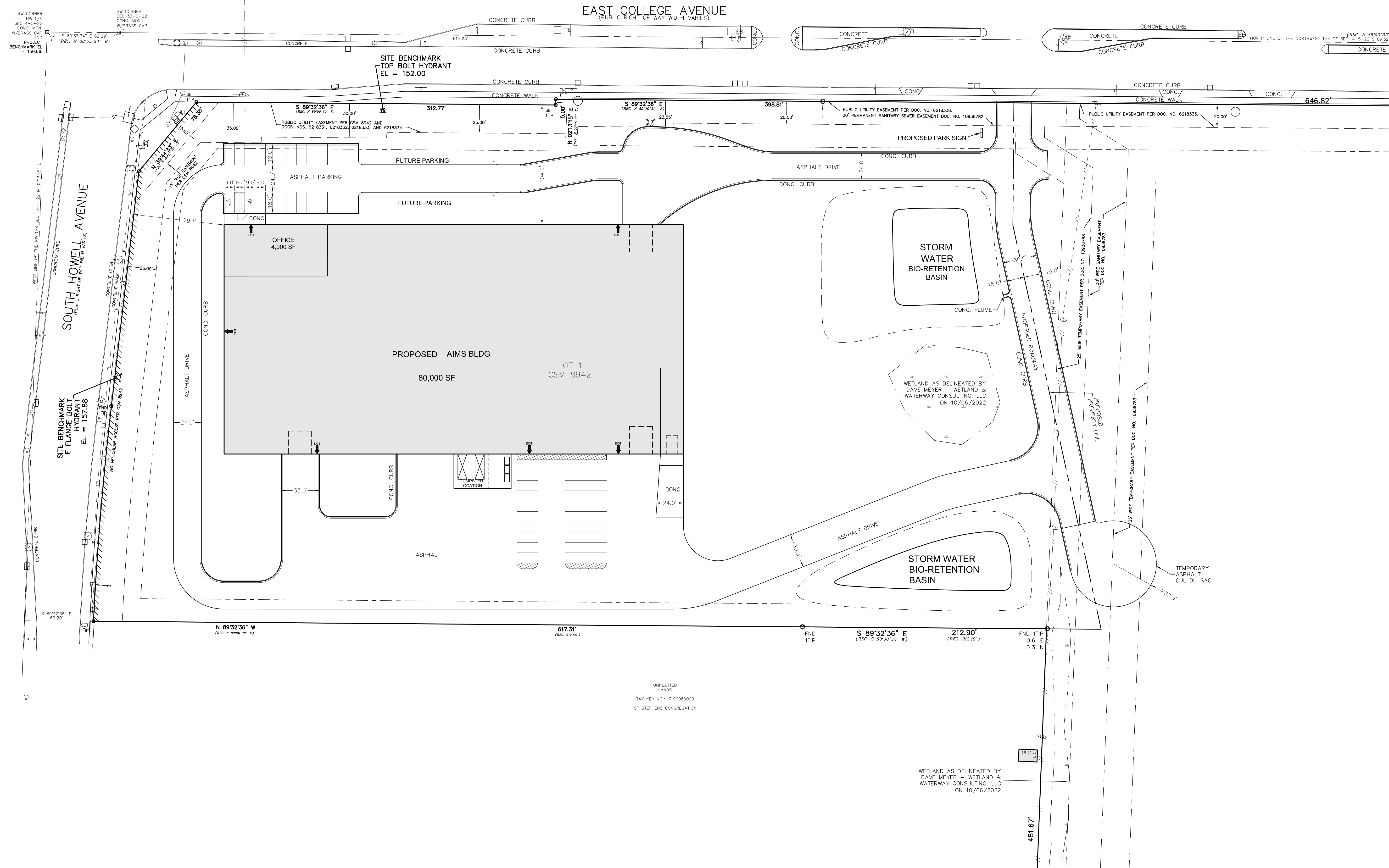


SITE PLAN

CJE NO.: CJE2143RI
 FEBRUARY 09, 2023

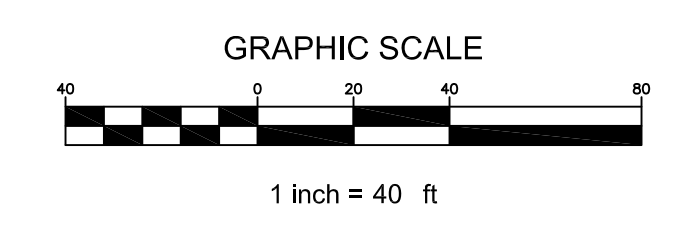
C1.0

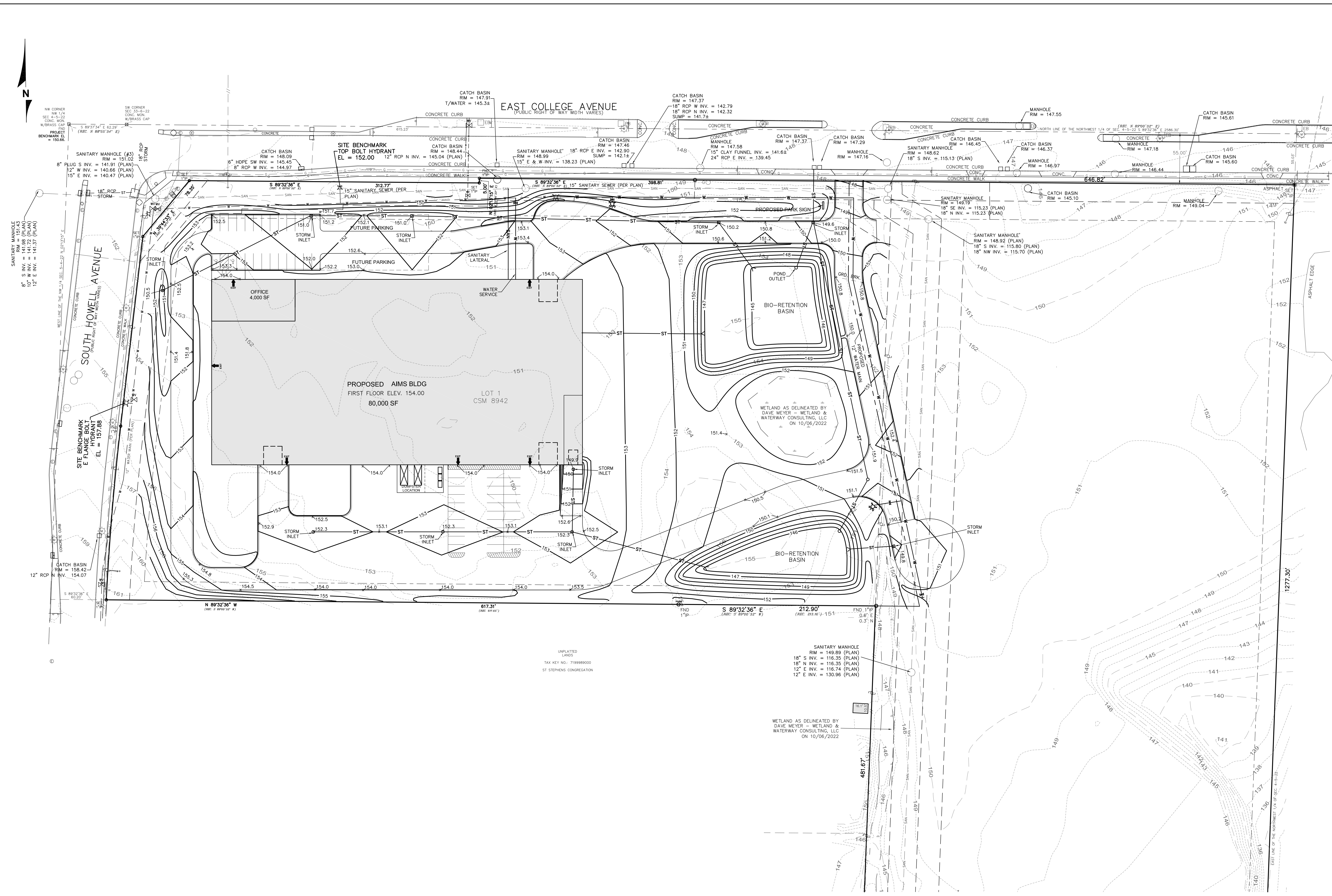




AIMS DEVELOPMENT
 OAK CREEK, WISCONSIN

CJE NO.: CJE2143R4
 FEBRUARY 23, 2023



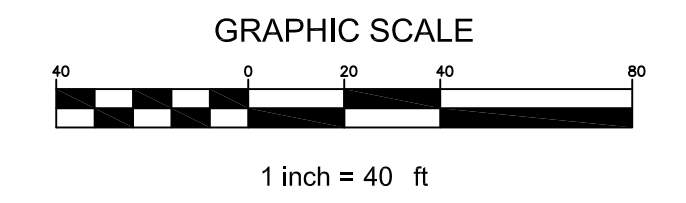


AIMS DEVELOPMENT
 OAK CREEK, WISCONSIN

LEGEND

--- 896 ---	EXISTING CONTOUR
--- 905 ---	PROPOSED CONTOUR
x 906.5	PROPOSED ELEVATION
---	EXISTING STORM SEWER
ST	PROPOSED STORM SEWER
---	EXISTING SANITARY SEWER
SM	PROPOSED SANITARY SEWER
---	EXISTING WATER MAIN
W	PROPOSED WATER MAIN
---	BURIED GAS MAIN
---	OVER HEAD WIRE
---	BURIED ELECTRIC

www.DiggerstHotline.com
DIGGERS HOTLINE
 DIAL 811 OR (800) 242-8511



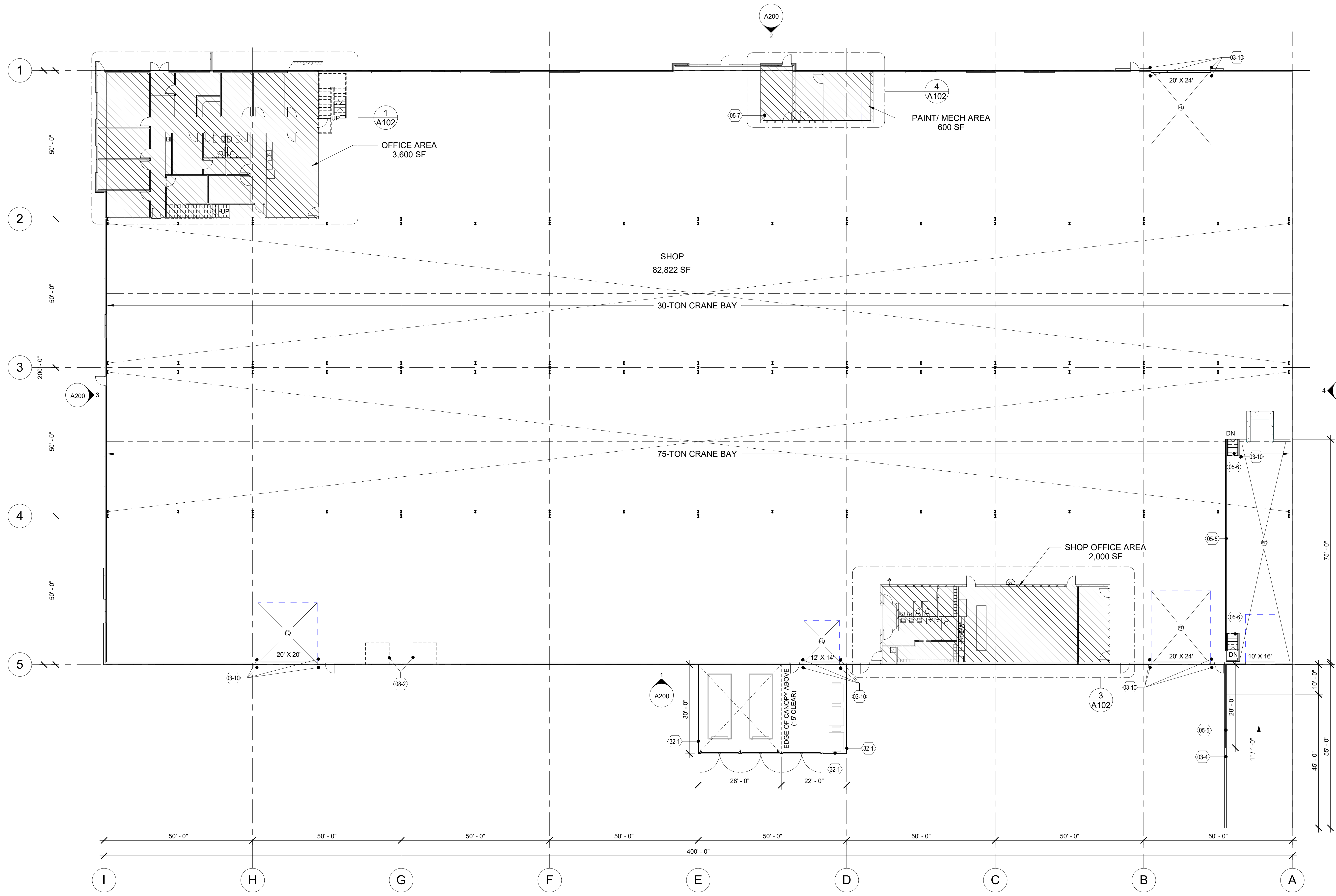
CJE NO.: CJE2143R4
 FEBRUARY 23, 2023

**PRELIMINARY
 SITE GRADING AND
 UTILITY PLAN**

C2.0

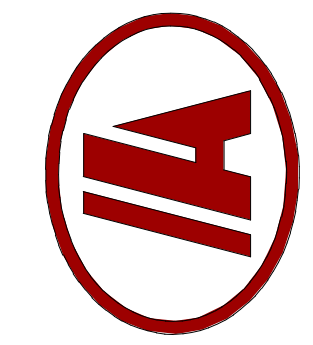
PLAN KEYNOTES	
Key Value	Keynote Text
03-4	CAST-IN-PLACE RETAINING WALL; 8" THICK
03-10	BOLLARD; CONCRETE FILLED STEEL PIPE; PAINTED HAZARD YELLOW
05-5	METAL RAILINGS
05-6	METAL STAIRS
05-7	METAL LADDER; ROOF HATCH LADDER; ENSURE 30" X 30" OF CLEAR SPACE CENTERED ON RUNGS PER IBC 2015 1011.16 AND IMC 2015
08-2	KNOCK OUT OVER HEAD DOOR AREAS W/ DROPPED FOOTINGS
32-1	6'0" HIGH CHAIN LINK FENCE W/ SLATS

REVISIONS



THIS IS A SCHEMATIC DRAWING. NOT A WORKING DRAWING. ANDERSON ASHTON IS NOT RESPONSIBLE FOR DIMENSIONS, CONSTRUCTION DETAILS, ENGINEERING DECISIONS, REGULATORY APPROVALS, OR LOCAL, STATE, OR FEDERAL REQUIREMENTS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REQUIREMENTS. ANDERSON ASHTON IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE DOCUMENTS. IT IS HIGHLY RECOMMENDED THAT A LOCAL ARCHITECT BE ENGAGED TO DEVELOP CONTRACT DOCUMENTS BASED ON THESE SCHEMATIC DRAWINGS AND CORRESPONDING OUTLINE SPECIFICATIONS. ANDERSON ASHTON IS NOT A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT. ALL DIMENSIONS, CONTRACTS, AND ARCHITECTURAL AGREEMENTS SHALL BE DEVELOPED IN A CONTRACTUAL AGREEMENT.

ANDERSON ASHTON
DESIGN / BUILD
2746 South 16th Street
New Berlin, WI 53151
Phone: (262) 786-4640
WWW.ANDERSONASHTON.COM



PRELIMINARY NOT FOR CONSTRUCTION

PROPOSED NEW BUILDING FOR:
C&H BLDG A

OAK CREEK, WI 53154

DRAFTED BY: SS
DESIGNER: RRS
ISSUE: 3/10/2023 3:57:07 PM
SUBMITTAL DATE: XX-XX-XX
DESIGN NO. P-02272
CONSTRUCTION NO. #####

PLANS

A101

COPYRIGHT PROTECTED 2023

1 OVERALL FLOOR PLAN
1/16" = 1'-0"



PLAN COMMISSION REPORT

Proposal: Plan Review – Mechanical Unit Screen

Description: Site, building, and related plan review for screening of an exterior elevated mechanical unit.

Applicant(s): Charles & Robert Bleck, Bleck & Bleck Architects, LLC

Address(es): 9141 S. 13th St. (6th Aldermanic District)

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

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

Owner(s): APA 9141, LLC

Tax Key(s): 877-9010-000

Lot Size(s): 18.3906 ac

Current Zoning District(s): M-1, Manufacturing

Overlay District(s): N/A

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Business Park

Background:

At the March 9, 2021 meeting, the Plan Commission conditionally approved the plans for a proposed multitenant speculative industrial building on the property at 9141 S. 13th St. One of the tenants, Thrive

Foods, is requesting approval of screening for an exterior refrigeration mechanical rack. This mechanical unit will be elevated on a steel platform on the south side of the building in roughly the center of the loading dock area. Proposed screening materials include horizontal metal panels.

Conditions of approval from the 2021 review included the following: “All mechanical equipment, transformers, and utility boxes (ground, building, and rooftop) shall be screened from view.” Additionally, Sec. 17.0506(b) of the Zoning Code states:

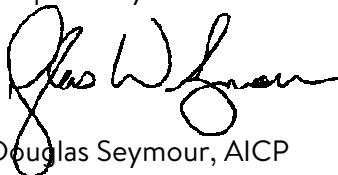
Ground-mounted mechanical units. The following regulations shall apply to all ground-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment.

- (1) Locating mechanical units within the principal structure is strongly encouraged in order to minimize exterior visual impacts. Ground-mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
- (2) Ground-mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
- (3) Materials used for screening shall be designed and established so that the area or element being screened is no more than 20% visible through the screen.
- (4) Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

While the mechanical unit is not strictly ground-mounted as it will be on a platform, the entire structure is subject to the requirements of Sec. 17.0506(b) above. Staff have no concerns for the proposal as presented.

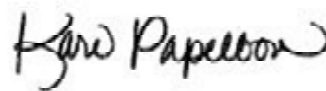
Options/Alternatives: The Plan Commission has the discretion to approve the plans as presented, approve with specified conditions, or disapprove the proposal. Should the request not be approved, Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

Location Map

Narrative and Request (9 pages)

LOCATION MAP

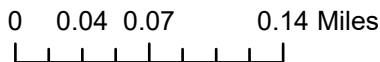
9141 S. 13th St.



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



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 9141 S. 13th St.

February 28, 2023

Kari Papelbon, CFM, AICP • Senior Planner
City of Oak Creek • Community Development

8040 South 6th Street • Oak Creek, WI 53154
Direct: 414-766-7027
Email: kpapelbon@oakcreekwi.gov

Re: Condenser Screen Zoning Application – Thrive Foods, Oak Creek, WI
Tax Key 877-9010-000

Dear Kari,

We request the City of Oak Creek review and approve the refrigeration mechanical rack that will be placed on the exterior south elevation of the building along the shipping and receiving corridor. The mechanical equipment rack will be constructed from structural steel to house the elevated mechanical equipment. The proposed screening is a horizontal metal panel screening material that will be installed near grade to the existing building roof line in material colors consistent with the existing building. This mechanical screening is consistent with the City of Oak Creek Civic Center mechanical screening.

We offer the following information for review and approval:

1. Completed application.
2. \$850 fee enclosed.
3. Site plan.
4. Rendered view of the mechanical condenser rack unscreened.
5. Rendered view of the mechanical condenser rack screened.
6. City of Oak Creek Civic Center design reference.
7. Proposed screening materials.
8. Design example of proposed screening materials.



Site Plan. Location of mech condenser rack and screen.

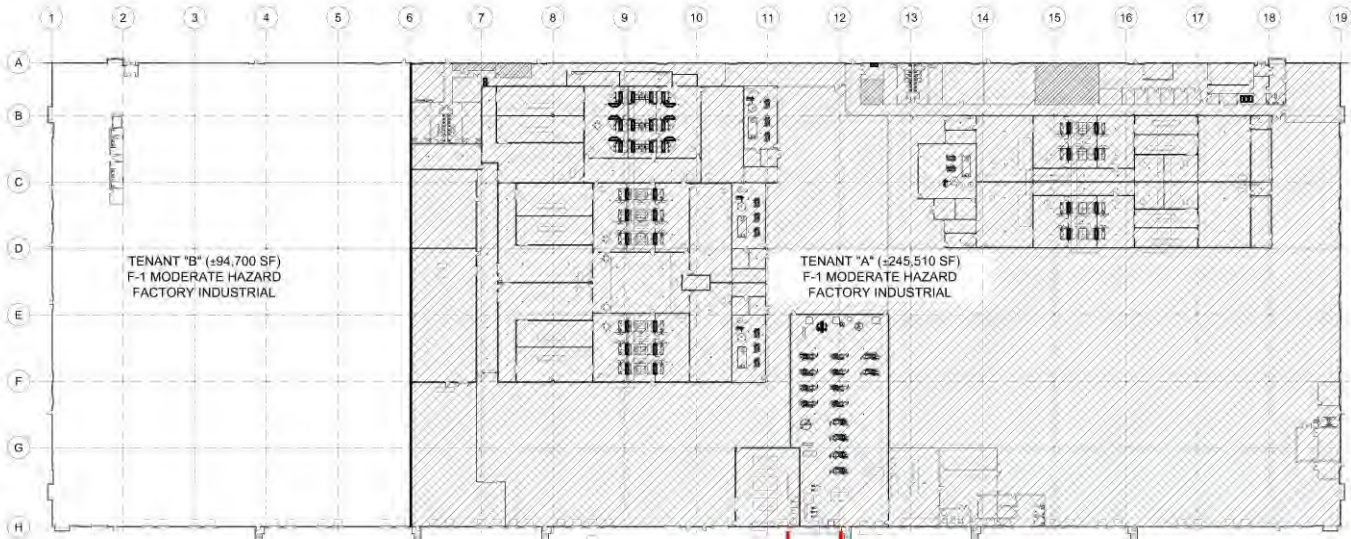


SITE LOCATION



NORTH

A
CS-1 LOCATION MAP
SCALE: NOT TO SCALE



A
CS-1 OVERALL BUILDING FLOOR PLAN
SCALE: 1"=50'-0"

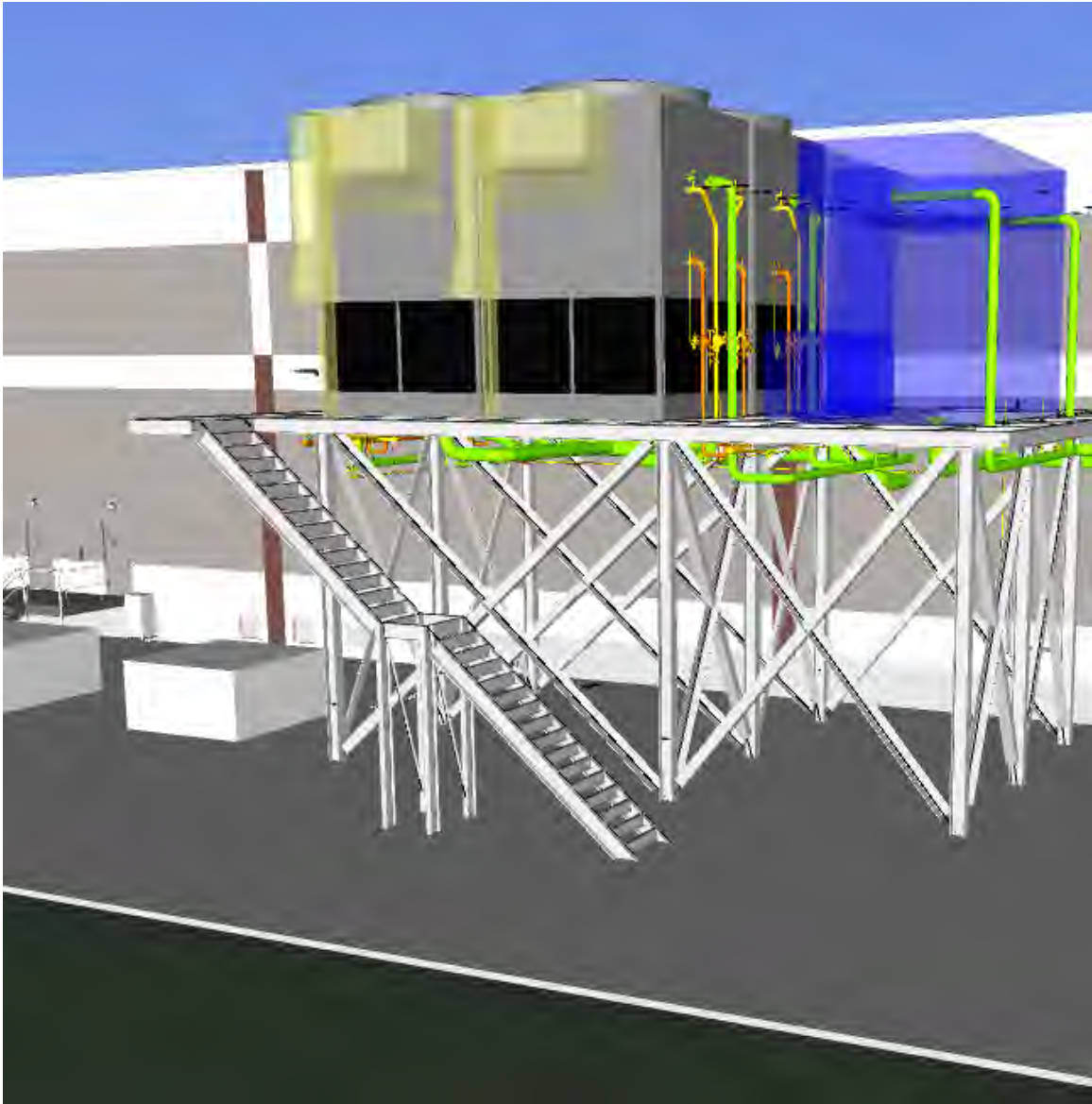
NORTH



CONDENSER RACK
ENCLOSURE ON
SOUTH FACE OF
BUILDING



Proposed mechanical equipment system unscreened. Note, this is from a different location, but the extent of the equipment is similar to the Thrive Foods project.



Proposed mechanical equipment metal panel screening design example. Masonry building with metal panel screening. Oak Creek, WI Civic Center



Thrive Foods proposed masonry building with metal panel screening renderings:

1. No screen. View looking west from 13th Street



2. With screen View looking west from 13th Street.







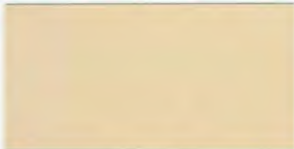


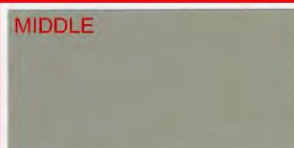
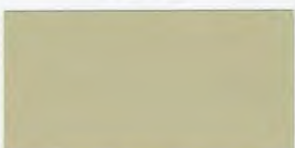
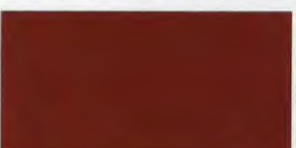
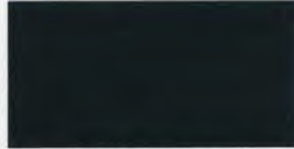


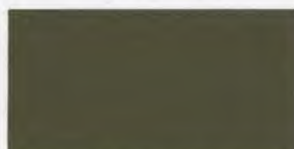





Top section	Regal White – horizontal MiniRib/MegaRib
Middle section	Ash Gray – horizontal MiniRib/MegaRib
Bottom section	Charcoal – horizontal MiniRib/MegaRib



Thrive Foods proposed metal panel screening color chart and profile.


Shades of Distinction


Metal Roof and Wall Panels

<div style="border: 1px solid gray; padding: 5px;"> <p style="color: red; font-weight: bold; margin: 0;">TOP</p>  <p style="font-weight: bold; margin: 0;">*BRITE WHITE / REGAL WHITE</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">ROMAN BLUE</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">CLAY</p> </div>
<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">IVORY</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">SURREY BEIGE</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">PATRICIAN BRONZE</p> </div>
<div style="border: 1px solid gray; padding: 5px;"> <p style="color: red; font-weight: bold; margin: 0;">MIDDLE</p>  <p style="font-weight: bold; margin: 0;">ASH GRAY</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">LIGHT STONE</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">AUTUMN RED</p> </div>
<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">*MATTE BLACK</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">*TUDOR BROWN</p> </div>	<div style="border: 1px solid gray; padding: 5px;"> <p style="color: red; font-weight: bold; margin: 0;">BASE/BOTTOM</p>  <p style="font-weight: bold; margin: 0;">CHARCOAL</p> </div>
<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">TERRATONE</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">EVERGREEN</p> </div>	<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">GALVALUME PLUS</p> </div>
<div style="border: 1px solid gray; padding: 5px; display: flex; justify-content: space-around;"> <div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">BRANDYWINE</p> <p style="font-size: 0.8em; margin: 0;">* ADDITIONAL COST WILL APPLY FOR DEEP TONE COLORS. * AVAILABLE IN KYNAR 500® (PVDF) ONLY.</p> </div> <div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">HARTFORD GREEN</p> </div> </div>		<div style="border: 1px solid gray; padding: 5px;">  <p style="font-weight: bold; margin: 0;">COR-TEN AZP RAW</p> <p style="font-size: 0.8em; margin: 0;">24 GAUGE ONLY ADDITIONAL COST WILL APPLY.</p> </div>

MM210 ALL COLORS COMPLY WITH ENERGY STAR SPECIFICATIONS.

*TUDOR BROWN AND MATTE BLACK PVDF ARE ENERGY STAR COMPLIANT ON GALVALUME SUBSTRATE ONLY.
 *BRITE WHITE IS SILICONIZED POLYESTER. REGAL WHITE IS KYNAR 500®.





Metal panel horizontal MiniRib below and MegaRib above design example.



Please feel free to contact us if you have any questions.

Respectfully,

Charles D. Bleck, Architect, LEED AP
Cell 773-742-9737

Robert F. Bleck, Architect, LEED AP
Cell 224-522-8965



Background:

The Applicant is requesting approval of a Certified Survey Map (CSM) combining and reconfiguring the properties at 2231 & 1933 W. Puetz Rd., 8843R S. 13th St., 8950 S. 20th St. Plan Commissioners may recall that this proposed CSM was reviewed and approved by the Common Council March 15, 2022. Statute requires CSMs to be recorded with the County Register of Deeds within one (1) year of Common Council approval. Due to unforeseen circumstances, the CSM was not recorded within that timeframe, and the applicants are now asking for the approval to be renewed. Below is the staff report from the Plan Commission review last year. The Official Map was amended and the “no access” restrictions are shown on the map included with this report.

March 8, 2022

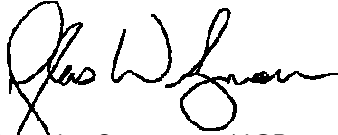
The Applicant is requesting approval of a Certified Survey Map (CSM) dividing and reconfiguring the properties at 2231 & 1933 E. Puetz Rd., 8843R S. 13th St. and 8950 S. 20th St. in anticipation of a future single-family attached development on the properties. The Common Council approved of an Amendment to the Land Use Plan in the *Comprehensive Plan* for Single-Family Attached on portions of the properties at their March 1, 2022 meeting.

Each of the proposed lots meets the minimum requirements for the existing zoning districts. Included on the map are the dedication of public right-of-way along W. Puetz Rd. for Lots 2 and 4, dedication of the future public street access from W. Puetz Rd. to the development (terminating in a cul-de-sac), and dedication of the future S. 20th St. extension and cul-de-sac on the southern portion of Lot 1 (which will be a gated emergency access). The future road to serve the development is shown as S. 20th St.; however, since this will not connect to the existing S. 20th St. by public right-of-way, the road should be renamed. Per comments received from WisDOT and the Engineering Department, there should be no access designated along the entire length of the west property line for Lot 3 (along 27th St.), for 350 feet along S. 27th St. from the intersection with W. Puetz Rd. south on Lot 4, and for 300 feet along W. Puetz Rd. east from the intersection with S. 27th St. on Lot 4. Wetlands, floodplain areas, access easements, and utility easements are shown on all lots.

Should the proposed Certified Survey Map be approved, there remain multiple steps involved in an entitlement process for any development of the property. These review steps would include, but may not be limited to: Official Map Amendment; rezoning; Planned Unit Development (PUD); and ultimately site, architectural, landscape, lighting, and related plans.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Certified Survey Map with specified conditions, or that the Common Council not approve of the proposed CSM. Disapproval would affect the anticipated future development of these properties, and may result in the existing vacant and underutilized conditions of the properties to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

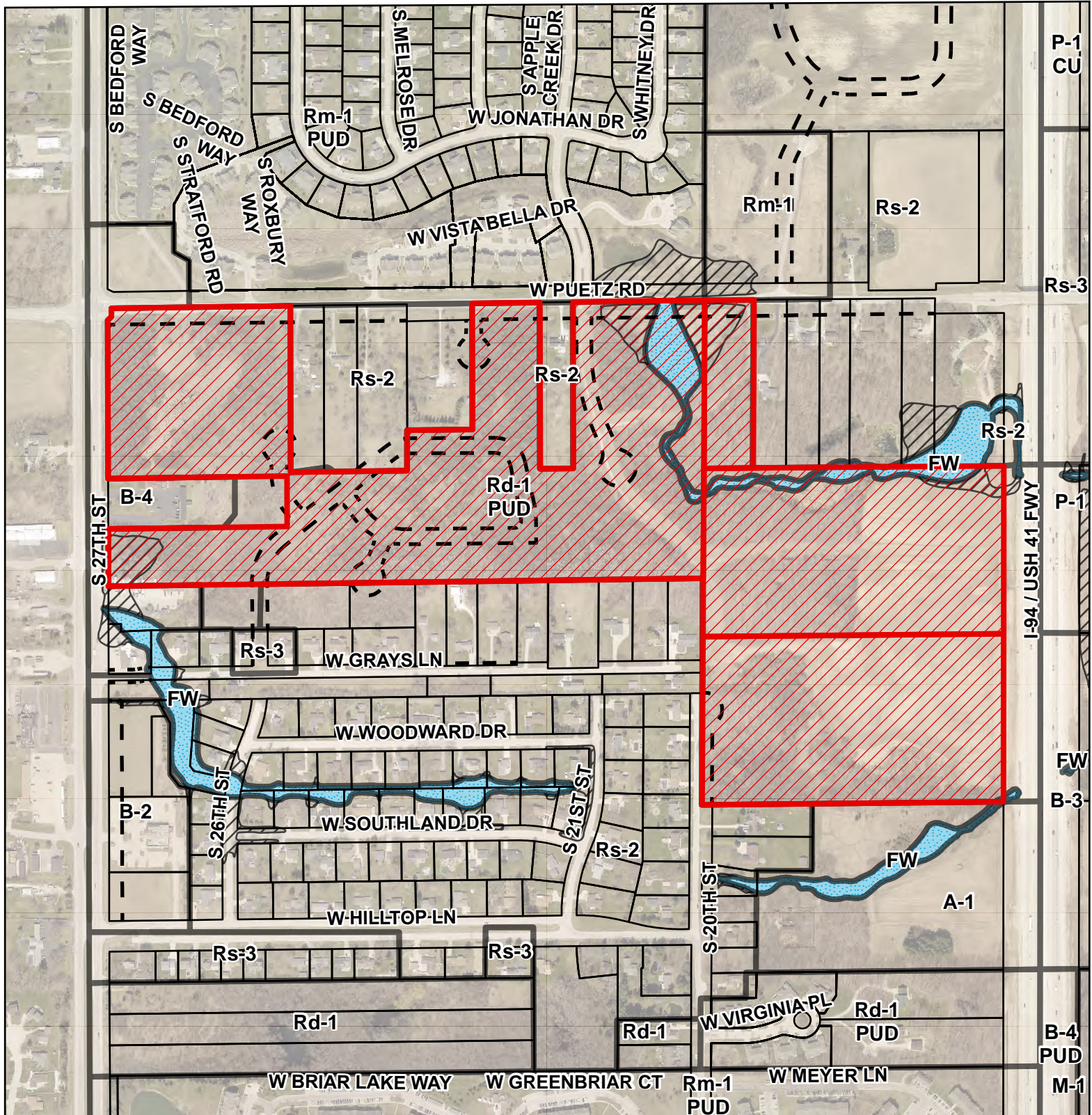
Attachments:

Location Map

Proposed CSM (15 pages)

LOCATION MAP

1933 & 2231 W. Puetz Rd., 8843 S. 13th St., 8950 S. 20th St.



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



Community Development

0 0.04 0.07 0.14 Miles

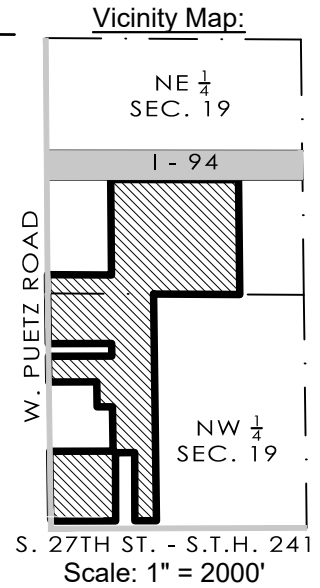
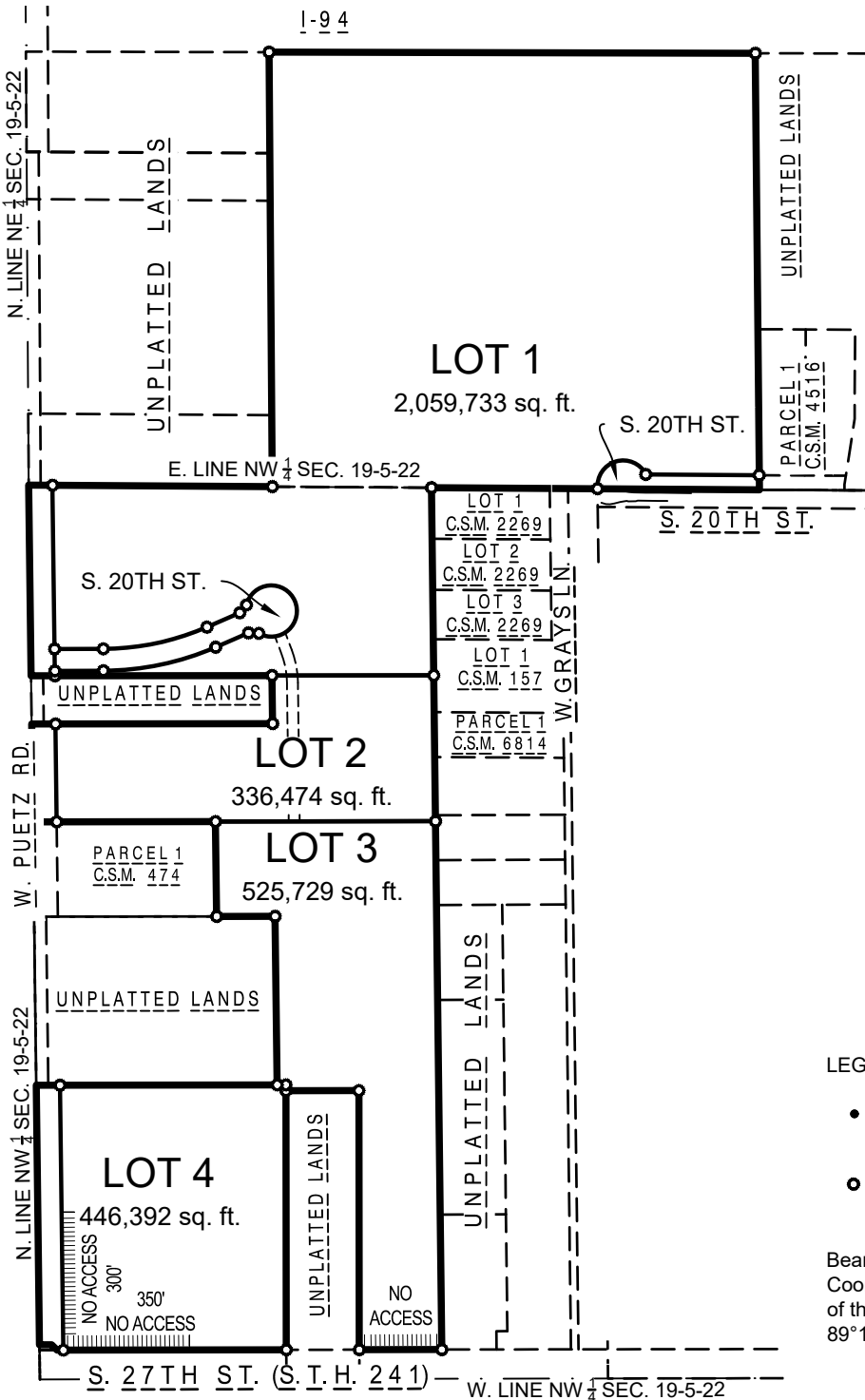


Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Properties

CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



LEGEND & NOTES:

- Indicates found monumentation, as noted on drawing.
- Indicates set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N 89°12'41" E.

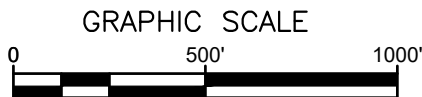


TABLE OF CONTENTS:

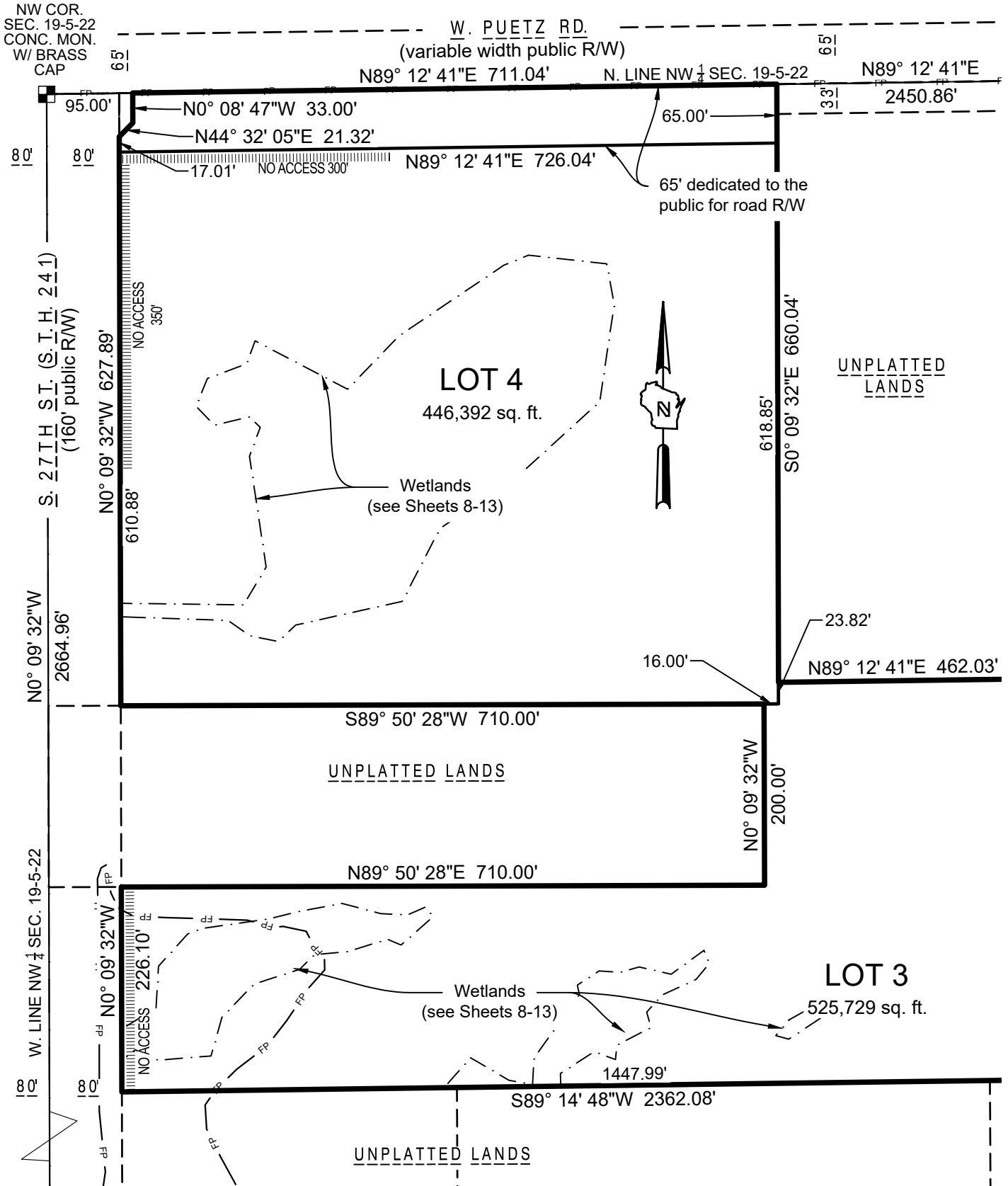
- Sheet 1.....Overall lot layout areas & monumentation
- Sheets 2 - 7.....Lot dimensions, floodplain (Sheets 4 & 5), public dedications, easements
- Sheet 8.....Surveyor's Certificate
- Sheets 9 - 12.....Wetland shapes
- Sheets 13 - 14...Wetland Line Tables
- Sheet 15.....Certificates



www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



NW COR.
SEC. 19-5-22
CONC. MON.
W/ BRASS
CAP

W. PUETZ RD.
(variable width public R/W)

S. 27TH ST. (S.T.H. 241)
(160' public R/W)

UNPLATTED
LANDS

UNPLATTED
LANDS

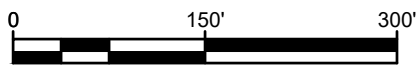
UNPLATTED
LANDS

W1/4 COR.
SEC. 19-5-22
CONC. MON. W/
BRASS CAP

LEGEND & NOTES:

- Indicates found monumentation, as noted on drawing.
- Indicates set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

GRAPHIC SCALE



Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N 89°12'41" E.

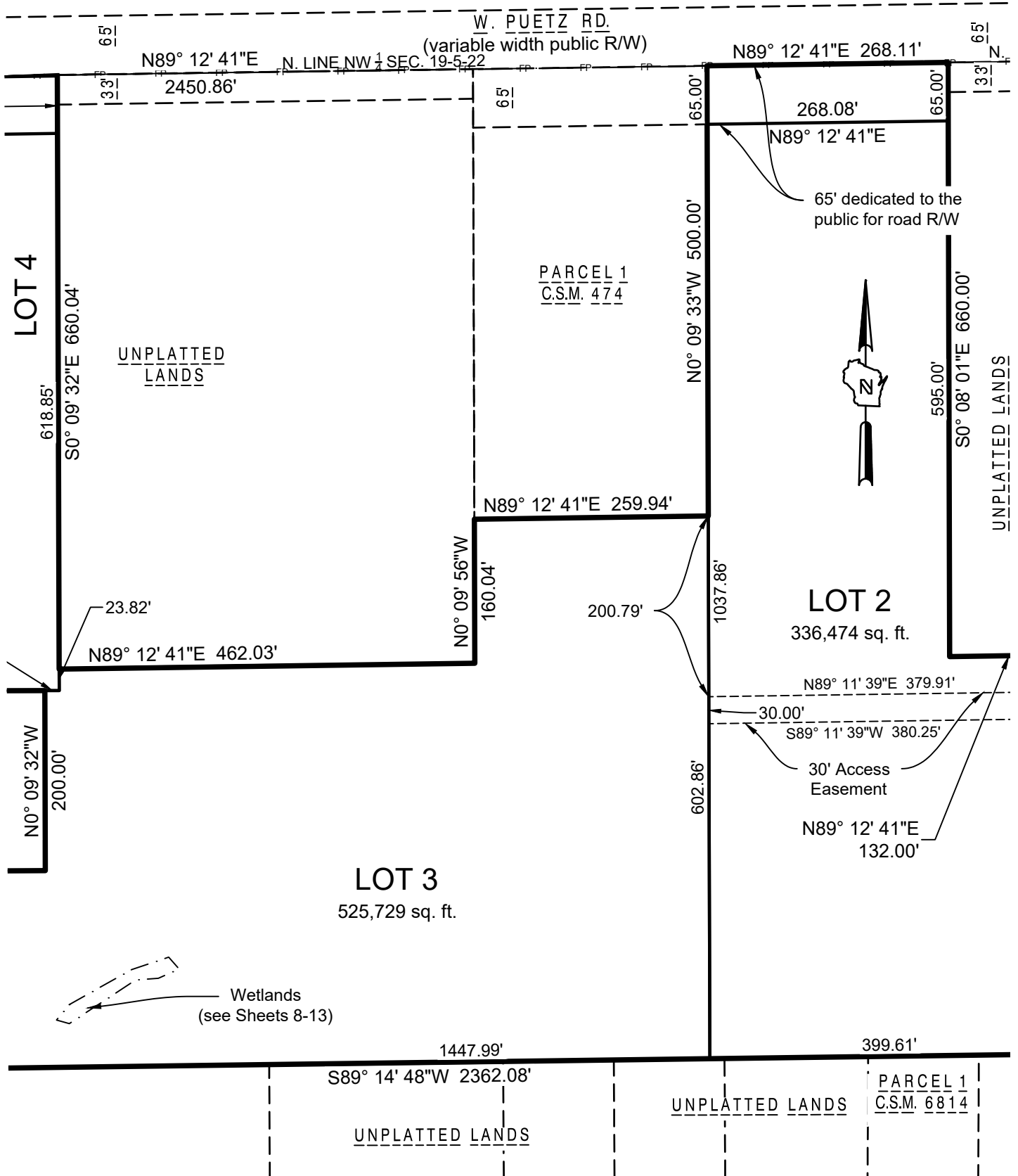
WisDOT Access Management Plan for S.T.H. 241 does not permit access to Lots 3 or 4 to S. 27th St. - S.T.H. 241)



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CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



LEGEND & NOTES:

- Indicates found monumentation, as noted on drawing.

- Indicates set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

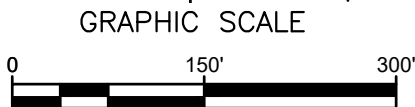
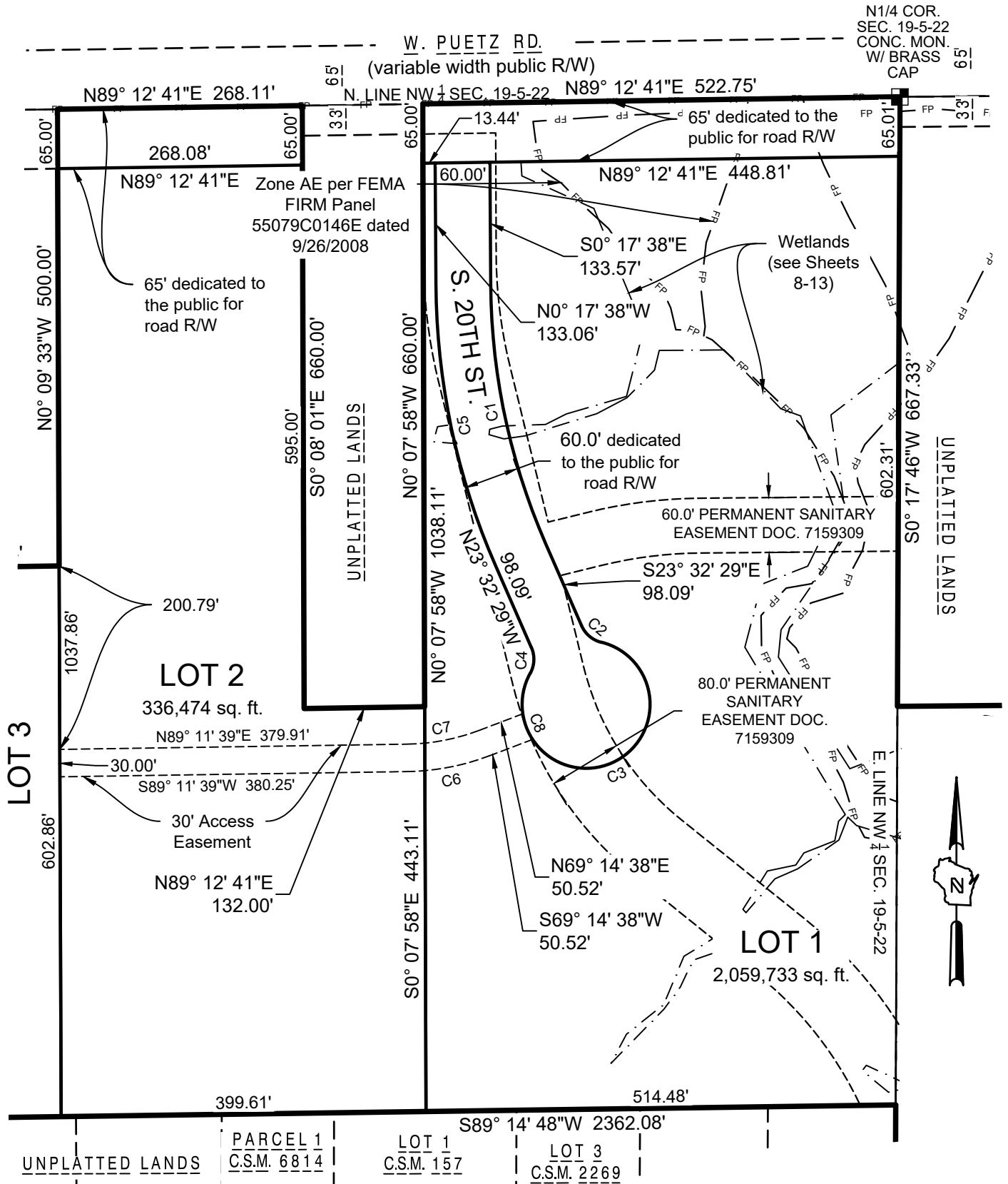
Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N 89°12'41" E.



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CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



LEGEND & NOTES:

- Found monumentation, as noted on drawing.
- Set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

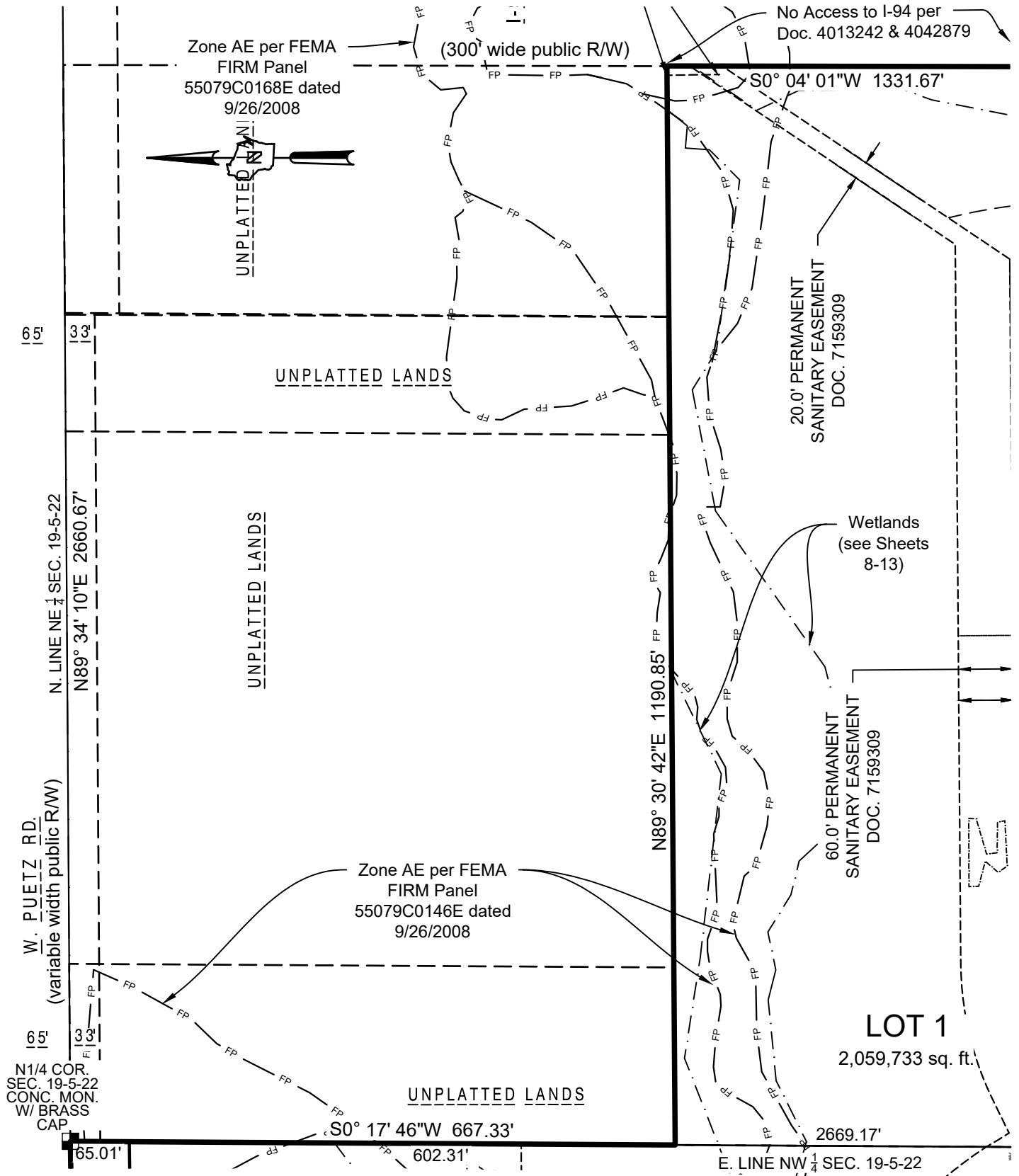
Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N89°12'41"E.

Floodplain line (Zone AE per FEMA FIRM panels 55079C0168E & 55079C0146E, dated 9/26/2008 depicted by scaled and digitized mapping only)

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C6	92.27	265.00	19°57'01"	S79° 13' 09"W	91.81
C7	81.83	235.00	19°57'01"	N79° 13' 09"E	81.41
C8	30.23	70.00	24°44'50"	S20° 45' 22"E	30.00
C1	292.13	720.00	23°14'50"	S11° 55' 03"E	290.13
C2	29.36	32.00	52°33'59"	S49° 49' 28"E	28.34
C3	348.36	70.00	285°07'57"	S66° 27' 31"W	85.10
C4	29.36	32.00	52°33'59"	N2° 44' 31"E	28.34
C5	316.48	780.00	23°14'50"	N11° 55' 03"W	314.31

CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



LEGEND & NOTES:

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- Indicates set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N 89°12'41" E.

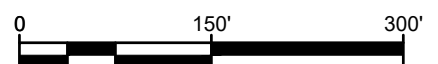
Floodplain line (Zone AE per FEMA FIRM panels 55079C0168E & 55079C0146E, dated 9/26/2008 depicted by scaled and digitized mapping only)



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GRAPHIC SCALE

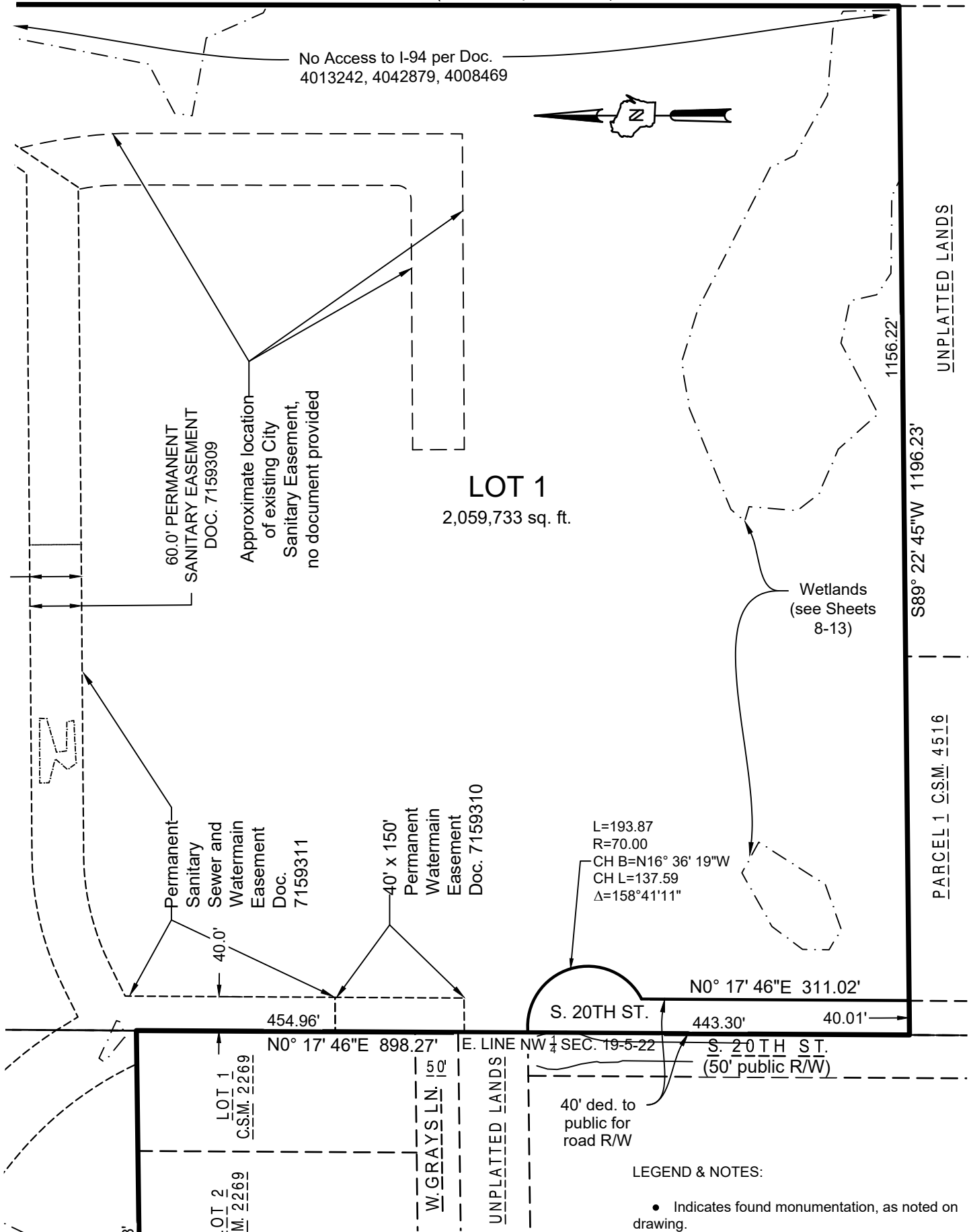


CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

I-94

S0° 04' 01"W 1331.67' (300' wide public R/W)

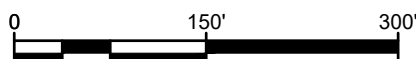


LEGEND & NOTES:

- Indicates found monumentation, as noted on drawing.
- Indicates set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N 89°12'41" E.

GRAPHIC SCALE



PROJECT NUMBER 20312 DRAFTED BY BMR

Sheet 6 of 15



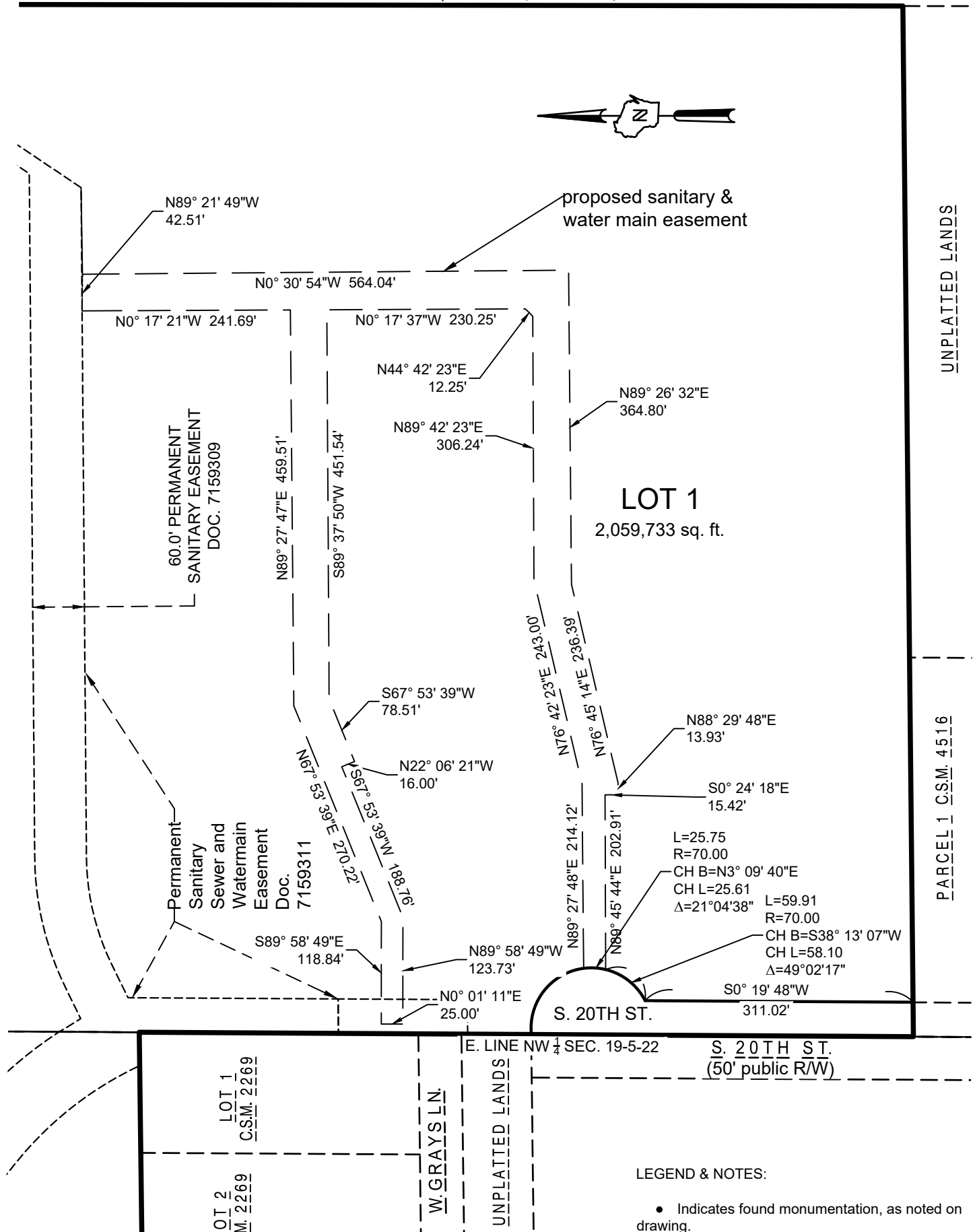
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CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

I-94

(300' wide public R/W)



LEGEND & NOTES:

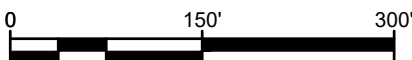
- Indicates found monumentation, as noted on drawing.
- Indicates set 3/4" diam. rebar, 18" long weighing 1.50 lbs/lin. ft.

Bearings referenced to Wisconsin State Plane Coordinate System, NAD 1983, with the north line of the NW 1/4 of Sec. 19-5-22, bearing N 89°12'41" E.



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GRAPHIC SCALE



PROJECT NUMBER 20312 DRAFTED BY BMR

Sheet 7 of 15

CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN)

SS

MILWAUKEE COUNTY)

I, Kevin A. Slottke, Professional Land Surveyor, hereby certify that I have surveyed, divided and mapped part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northwest corner of said Section 19; thence North 89°12'41" East, 95.00 feet along the north line of the Northwest $\frac{1}{4}$ of said Section 19 to the point of beginning; continue thence North 89°12'41" East, 711.04 feet along said north line; thence South 0°09'32" East, 660.04 feet; thence North 89°12'41" East, 462.03 feet; thence North 0°09'56" West, 160.04 feet to the south line of Parcel 1 of Certified Survey Map No. 474; thence North 89°12'41" East, 259.94 feet along said south line to the east line thereof; thence North 0°09'33" West, 500.00 feet along said east line to the north line of said Northwest $\frac{1}{4}$ section; thence North 89°12'41" East, 268.11 feet along said north line; thence South 0°08'01" East, 660.00 feet; thence North 89°12'41" East, 132.00 feet; thence North 0°07'58" West, 660.00 feet to the aforesaid north line; thence North 89°12'41" East, 522.75 feet along said north line to the North $\frac{1}{4}$ corner of said Section 19; thence South 0°17'46" West, 667.33 feet along the east line of said Northwest $\frac{1}{4}$ section; thence North 89°30'42" East, 1190.85 feet to the westerly right-of-way line of I-94; thence South 0°04'01" West, 1331.67 feet along said westerly line; thence South 89°22'45" West, 1196.23 feet along the north line of Certified Survey Map No. 4516 and its easterly extension to the aforesaid east line of said Northwest $\frac{1}{4}$ section; thence North 0°17'46" East, 898.27 feet along said east line to the north line of Certified Survey Map No. 2269; thence South 89°14'48" West, 2362.08 feet along said north line and its westerly extension also along the north lines of Certified Survey Maps No. 157 and 6814 to the easterly line of S. 27th Street, S.T.H. "241"; thence North 0°09'32" West, 226.10 feet along said easterly line; thence North 89°50'28" East, 710.00 feet; thence North 0°09'32" West, 200.00 feet; thence South 89°50'28" West, 710.00 feet to the aforesaid easterly line; thence North 0°09'32" West, 627.89 feet along said easterly line; thence North 44°32'05" East, 21.32 feet along said easterly line; thence North 0°08'47" West, 33.00 feet to the point of beginning.

Said parcel contains a total of 3,535,700 square feet or 81.169 acres of land, more or less.

That I have made the survey, land division and map by the direction of the owner of said land. That the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made. That I have fully complied with s. 236.34 of the Wisconsin Statutes and CHAPTER 14 OF THE CITY OF OAK CREEK MUNICIPAL CODE in surveying, dividing and mapping the same.

Keivn A. Slottke S-2530

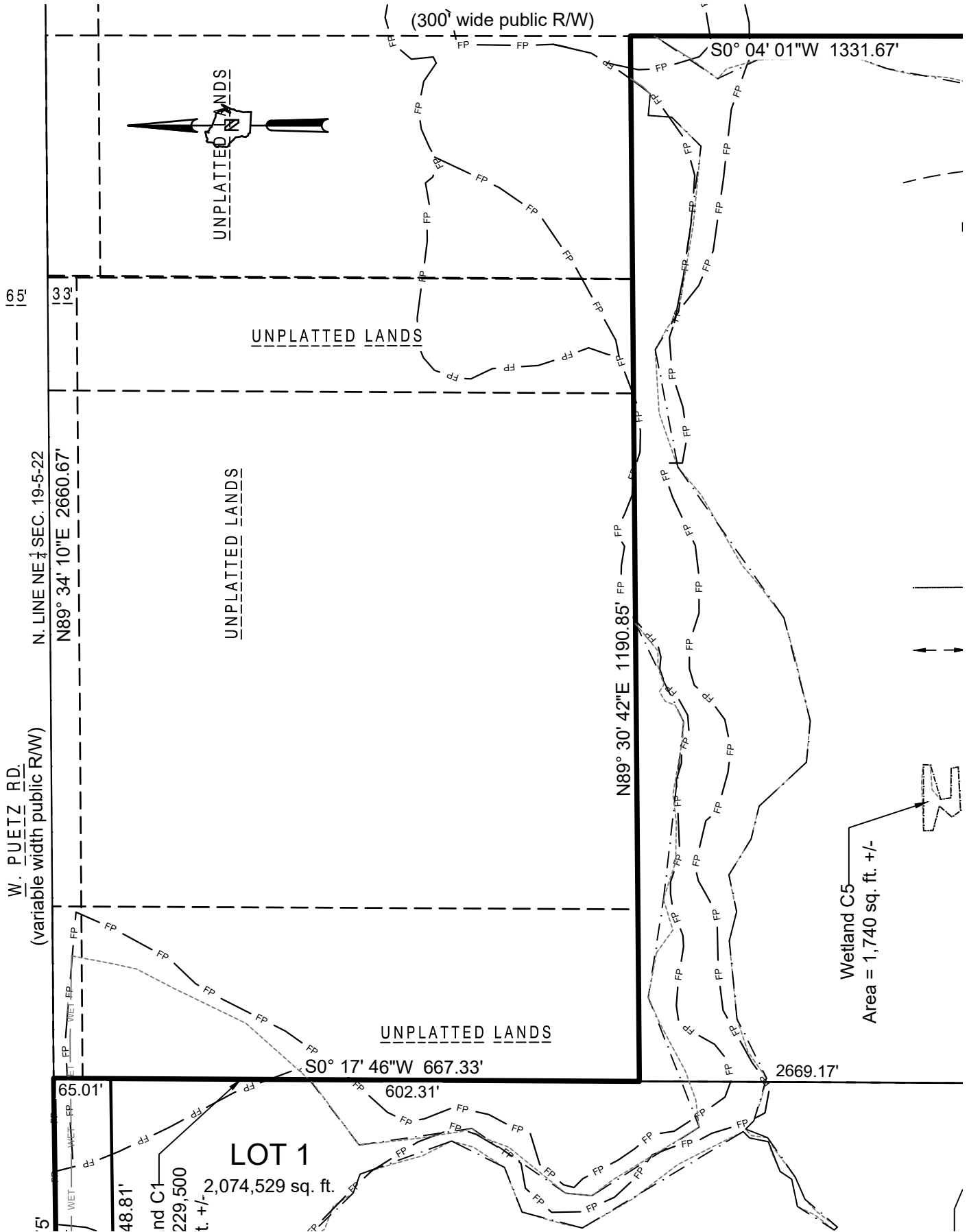
DATE



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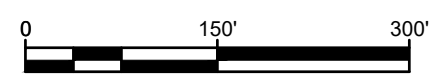
CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



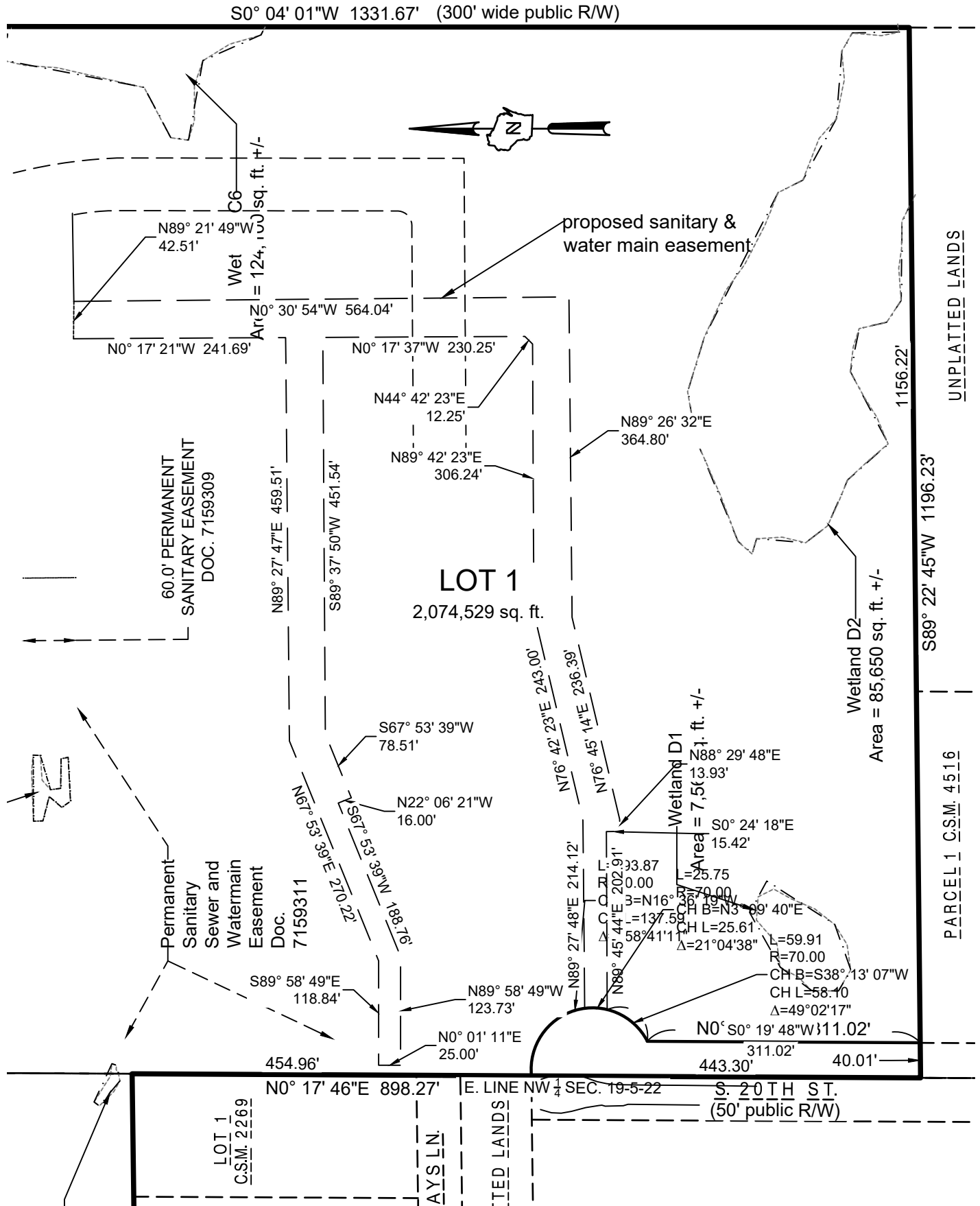
Wetland delineation
completed by Wetland
& Waterway Consulting,
LLC, dated 12/05/2021

GRAPHIC SCALE



CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin



Wetland delineation completed by Wetland & Waterway Consulting, LLC, dated 12/05/2021

GRAPHIC SCALE



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CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

Parcel Line Table		
Line #	Length	Direction
L1	12.44	N0° 04' 01"E
L2	200.02	N89° 22' 45"E
L3	22.90	S63° 04' 49"E
L4	90.46	S89° 22' 57"E
L5	29.87	S56° 15' 59"E
L6	31.89	S12° 38' 54"E
L7	50.18	S78° 16' 33"E
L8	92.85	N62° 17' 05"E
L9	61.87	S41° 40' 04"E
L10	57.03	S66° 24' 07"E
L11	31.50	S37° 38' 19"E
L12	56.16	S4° 37' 43"W
L13	17.95	S73° 35' 36"E
L14	21.41	S41° 22' 47"W
L15	126.63	S67° 37' 56"W
L16	54.40	S80° 19' 05"W
L17	65.04	N72° 57' 41"W
L18	184.72	N62° 58' 05"W
L19	31.40	N26° 20' 38"W
L20	79.76	N61° 20' 04"W
L21	77.45	N85° 23' 45"W
L22	23.75	N59° 56' 20"W
L23	53.03	N1° 05' 32"W
L24	5.12	S82° 56' 10"W
L25	40.71	S61° 06' 24"E
L26	71.52	N60° 42' 01"E
L27	44.44	N36° 44' 27"E
L28	30.71	N0° 57' 19"E
L29	27.88	N59° 39' 53"W
L30	54.97	S70° 24' 50"W
L31	91.67	S32° 30' 15"W
L32	10.82	N1° 59' 32"W
L33	28.66	N75° 31' 44"W
L34	18.87	N40° 54' 30"E
L35	12.06	N34° 32' 16"W
L36	50.14	S87° 02' 01"W
L37	8.25	S10° 43' 52"E
L38	33.79	S89° 14' 50"E
L39	11.68	S7° 16' 03"E
L40	40.68	S73° 31' 51"W

Parcel Line Table		
Line #	Length	Direction
L41	8.22	S2° 18' 55"W
L42	75.23	N89° 46' 01"E
L43	5.31	S18° 44' 55"W
L44	48.16	S65° 02' 33"E
L45	7.40	N36° 28' 07"E
L46	37.00	N50° 32' 24"W
L47	18.26	S76° 59' 32"W
L48	570.41	N0° 04' 01"E
L49	10.39	S62° 43' 16"E
L50	72.34	S23° 47' 51"E
L51	91.98	S79° 42' 14"E
L52	20.44	S7° 50' 27"W
L53	64.57	S62° 08' 50"W
L54	170.91	S10° 57' 01"W
L55	36.00	S19° 48' 50"W
L56	113.43	S1° 01' 21"E
L57	50.49	S25° 18' 40"E
L58	86.80	S34° 05' 29"W
L59	15.43	N3° 29' 06"W
L60	86.61	N65° 36' 32"W
L61	107.80	N22° 20' 32"W
L62	32.28	N42° 27' 59"W
L63	13.79	N40° 14' 43"E
L64	74.07	N14° 22' 10"E
L65	68.73	N73° 48' 26"E
L66	25.44	N63° 17' 24"E
L67	47.37	N87° 59' 26"E
L68	14.16	N75° 24' 01"E
L69	5.86	N7° 26' 52"E
L70	16.85	N73° 50' 00"W
L71	23.42	S82° 12' 08"W
L72	82.08	S72° 48' 44"W
L73	37.24	S62° 18' 48"W
L74	42.98	S45° 09' 20"W
L75	22.30	S13° 38' 49"W
L76	71.00	S89° 41' 51"W
L77	89.39	N43° 57' 25"W
L78	23.07	N69° 57' 18"W
L79	110.93	N19° 50' 58"W
L80	67.22	N26° 32' 13"E

Parcel Line Table		
Line #	Length	Direction
L81	54.66	N68° 32' 53"E
L82	71.06	N14° 45' 25"E
L83	213.68	N30° 54' 45"W
L84	10.30	N45° 04' 29"E
L85	21.78	N11° 11' 40"E
L86	36.42	N68° 28' 00"E
L87	15.95	N33° 49' 57"E
L88	31.71	N78° 18' 42"E
L89	49.75	N32° 33' 02"E
L90	4.93	N43° 15' 01"W
L91	48.77	S40° 40' 04"W
L92	27.13	S66° 21' 49"W
L93	55.11	S55° 00' 49"W
L94	26.84	S21° 16' 48"W
L95	13.36	N45° 43' 52"W
L96	50.78	N73° 31' 41"W
L97	75.09	S63° 27' 58"W
L98	89.57	S84° 21' 33"W
L99	34.21	N75° 51' 22"W
L100	42.70	S78° 05' 59"W
L101	48.12	N58° 17' 18"W
L102	38.50	N76° 14' 18"W
L103	73.56	N42° 54' 48"W
L104	47.25	N84° 42' 46"W
L105	121.12	S75° 38' 52"W
L106	210.15	S54° 53' 12"W
L107	136.12	S79° 08' 09"W
L108	50.35	N58° 14' 30"W
L109	190.56	N82° 17' 48"W
L110	47.14	S44° 47' 31"W
L111	26.55	S3° 57' 45"W
L112	24.64	N85° 05' 06"W
L113	28.24	S38° 31' 16"W
L114	620.72	N89° 30' 42"E
L115	124.90	N63° 54' 00"E
L116	203.36	S83° 29' 44"E
L117	113.01	S81° 11' 44"E
L118	158.89	N68° 35' 28"E
L119	145.08	S32° 34' 29"E
L120	30.04	S5° 31' 37"W

WETLAND TABLES

CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

Parcel Line Table		
Line #	Length	Direction
L121	129.80	S34° 37' 21"W
L122	129.83	S8° 22' 34"E
L123	93.69	S52° 41' 42"W
L124	226.28	S0° 17' 46"W
L125	414.85	N89° 12' 41"E
L126	57.15	N22° 47' 31"E
L127	52.24	N51° 26' 19"E
L128	36.15	N28° 05' 44"E
L129	83.12	S44° 26' 12"W
L130	29.85	S36° 22' 14"W
L131	32.65	S25° 28' 49"W
L132	33.50	S71° 02' 21"W
L133	16.13	S22° 37' 50"E
L134	41.40	N58° 44' 56"E
L135	14.73	N74° 17' 31"W
L136	88.08	S56° 41' 17"W
L137	25.47	S85° 35' 21"W
L138	25.21	S65° 41' 02"W
L139	17.42	S41° 33' 24"E
L140	43.43	N71° 31' 16"E
L141	79.50	N60° 41' 11"E
L142	22.13	N39° 31' 14"E
L143	128.65	S89° 14' 48"W
L144	14.00	S1° 29' 01"E
L145	44.32	S57° 18' 27"W
L146	25.00	N69° 47' 04"W
L147	16.03	S5° 34' 17"W
L148	42.38	S62° 44' 27"W
L149	17.63	S15° 46' 10"E
L150	24.95	S41° 29' 47"W
L151	41.92	S65° 21' 10"W
L152	22.15	S39° 20' 44"W
L153	15.89	S19° 38' 07"E
L154	44.91	N53° 53' 16"E
L155	36.23	S77° 06' 23"E
L156	22.42	N74° 29' 16"E
L157	22.69	S86° 01' 08"E
L158	28.69	N57° 08' 23"E
L159	10.60	N12° 53' 33"W
L160	86.28	N35° 31' 48"E

Parcel Line Table		
Line #	Length	Direction
L161	29.22	N2° 57' 59"E
L162	26.58	S79° 57' 48"E
L163	49.26	S59° 33' 07"E
L164	43.95	N41° 11' 47"E
L165	34.53	N0° 09' 32"W
L166	18.82	S51° 40' 39"W
L167	27.44	N65° 19' 20"W
L168	58.87	S85° 27' 44"W
L169	44.74	S16° 00' 06"W
L170	50.52	S44° 08' 19"W
L171	52.97	S72° 01' 38"W
L172	23.02	S45° 11' 43"W
L173	37.01	S84° 47' 40"W
L174	45.82	S72° 44' 22"W
L175	16.33	N67° 18' 03"W
L176	46.58	S48° 31' 21"W
L177	13.46	S34° 50' 59"E
L178	22.12	N66° 48' 05"E
L179	29.43	S87° 16' 25"E
L180	44.24	S75° 13' 16"E
L181	49.74	N79° 18' 03"E
L182	32.16	N76° 04' 15"E
L183	76.32	N81° 46' 21"E
L184	15.90	N68° 09' 52"E
L185	47.87	N42° 07' 04"E
L186	45.99	N3° 19' 24"E
L187	44.60	N58° 17' 14"E
L188	118.71	N88° 00' 41"W
L189	29.52	N55° 03' 41"W
L190	31.63	N78° 37' 21"W
L191	26.64	S47° 10' 38"W
L192	120.44	S77° 26' 42"W
L193	90.39	S27° 19' 27"W
L194	105.46	S56° 02' 02"W
L195	120.53	S47° 37' 12"W
L196	108.31	S8° 28' 13"W
L197	45.59	S10° 33' 11"E
L198	86.86	S83° 43' 59"E
L199	139.59	N56° 02' 24"E
L200	139.59	N56° 02' 24"E

Parcel Line Table		
Line #	Length	Direction
L201	81.90	N43° 58' 36"E
L202	115.12	S62° 24' 03"E
L203	27.09	N20° 30' 48"E
L204	45.98	N69° 26' 44"E
L205	33.05	N22° 38' 14"E
L206	29.28	N43° 59' 08"W
L207	39.97	S76° 38' 46"W
L208	16.45	N45° 05' 28"W
L209	34.01	N20° 22' 30"E
L210	123.59	N8° 34' 01"W
L211	48.66	N30° 51' 29"E
L212	135.75	S89° 15' 52"E
L213	14.83	N0° 05' 09"W

Wetland delineation
completed by Wetland
& Waterway Consulting,
LLC, dated 12/05/2021



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Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

WETLAND TABLES

CERTIFIED SURVEY MAP NO. _____

Part of the NW 1/4 and SW 1/4 of the NE 1/4 and part of the NE 1/4 and NW 1/4 of the NW 1/4 of Section 19,
Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

OWNER'S CERTIFICATE

CCR HERZEBROCK II LTD PARTNERSHIP, as owner, caused the land described on this map to be surveyed, divided and mapped as represented on this map.

CCR HERZEBROCK II LTD PARTNERSHIP, as owner, 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: The City of Oak Creek.

IN WITNESS WHEREOF, the said CCR HERZEBROCK II LTD PARTNERSHIP, owner, has caused these presents to be signed by its _____, _____, at _____, Wisconsin, this _____ day of _____, 20____.

by:

STATE OF WISCONSIN)

)SS

MILWAUKEE COUNTY)

Personally came before me this ___ day of _____, 20____, the above-named _____ to me known to be the person who executed the foregoing instrument and to me known to be the _____ of CCR HERZEBROCK II LTD PARTNERSHIP., and acknowledged that they executed the foregoing instrument as such member as the deed of said corporation, by its authority.

(SEAL) NOTARY PUBLIC *signature*, STATE OF WISCONSIN

notary printed name

MY COMMISSION EXPIRES _____.

City of Oak Creek Plan Commission Certificate of Approval

Approved by the Plan Commission of the City of Oak Creek on this _____ day of _____, 20_____.

Daniel Bukiewicz, Chairman
City of Oak Creek

Kari Papelbon, Corresponding
Secretary, City of Oak Creek

City of Oak Creek Common Council Certificate of Approval

Approved and dedication accepted by the Common Council of the City of Oak Creek on this _____ day of _____, 20____, by Resolution No. _____.

Daniel Bukiewicz, Mayor
City of Oak Creek

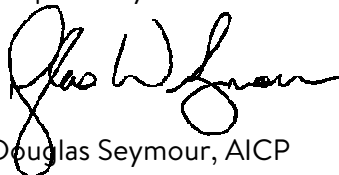
Catherine A. Roeske, Clerk
City of Oak Creek

Applicants are therefore requesting an extension to allow sufficient time to obtain the remaining local approvals, close on the land, and commence work on the development. While a timeframe was not specified, staff recommend a new expiration date of 18 months following Common Council approval.

Included with this report for Plan Commission consideration are amended Conditions and Restrictions incorporating the recommended expiration date. Should the Plan Commission determine the request and timeframe to be reasonable, a motion has been provided above.

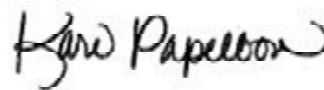
Options/Alternatives: The Plan Commission has the discretion to recommend or not recommend Common Council approval of the request, or to amend the proposed Conditions and Restrictions. Should the request not be recommended for approval, Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit (if necessary). However, disapproval would likely result in the existing vacant and underutilized condition of the properties to remain.

Respectfully submitted:



Douglas Seymour, AICP
Director of Community Development

Prepared:



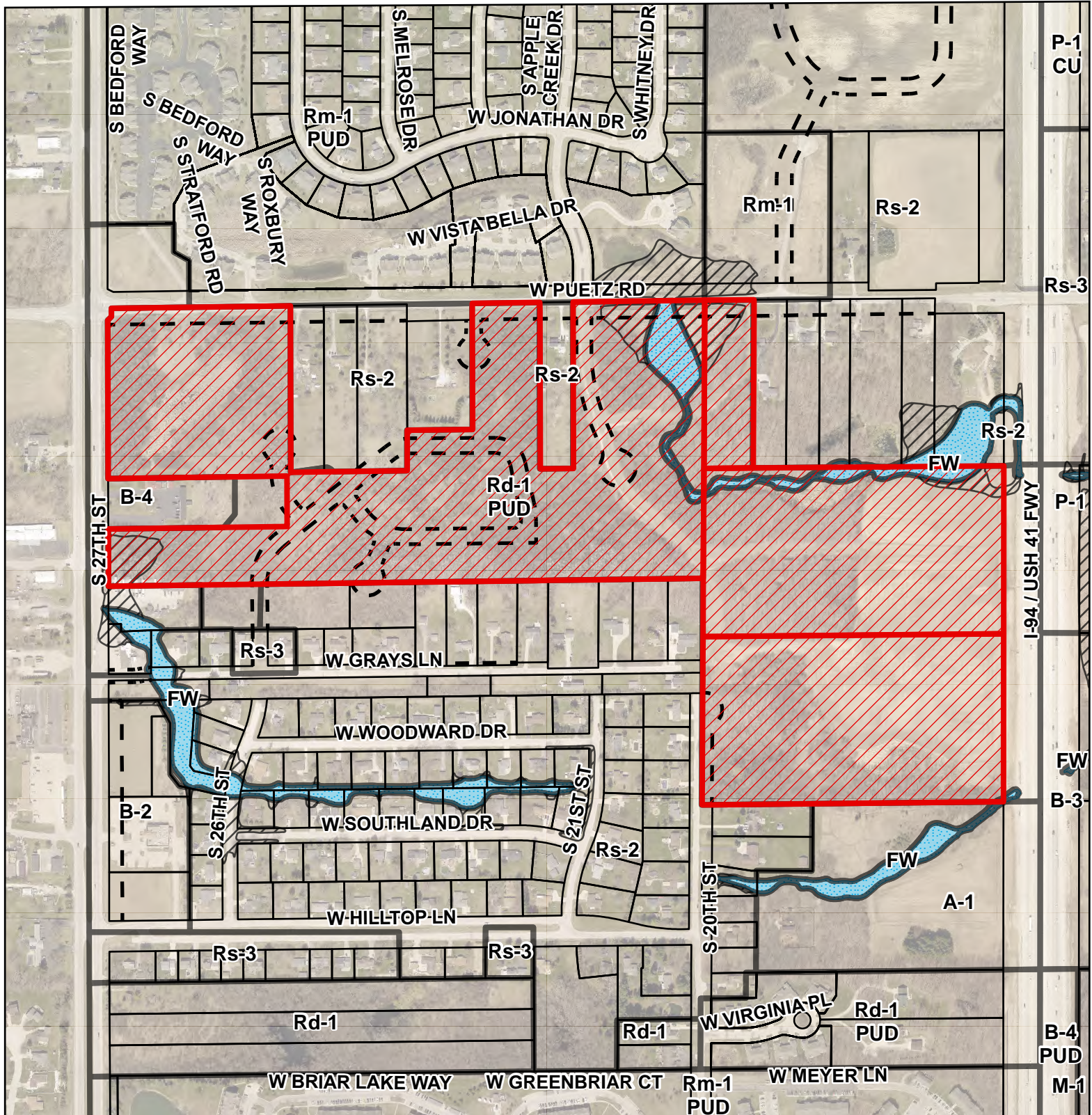
Kari Papelbon, CFM, AICP
Senior Planner

Attachments:

- Location Map
 - Approved C&Rs, Ord. 3049 (10 pages)
 - Narrative (1 page)
 - Draft Amended C&Rs (10 pages)
-

LOCATION MAP

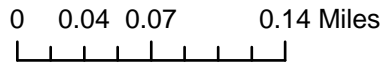
1933 & 2231 W. Puetz Rd., 8843 S. 13th St., 8950 S. 20th St.



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



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Properties



3400 W. Stonegate Blvd / STE 25-00

Arlington Heights IL, 60005

To: Kari Papelbon
From: Heyday Oak Creek
CC: Doug Seymour
Date: 3/6/23
Re: Heyday Oak Creek – PUD Amendment

Kari,

Attached please find a PC application requesting the following.

- Certified Survey Map.
- Amendment to PUD

CSM – The attached CSM is 99% identical to the previously approved CSM. The only revision is account for additional easement as requested by staff in the review of engineering plans submitted since the original CSM approval. The new CSM will also afford us additional time to finalize approvals and close on the land purchase prior to the recordation of the CSM.

PUD Amendment – The PUD amendment is a request for additional time, to allow us to receive our final approvals from the city, close on the land, and begin construction. Our current PUD approval will expire prior to us starting construction.

Sincerely,

Ryan Swingruber

Principal, CR Devco dba Heyday

City of Oak Creek – Planned Unit Development (PUD)
DRAFT AMENDED Conditions and Restrictions

Applicant: CR Devco, LLC (“Heyday”)	Approved by Plan Commission: TBD
Property Address(es): 2231 W. Puetz Rd., 8843 S. 13 th St., 8950 S. 20 th St. (portions)	Approved by Common Council: TBD (Ord. TBD)
Tax Key Number(s): 856-9999-001, 857-9992-000, 857-9991-000 (portions)	

1. LEGAL DESCRIPTION

Lot 1 of Certified Survey Map to be recorded.

Part of the Northeast 1/4 and the Northwest 1/4 of Section 19, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the North 1/4 corner of said Section 19; thence South 0°17'46" West, 667.33 feet along the east line of the NW 1/4 of said Section 19; thence North 89°30'42" East, 1190.85 feet to the west line of I-94; thence South 0°04'01" West, 1331.67 feet along said west line; thence South 89°22'45" West, 1196.23 feet to said east line of the Northwest 1/4; thence North 0°17'46" East, 898.27 feet along said east line; thence South 89°14'48" West, 514.48 feet; thence North 0°07'58" West, 1103.12 feet to the north line of the Northwest 1/4 of said Section 19; thence North 89°12'41" East, 522.75 feet along said north line to the point of beginning.

Said parcel contains 2,163,094 square feet or 49.658 acres of land, more or less.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Planned Unit Development shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall be in substantial conformance with the adopted General Development Plan (see Exhibit A) and show and describe the following:

1) General Development Plan

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number & type(s) of dwellings
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)
 - k) Location of storm sewer (existing & proposed)
 - l) Location(s) of wetlands (field verified)

2) Landscape Plan

- 1. Screening plan, including parking lot screening/berming
- 2. Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

3) Building Plan

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

4) Lighting Plan

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

5) Grading, Drainage and Stormwater Management Plan

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) Fire Protection

- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates
- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
- c) Materials of construction
- d) Materials to be stored (interior & exterior)

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements (e.g., Orchard Way, etc.) required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. Prior to the issuance of any permits for any portion of the development, the Applicant/landowner shall submit all City-approved Certified Survey Maps for recording.
- H. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).
- I. A tree preservation and removal plan with pre-development inventory shall be submitted to the Plan Commission for approval in conformance with the requirements of Sec. 17.0505(d) (as amended).
- J. A Master Landscaping Plan for the overall development shall be submitted to the Plan Commission for approval prior to the review of and permit issuance for any project within the Planned Unit Development. For each stage of development, detailed landscaping plans in conformance with the requirements of Sec. 17.0505 and Sec. 17.0606 (as amended) shall be submitted to the Plan Commission for approval prior to the issuance of a building permit. Landscaping, in accordance with the approved plan, shall be installed for each phase prior to the issuance of occupancy permits for that phase.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. There shall be a maximum of 22 single-family attached buildings, and a maximum of 134 single-family attached units. Each unit shall have an attached garage (see Section 4 below).
- B. Accessory buildings may be permitted in conformance with all applicable provisions of the Municipal Code (as amended) and these Conditions and Restrictions.
- C. Attached garages shall

1. Be subordinate to the principal building.
 2. Not exceed fifty (50) percent of the livable area of the single family attached unit.
 3. Share a common wall and roof with the single family attached unit.
 4. Provide internal access to the single family attached unit.
 5. Not exceed the height of the principal building.
 6. Not include doors that exceed eight (8) feet in height.
- D. Exterior building materials shall be traditional, time- and weather-tested materials and techniques.
1. Exterior building materials utilized on the ground floor shall be limited to wood, masonry, stucco, fiber cement, or stone veneer systems. Stone veneer systems utilized on the ground floor shall have a minimum thickness of three (3) inches.
 2. Exterior building materials utilized on upper floors may include all materials permitted on the ground floor as well as EIFS, stone veneer systems, or precast panels with inlaid or stamped brick texture. All materials utilized on upper floors shall have a minimum thickness of one (1) inch and shall be structurally integrated into the façade of the building.
 3. Vinyl may be utilized as an exterior building material as part of building plans reviewed and approved by the Plan Commission.
- E. There shall be a maximum of two (2) monument signs for the development in accordance with the following:
1. There shall be one (1) sign per lot frontage.
 2. Each sign shall
 - i. Be located at the entryway or gateway to the development, and entirely on private property within easements where maintenance shall be the responsibility of the landowner and/or association.
 - ii. Not block any points of ingress or egress.
 - iii. Not be placed in any sidewalk, pedestrian walkway, vision clearance triangle, floodplain, or wetland.
 - iv. Conform to the setbacks per Section 7 below.
 - v. Not exceed five (5) feet in height and 25 square feet in area.
 - vi. Display the address for the development per Sec. 17.0604(b)(4) (as amended).
 3. The sign base shall conform to the structural and design requirements of Sec. 17.0604(b)(6) (as amended).
 4. Landscaping at the base of the sign shall be equal in area to the square footage of the sign area

and incorporated into the landscape plans for the development.

- F. Maintenance, including reconstruction, of private roadways and sidewalks (both public and private) within this development shall be the responsibility of the property owner(s).
- G. All solid waste and recycling collection units shall be screened and sited in conformance with Municipal Code requirements (as amended).
- H. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. Each one-bedroom residential unit shall have, at a minimum, an attached one-car garage in accordance with Section 3 above. Each two-bedroom and three-bedroom unit shall have, at minimum, an attached two-car garage in accordance with Section 3 above. Parking for additional vehicles on the driveway/parking pad shall not obstruct any sidewalk, pathway, alley/garage access, or roadway.
- B. Driveways shall incorporate a parking apron that is a minimum of 22 feet in length, and of sufficient width to park two (2) vehicles without obstructing any sidewalk, pathway, alley/garage access, or roadway.
- C. Public roads (from Puetz Rd. and S. 20th St.) shall be constructed in conformance with all local requirements and Codes. There shall be a minimum 20-foot-wide landscaped buffer and transition area between the public street and the residential property located at 2125 W. Puetz Rd.
- D. Private roads shall be constructed to provide a minimum 20-foot-wide clear area at all times for emergency access.
- E. On-street parking shall be restricted to one side of the road, and shall not interfere with any fire hydrants or apparatus turning movements. A minimum 20-foot wide clear area shall be maintained at all times.
- F. There shall be no direct access or connection to Grays Lane. Access to S. 20th St. shall be restricted to emergency vehicles and gated in conformance with all Fire Codes (as amended).

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).
- B. Pole type, color, height, and placement in public rights-of-way shall be in accordance with all applicable requirements of the Municipal Code (as amended).
- C. Fixture type and color on light poles in public rights-of-way shall be in accordance with all applicable requirements of the Municipal Code (as amended).

6. IMPACT FEES

Single-family attached residential buildings constructed as part of this Planned Unit Development shall be subject to the collection of impact fees as required by Section 3.40 of the Municipal Code based on the number of bedrooms in each unit.

7. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	15,000 sq ft
Lot Area / DU	7,500 sq ft
Lot Width (3)	100 ft
Yard Setbacks (Minimum) (4)	
Front	30 ft
Street Facing Side	30 ft
Interior Side	10 ft
Rear	30 ft
Building Standards (Maximum)	
Height	35 ft
Building Coverage	50%
Lot Coverage	30%
Parking	
Transition areas	See Sec. 17.0505
Signs	
Property Lines (all)	10 ft
Rights-of-way (all)	10 ft
Utility Easements	10 ft
Notes:	
(1) As detailed in Article 4. Use Specific Standards.	
(2) No multifamily structure shall be located closer than 50 ft to a single-family district line.	
(3) An additional ten (10) feet of lot width shall be required for corner lots.	
(4) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed buffer.	

8. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these Conditions and Restrictions within **eighteen (18) months** from the date of adoption of the ordinance authorizing this Planned Unit Development. This Planned Unit Development approval shall expire **eighteen (18) months** after the date of adoption of the ordinance if a building permits have not been issued for this use. The applicant shall re-apply for Planned Unit Development approval prior to recommencing work or construction.

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Planned Unit Development shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Planned Unit Development is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Planned Unit Development, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Planned Unit Development or to seek an injunction regarding any violation of this Planned Unit Development or any other City ordinances.

11. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Planned Unit Development approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Planned Unit Development as set forth in Section 17.1007 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A:

PLANNED UNIT DEVELOPMENT DETAILS

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)



EXHIBIT B:

PLANNED UNIT DEVELOPMENT DETAILS ENLARGED

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)

