



PLAN COMMISSION REPORT

Proposal: Planned Unit Development Amendment (Conditions and Restrictions)

Description: Review setback modification and lot split requests as part of the Planned Unit Development and Conditions and Restrictions at Oaks at 8100.

Applicant(s): David Decker, Decker Properties, Inc.

Address(es): 2676 W. Red Oak Ln., 2637, 2668, 2616, 2617, 2548 & 2521 W. Maple Leaf Ln., and 8126, 8140, 8159 and 8142 S. Orchard Way (2nd Aldermanic District)

Suggested Motion: That the Plan Commission recommends to the Common Council that the amended Planned Unit Development and Conditions and Restrictions affecting the properties at 2676 W. Red Oak Ln., 2637, 2668, 2616, 2617, 2548 and 2521 W. Maple Leaf Ln., and 8126, 8140, 8159 and 8142 S. Orchard Way, be approved.

Owner(s): THE OAKS AT 8100, LLC

Tax Key(s): 810-9025-000 and 810-9026-000

Lot Size(s): 17.227 acres and 6.023 acres

Current Zoning District(s): Rm-1, Multifamily Residential

Overlay District(s): PUD

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Multi-family

Background:
 The Common Council adopted Ordinance No. 3015 on September 7, 2021, rezoning the subject properties to RM-1 Multifamily Residential District and Planned Unit Development (PUD), and adopting the Conditions & Restrictions that were recommended for approval by the Plan Commission on July 27, 2021. The approved site plan included four (4) 3-story residential buildings, five (5) 2-story stacked flats residential buildings, one (1) 2-story townhouse residential building, and a clubhouse, for a total of 218 units. There are only two (2) buildings that have not started construction yet—the rest are either complete or under construction.

The requested proposal is to divide the two (2) current parcels, into a total of four (4) parcels (each split by two). The lot split will require a request to amend one (1) particular setback restriction that is noted in the Conditions & Restrictions. The scope of the project is not changing at all, and construction continues to progress.

The ownership entity will remain the same as in the approved PUD. The request to further divide the land is simply due to financial reasons from the lender related to position on the lien with the changes in the economy since the start of the project in 2020.

Lot Split:

The Oaks at 8100 project was divided into two (2) pieces of land, Lot 1 of CSM 9404 and Lot 2 of CSM 9404, split by S. Orchard Way right-of-way. Today’s proposal is to split Lot 1 of CSM 9404 into two (2) parcels (Lot 1 and Lot 2), and to split Lot 2 of CSM 9404 into two (2) parcels (Lot 1 and Lot 2). There are colored attachments that show the “as-is” situation, and the proposed lot split.

Conditions and Restrictions Amendment:

The Conditions and Restrictions that were approved in 2021, included a Buildings and Parking Setbacks table in Section 7 of the document. This detailed front, public ROW, rear and side yard setbacks for each of the six (6) buildings, all other principal structures, accessory structures, and off-street parking. The requested modification to the Conditions and Restrictions includes a variation to only one (1) number in that table, and it is the off-street parking side yard setback. With the proposed lot splits, all other setback restrictions are able to remain compliant. The table below indicates the requested modification, which is the bottom right number, changing the off-street parking side yard setback from an original 5-ft. requirement, to a requested 0-ft. requirement. The request is necessary due to the new split of Lot 2 of CSM 9404 into two (2) parcels (Lot 1 and Lot 2)—the new lot line goes down the middle of the parking lot between Buildings C5 and A4.

Table 1: Building and Parking Setback-Amended

	Front and Public ROW Setback	Rear Setback	Side Setback
Building A2*	16	25	10
Building A3*	12	25	10
Building A4*	18	25	10
Building C3*	25	25	10
Building C4*	10	25	10
Building C5*	14	25	10
All Other Principal Structures*	30	25	10
Accessory Structure**	30	10	5
Off-street Parking	5	5	5 0 at common property lines

* No multifamily residential structure shall be located closer than fifty (50) feet to a single-family district line

**No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards. Trash enclosures shall be sited in conformance with Sec. 17.1010(e) as amended.

X = PUD Approved setbacks

✕ X= Amended PUD setbacks

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 amended PUD.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed amendments to the Planned Unit Development and Conditions and Restrictions, or that the Common Council not approve of the proposal. Should the request not be recommended for Common Council 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 inability of the developer to complete the Oaks at 8100 project.

Respectfully prepared and submitted:

Kristi Laine
Community Development Director

Attachments:

Location Map

Project Narrative (2 pages)

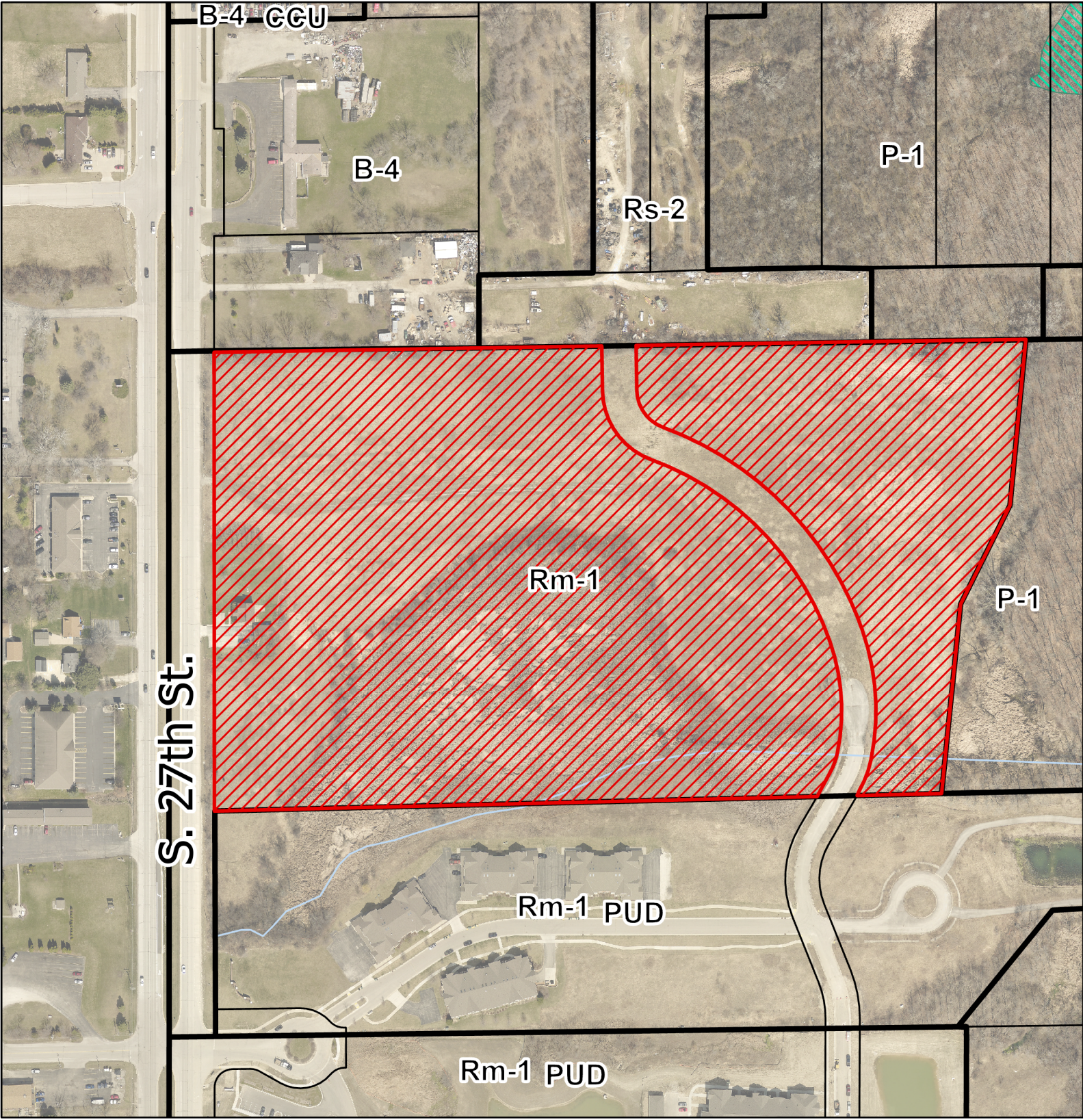
Draft Amended Conditions and Restrictions (3 pages)

Existing approved CSM in color (1 page)

Proposed CSM concept in color (1 page)

Location Map

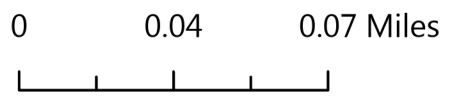
The Oaks at 8100



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

Legend

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





October 29, 2024

PUD Amendment Narrative

Project: The Oaks at 8100
 City of Oak Creek

The Oaks at 8100 LLC is requesting review and approval for an amendment to the Planned Unit Development for the multi-family development located at 8100-8146 S 27th St to internally create two (2) additional lots within the overall PUD boundary. The request is being made for financial reasons by the lender due to changes in the economy since the start of the project. The owning entity will not change nor affect the agreements with the city related to the approved PUD. The current tax parcel ID's contained within the PUD are 8109025000, 8109026000, and the dedicated public right-of-way of S. Orchard Way as shown on CSM 9404. Site addresses include: 2676 W Red Oak Ln, 2637 W Maple Leaf Ln, 2668 W Maple Leaf Ln, 2616 W Maple Leaf Ln, 2617 W Maple Leaf Ln, 2548 W Maple Leaf Ln, 2521 W Maple Leaf Ln, 8126 S Orchard Way, 8140 S Orchard Way, 8159 S Orchard Way and 8142 S Orchard Way. The originally proposed improvements and design have and will not change with the requested amendment, only the interior property boundaries within the PUD (outside the S. Orchard Way ROW). The exterior boundary of the approved PUD will not change with the PUD amendment request.

The request is to split Lot 1 of CSM 9404 into Lot 1 and Lot 2, and Lot 2 of CSM 9404 into Lot 1 and Lot 2. Building A2 and A3 are proposed to be located on the new Lot 2 of Lot 1 of CSM 9404 and A4 is proposed to be located on Lot 2 of Lot 2 of CSM 9404. There are no changes to the recorded S. Orchard Way ROW. Reference the preliminary CSM submitted with the PUD request. As part of the lot split, side parking setbacks are requested to be approved/amended with the amendment to the PUD and change from 5' to 0' all related to the common property line between the new lines. Again, the design and improvements of the approved PUD have and will not change.

Planned Unit Development Site Information:

1. **Total Area to be included:**
 - a. 1,071,388 sf (24.596 acres)
2. **Existing Lots of Approved PUD**
 - a. Lot 1 of CSM 9404: 750,409 sf (17.227 acres)
 - b. Lot 2 of CSM 9404: 262,357 sf (6.023 acres)
3. **Proposed Lots of Approved PUD**
 - a. **Lot 1 of CSM 9404: 750,409 sf (17.227 acres)**

- i. New Lot 1: 628,747 sf (14.434 acres)
- ii. New Lot 2: 121,662 sf (2.793 acres)
- b. Lot 2 of CSM 9404: 262,357 sf (6.023 acres)**
 - i. New Lot 1: 78,436 sf (1.801 acres)
 - ii. New Lot 2: 183,921 sf (4.222 acres)

Below is an update to the setback table approved and included in the City of Oak Creek – Planned Unit Development (PUD) for Applicant: David Decker, Decker Properties as approved by Plan Commission on 7/27/2021 and Common Council on 9/7/2021. The only change to the setback table is the setback for off-street parking because of the parking along common property lines being created internally within the PUD. The approved overall site plan (C1.1A) has been included with the submittal for reference.

Table 1: Building and Parking Setback-Amended

	Front and Public ROW Setback	Rear Setback	Side Setback
Building A2*	16	25	10
Building A3*	12	25	10
Building A4*	18	25	10
Building C3*	25	25	10
Building C4*	10	25	10
Building C5*	14	25	10
All Other Principal Structures*	30	25	10
Accessory Structure**	30	10	5
Off-street Parking	5	5	5 0 at common property lines

* No multifamily residential structure shall be located closer than fifty (50) feet to a single-family district line
 **No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards. Trash enclosures shall be sited in conformance with Sec. 17.1010(e) as amended.
 X = PUD Approved setbacks
 ✕ X= Amended PUD setbacks

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

Applicant: David Decker, Decker Properties, Inc.

Recommended for Approval by Plan Commission: TBD

Property Addresses: 2676 W. Red Oak Lane; 2637, 2668, 2616, 2617, 2548 and 2521 W. Maple Leaf Lane; and 8126, 8140, 8159 and 8142 S. Orchard Way

Approved by Common Council: TBD (Ord. #)

Tax Key Number(s): 810-9025-000 and 810-9026-000

The following section 7 of the Conditions and Restrictions approved in Ordinance 3015 is amended as set forth below:

7. BUILDING AND PARKING SETBACKS

	Front and Public ROW Setback	Rear Setback	Side Setback
Building A2*	16 ft	25 ft	10 ft
Building A3*	12 ft	25 ft	10 ft
Building A4*	18 ft	25 ft	10 ft
Building C3*	25 ft	25 ft	10 ft
Building C4*	10 ft	25 ft	10 ft
Building C5*	14 ft	25 ft	10 ft
All Other Principal Structures*	30 ft	25 ft	10 ft
Accessory Structure**	30 ft	10 ft	5 ft
Off-street Parking	5 ft	5 ft	0 ft

*No multifamily residential structure shall be located closer than fifty (50) feet to a single-family district line.

**No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards. Trash enclosures shall be sited in conformance with Sec. 17.1010(e) of the City of Oak Creek Code of Ordinances, as amended.

Except as expressly amended herein, all of the terms of the PUD and Conditions and Restrictions as originally approved shall remain in full force and effect without modification.

12. ACKNOWLEDGEMENT

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

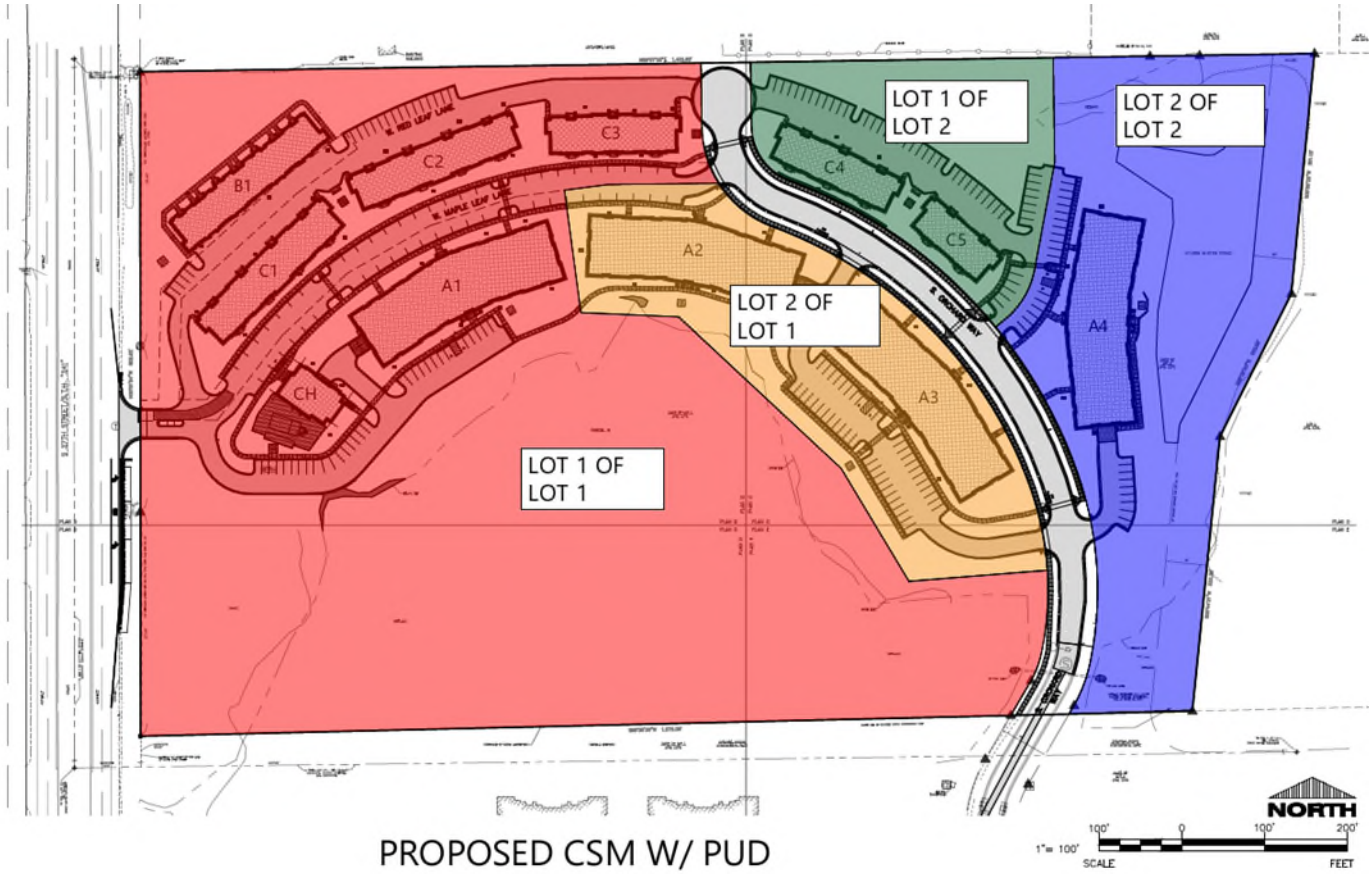
Owner / Authorized Representative Signature

Date

Name and Title

**EXHIBIT A:
MODIFIED CERTIFIED SURVEY MAP/LOT SPLIT**

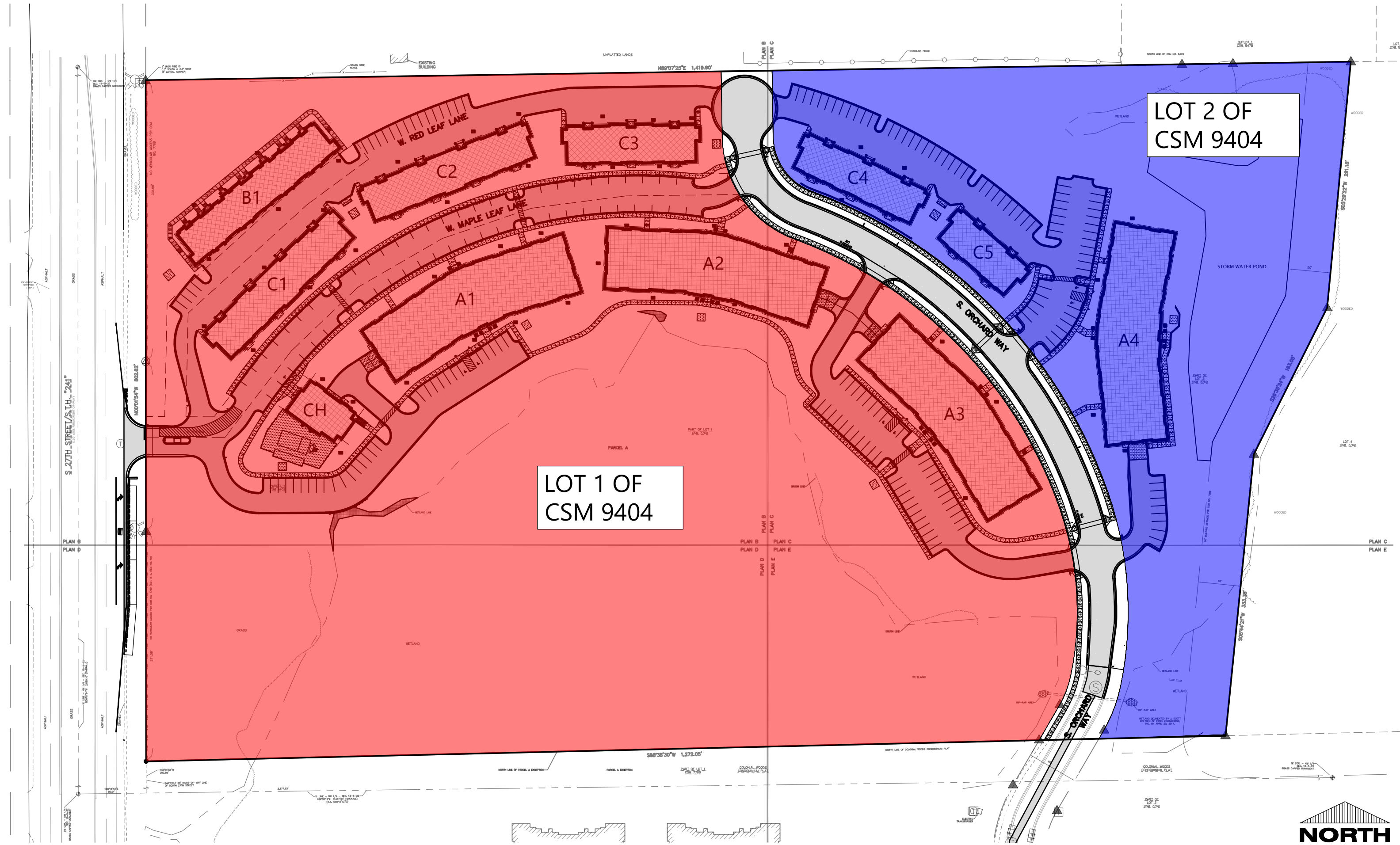
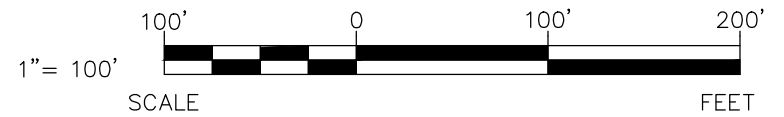
(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Common Council.)



LOT 1 OF
CSM 9404

LOT 2 OF
CSM 9404

EXISTING APPROVED CSM W/ PUD



LOT 1 OF LOT 1

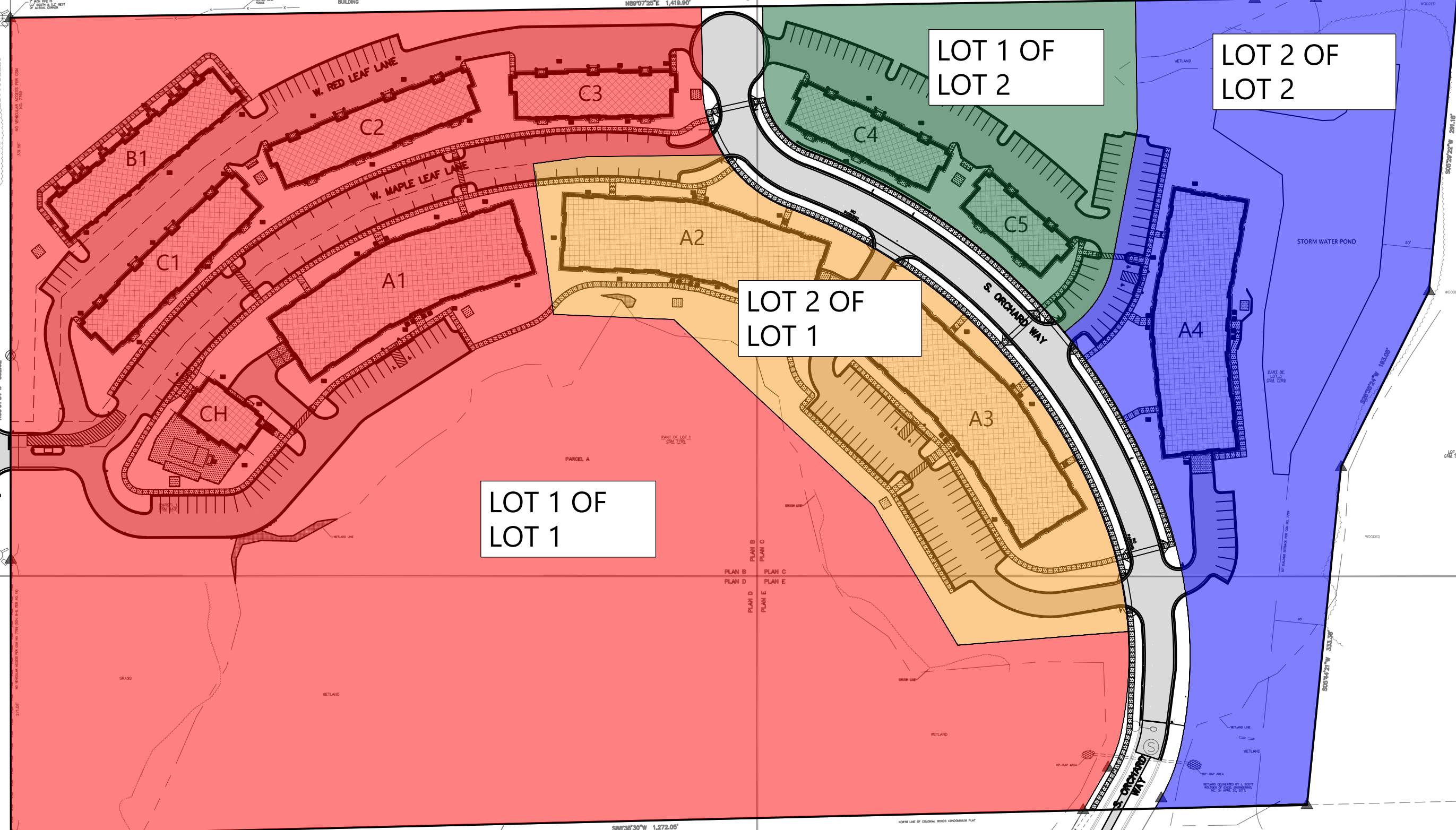
LOT 2 OF LOT 1

LOT 1 OF LOT 2

LOT 2 OF LOT 2

PROPOSED CSM W/ PUD

1" = 100'



S 27TH STREET / S.T.H. #241

PLAN B

PLAN D

PLAN B

PLAN D

PLAN C

PLAN E

PLAN B

PLAN C

PLAN E

PLAN C

PLAN E