

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 23, 2024**

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

Minutes of the April 9, 2024, meeting

Commissioner Siefert moved to approve the minutes of the April 9, 2024, meeting. Alderman Guzikowski seconded. On roll call: Commissioner Chandler abstained; all others voted aye. Motion carried.

REZONE/ZONING TEXT AMENDMENT

RYAN BUSINESS PARK, LLC

9514 S. 13TH ST. (AKA 1293 W. RYAN RD.), 9554, 9556, 9600, 9654, 9700 S. 13TH ST.; 9512 & 9601 S. BARTEL CT.; 741, 835, 901, & 913 W. RYAN RD.

TAX KEY NOS. 905-9013-000, 905-9005-000, 905-9006-000, 905-9009-001, 905-9003-000, 905-9011-000, 905-9015-000, 905-9014-000, 905-9001-000, 905-9998-001, 905-9997-001, & 905-9996-001

Senior Planner Papelbon provided an overview of the request to amend portions of the FW, Floodway and FF, Flood Fringe districts affecting the properties listed above (see staff report for details). There were no comments or concerns.

Commissioner Siefert moved that the Plan Commission recommends to the Common Council that portions of the properties at 9514 S. 13th St. (aka 1293 W. Ryan Rd.), 9554, 9556, 9600, 9654, 9700 S. 13th St.; 9512 & 9601 S. Bartel Ct.; 741, 835, 901, & 913 W. Ryan Rd. are rezoned to reflect the floodway and flood fringe boundaries approved by FEMA, and that Chapter 17 – Zoning and Sign Ordinance of the Municipal Code be amended to incorporate the changes to the floodway and floodplain following a public hearing.

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

PLANNED UNIT DEVELOPMENT AMENDMENT

MICHAEL FABER, CREEK TWO LAND, LLC

9955 S. 13TH ST.

TAX KEY NO. 926-9037-000

Senior Planner Papelbon provided an overview of the request for amendments to the existing Planned Unit Development affecting the property at 9955 S. 13th St. (see staff report for details).

A copy of the amended Conditions and Restrictions for this project was provided and discussed:

- Section 2

A. All requirements of the Code, as amended and approvals by the Plan Commission, are in

effect.

B. These Conditions and Restrictions, except where otherwise note, supersede Ord. 2541.

D. A detailed general development plan will be Exhibit A and the plan conditionally approved by the Plan Commission on December 13, 2022 will be Exhibit B.

- Section 3(A), (B), & (D) - Off-street parking, all parking areas, and parking landscaping plans shall be approved by the Plan Commission.
- Section 4 - All plans must meet Code compliance and Plan Commission approval.
- Sections 5, 6, & 7 - See Ord. 2541 Conditions and Restrictions (Exhibit c). All Code Sections referenced as amended, and all landscaping, architectural, and building and parking setbacks shall be in accordance with plans approved by the Plan Commission.
- Section 9 - All sign plans shall be approved by the Plan Commission.
- Section 11 - Time of compliance language is directly copied from Ord. 2541.
- Section 14 - References existing Code Section 17.0701 – Section 17.0709 specifically noted.

Commissioner Kiepczynski asked for an update on the anticipated construction and permitting schedule.

Michael Faber, Capstone Development Company, N17 W24222 Riverwood Dr., Suite 160, Waukesha, WI 53188, stated they would like to begin construction around late summer, but may be pushed to the next construction season.

Commissioner Oldani asked if the proposed parking on the south side of the development was present on the plans from 2022. Senior Planner Papelbon answered in the affirmative.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the existing Planned Unit Development for the properties at 9801, 9905, and 9955 S. 13th St., and 9809 and 9875 S. Stern St. is amended after a public hearing.

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

CERTIFIED SURVEY MAP
RYAN JANSSEN, JANSSEN BRUCKNER
641 AND 819R E. DREXEL AVE.
TAX KEY NOS. 814-9075-000, 814-9076-000, 815-9027-000, & 815-9028-000.

Senior Planner Papelbon provided an overview of a Certified Survey Map combining and redividing the properties at 641 and 819R E. Drexel Ave. (see staff report for details).

Commissioner Siefert asked if the existing floodways on the property will be affected by the proposed development.

Attorney Robert Proctor, 2 E. Mifflin St., Suite 200, Madison, WI 53703, stated that the construction will not be in the floodplain of the property. Senior Planner Papelbon confirmed.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Ryan Janssen, Janssen Bruckner LLC, for portions of the properties at 641 and 819R E. Drexel Ave. be approved with the following conditions:

1. That the Sanitary Easement on the south is shown on the map prior to recording.
2. That the symbology used for the drainage ditch is changed for clarity prior to recording.
3. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

**REZONE / PLANNED UNIT DEVELOPMENT
RYAN JANSSEN, JANSSEN BRUCKNER
641 AND 819 E. DREXEL AVE.
TAX KEY NOS. 814-9075-000, 814-9076-000, 815-9027-000, & 815-9028-000.**

Senior Planner Papelbon provided an overview of a request to rezone to and establish a Planned Unit Development on the portions of the properties at 641 and 819R E. Drexel Ave. (see staff report for details).

An amended copy of the Conditions and Restrictions for this project was provided and discussed.

- Section 2
 - Updated home models.
 - Corrected road name error.
 - Clarified landscape requirements.
- Section 3
 - Request for materials modification update to current Code.
 - Clarified Condominium Plat and Declaration requirements.
 - Removed Condominium Plat requirements prior to permitting.
- Section 5
 - Updated to current Code Sections.
- Section 8
 - Updated to five (5) years from original approval for compliance with Statute.
- Exhibit C
 - Updated with new home models.

Attorney Proctor sought confirmation from the City that the five (5) proposed designs are approved. Senior Planner Papelbon confirmed that they were assuming conformance with the Conditions and Restrictions. A stone veneer sample was brought for Commission review.

Commissioner Chandler asked what the Code requirement is for stone exterior material and thickness. Senior Planner Papelbon replied that stone veneer systems utilized on the ground floor shall have a minimum thickness of three (3) inches, and explained the Applicant is requesting to use a stone veneer material that is one (1) to one and a half (1.5) inches thick.

Commissioner Chandler asked where the stone veneer would be placed on the exterior of the homes.

Nicole Bruckner, W339 S9767 Redberry Dr. Mukwonago, WI 53149, explained that the stone will be from the ground up to whatever height the design calls for.

Commissioner Siefert asked if the proposed layout of the garages being so far in front of the face of the home would need to be modified to fit the current Code, if the units will have basements, and if parking would be allowed on the street.

Senior Planner Papelbon explained that the garage requirement is listed in the Conditions and Restrictions.

Ms. Bruckner explained that the units will have basements.

Atty. Proctor stated that the Declaration of Condominium ownership can state the only guaranteed parking will be in the garage and driveways and not on the street.

Ms. Bruckner added that some of the models have side-entry garages. Senior Planner Papelbon stated requirements per Code for that style will be added to the amended Conditions and Restrictions.

Alderman Guzikowski asked if the Applicant is requesting a landscaping escrow before installing the final landscaping, to which Atty. Proctor clarified the intent is to finish the landscaping, gain occupancy, and avoid the landscape escrow.

Alderman Loreck asked if the type of stone veneer presented has been approved in other projects. Senior Planner Papelbon explained different thicknesses of a stone veneer have been approved, but stated that she could not recall if anything thinner than one-and-a-half (1.5) inches had been approved.

Alderman Loreck stated his hesitation for approving the material at one (1) inch thick without supplemental elements added to the proposed design.

Senior Planner Papelbon asked if it were feasible to have the three- (3) inch thick material at the bottom three (3) feet of the designs, and transition to the thinner material for any of the designs showing a full wall of stone veneer.

Ms. Bruckner stated that the transition would not be feasible.

Alderman Guzikowski stated his support for the material being three (3) inches thick.

Senior Planner Papelbon stated staff would support a material that would be one-and-a-half (1.5) inches, not one (1) inch, with a tree in each yard as proposed by Atty. Proctor being an acceptable supplemental element.

Ms. Bruckner asked if the landscaping can be completed per building instead of all at once, to which Senior Planner Papelbon answered in the affirmative.

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that portions of the properties at 641 & 819R E. Drexel Ave. be rezoned to Rd-1, Two-Family Residential (NO CHANGE TO FW, Floodway or FF, Flood Fringe Districts) with amendments to the Conditions and Restrictions as part of the Planned Unit Development after a public hearing.

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

**CONDOMINIUM PLAT
JANSSEN BRUCKNER
641 AND 819R E. DREXEL AVE.
TAX KEY NOS. 814-9075-000, 814-9076-000, 815-9027-000, & 815-9028-000.**

Senior Planner Papelbon provided an overview of a request for a condominium plat affecting portions of the properties at 641 and 819R E. Drexel Ave. (see staff report for details).

Commissioner Chandler asked what an expandable plat means.

Attorney Proctor explained it is a different form of ownership in a condominium; the expandable land is not legally included within the condominium when the Declaration is first filed, but is reserved to be added to the condominium at a future time.

Senior Planner Papelbon asked how the stormwater infrastructure that is currently located on one (1) of the expandable lots, and is required for the entire development, will be maintained if that land is not yet incorporated into the condominium.

Attorney Proctor stated that an easement could be granted to the Condominium Association for the construction, maintenance, and replacement of the facilities in addition to the obligation and requirement being included in the Declaration.

Senior Planner Papelbon asked if the current owner and developer are listed on the Declaration as being responsible for the lands. Attorney Proctor stated they can be added if they are not already included.

Commissioner Kiepczynski stated that the Maintenance Agreement has already been recorded, and includes the properties included in the original CSM. Therefore, the current property owner is responsible for the infrastructure until that land is turned over to the Condominium Association, which will then be responsible for the infrastructure.

Alderman Loreck asked if the roads through the development are public, which Commissioner Kiepczynski confirmed.

Alderman Loreck asked if the yards and landscaping will be maintained by the Condominium Association, and who will maintain the land that will be undeveloped.

Attorney Proctor explained that the Association will maintain the developed lots while Janssen Bruckner will maintain the undeveloped land.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves the Condominium Plat for the Stonebrook on the Park Condominium for the properties at 641 & 819R E. Drexel Ave. with the following conditions:

1. That all relevant Code requirements and conditions of the Planned Unit Development remain in effect.
2. That all required easements are included on the plat and within the condominium declaration prior to recording.
3. That all revisions to the plat and declaration are submitted to the Department of Community Development prior to submission of permit applications.
4. That all reviewing agency comments, if any, are incorporated as required.

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

Senior Planner Papelbon thanked Commissioner Carrillo for her 13 years of dedicated service on the Plan Commission.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:04 PM.

ATTEST:



Kari Papelbon, Plan Commission Secretary

5-14-24

Date