



## PLAN COMMISSION

June 11, 2024  
6:00 P.M.

### Common Council Chambers

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

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

### The City's Vision

*Oak Creek: A dynamic regional leader driving the future of the south shore.*

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

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – May 28, 2024
4. Review and Discuss Report on Recent Common Council Actions
5. Review and Discuss Report on Recent Board of Housing and Zoning Appeals Actions
6. Review and Discuss Report on Recent Quarterly Parks & Recreation Commission Actions – Next Report July 23, 2024
7. New Business
  - a. TEMPORARY USE PERMIT – Review a request for a temporary use permit submitted by Pastor Ervin Henderson, World Outreach Center, for temporary vehicle storage on the property at 6912 S. 27<sup>th</sup> St. (Tax Key No. 737-9026-000; 2<sup>nd</sup> Aldermanic District).  
More info at ZoningHub: <https://s.zoninghub.com/1H5A79L790>
  - b. CONDITIONS AND RESTRICTIONS - Review Conditions and Restrictions related to a request submitted by Amer Masoud, Vista Motorwerks, LLC, for a Conditional Use Permit for automotive sales and indoor showroom within an existing multi-tenant building on the property at 9555 S. Chicago Rd. (Tax Key No. 912-9993-000; 3<sup>rd</sup> Aldermanic District).  
More info at ZoningHub: <https://s.zoninghub.com/N2TFOVETSG>
  - c. PLANNED UNIT DEVELOPMENT AMENDMENT – Review Conditions and Restrictions related to a request submitted by Ryan Janssen, Janssen Bruckner LLC, to amend the existing Planned Unit Development on the portions of the properties at 641 and 819R E. Drexel Ave. (Tax Key Nos. 814-9075-000, 814-9076-000, 815-9027-000, & 815-9028-000; 1<sup>st</sup> Aldermanic District).  
More info at ZoningHub: <https://s.zoninghub.com/810PM9B75B>

Announcements & Adjournment.

Dated this 5th day of June, 2024  
Posted 6-5-24 JF

**Public Notice**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6<sup>th</sup> 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, MAY 28, 2024**

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

**Minutes of the May 14, 2024, meeting**

Commissioner Siepert moved to approve the minutes of the May 14, 2024, meeting. Alderman Guzikowski seconded. On roll call: Mayor Bukiewicz abstained; all others voted aye. Motion carried.

**CONDITIONAL USE PERMIT  
AMER MASOUD, VISTA MOTORWERKS, LLC  
9555 S. CHICAGO RD.  
TAX KEY NO. 912-9993-00**

Senior Planner Papelbon provided an overview of the request for a Conditional Use Permit for automotive sales and indoor showroom within an existing multi-tenant building at 9555 S. Chicago Rd. (see staff report for details).

Amer Masoud, 9555 S. Chicago Rd., Oak Creek WI 53154, the applicant, stated his eagerness to bring the property into compliance with the current code.

Mayor Bukiewicz asked if, as a tenant of the property, Mr. Masoud would be willing to take on the financial burden to bring the entire property into compliance to which Mr. Masoud answered in the affirmative.

Commissioner Hanna sought confirmation that Mr. Masoud is only renting a portion of the building and asked how the other tenants of the building will be monitored for compliance. Mr. Masoud confirmed his business is one (1) of two (2) in the building and Senior Planner Papelbon explained that staff has the requirement to continue monitoring the property due to the past violations and briefly explained the process of following up on an active violation. Commissioner Hanna then asked if the business will be run by appointment only, if that method is successful, and how many employees are planned to be on-site during the operating hours. Mr. Masoud explained that by appointment is an efficient way to run a small business like the one being proposed and two (2) employees would be on-site in total.

Commissioner Oldani asked for clarification that all outstanding violations would be the property owners' responsibility to which Senior Planner Papelbon answered in the affirmative. Commissioner Oldani appreciated the 'good faith' in which Mr. Masoud is acting in, but pointed out that in the recent past the Plan Commission denied a different applicant the same permit because the property was not up to code.

Commissioner Siepert asked if staff and the applicant have met to discuss what is needed to bring the property into compliance to which Senior Planner Papelbon answered in the affirmative. Commissioner Siepert stated the violations do not seem to have been addressed yet. Discussion

between Commissioner Siefert, Senior Planner Papelbon, and Mr. Masoud were had regarding who is responsible for correcting the violations, the misunderstanding of the landscape requirements made by the previous tenants, the current condition of the property, and the improvement work the applicant has been able to do. Commissioner Siefert asked if the violations would need to be corrected before granting the applicant the permit to which Senior Planner Papelbon answered in the negative; explaining that if approved, the corrections to the violations would be written into the Conditions and Restrictions of the permit but if the permit is not approved, communication and work must be had with property owner directly.

Assistant Fire Chief Havey commented that any vehicle stored indoors for sale would have to have a drained fuel tank and a disconnected battery.

Mayor Bukiewicz appreciated the applicant taking on the responsibility of correcting the violations while stating it is the City's chance to have them be corrected. Commissioner Hanna asked if the other tenant of the building would be included in the corrections, to which Senior Planner Papelbon answered in the negative; re-iterating the property owner is responsible for these corrections and the applicant is simply offering to do the work instead.

Commissioner Kiepczynski asked for confirmation that the violations of the property are the issue, and the use of the space is acceptable. Senior Planner Papelbon gave a more in-depth explanation of events that lead to the new proposed Conditional Use Permit and reminded the Commission a Conditional Use Permit may be revoked if the Conditions and Restrictions are not met. Commissioner Oldani suggested the applicant have either a plan or a list of already completed tasks for presentation at the Conditions and Restrictions meeting on June 11.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for vehicle sales for Vista Motorwerks on the property at 9543 S. Chicago Rd. (tenant space address: 9555 S. Chicago 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 (June 11, 2024).

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

**PLAN REVIEW**  
**KRAIG SADOWNIKOW, AMERICAN COMPANIES**  
**9293 AND 9297 S. 13<sup>TH</sup> ST.**  
**TAX KEY NOS. 877-9025-000, 877-9026-000**

Senior Planner Papelbon provided an overview of the site and related plans submitted by Kraig Sadownikow, American Companies, for an amendment to the access and driveway affecting the properties at 9293 and 9297 S. 13<sup>th</sup> St. (see staff report for details).

Commissioner Kiepczynski stated the engineering department has been working with the designer of the proposed new location of the access road to find the best option for the stormwater displacement solution. Commissioner Hanna asked what the closest intersection would be to the new location, if the drive would be public or private, and if an easement will be needed for the drive. Senior Planner Papelbon answered the closest intersection is several parcels away at 13<sup>th</sup> St. and Ryan Rd., the location of the entrance would be across from the Aldi Warehouse parking lot, the driveway would be private, and it would need an easement agreement.

Commissioner Oldani moved that the Plan Commission approves the site plans submitted by Kraig Sadownikow, American Companies, for the properties located at 9293 and 9297 S. 13<sup>th</sup> St. with the following conditions:

1. That all relevant Code requirements and conditions of Plan Commission approval dated September 13, 2022 remain in effect.
2. That the dimensions of the proposed driveway and change to the impervious surface are included on the plans.
3. That all stormwater requirements are coordinated with the Engineering Department. Any additional reviews and/or permits that may be required as a result of stormwater improvements shall be obtained prior to issuance of a driveway permit and commencement of work.
4. That copies of all approvals and/or permits from the Milwaukee County Department of Transportation are provided to the City prior to submission of a driveway permit application.
5. That all easements, including for signs, are included on the plans.
6. That an updated landscape plan is provided to the Department of Community Development for review and approval prior to the submission of a driveway permit application.

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

**CERTIFIED SURVEY MAP  
BRAD SCHMIDT  
9600 S. HOWELL AVE.  
TAX KEY NO. 907-9982-000**

Planner Perez provided an overview of the request to divide the property at 9600 S. Howell Ave. (see staff report for details).

Brad Schmidt, 1686 Blue Spruce Ln., Hartland WI 53029, the applicant, asked what was needed to update the Tree Inventory and if there are specific trees that should be planted. Senior Planner Papelbon stated the submitted Inventory shows the removed trees, not the details regarding the trees that will be planted, and further information will be provided to him.

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Brad Schmidt for the property at 9600 S. Howell Ave. be approved with the following conditions:

1. That the Tree Inventory and Replacement Plan is updated per Code and submitted to the Department of Community Development for review and approval prior to recording the Certified Survey Map.
2. 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.

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

**CERTIFIED SURVEY MAP  
WILLIAM NELSON, THE CELLAR  
800 AND 812 W. OAKWOOD RD.  
TAX KEY NOS. 925-9991-000 & 925-9005-000**

Planner Perez provided an overview of the Certified Survey Map combining the properties at 800 and 812 W. Oakwood Rd. (see staff report for details).

Commissioner Siefert asked why the two (2) properties are being combined. Dan Scherer, N1724 Riggert Rd., Fort Atkinson WI 53538, speaking on behalf of the applicant, stated Mr. Nelson is looking to add a paved parking surface for his patrons at his establishment. Mayor Bukiewicz confirmed there is no planned development happening on the site, just the paved parking pad.

Ken Trudeau, 910 W. Oakwood Rd.:

*"The neighbor. I thought on the last one he said he was gonna expand the kitchen towards us."*

Mayor Bukiewicz confirmed there will be some expansion of the kitchen to the west, but the acquisition of this land is just for the parking pad. When the expansion plans come to Plan Commission, a notification will be sent.

Mr. Trudeau:

*"Okay, which would be the east side. Okay, thank you. Okay, Awesome. Thank you, guys, very much."*

Alderman Guzikowski moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by William Nelson, The Cellar for the properties at 800 & 812 W. Oakwood Rd. be approved with the following conditions:

1. That the floodway boundaries are depicted on the map separately from the flood fringe boundaries.
2. That the wetland delineation details, including the delineator, date, and bearings and distances for the boundaries, are included on the map prior to recording.
3. That all pages of the CSM are provided to the City for review prior to finalization for recording.
4. That the Preservation Restrictions shown on Page 4 of the Certified Survey Map are removed prior to recording.
5. 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 Oldani seconded. On roll call: all voted aye. Motion carried.

**REZONE  
WILLIAM NELSON, THE CELLAR  
800 W. OAKWOOD RD.  
TAX KEY NO. 925-9991-000**

Planner Perez provided an overview of the request to rezone the property at 800 W. Oakwood Rd. to B-2, Community Business (NO CHANGE to FW, Floodway, FF, Flood Fringe, or C-1, Shoreland Wetland Conservancy districts) (see staff report for details).

Commissioner Siefert moved that the Plan Commission recommends to the Common Council that the property at 800 W. Oakwood Rd. is rezoned from M-1, Manufacturing to B-2, Community

Business (NO CHANGE to FW, Floodway, FF, Flood Fringe, or C-1, Shoreland Wetland Conservancy districts) after a public hearing.

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

Commissioner Oldani moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 6:53 PM.

ATTEST:

\_\_\_\_\_

Kari Papelbon, Plan Commission Secretary

6-5-24

\_\_\_\_\_

Date

DRAFT



## Recent Common Council Actions

June 4, 2024

ITEM: 4

DATE: June 11, 2024

- **APPROVED** – Resolution No. 12501-060424, approving a Certified Survey Map for Brad Schmidt affecting the property at 9600 S. Howell Ave. (3<sup>rd</sup> District).
- **APPROVED** – Resolution No. 12502-060424, approving a Certified Survey Map submitted by William Nelson, The Cellar for the properties at 800 and 812 W. Oakwood Rd. (5<sup>th</sup> District).

A handwritten signature in cursive script that reads "Melanie Pérez".

Melanie Pérez  
Planner





# Recent Board of Housing and Zoning Appeals Actions

June 3, 2024

ITEM: 5

DATE: June 11, 2024

- **VARIANCE DENIED** - Case No. 24-0005, a request by Ralf Kelm, TDI Associates, Architects (5<sup>th</sup> Aldermanic District), for the following:
  - A variance from Oak Creek Municipal Code 17.0301, Table 17.0301(a) which states: “No multifamily structure shall be located closer than 50 feet to a single-family district line.” This property is located in the Rm-1 zoning district.

The Appellant requested relief from the Code Section above due to the shape of the lot and size of the proposed expansion. Based on the findings, the Board denied the variance request.

- **VARIANCE GRANTED** - Case No. 24-0006, a request by Kurt Gunderson and Debra Lehrke, 8371 S. 20<sup>th</sup> St. (2<sup>nd</sup> Aldermanic District), for the following:
  - A variance from Oak Creek Municipal Code 17.0414(a)(3) which states: “On residential lots greater than 0.5 acre, the aggregate maximum area of all accessory buildings shall not exceed 1,200 square feet or 75% off the livable area of the principal building, whichever is less.”

The Appellant requested relief from the above Code Section above in order to replace and expand the existing garage to 1064 square feet and retain the 480 square foot shed. Based on the findings, the Board granted the variance.

*Melanie Pérez*

Melanie Pérez  
Planner



## PLAN COMMISSION REPORT

Proposal: Temporary Use Permit – Long-Term Vehicle Storage

Description: Temporary Use Permit request for the long-term temporary vehicle storage for Rosen Auto in the parking lot on the property at 6912 S. 27<sup>th</sup> St.

Applicant(s): Pastor Ervin Henderson, World Outreach Center

Address(es): 6912 S. 27<sup>th</sup> St. (2<sup>nd</sup> Aldermanic District)

**Suggested Motion:** Please see Staff report for concerns when considering the following motion.

That the Plan Commission approves the Temporary Use Permit request submitted by Pastor Ervin Henderson, World Outreach Center, for the long-term temporary vehicle storage for Rosen Auto in the parking lot on the property at 6912 S. 27<sup>th</sup> St. with the following conditions:

1. There shall be a maximum of 300 vehicles stored on the property in striped parking stalls within the approved vehicle storage area. No vehicle shall be parked on grass or gravel.
  2. Delivery or removal of vehicles shall be between 8:00 AM and 5:00 PM Monday through Friday.
  3. No additional cars shall be added to the site.
  4. There shall be no sales of vehicles from the approved vehicle storage area.
  5. There shall be no structures for this temporary use.
  6. Any security fencing shall conform to all Code and permitting requirements.
  7. There shall be no lighting added for this temporary use.
  8. There shall be no advertising or signage in the approved vehicle storage area.
  9. The vehicle storage area shall not encroach upon fire lanes.
  10. There shall be no outdoor storage of equipment, junk/damaged/non-inventory vehicles, parts, supplies, or flammable/hazardous materials.
-

- 11. A copy of the lease or agreement between World Outreach Center and Rosen Auto shall be supplied to the Department of Community Development prior to parking any vehicle within the approved vehicle storage area.
- 12. The Temporary Use Permit for storage of vehicles shall expire nine (9) months from the Plan Commission’s approval date (March 11, 2025). Vehicles shall be removed and the property shall be restored to its original condition within 14 calendar days following the expiration of the Temporary Use Permit. No extensions of the Temporary Use Permit will be issued.

Owner(s): WORLD OUTREACH AND BIBLE TRAINING CENTER INC

Tax Key(s): 737-9026-000

Lot Size(s): 6.935 acres

Current Zoning District(s): I-1, Institutional

Overlay District(s): CU

Wetlands:  Yes  No Floodplain:  Yes  No

Comprehensive Plan: Commercial

**Background:**

The Applicant is requesting a temporary use permit to allow for long-term temporary storage of vehicles for Rosen Auto on their property at 6912 S. 27<sup>th</sup> St. Plan Commissioners may recall that a temporary use permit for a similar proposal at this property was approved at the January 28, 2020 meeting for fewer vehicles and a shorter duration. Plan Commissioners may also recall this item previously coming before the Commission at the May 14<sup>th</sup>, 2024 meeting. The item was held to June 11<sup>th</sup>, 2024 due to stormwater pond maintenance issues. The property owners have worked with the Engineering Department promptly to resolve this issue.

In review, Rosen Auto in Milwaukee plans to park 300 vehicles in the east and west parking lots adjacent to the existing building for nine (9) months while they undergo construction on their existing parking structure. No signs, sales, or commercial activity will take place on the lots. The narrative provided states Rosen will provide surveillance, security, and maintenance during the use. Parking management for the leased stalls will be the responsibility of the property owner. No fencing was proposed, but if needed later, any security fencing will be subject to permit approval.

Per the narrative supplied, World Outreach Center does not have concerns that the long-term temporary parking will cause any obstruction to providing adequate parking for their normal activities. Pastor Ervin and the Board of World Outreach Center provided consent and authorization for Rosen Auto to utilize the parking lots for the duration of construction.

Staff have the same concerns as the previous proposal in 2020. The current proposal is asking for double the vehicles to be parked, and for a longer duration than the previous approval. A copy of the lease or agreement between World Outreach Center and Rosen Auto shall be supplied to the Department of Community Development as included in the conditions of approval above.

**Options/Alternatives:** Plan Commission has the discretion to approve the Temporary Use Permit as presented, approved with specified conditions, or disapprove of the proposal. Should the request not be approved, the Plan Commissioners must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit (if necessary).

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Respectfully submitted:



Kristi Laine  
Community Development Director

Prepared:



Melanie Pérez  
Planner

Approved:



Kari Papelbon, CFM, AICP  
Senior Planner

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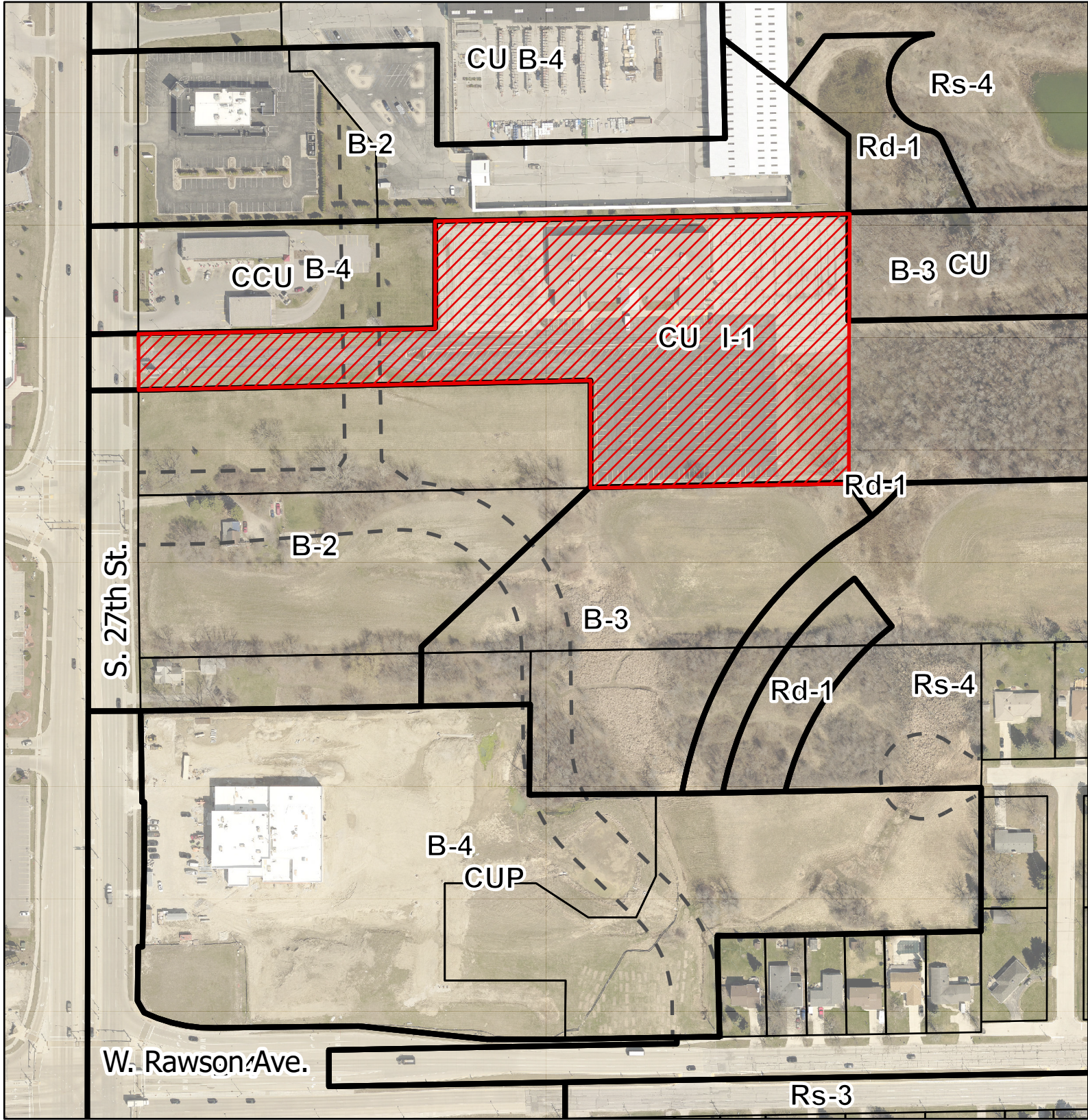
Attachments:

Location Map

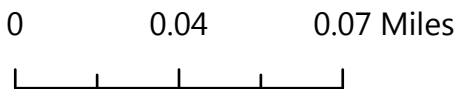
Narrative with Site Plan & Written Owner Consent (2 pages)

# Location Map

## 6912 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
-  6912 S. 27th St.

## Written Description of Proposed Long-term Temporary Use

World Outreach Center is proposing to provide Rosen Auto long-term temporary use of our parking lot to accommodate storage of 300 vehicles in existing remote, under-utilized parking spaces while their location is under construction. As depicted, they will utilize the east and west lots adjacent to the building, leaving the south (main) lot available for normal church activities - without disruption. Parking is the only permissible activity. No sales or commercial activity is permitted. Rosen will provide continued surveillance, security and maintenance for the duration of use. No signage or other provisions are required.

## Proof of Compliance with General Requirements and Criteria

- 1. Land Use Compatibility.** The temporary use is compatible with the purpose and intent of the Zoning Ordinance at 6912 S. 27th Street. The temporary use does not impair the normal, safe, and effective operation of World Outreach Center as they will only utilize unused parking spaces on our site. The temporary use does not endanger nor is materially detrimental to the public health, safety or welfare as it will not disrupt current usage in any way. Its location on our site does not impede access nor normal activity and is not injurious to the property or vicinity. Parking only.
- 2. Compliance with Other Regulations.** No structural changes or modifications are required for this temporary use. Upon cessation of use, the site shall be returned to its previous condition leaving no evidence of temporary usage.
- 3. Hours of Operation and Duration.** World Outreach Center is seeking Temporary Use for 9 months from the date of approval by the Plan Commission.
- 4. Traffic Circulation.** The temporary use should not cause undue traffic congestion or accident potential given regression from the main street, intersections and traffic controls.
- 5. Off-Street Parking.** This temporary use will only utilize adequate designated parking spaces on this site and will not create a parking shortage for any of the other existing uses on the site.
- 6. Public Conveniences and Litter Control.** This temporary use will utilize parking on the site lot with a guarantee that all litter generated by the use shall be removed at no expense to the City.

**RECEIVED**

APR 9 0 2024

CITY OF OAK CREEK

7. **Appearance and Nuisances.** The temporary use is compatible in appearance, and operation with surrounding land uses in the area, and will not impair the usefulness, enjoyment, or value of adjacent property.
8. **Signs and Attention-Attracting Devices.** No signage or attention-attracting devices are required for this temporary use.

### Sketch Plan Depicting Location of Usage



The yellow highlighted lots will be designated for this temporary use.

### Written Confirmation of Property Owner

Pastor Ervin Henderson and the Board of World Outreach Center provides written consent and authorization for Rosen Auto to temporarily utilize the designated parking lots for the duration of this project as they remodel their existing parking structure.

**RECEIVED**  
APR 30 2024  
CITY OF OAK CREEK



## PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions – Vista Motorwerks

Description: Review draft Conditions and Restrictions related to a request for a Conditional Use Permit for vehicle sales on the property at 9543 S. Chicago Rd. (tenant space: 9555 S. Chicago Rd.).

Applicant(s): Amer Masoud, Vista Motorwerks LLC

Address(es): 9543 S. Chicago Rd. (9555 S. Chicago Rd.) (4<sup>th</sup> 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 vehicle sales the property at 9543 S. Chicago Rd. (tenant space: 9555 S. Chicago Rd.).

Owner(s): Steve and Deborah Piteros

Tax Key(s): 912-9993-000

Lot Size(s): 2.9739 ac

Current Zoning District(s): B-4, Highway Business

Overlay District(s): N/A

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: Commercial

### Background:

At the May 28, 2024 meeting, the Plan Commission recommended approval of a Conditional Use Permit for vehicle sales on the property at 9543 S. Chicago Rd. Staff has prepared draft Conditions and Restrictions for the Commission’s review. Plan Commissioners will note that there are several sections of the draft Conditions and Restrictions that mention “retrofit standards” or requirements for compliance with the current Zoning Code. These sections are similar to, but more explicit than, the requirements that were included in the previously-issued Conditional Use Permit for Crystal Lake Toyota Scion/Lake View Autos. The intent is to provide clarity for compliance purposes, and to address the prior violations (and concerns expressed in the staff report from the May 28, 2024 meeting) on the property.

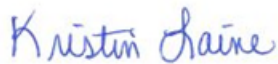


If the Commission is comfortable with the Conditions and Restrictions, the appropriate action would be to recommend that the Common Council approve them as part of the Conditional Use Permit.

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

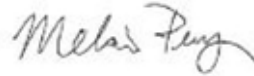
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Respectfully submitted:



Kristi Laine  
Community Development Director

Prepared:



Melanie Pérez  
Planner

Approved:



Kari Papelbon, CFM, AICP  
Senior Planner

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**Attachments:**

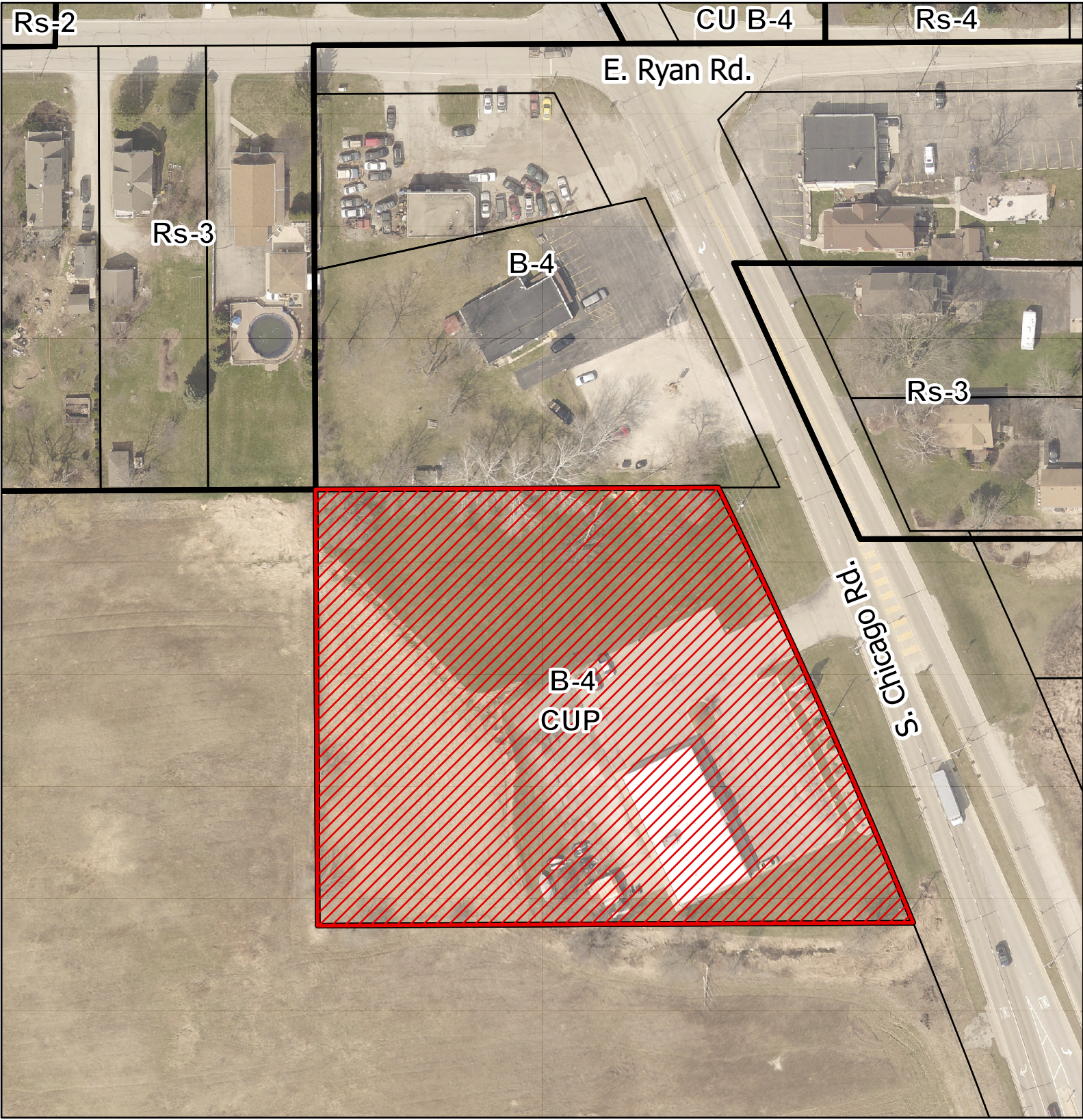
Location Map

Draft Conditions and Restrictions (4 pages)

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# Location Map

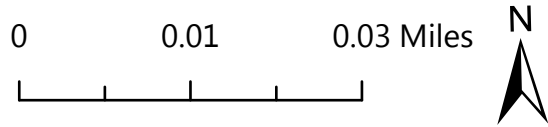
## 9555 S. Chicago Rd.



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
- 9555 S. Chicago Rd.



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

**Applicant:** Vista Motorwerks, LLC  
**Property Address:** 9543 S. Chicago Rd.  
**Tax Key Number(s):** 912-9993-000  
**Conditional Use:** Vehicle Sales (Indoor)

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

1. LEGAL DESCRIPTION

COM 999.43 FT E & 300 FT S OF NW COR NE1/4 SEC 26-5-22 TH E 368.99 FT SELY ALG CEN OF CHICAGO RD 333.40 FT W 518.30 FT TH N 294.5 FT TO BEG., EXC PART TAKEN FOR CHICAGO RD. CONT. 2.9739 ACS.

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 shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. 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
- 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 of employees
  - 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 outdoor display area(s), if approved
- m) Location(s) of wetlands (field verified)
- n) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

**2) Landscape Plan**

- a) Screening plan, including parking lot / truck parking screening/berming
- b) 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**

- a) Contours (existing & proposed)
- b) Location(s) of storm sewer (existing and proposed)
- c) 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. This may include retrofitting the area impacted by the Conditional Use to better reflect current architectural and/or landscaping requirements.

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 landscaping plan must be submitted for review and approval by the Plan Commission prior to the issuance of a building or occupancy permit. Landscaping, in accordance with the approved plan must be in place prior to the issuance of an occupancy permit.
- 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 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.

### 3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. One (1) vehicle sales facility for Vista Motorwerks in accordance with these Conditions and Restrictions is allowed on the property. Other uses allowed on this property shall be limited to those allowed by the B-4, Highway Business zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. Display and sale of new or used vehicles shall be interior to the building only. The following are prohibited:
  - 1. Autobody/Automotive Mechanical Repair - Activities involving the repair, painting, or undercoating of the body or frame; or maintenance, servicing, or repair of automotive engines, power train, suspensions, and exhaust system on vehicles with a gross weight of 10,000 pounds or less. Prohibition of this work is for all merchandise.
  - 2. Outdoor storage and display of vehicles, equipment, junk/unlicensed/non-inventory vehicles, non-operational vehicles, parts, supplies, merchandise, or any other materials.
- C. Hours of operation shall be by appointment only Monday through Saturday between the hours of 10:00 AM and 5:00 PM.
- D. There shall be no storage of flammable or hazardous materials except those minimum quantities necessary for the operation of the permitted principal use. All materials shall be stored inside the building or in an area approved by the Plan Commission and Fire Department.
- E. No new pole signs, pennant flags, light pole flags, permanent banners, or flashing/blinking signs shall be permitted as part of this development. All proposed signs shall conform to the requirements of Sections 17.0601 – 17.0609 (as amended), and be reviewed and approved by the Plan Commission prior to issuance of permits. This may include retrofitting the area impacted by the Conditional Use to address current signage requirements.
- F. All parking areas shall be striped and landscaped in accordance with approved plans and Sec. 17.0505 of the Municipal Code (as amended). Landscaping per approved plans shall be installed within six (6) months of the date of issuance of this Conditional Use Permit.
- G. Any change to the occupancy of the site or building shall conform to all Building, Fire, and Municipal Code requirements (as amended).

- H. A trash enclosure in conformance with Sec. 17.0506(a) and permit requirements shall be constructed on the property within six (6) months of the date of issuance of this Conditional Use Permit. 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 Sections 17.0501 of the Municipal Code (as amended), and these Conditions and Restrictions (see Section 3 above).
- B. Access to S. Chicago Rd. (HWY 32) in accordance with executed agreements and access management plans is subject to the review and approval of the Wisconsin Department of Transportation. Any approvals modifying the existing access shall be provided to the City prior to the issuance of any building permits.

5. LIGHTING

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

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

<b>Lot Standards (Minimum)</b>	
Lot Area	30,000
Lot Width	150 ft
<b>Yard Setbacks (Minimum) (1)</b>	
Front	25 ft
Street Facing Side	25 ft
Interior Side	15 ft
Rear	25 ft
<b>Building Standards (Maximum)</b>	
Height	50 ft
Building Coverage	40%
Lot Coverage	70%
<b>Parking</b>	
Transition & Required Landscape Areas	See Sec. 17.0505
<b>Notes:</b>	
(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 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 approval shall expire within twelve (12) months after the date of adoption of the ordinance if building or occupancy permits have not been issued for this use.

8. DURATION AND ASSIGNMENT OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to one (1) year from the date of issuance of the Conditional Use Permit or the term of the lease with Vista Motorwerks, whichever is less. Vista Motorwerks, with the consent of the property owner, may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.0804(e) of the Municipal Code (as amended). At such time Vista Motorwerks ceases operations at the property, this Conditional Use Permit shall expire.

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 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.

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 Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving Conditional Use Permit as set forth in Section 17.0804(e) 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 subject to Paragraph 8 above.

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Owner / Authorized Representative Signature

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Date

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(Please Print Name & Title)



## PLAN COMMISSION REPORT

Proposal: Conditions and Restrictions - Planned Unit Development Amendments – 641 & 819R E. Drexel Ave. (portions)

Description: Review modification requests submitted by Ryan Janssen, Janssen Bruckner LLC, as part of the Planned Unit Development affecting portions of the properties at 641 & 819R E. Drexel Ave.

Applicant(s): Janssen Bruckner, LLC

Address(es): 641 & 819R E. Drexel Ave. (portions) (1st Aldermanic District)

**Suggested Motion:** That the Plan Commission recommends that the Common Council adopts amendments to the Conditions and Restrictions as part of the Planned Unit Development affecting the properties at 641 & 819R E. Drexel Ave.

Owner(s): JANSSEN BRUCKNER LLC, A WI LLC

Tax Key(s): 814-9075-000; 814-9076-000; 815-9027-000; & 815-9028-000

Lot Size(s): See CSMs (previous agenda items)

Current Zoning District(s): Rs-3, Single Family Residential                      FW, Floodway

Overlay District(s): FF, Flood Fringe

Wetlands:                       Yes     No                      Floodplain:                       Yes     No

Comprehensive Plan: Single-Family Detached, Flex Overlay

### Background:

At the April 23, 2024 meeting, the Plan Commission recommended Common Council approval of Conditions and Restrictions for the proposed PUD Amendments. During the hearing, several modification requests were discussed that had not previously been reviewed by the Plan Commission. The Common Council remanded the Conditions and Restrictions to provide the Applicant an opportunity to present the modification requests for Plan Commission review and recommendation.

April 23, 2024

This proposal was approved by the Plan Commission previously in 2022. Due to several extenuating circumstances, staff are proposing Amended Conditions and Restrictions for Plan Commission review.

A Certified Survey Map affecting these properties was reviewed the previous agenda item, and this request is directly related to the proposed Condominium Plat in the next agenda item. The following amendments are incorporated into the Amended Conditions and Restrictions for consideration:

1. Correction of an error in the road name for Section 2(F).
2. Clarification in Section 2(J) regarding landscaping requirements.
3. Clarification in Section 3(A) regarding the maximum number of buildings that will be allowed to have garages that reach 55% of the façade's total width.
4. Clarification of Section 3(D) regarding Condominium Plat requirements. Note that the previous requirement for the Condominium Plat and Declaration to be reviewed and approved prior to issuance of any permits for the development has been removed.
5. Update to the current Code for Section 5(A).
6. Update to Section 8 for compliance with Statute.

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 may recommend Common Council approval of the proposed rezone request and PUD, or that the Common Council not approve of the proposal. 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.

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Respectfully submitted:



Kristi Porter  
Community Development Director

Prepared:



Melanie Perez  
Planner

Approved:



Kari Papelbon, CFM, AICP



Senior Planner

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**Attachments:**

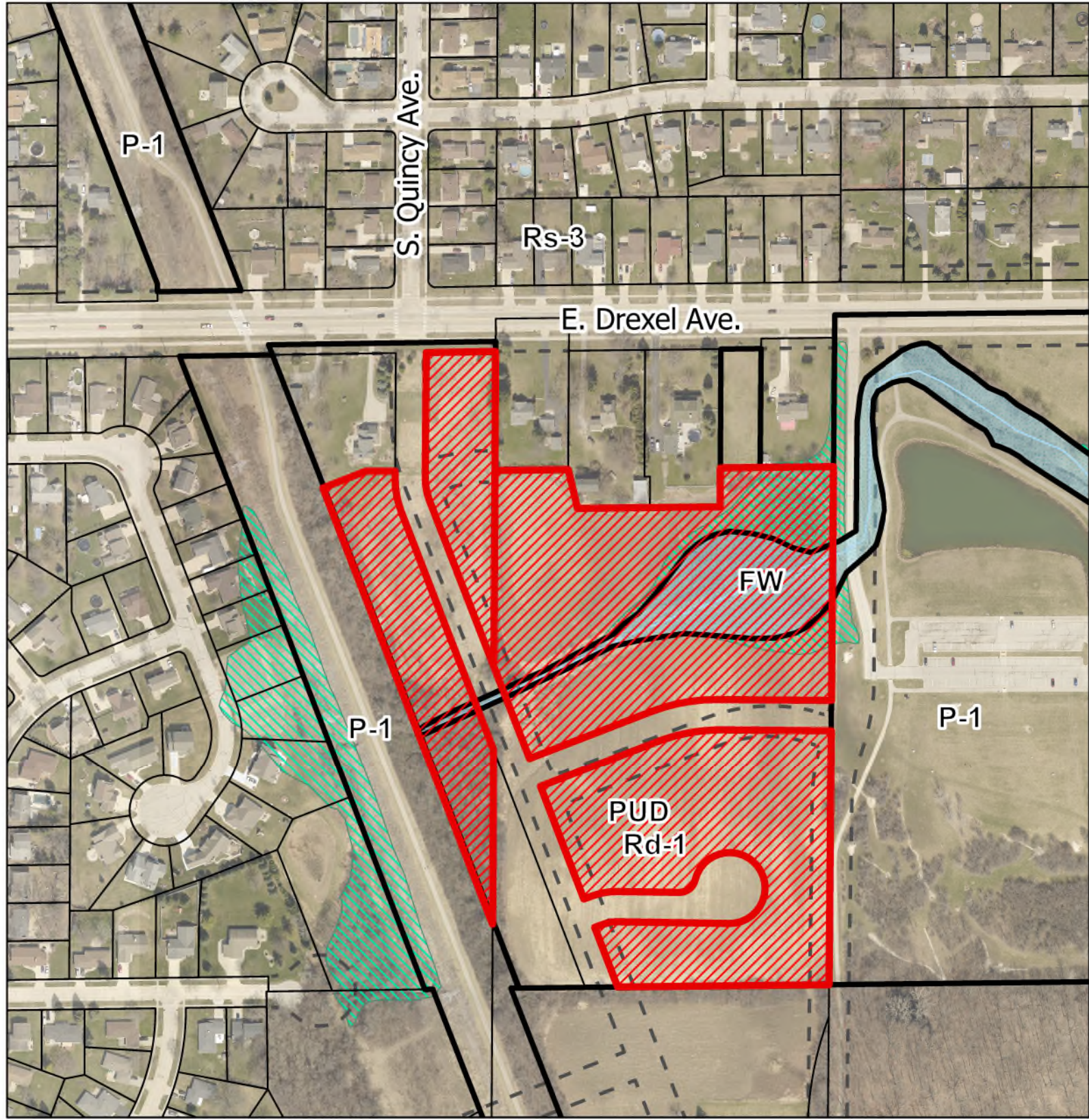
Location Map

Draft Amended Conditions and Restrictions (25 pages)

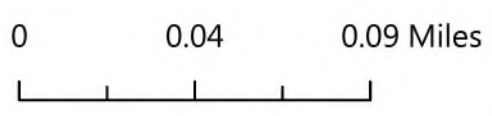
Discussion Exhibit – Alternate Rendering

# Location Map

## 641 & 819 E. Drexel Ave.



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



### Legend

- Zoning
- Official Street Map
- Floodway
- Flood Fringe
- Parcels
- 641 & 819 E. Drexel Ave.

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

**Applicant:** Janssen Bruckner, LLC  
**Property Address(es):** 641 & 819R E. Drexel Ave.  
(portions)  
**Tax Key Number(s):** 814-9999-000 & 815-9995-002  
(portions)

**Approved by Plan Commission:** TBD  
**Approved by Common Council:** TBD  
(Ord. #3102, Amend. Ord. #3033)

1. LEGAL DESCRIPTION

Parcel 1, 641 E. Drexel Ave. - That part of the East 25 acres of the North East ¼ of the North West ¼ of Section 16, Township 5 North, Range 22 East, in the City of Oak Creek, formerly the Town of Oak Creek, (also known as a part of School Section Lot 3) lying Easterly of the right-of-way of the Chicago and Milwaukee Rail Road Company, now known as the Chicago North Shore and Milwaukee Rail Road Company. More particularly described as follows, to-wit: Beginning at the NE corner of said NW ¼ of Section 16, Town 5 North, Range 22 East, thence S 89° 09' 31" W along the North line of said ¼ Section 469.08 ft. to a point on the Easterly Right of Way line of the Chicago North Shore and Milwaukee Railroad; thence S 21° 11' 45" E and along said Easterly Right of Way line 1280.05 ft. to a point on the East line of said ¼ Section; thence N 00° 17' 45" E along said East line of said ¼ Section 1200.38 ft. to place of beginning, containing 6.462 acres of land. Lot 2 & a portion of Lot 3 (excepting future Lots 3 & 4 per Exhibit B) of a Certified Survey Map to be recorded.

Parcel 2, 819R E. Drexel Ave. – The West ½ of the West ½ of the North ½ of the North East of Section 16, in Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee and State of Wisconsin. Lots 2, 3, & 4 of a Certified Survey Map to be recorded.

To be further described as Lot 3 of CSM 9418, and Lots 3 & 4 of a CSM to be recorded (Lot 2 and a portion of Lot 3 of CSM 9417, and Lots 2, 3 and 4 of CSM 9418).

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. 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)

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)

- 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. 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. **Homes constructed within this planned unit development shall be in conformance with the approved designs in Exhibit C and these Conditions and Restrictions.** Building designs for individual homes do not require additional Plan Commission review provided they conform to the approved General Development Plan and these Conditions and Restrictions.

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., **S. Quincy Ave., E. Quietwood Pl., E. Trailside Ct., utilities, 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 Master Landscape Plan approved by the Plan Commission on January 10, 2023, and incorporating additional landscaping at a minimum of one (1) tree per building to compensate for the reduction in masonry thickness in Section 3(C)(1) below, shall be installed for each building and associated buffer area(s) prior to the issuance of an Occupancy Permit for the requested building. Split-rail fences shall be installed along the 5-foot undisturbed buffer around all remaining wetlands to compensate for the additional façade width of the attached garages (max. 55%). All landscaping around common areas, including, but not limited to, landscaping around the stormwater pond and installation of the split-rail fences around all remaining wetlands, shall be installed prior to issuance of the final Occupancy Permit for the**

**development. Requests for Occupancy Permits between November 1 and April 30 shall provide a landscape escrow in conformance with local policy requirements.**

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

A. There shall be a maximum of 33 single-family attached buildings, and a maximum of 66 single-family attached units. Each unit shall have an attached garage. **A maximum of 20 buildings can have garages that reach the maximum of 55% of the façade's total width.**

B. Attached garages shall

1. Be subordinate to the principal building.
2. Not exceed fifty (50) percent of the livable area of the principal building.
3. Share a common wall and roof with the principal building.
4. Provide internal access to the principal building.
5. Not exceed the height of the principal building.
6. Not include doors that exceed eight (8) feet in height.
7. Meet the following standards (see graphic):

i. **Garage Set Ahead.**

1. The garage may be set ahead a maximum of five (5) feet from the front façade of the home, inclusive of porches, bay windows, or other minor projections.
2. If the garage is set ahead from the front façade of the home, as detailed in (1) above, **it shall not exceed 55% of the façade's total width.**

ii. **Garage In Line.** If the garage is in line with the front façade of the home, exclusive of porches, bay windows, or other minor projections, it shall not exceed **fifty-five (55) percent** of the façade's total width.

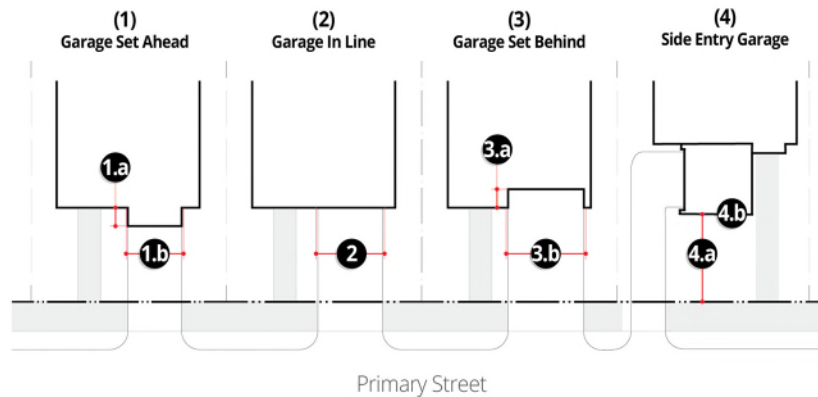
iii. **Garage Set Behind.**

1. The garage may be set behind the front façade of the home, exclusive of porches, bay windows, or other minor projections, a minimum of one (1) foot.
2. If the garage is set behind the front façade of the home, as detailed in (1) above, it shall not exceed fifty-five (55) percent of the façade's total width.



iv. **Side-Entry Garage.**

1. Side-entry garages shall meet the district setback and building standards in Table 17.0301(a) of the Municipal Code (as amended).
2. The garage may be set ahead of, but considered part of, the primary façade of the home
  - a. If the garage utilizes the same exterior building materials and design as the dwelling.
  - b. If the garage incorporates a window on the same side as the primary facade of the home.
  - c. If all driveway, garage access, and parking pad requirements of Sec. 17.0503 of the Municipal Code (as amended) are met.



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. Masonry and stone veneer systems utilized on the ground floor shall have a minimum thickness of three 1.5 inches, and shall be structurally integrated into the façade of the building.**
2. **Exterior building materials utilized on upper floors may include all materials permitted on the ground floor as well as vinyl siding, EIFS, stone veneer systems, or precast panels with inlaid or stamped brick texture. Vinyl siding shall be, at minimum, a standard residential grade thickness of 0.44 mm. All other materials utilized on upper floors shall have a minimum thickness of one inch, and shall be structurally integrated into the façade**

**of the building.**

- D. Deed restrictions (private) and condominium bylaws/**declarations**, 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 **as part of the required local review process for any Condominium Plat. Any Condominium Plat with associated deed restrictions and condominium bylaws/declarations shall be recorded with the Milwaukee County Register of Deeds prior to issuance of an Occupancy Permit for any unit in this Planned Unit Development.**
- E. All solid waste and recycling collection units shall be screened and sited in conformance with Municipal Code requirements.
- F. 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 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 sidewalk or roadway.
- B. Driveway widths shall not exceed 20 feet at the right-of-way.

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with **Section 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.
- 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.

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. BUILDING AND PARKING SETBACKS

	Front and Public ROW Setback	Rear Setback	Side Setback	To Wetlands
Principal Structures	30 ft	25 ft	10 ft	15 ft / 5 ft undisturbed
Accessory Structure*	30 ft	10 ft	5 ft	15 ft / 5 ft undisturbed
Off-street Parking	5 ft	5 ft	5 ft	N/A

*\*No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards.*

8. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these Conditions and Restrictions **within five (5) years** from the date of adoption of the ordinance authorizing this Planned Unit Development **(April 19, 2022)**. This Planned Unit Development approval shall expire **five (5) years** after the date of adoption of the ordinance **(April 19, 2027)** if a building permit has 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

\_\_\_\_\_  
(Print Name and Title)





# EXHIBIT B: PLANNED UNIT DEVELOPMENT LOTS

(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 C: APPROVED HOME MODELS

(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.)



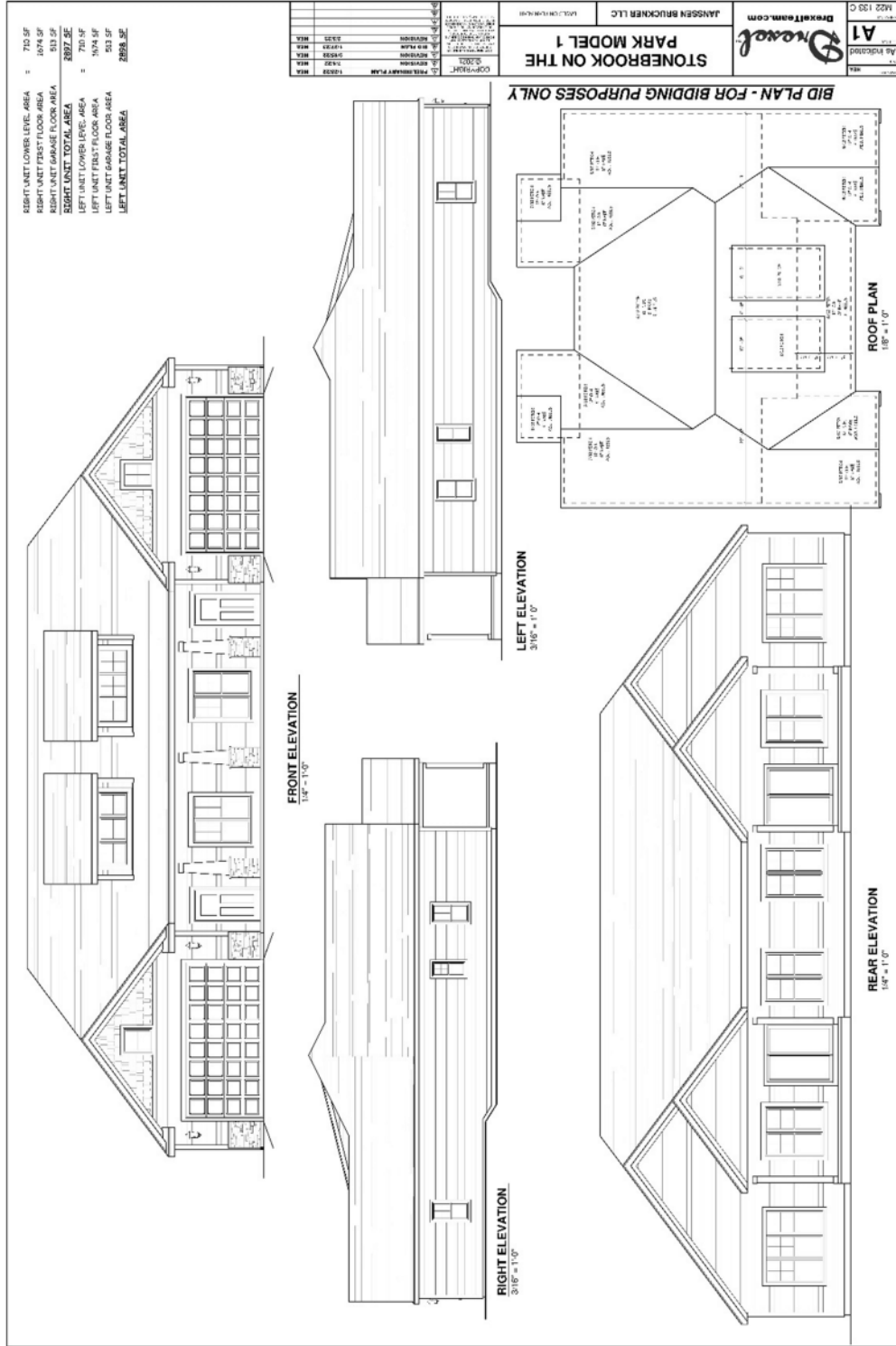
## EXHIBIT C: APPROVED HOME MODELS

(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 C: APPROVED HOME MODELS

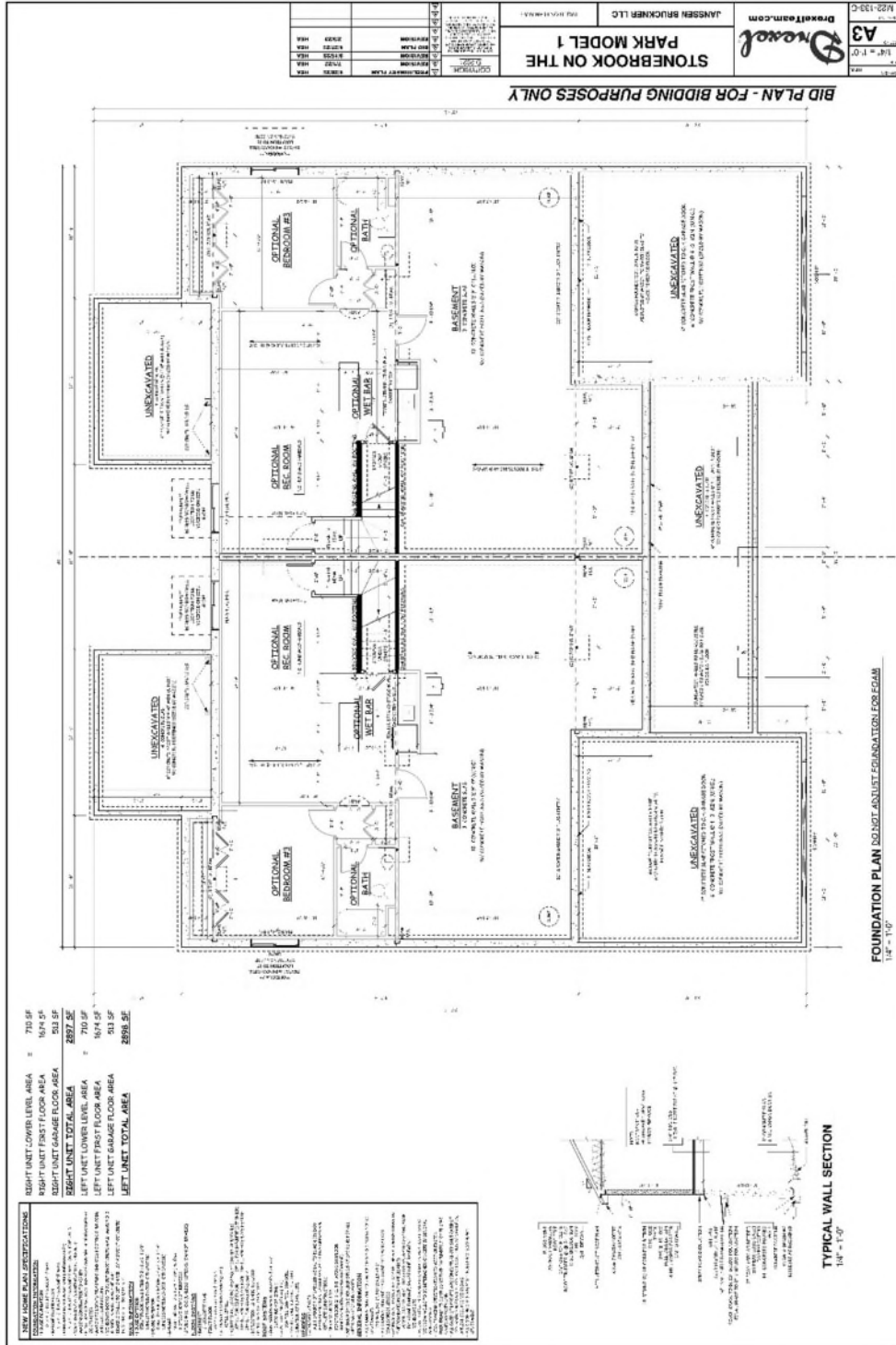
(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be submitted for and receive building permits.)





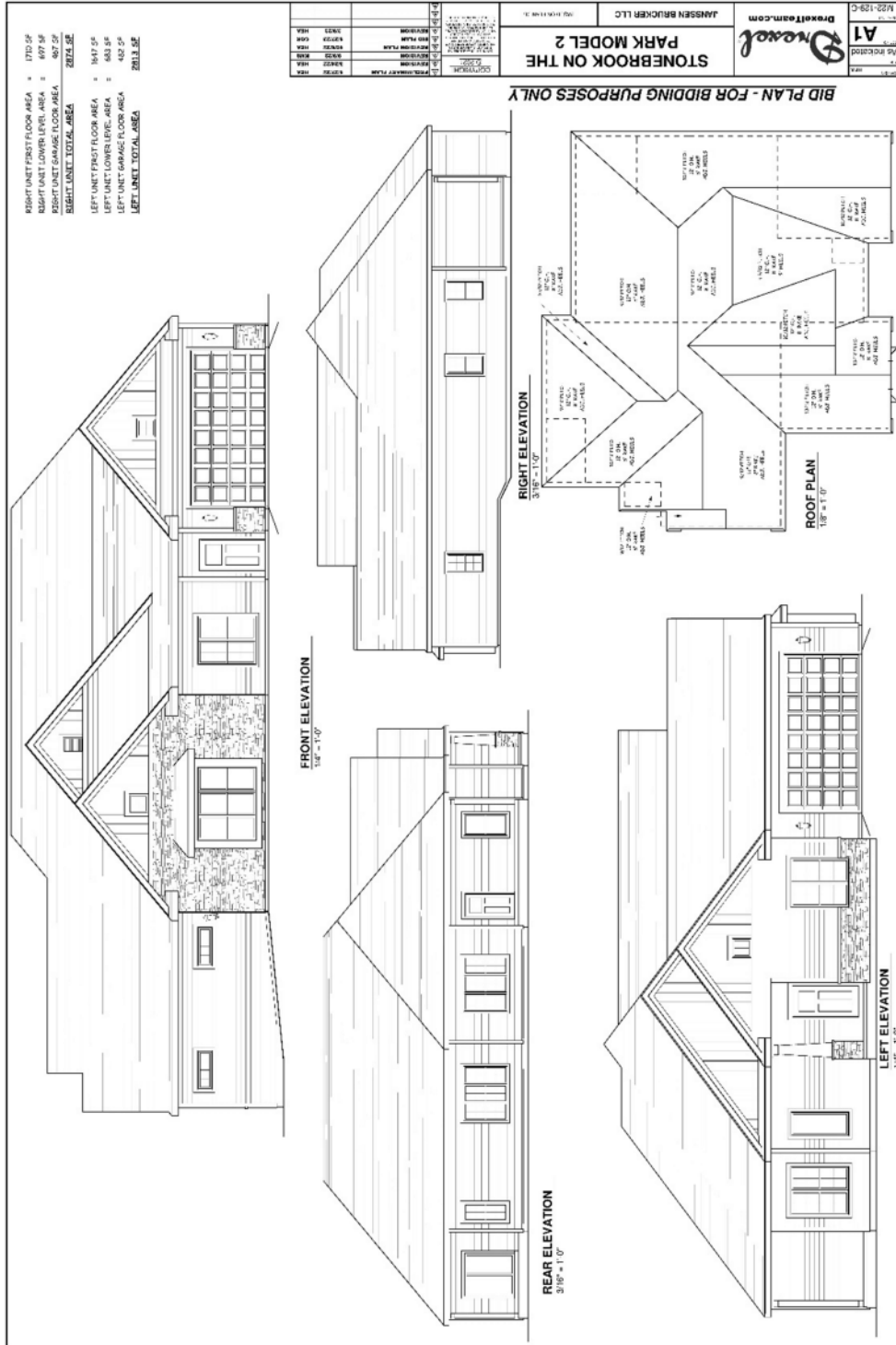
# EXHIBIT C: APPROVED HOME MODELS

(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 C: APPROVED HOME MODELS

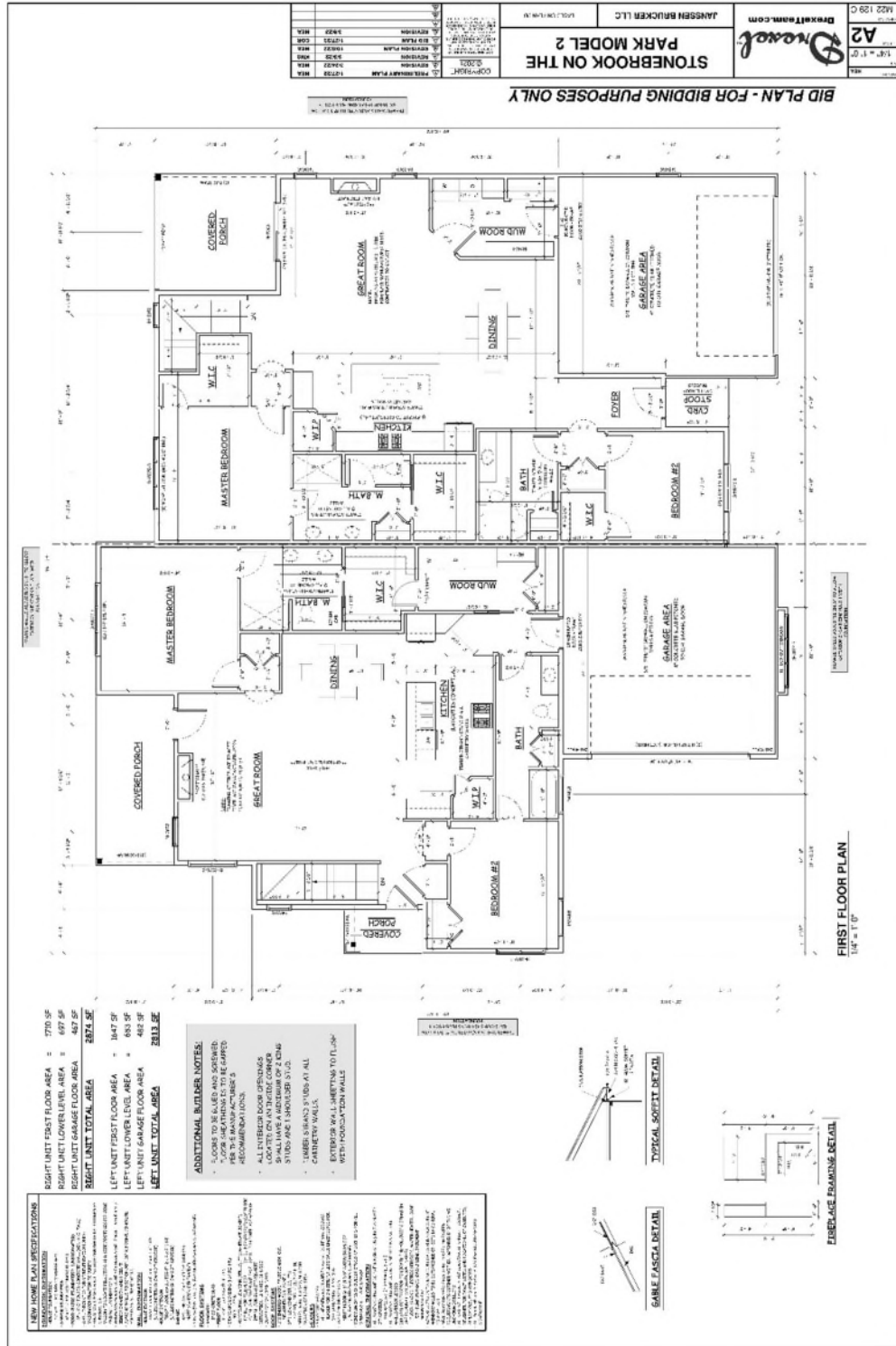
(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be submitted for and receive building permits.)





# EXHIBIT C: APPROVED HOME MODELS

(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.)



**RIGHT UNIT FIRST FLOOR AREA = 770 SF**  
**RIGHT UNIT LOWER LEVEL AREA = 677 SF**  
**RIGHT UNIT GARAGE FLOOR AREA = 437 SF**  
**RIGHT UNIT TOTAL AREA = 1884 SF**

**LEFT UNIT FIRST FLOOR AREA = 747 SF**  
**LEFT UNIT LOWER LEVEL AREA = 653 SF**  
**LEFT UNIT GARAGE FLOOR AREA = 437 SF**  
**LEFT UNIT TOTAL AREA = 1837 SF**

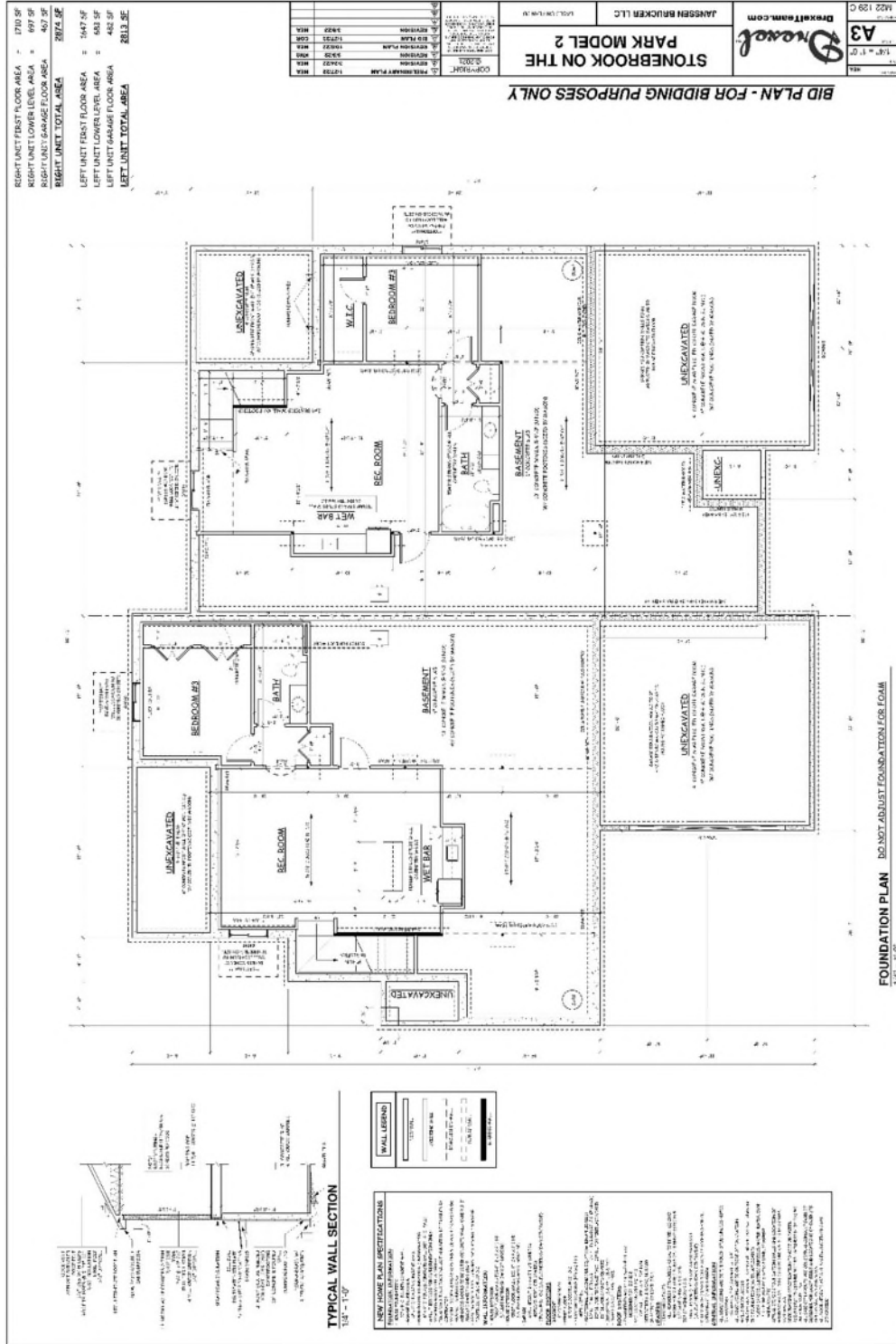
**ADDITIONAL NOTES:**

- 1. FLOOR TO BE SALES AND COVERED PORCH LOCATIONS TO BE GARDED BY CONCRETE CURBS.
- 2. ALL INTERIOR DOOR SWINGS TO BE OPENING INTO THE CORNER LOCATED ON THE CORNER.
- 3. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
- 4. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
- 5. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
- 6. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
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- 17. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
- 18. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
- 19. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.
- 20. ALL DOOR SWINGS TO BE OPENING INTO THE CORNER.



# EXHIBIT C: APPROVED HOME MODELS

(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.)

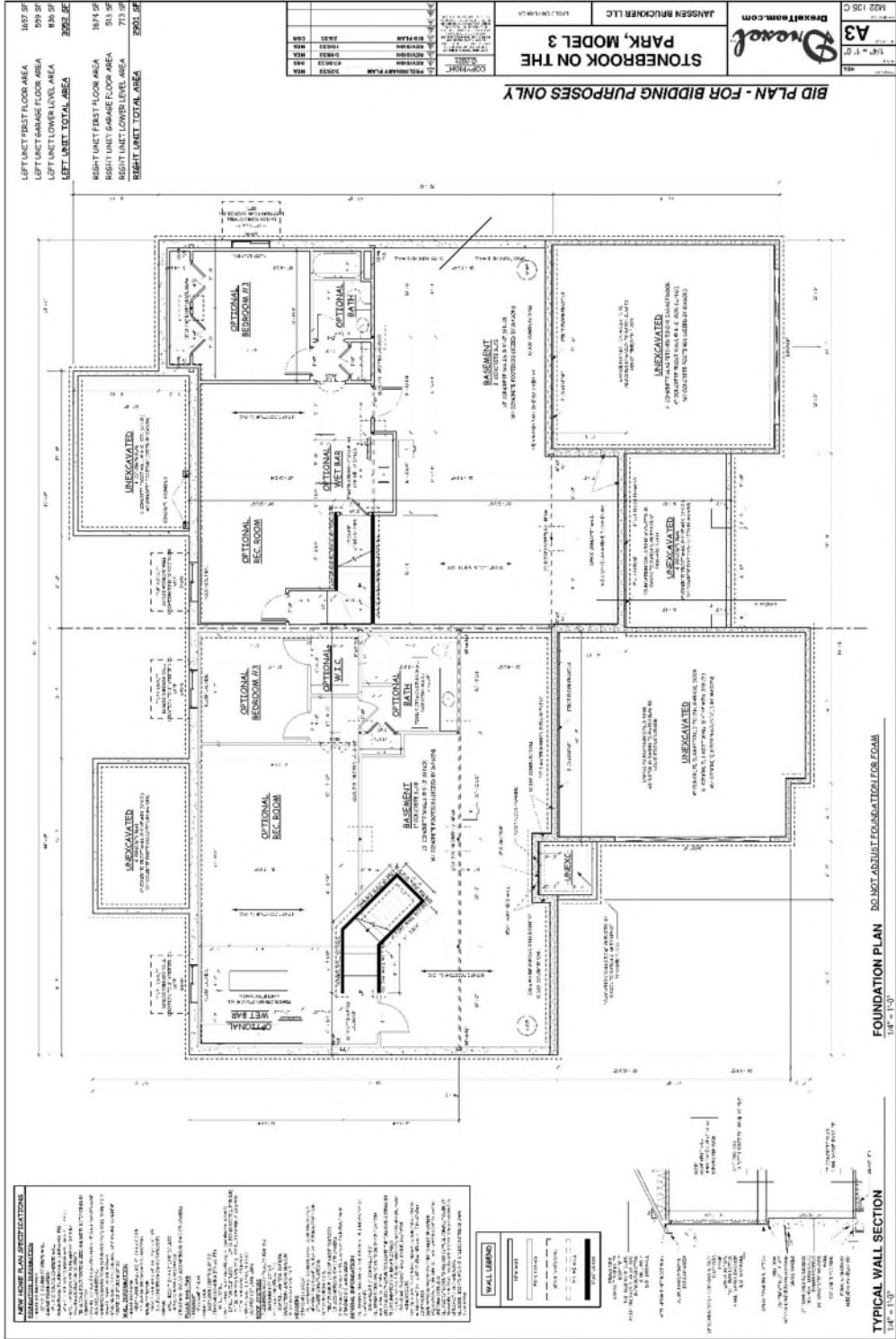






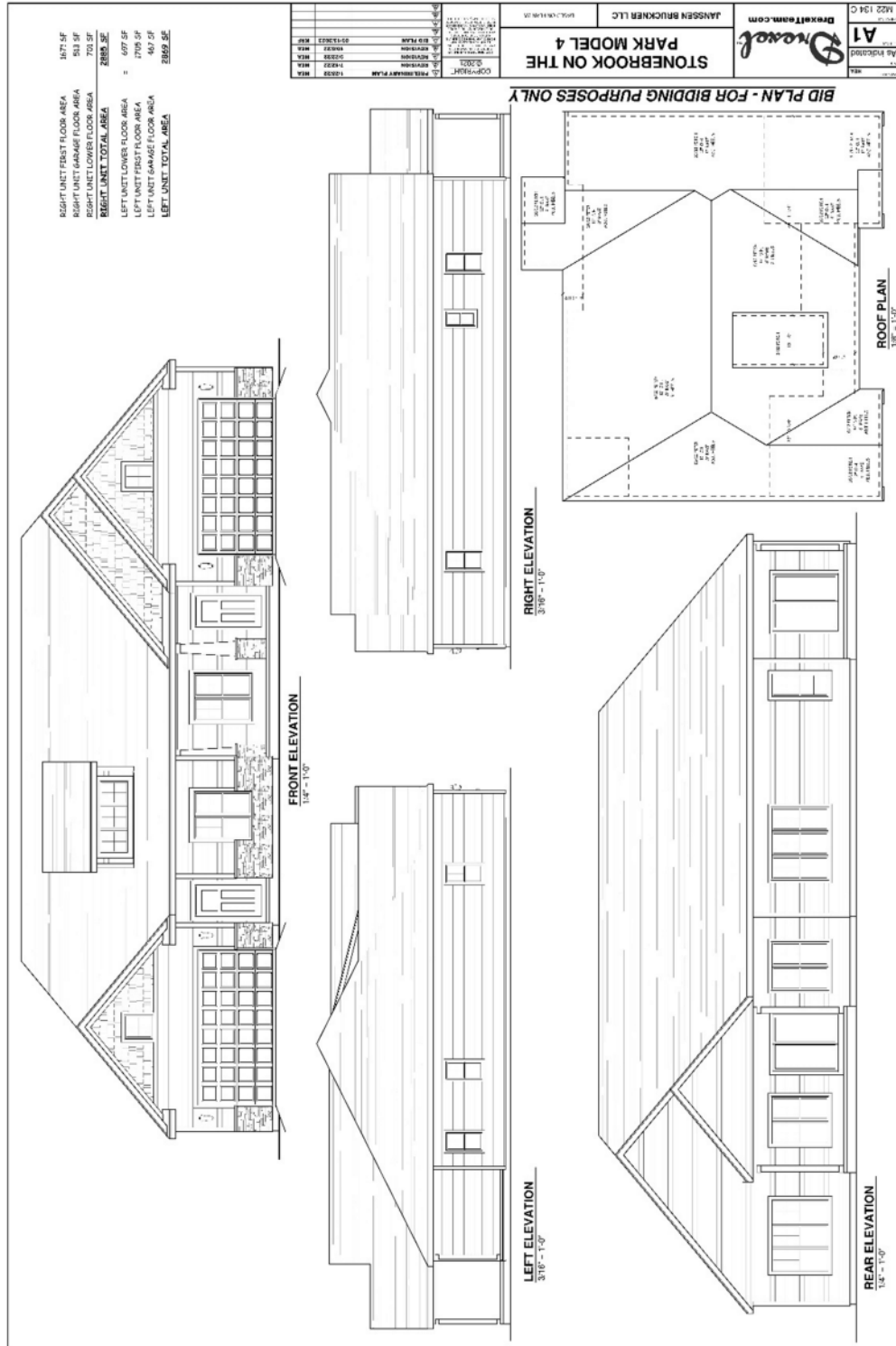
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## EXHIBIT C: APPROVED HOME MODELS

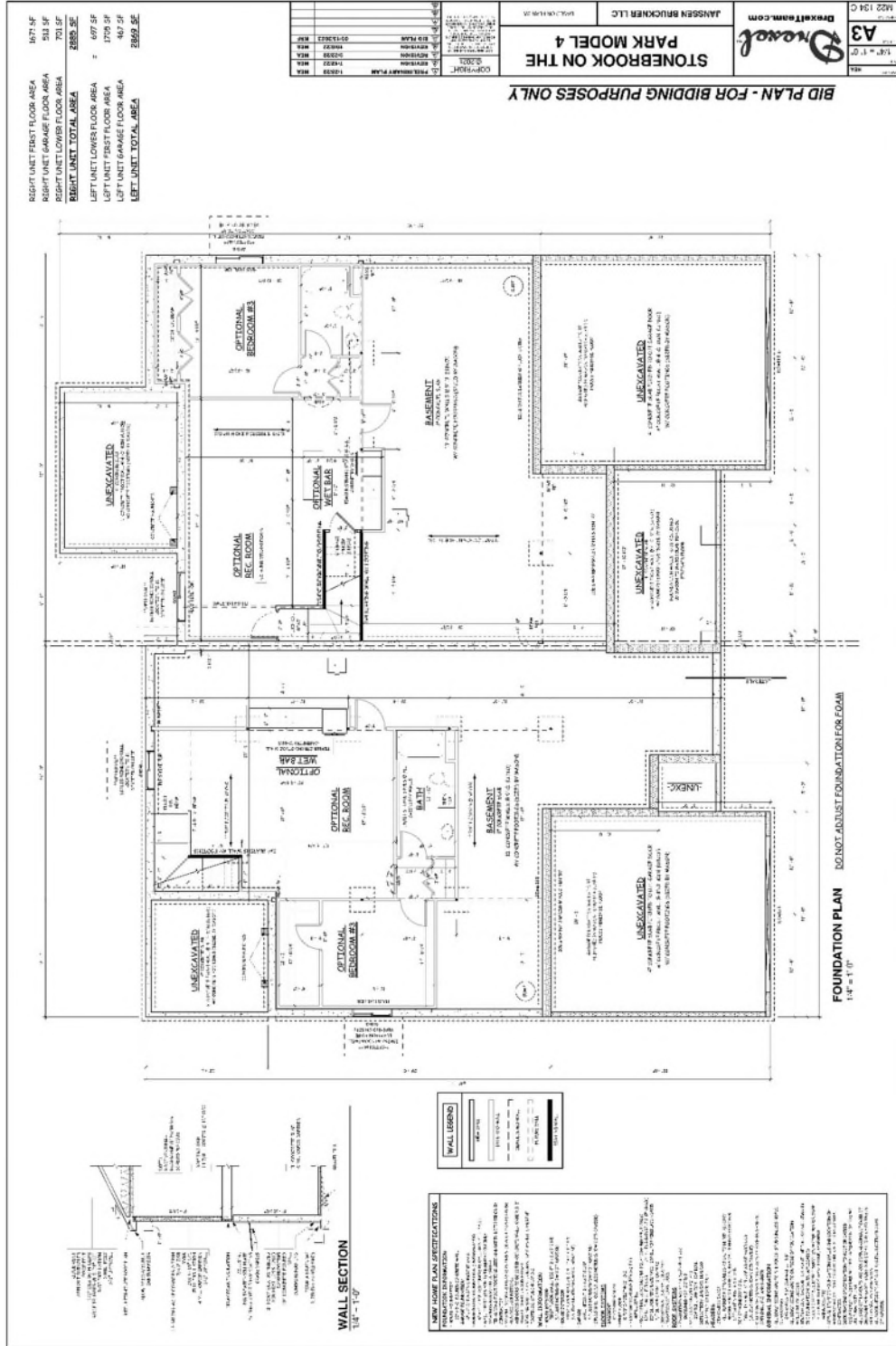
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**BID PLAN - FOR BIDDING PURPOSES ONLY**

NO. 1	DATE	BY	CHECKED	APP. 1	APP. 2
1	10/15/14	JANSEN BRUCKNER			
2	10/15/14	JANSEN BRUCKNER			
3	10/15/14	JANSEN BRUCKNER			
4	10/15/14	JANSEN BRUCKNER			
5	10/15/14	JANSEN BRUCKNER			
6	10/15/14	JANSEN BRUCKNER			
7	10/15/14	JANSEN BRUCKNER			
8	10/15/14	JANSEN BRUCKNER			
9	10/15/14	JANSEN BRUCKNER			
10	10/15/14	JANSEN BRUCKNER			
11	10/15/14	JANSEN BRUCKNER			
12	10/15/14	JANSEN BRUCKNER			
13	10/15/14	JANSEN BRUCKNER			
14	10/15/14	JANSEN BRUCKNER			
15	10/15/14	JANSEN BRUCKNER			
16	10/15/14	JANSEN BRUCKNER			
17	10/15/14	JANSEN BRUCKNER			
18	10/15/14	JANSEN BRUCKNER			
19	10/15/14	JANSEN BRUCKNER			
20	10/15/14	JANSEN BRUCKNER			

**STONBROOK ON THE PARK MODEL 5**

JANSEN BRUCKNER LLC  
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**AT**

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Trends  
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TEL: 414.441.1111  
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Discussion Exhibit – Alternate Rendering

