



## PLAN COMMISSION REPORT

Proposal: Certified Survey Map

Description: Review of a Certified Survey Map request to one of the parcels at Oaks at 8100.

Applicant(s): David Decker, Decker Properties, Inc. and Devin Winter, Excel Engineering, Inc.

Address(es): 8126, 8140 & 8142 S. Orchard Way (2nd Aldermanic District)

**Suggested Motion:** That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by David Decker, Decker Properties, Inc. and Devin Winter, Excel Engineering, Inc., to divide the Oaks at 8100 multi-family development property located at 8126, 8140 & 8142 S. Orchard Way, be approved with the following condition:

1. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Owner(s): THE OAKS AT 8100, LLC

Tax Key(s): 810-9026-000

Lot Size(s): 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 Plan Commission recommended approval of a CSM for the Oaks at 8100 project at its March 9, 2021 meeting, and the Common Council approved the CSM at its March 16, 2021 meeting. CSM No. 9404 was recorded and created two (2) parcels. The applicant is now requesting to split each of these two (2) lots by two (2), for a total of four (4) new lots at the Oaks at 8100 development.

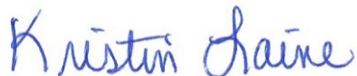
The ownership entity will remain the same as in the approved PUD. The request to further divide the land is simply due to financial reasons from the lender related to position on the lien with the changes in the economy since the start of the project in 2020.

The second CSM to be reviewed is for tax key number 810-9026-000, which is currently a 6.023-acre lot. Proposed Lot 1 would be 1.801 acres and proposed Lot 2 would be 4.222 acres. One (1) setback restriction, as defined in the Conditions and Restrictions approved by Ordinance No. 3015 on September 7, 2021, will NOT remain adhered to, and that is the off-street parking side yard setback of five (5) feet. This proposed CSM does trigger the need for the proposed amended PUD and Conditions and Restrictions, as reviewed in the previous Plan Commission agenda item—the requested setback amendment is to have a zero (0) side yard setback at common property lines. The new side yard lot line between Lot 1 and Lot 2 is proposed down the middle of the parking lot between Buildings C5 and A4.

**Options/Alternatives:** The Plan Commission may recommend Common Council approval of the proposed Certified Survey Map with specified conditions, or that the Common Council not approve of the proposed CSM. Should the proposal not be recommended for 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)

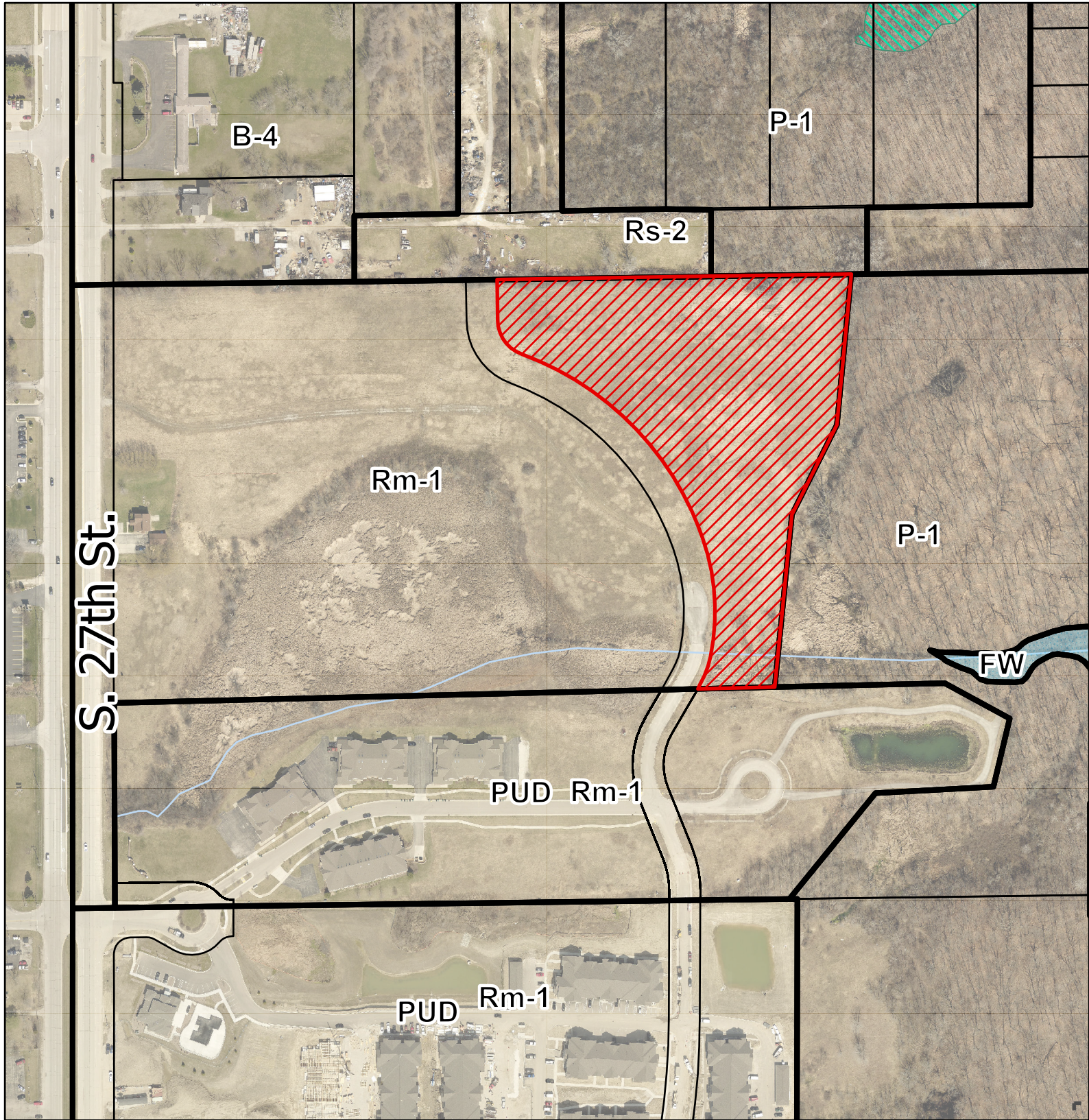
Existing approved CSM in color (1 page)

Proposed CSM concept in color (4 pages)



# Location Map

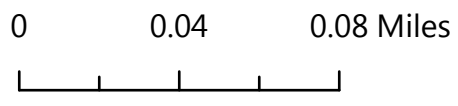
## The Oaks at 8100



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

### Legend

-  Zoning
-  Official Street Map
-  Floodway
-  Flood Fringe
-  Parcels
-  The Oaks at 8100







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 27<sup>th</sup> 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*

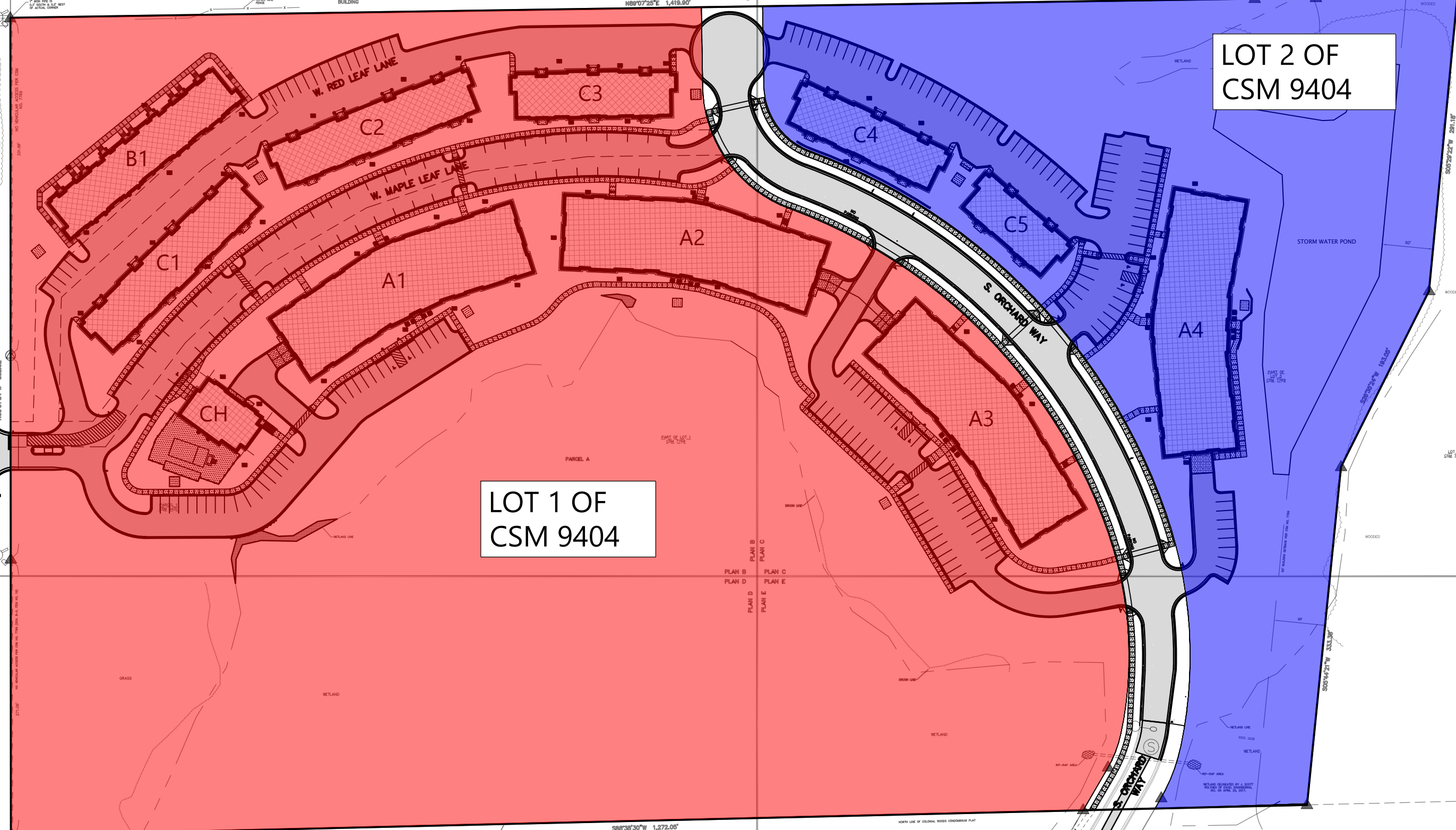
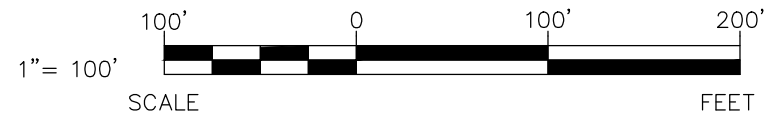
	Front and Public ROW Setback	Rear Setback	Side Setback
Building A2*	16	25	10
Building A3*	12	25	10
Building A4*	18	25	10
Building C3*	25	25	10
Building C4*	10	25	10
Building C5*	14	25	10
All Other Principal Structures*	30	25	10
Accessory Structure**	30	10	5
Off-street Parking	5	5	5 <b>0</b> at common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

LOT 1 OF  
CSM 9404

LOT 2 OF  
CSM 9404

EXISTING APPROVED CSM W/ PUD



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

PLAN B  
PLAN D

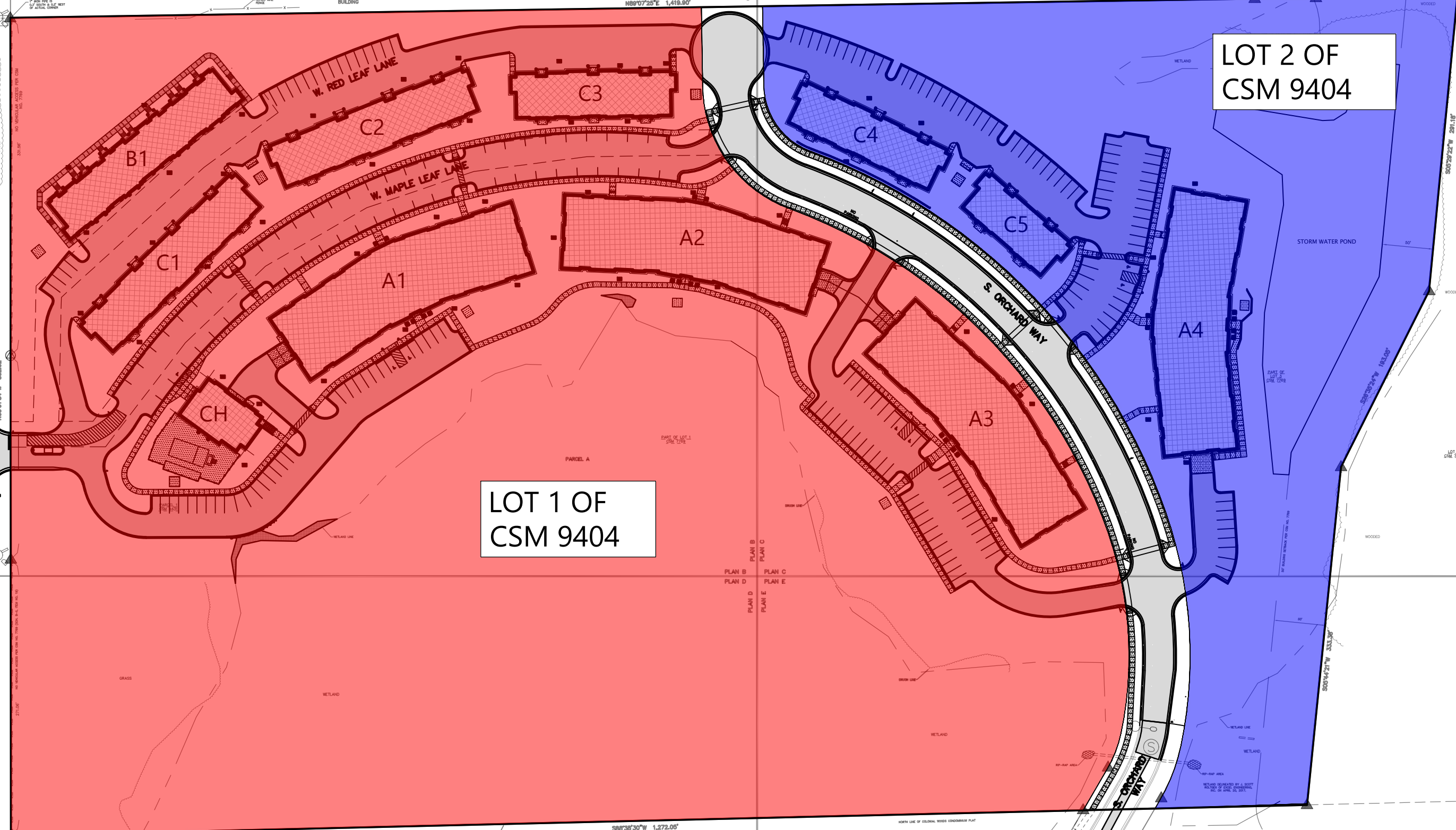
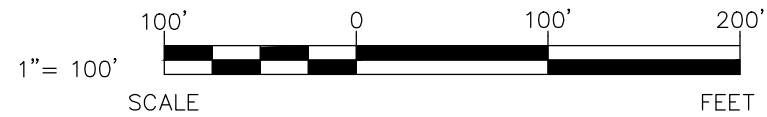
PLAN B  
PLAN C  
PLAN D  
PLAN E

PLAN C  
PLAN E

LOT 1 OF  
CSM 9404

LOT 2 OF  
CSM 9404

EXISTING APPROVED CSM W/ PUD

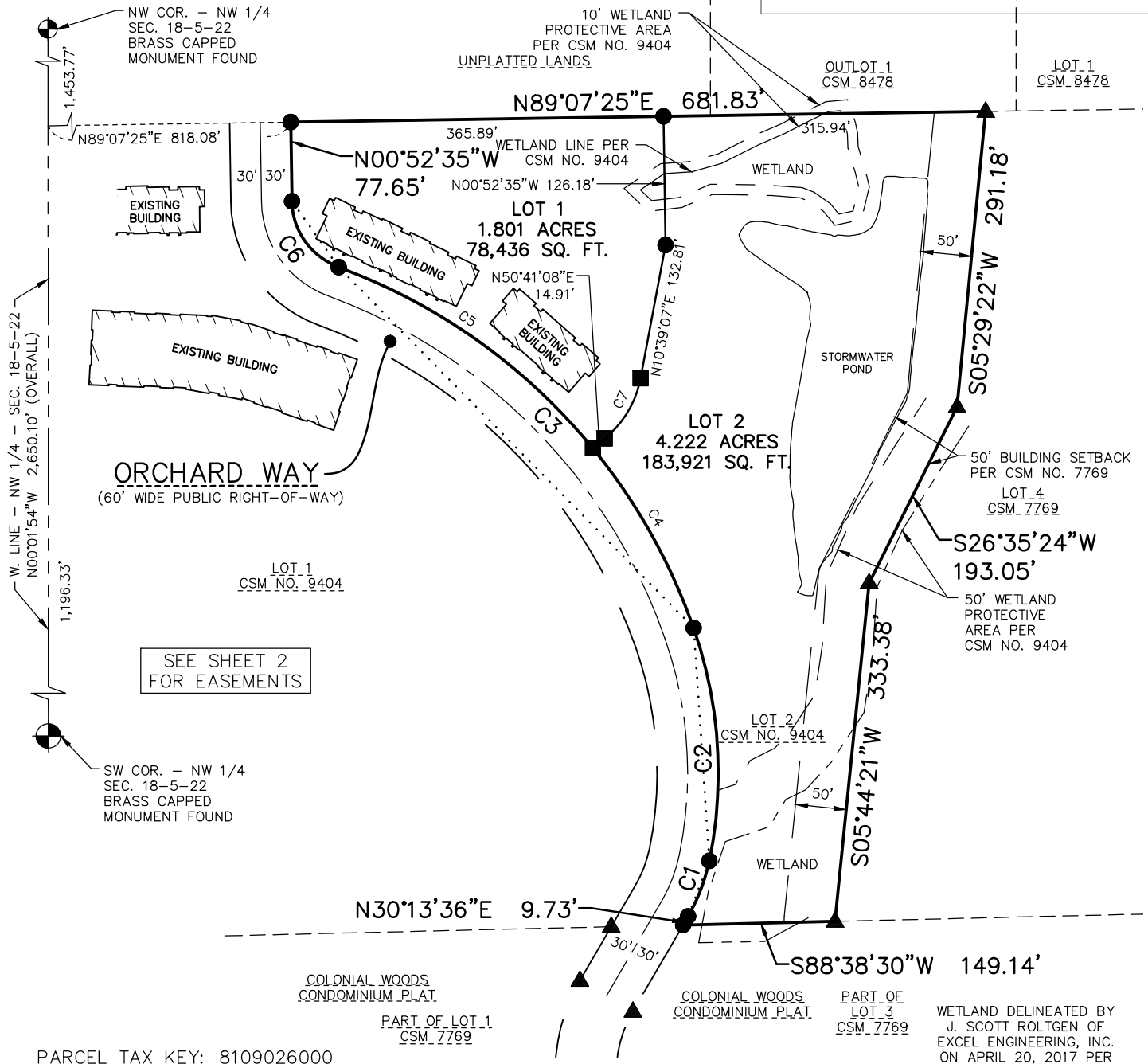


# CERTIFIED SURVEY MAP NO.

FOR

## THE OAKS AT 8100, LLC

LOT 2, CSM NO. 9404, BEING PART OF THE SE 1/4 & SW 1/4 OF THE NW 1/4, SECTION 18, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



PARCEL TAX KEY: 8109026000

OWNERS / SUBDIVIDERS:  
 THE OAKS AT 8100, LLC  
 250 N. SUNNY SLOPE ROAD  
 SUITE 290  
 BROOKFIELD, WI 53005

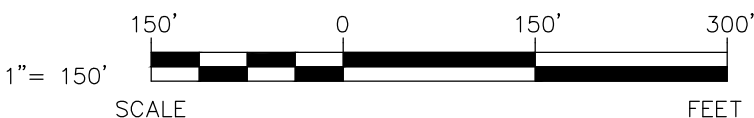
**TOTAL AREA**  
**6.023 ACRES**  
**262,357 SQ. FT.**

Curve Table					
Curve #	Length	Radius	Chord Bearing	Chord Length	Delta
C1	58.51'	180.00'	N20°54'54"E	58.25'	018°37'24"
C2	231.77'	430.00'	N03°50'15"W	228.97'	030°52'55"
C3	512.95'	581.22'	N44°33'42"W	496.47'	050°33'58"
C4	203.25'	581.22'	N29°17'47"W	202.21'	020°02'09"
C5	309.70'	581.22'	N54°34'46"W	306.05'	030°31'49"
C6	84.26'	70.00'	N35°21'38"W	79.26'	068°58'05"
C7	70.26'	100.00'	N30°46'51"E	68.83'	040°15'29"

### LEGEND

- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
- - MAG NAIL SET
- ▲ - 1" IRON PIPE FOUND
- ⊙ - SECTION CORNER MONUMENT FOUND

NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD27). THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18 HAS A BEARING OF NORTH 00°-01'-54" WEST.



SHEET 1 OF 4 SHEETS



**EXCEL**  
 ARCHITECTS • ENGINEERS • SURVEYORS  
 Always a Better Plan **JOB NO. 240288600**

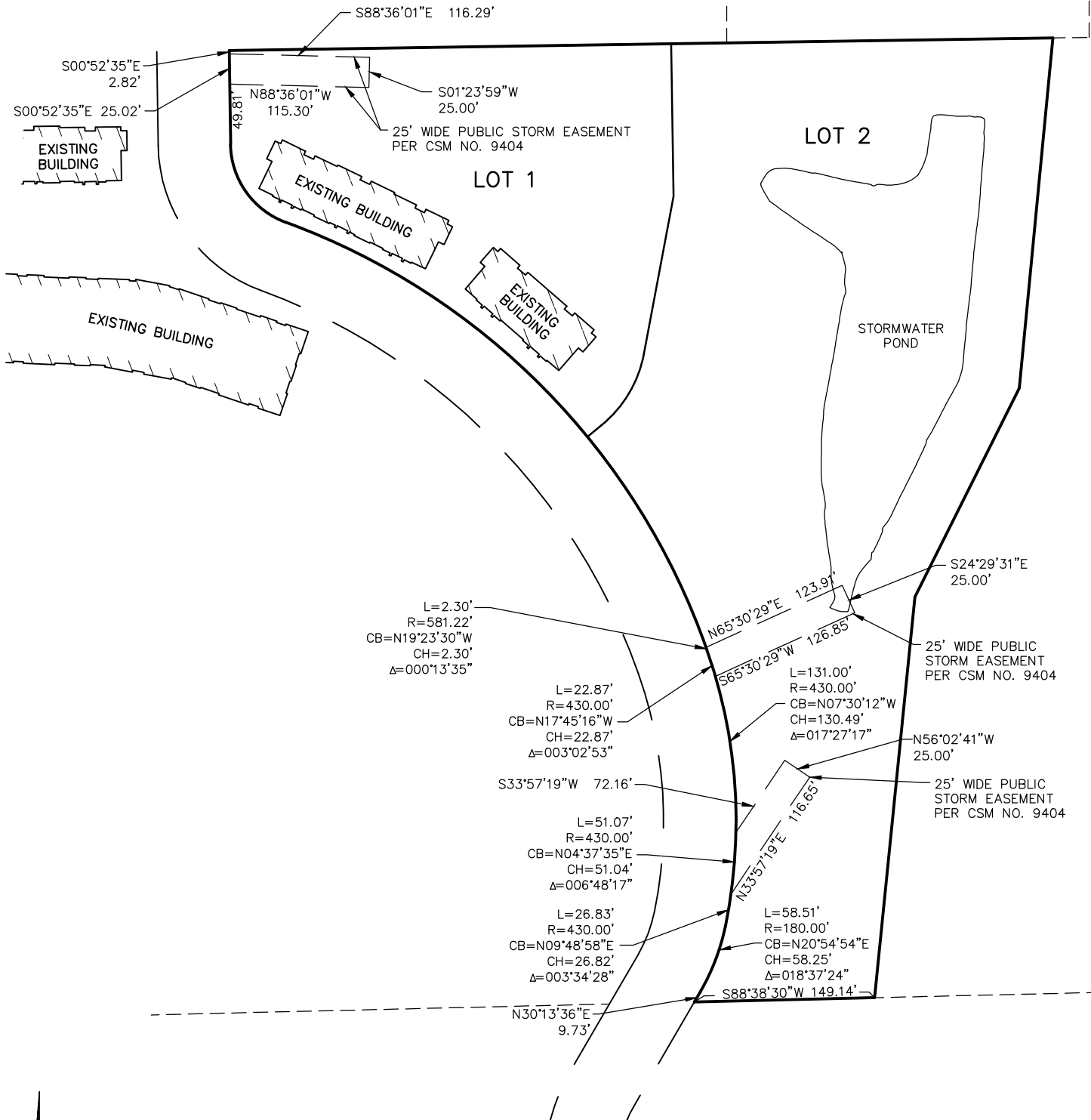
100 Camelot Drive  
 Fond Du Lac, WI 54935  
 Phone: (920) 926-9800  
 www.EXCELENGINEER.com

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

FOR

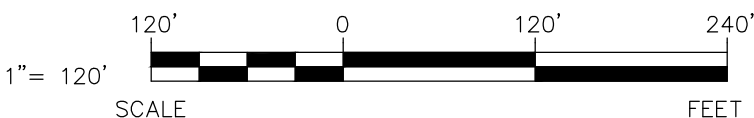
## THE OAKS AT 8100, LLC

LOT 2, CSM NO. 9404, BEING PART OF THE SE 1/4 & SW 1/4 OF THE NW 1/4, SECTION 18, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



SHEET 2 OF 4 SHEETS

NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD27). THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18 HAS A BEARING OF NORTH 00°-01'-54" WEST.





**EXCEL**  
ARCHITECTS • ENGINEERS • SURVEYORS

100 Camelot Drive  
Fond Du Lac, WI 54935  
Phone: (920) 926-9800  
www.EXCELENGINEER.com

**Always a Better Plan** JOB NO. 240288600



**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

LOT 2, CSM NO. 9404, BEING PART OF THE SE 1/4 & SW 1/4 OF THE NW 1/4, SECTION 18, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE**

I, Ryan Wilgreen, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land described below.

That I have made such Certified Survey under the direction of The Oaks at 8100, LLC bounded and described as follows:

Lot 2 of Certified Survey Map No. 9404, recorded in the Milwaukee County Register of Deeds Office as Document No. 11239359, being part of the Southeast 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 18, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin containing 6.023 acres (262,357 sq. ft.) of land more or less.

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

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the City of Oak Creek in surveying, dividing and mapping the same.

\_\_\_\_\_  
Ryan Wilgreen, P.L.S. No. S-2647  
ryan.w@excelengineer.com  
Excel Engineering, Inc.  
Fond du Lac, Wisconsin 54935  
Project Number: 240288600

**PLAN COMMISSION CERTIFICATE OF APPROVAL**

Recommended for approval by the Plan Commission of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, \_\_\_\_\_  
Daniel Bukiewicz, Chairman (Date)

**COMMON COUNCIL CERTIFICATE OF APPROVAL**

APPROVED by the Common Council of the City of Oak Creek, per Plan Commission recommendation on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Resolution No. \_\_\_\_\_.

\_\_\_\_\_, \_\_\_\_\_  
Daniel Bukiewicz, Mayor (Date)

\_\_\_\_\_, \_\_\_\_\_  
Catherine A. Roeske, City Clerk (Date)

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

LOT 2, CSM NO. 9404, BEING PART OF THE SE 1/4 & SW 1/4 OF THE NW 1/4, SECTION 18,  
TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

**OWNER'S CERTIFICATE**

The Oaks at 8100, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map.

The Oaks at 8100, LLC does further certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- 1. City of Oak Creek

WITNESS the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

The Oaks at 8100, LLC

\_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_  
(Print) (Title)

STATE OF \_\_\_\_\_ )

\_\_\_\_\_ COUNTY )SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, the above named \_\_\_\_\_ to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_