



Common Council Chambers
8040 S. 6TH Street
Oak Creek, WI 53154
(414) 766-7000

COMMON COUNCIL MEETING AGENDA

MAY 21, 2019

7:00 P.M.

Daniel Bukiewicz - Mayor
Steven Kurkowski - 1st District
Greg Loreck - 2nd District
Richard Duchniak - 3rd District
Michael Toman - 4th District
Kenneth Gehl - 5th District
Chris Guzikowski - 6th District

The City's Vision

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 5/7/19

Recognition

4. **Council Proclamation:** Consider Council Proclamation No. 19-06 to Patrick Correll for dedicated service to the City of Oak Creek as a member of the Plan Commission (by Committee of the Whole).
5. **Council Proclamation:** Consider Council Proclamation No. 19-09 to Frank V. Haybeck for dedicated service to the City of Oak Creek as a member of the Board of Review and City Election Official (by Committee of the Whole).

Public Hearings (beginning at 7:00 p.m.)

Citizen input, comments and suggestions are requested on the specific item(s) identified below. Action by the Council may occur at the same meeting if so included in the agenda.

6. **Rezoning:** Consider a request by John Thomsen, Highgate LLC, to rezone and establish a mixed use Planned Unit Development (PUD) on the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St. (1st District).
7. **Ordinance:** Consider Ordinance No. 2936, to approve a rezoning of the properties at 7705, 7725, 7751, 7781, 7811, 7831 and 7869 S. 13th St. to B-4, Highway Business, Planned Unit Development (1st District).
8. **Rezoning:** Consider a request by Jason Macklin, Wingspan Development Group, LLC, to rezone and establish a Multifamily Residential Planned Unit Development on the property at 7581 S. 13th St. (No change to FW, Floodway; FF, Flood Fringe; or C-1, Shoreland Wetland Conservancy) (1st District).

Visit our website at www.oakcreekwi.org for the agenda and accompanying common council reports.

9. **Ordinance:** Consider Ordinance No. 2937, to approve a rezoning of the property at 7581 S. 13th St. from Rm-1, Multifamily Residential Planned Unit Development (no change to FW, Floodway; FF, Flood Fringe; or C-1, Shoreland Wetlands Conservancy) (1st District).

New Business

10. **Motion:** Consider a motion to approve the Plan of Finance for TID #12 debt refinancing (by Committee of the Whole).
11. **Motion:** Consider a motion to approve the Plan of Finance for initial TID #16 project costs related to Ryan Business Park (by Committee of the Whole).
12. **Ordinance:** Consider Ordinance No. 2938, fixing the salary ranges, salary, wages and allowances for board and commission members in the City under the control of the Common Council (by Committee of the Whole).
13. **Motion:** Consider a motion to designate NOW Media Group (parent company for the Milwaukee Journal Sentinel – SOUTH NOW edition) to serve as the official City newspaper for the next 12 months (by Committee of the Whole).

ENGINEERING

14. **Resolution:** Consider Resolution No. 12062-052119, accepting a temporary access easement upon Lot 61 of Glen Crossing Addition No. 2, aka 8479 S. Rosewood Trail (Tax Key No. 829-0086) (2nd District).
15. **Resolution:** Consider Resolution No. 12063-052119, accepting a temporary access easement upon Lot 72 of Glen Crossing Addition No. 2, aka 8493 S. Nighthawk Trail (Tax Key No. 829-0086) (2nd District).
16. **Resolution:** Consider Resolution No. 12064-052119, granting to WE Energies a permanent easement upon 9555 S. 13th Street for utility relocation (Tax Key No. 904-9014-000) (6th District).

LICENSE COMMITTEE

17. **Motion:** Consider a motion to adopt the License Committee recommendations as listed on the 5/21/19 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

18. **Motion:** Consider a motion to approve the May 15, 2019 Vendor Summary Report in the combined total amount of \$582,835.43 (by Committee of the Whole).

Adjournment.

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice

COUNCIL PROCLAMATION NO. 19-06

TO PATRICK CORRELL

**FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE PLAN COMMISSION**

WHEREAS, Pat Correll was appointed to the Plan Commission on May 20, 2003; and

WHEREAS, the growth of the community since that time has presented many challenges and opportunities to the City and its residents; and

WHEREAS, as a member of the Plan Commission, Pat Correll has always shown excellent judgment in balancing the concerns of neighborhood residents and the overall benefit to the community; and

WHEREAS, during his tenure on the Plan Commission, Pat Correll was involved in the development of the City's Drexel Town Square area, the establishment of TIF Districts, and various updates to the City's Zoning Code; and

WHEREAS, Pat Correll has served the City in a thorough, conscientious and professional manner; and

WHEREAS, Pat Correll has regrettably chosen to step down from the Plan Commission after sixteen years of dedicated service.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Pat Correll for his guidance and dedicated service to the City of Oak Creek as a member of the Plan Commission.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and that the City Clerk be and she is hereby directed to transmit a suitable copy thereof to Patrick Correll.

Introduced and adopted this 21st day of May, 2019.

Common Council President

Mayor

ATTEST:

City Clerk

COUNCIL PROCLAMATION NO. 19-09

TO

FRANK VALENTINE HAYBECK

**FOR DEDICATED SERVICE
TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
BOARD OF REVIEW
AND
CITY ELECTION OFFICIAL**

WHEREAS, Frank Haybeck was appointed to the Board of Review on May 18, 1999, and has served on that board for twenty years; and

WHEREAS, Frank Haybeck appointed in December of 1990, also served the City, and citizens of Oak Creek, for twenty-nine years as an election official, and

WHEREAS, during his tenure, Frank Haybeck was involved in a multitude of Board of Review hearings and the election of countless City, County, State, and Federal officials; and

WHEREAS, Frank Haybeck, through these appointments, has served the City in a thorough, conscientious and professional manner.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Frank Haybeck for his dedicated service to the City of Oak Creek as a member of the Board of Review and as an election official.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and that the City Clerk be and he is hereby directed to transmit a suitable copy thereof to Frank Haybeck.

Introduced and adopted this 21st day of May, 2019.

Kenneth Gehl, Common Council President

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

Vote: Ayes _____ Noes _____

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by John Thomsen, Highgate LLC, to rezone and establish a mixed use Planned Unit Development (PUD) on the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St.

Hearing Date: May 21, 2019
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: John Thomsen, Highgate LLC
Property Owner(s): Drexel Commercial LP, Highgate LLC
Property Location(s): 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St.
Tax Key(s): 784-9020-000, 784-9019-000, 784-9003-000, 784-9991-000, 784-9990-001, 784-9001-000, 784-9993-002

Legal Description:

Parcel A, 7705 S. 13th St.

Lot 2 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 1312.55 feet to a point; thence South 89°23'47" West 45.00 feet to a point on the East line of South 13th Street and the point of beginning of lands to be described; thence South 00°05'47" West along said East line 100.00 feet to a point on the North line of Lot 1 of Certified Survey Map No. 7578; thence South 89°23'47" West along said North line 152.99 feet to a point; thence North 00°05'47" East 100.00 feet to a point; thence North 89°23'47" East 152.99 feet to the point of beginning. Containing 15,298 square feet or 0.3512 acres.

Parcel B, 7725 S. 13th St.

Lot 1 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 964.92 feet to a point; thence South 89°23'47" West 45.00 feet to the point of beginning of lands to be described; thence South 89°23'47" West 153.00 feet to a point; thence North 00°05'47" East 247.30 feet to a point; thence North 89°23'47" East 153.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 247.30 feet to the point of beginning. Containing 37,834 square feet or 0.8685 acres.

Parcel C, 7751 S. 13th St.

Lot 1 of Certified Survey Map No. 271, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 965.25 feet to a point; thence South 89°18'02" West 75.01 feet to a point on the East line of South 13th Sheet and the point of beginning of lands to be described; thence

South 00°05'47" West along said East line 92.00 feet to a point on the North line of Certified Survey Map No. 110; thence South 89°18'02" West along said North line 255.00 feet to a point; thence North 00°05'47" East 92.00 feet to a point; thence North 89°18'02" East 255.00 feet to the point of beginning. Containing 23,457 square feet or 0.5385 acres.

Parcel D, 7781 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast ¼ of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 773.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 00°05'47" West along the West line of South 13th Street 137.00 feet to a point; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to the point of beginning.

Parcel E, 7811 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 499.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to a point on the West line of South 13th Street; thence South 00°05'47" West along said West line 137.00 feet to the point of beginning.

Parcel F, 7831 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 367.25 feet to a point; thence South 89°18'02" West 75.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 255.00 feet to a point; thence North 00°05'47" East 132.00 feet to a point; thence North 89°18'02" East 255.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 132.00 feet to the point of beginning. Containing 33,657 square feet or 0.7726 acres.

Parcel G, 7869 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 65.01 feet to a point on the North line of West Drexel Avenue and the point of beginning of lands to be described; thence South 89°18'02" West along said North line 571.63 feet to a point; thence North 70°38'48" West along said North line 377.71 feet to a point on the East line of Interstate Highway 94; thence North 12°06'03" West along said East line 1156.78 feet to a point; thence North 00°03'52" East along said East line 0.15 feet to a point on the North line of the Southeast 1/4 of said Southeast ¼ Section; thence North 89°13'29" East along said North line 1172.69 feet to a point on the East line of said Southeast 1/4 Section; thence South 00°05'47" West along said East line 17.74 feet to a point; thence South 89°23'47" West 198.00 feet to a point on the West line of Lot 2 of Certified Survey Map No. 7578; thence South 00°05'47" West along said West line 347.63 feet to a point on the North line of Lot I of Certified Survey Map No. 271; thence South 89°18'02" West along said North line 132.00 feet to a point on the West line of said Lot 1; thence South 00°05'47" West along said Lot 1 and its extension 598.00 feet to a point on the South line of Lot 1 of Certified Survey Map No. 130;

thence North 89°18'02" East along said South line 330.00 feet to a point on the East line of said Southeast ¼ Section; thence South 00°05'47" West along said East line 302.24 feet to the point of beginning. Containing 1,038,561 square feet or 23.8421 acres.

The Common Council has scheduled other public hearings for May 21, 2019 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 24, 2019

CITY OF OAK CREEK COMMON COUNCIL

By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: 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, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

Item: Rezone and Planned Unit Development for Highgate LLC for the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th Street.

Recommendation: That the Council adopts Ordinance 2936, an ordinance to approve a rezoning of the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th Street to B-4, Highway Business, Planned Unit Development

Fiscal Impact: Approval would allow for the development and redevelopment of underutilized and vacant parcels with a commercial development. Future development will include a neighborhood hospital, credit union and sites for additional commercial development, and will yield positive fiscal impact in terms of assessed value, permit fees, and impact fees. This property is not currently located in a TID. However, there currently is consideration of an extension to TID 12 to include these properties to provide for exceptional public infrastructure costs related to identified improvements to 13th Street and Drexel Avenue.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Highgate, LLC is requesting approval for a Planned Unit Development over the properties listed above. These properties were included in several CSMs to combine and redivide for a previously-approved hospital facility and a previously-approved financial institution. This PUD anticipates the remaining lands to be divided for future development with commercial, retail, and hospitality uses on approximately 5 parcels.

As depicted on the concept plan, two (2) access points to S. 13th St. are proposed: on the north between the stormwater and wetland parcel and a commercial lot, and in the center between the parcel identified as “Adjacent Property Owner” and a commercial lot. No additional vehicular access to S. 13th Street or W. Drexel Ave. will be allowed. Internal access drives will connect the development parcels as well as the parcel to the north. Along portions of those internal access drives will be a public recreation trail, providing continuous access from the parcel to the north of the development south to W. Drexel Avenue.

A general development plan and conditions and restrictions (see attached) were part of the Plan Commission review of this request. The Commission voted to recommend that this planned unit development be approved, including the aforementioned conditions and restrictions.

Options/Alternatives: Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Planned Unit Development.

Respectfully submitted:



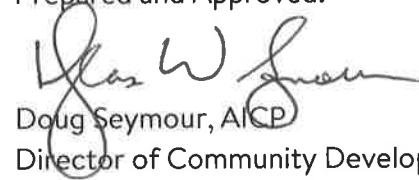
Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Prepared and Approved:



Doug Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2936

Location Map

Hearing Notice

Narrative

Plan Commission minutes

Conditions and Restrictions

ORDINANCE NO. 2936

By: _____

AN ORDINANCE TO REZONE THE PROPERTIES AT 7705, 7725, 7751, 7781, 7811, 7831,
AND 7869 S. 13TH STREET. TO B-4, HIGHWAY BUSINESS (PUD) PLANNED UNIT
DEVELOPMENT

(1st Aldermanic District)

WHEREAS, HIGHGATE, LLC has applied for a rezoning of the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St. to B-4, Highway Business (PUD), Planned Unit Development.

WHEREAS, the properties are more precisely described as follows:

Parcel A, 7705 S. 13th St.

Lot 2 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 1312.55 feet to a point; thence South 89°23'47" West 45.00 feet to a point on the East line of South 13th Street and the point of beginning of lands to be described; thence South 00°05'47" West along said East line 100.00 feet to a point on the North line of Lot 1 of Certified Survey Map No. 7578; thence South 89°23'47" West along said North line 152.99 feet to a point; thence North 00°05'47" East 100.00 feet to a point; thence North 89°23'47" East 152.99 feet to the point of beginning. Containing 15,298 square feet or 0.3512 acres.

Parcel B, 7725 S. 13th St.

Lot 1 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 964.92 feet to a point; thence South 89°23'47" West 45.00 feet to the point of beginning of lands to be described; thence South 89°23'47" West 153.00 feet to a point; thence North 00°05'47" East 247.30 feet to a point; thence North 89°23'47" East 153.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 247.30 feet to the point of beginning. Containing 37,834 square feet or 0.8685 acres.

Parcel C, 7751 S. 13th St.

Lot 1 of Certified Survey Map No. 271, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 965.25 feet to a point; thence South 89°18'02" West 75.01 feet to a point on the East line of South 13th Street and the point of beginning of lands to be described; thence South 00°05'47" West along said East line 92.00 feet to a point on the North line of Certified Survey Map No. 110; thence South 89°18'02" West along said North line 255.00 feet to a point; thence North 00°05'47" East 92.00 feet to a point; thence North 89°18'02" East 255.00 feet to the point of beginning. Containing 23,457 square feet or 0.5385 acres.

Parcel D, 7781 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast ¼ of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 773.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 00°05'47" West along the West line of South 13th Street 137.00 feet to a point; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to the point of beginning.

Parcel E, 7811 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 499.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to a point on the West line of South 13th Street; thence South 00°05'47" West along said West line 137.00 feet to the point of beginning.

Parcel F, 7831 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 367.25 feet to a point; thence South 89°18'02" West 75.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 255.00 feet to a point; thence North 00°05'47" East 132.00 feet to a point; thence North 89°18'02" East 255.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 132.00 feet to the point of beginning. Containing 33,657 square feet or 0.7726 acres.

Parcel G, 7869 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 65.01 feet to a point on the North line of West Drexel Avenue and the point of beginning of lands to be described; thence South 89°18'02" West along said North line 571.63 feet to a point; thence North 70°38'48" West along said North line 377.71 feet to a point on the East line of Interstate Highway 94; thence North 12°06'03" West along said East line 1156.78 feet to a point; thence North 00°03'52" East along said East line 0.15 feet to a point on the North line of the Southeast 1/4 of said Southeast ¼ Section; thence North 89°13'29" East along said North line 1172.69 feet to a point on the East line of said Southeast 1/4 Section; thence South 00°05'47" West along said East line 17.74 feet to a point; thence South 89°23'47" West 198.00 feet to a point on the West line of Lot 2 of Certified Survey Map No. 7578; thence South 00°05'47" West along said West line 347.63 feet to a point on the North line of Lot 1 of Certified Survey Map No. 271; thence South 89°18'02" West along said North line 132.00 feet to a point on the West line of said Lot 1; thence South 00°05'47" West along said Lot 1 and its

extension 598.00 feet to a point on the South line of Lot 1 of Certified Survey Map No. 130; thence North 89°18'02" East along said South line 330.00 feet to a point on the East line of said Southeast ¼ Section; thence South 00°05'47" West along said East line 302.24 feet to the point of beginning. Containing 1,038,561 square feet or 23.8421 acres.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning be approved; and

WHEREAS, the Common Council held a public hearing on said application on May 21, 2019 at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and with the favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved; and

WHEREAS, the Plan Commission had recommended that the application be approved subject, however, to the imposition of certain conditions and restrictions upon the construction, location and operation of this Planned Unit Development and which conditions and restrictions are incorporated by reference into this ordinance; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the Planned Unit Development rezoning was approved for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Planned Unit Development,.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are hereby rezoned to B-4, Highway Business (PUD), Planned Unit Development and the Zoning Map of Chapter 17 of the Municipal Code is amended to reflect the rezoning.

SECTION 2: The Planned Unit Development is subject to the aforementioned conditions and restrictions on the design, construction and operation of the B-4, PUD (Highway Business Planned Unit Development). The General Development Plan attached thereto as Exhibit A is hereby approved. Any substantial changes to the General Development Plan shall be subject to approval by the Common Council and may require additional public hearings.

SECTION 3: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 4: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 5: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this _____ day of _____, 2019.

President, Common Council

Approved this ____ day of _____, 2019.

Mayor

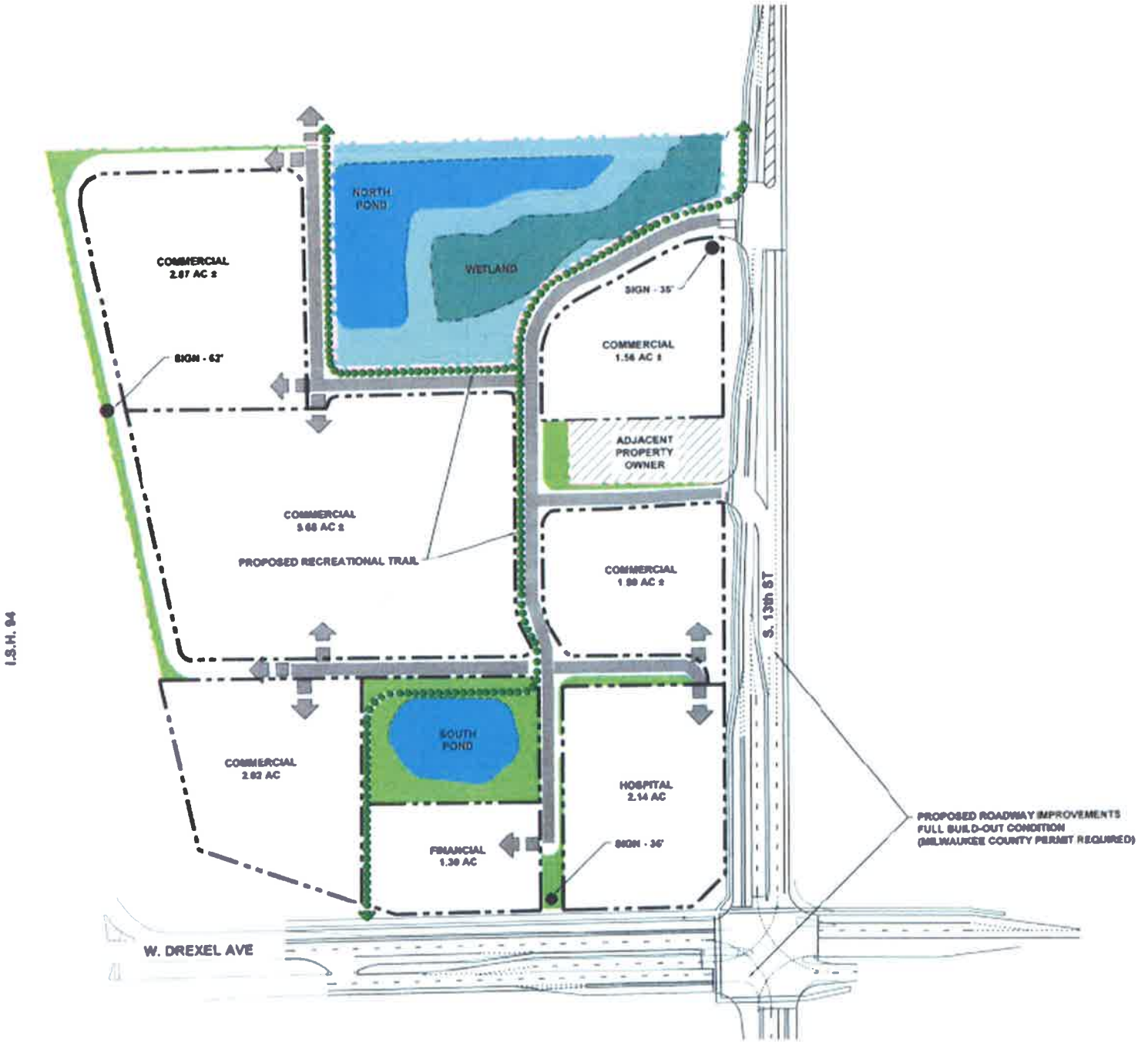
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

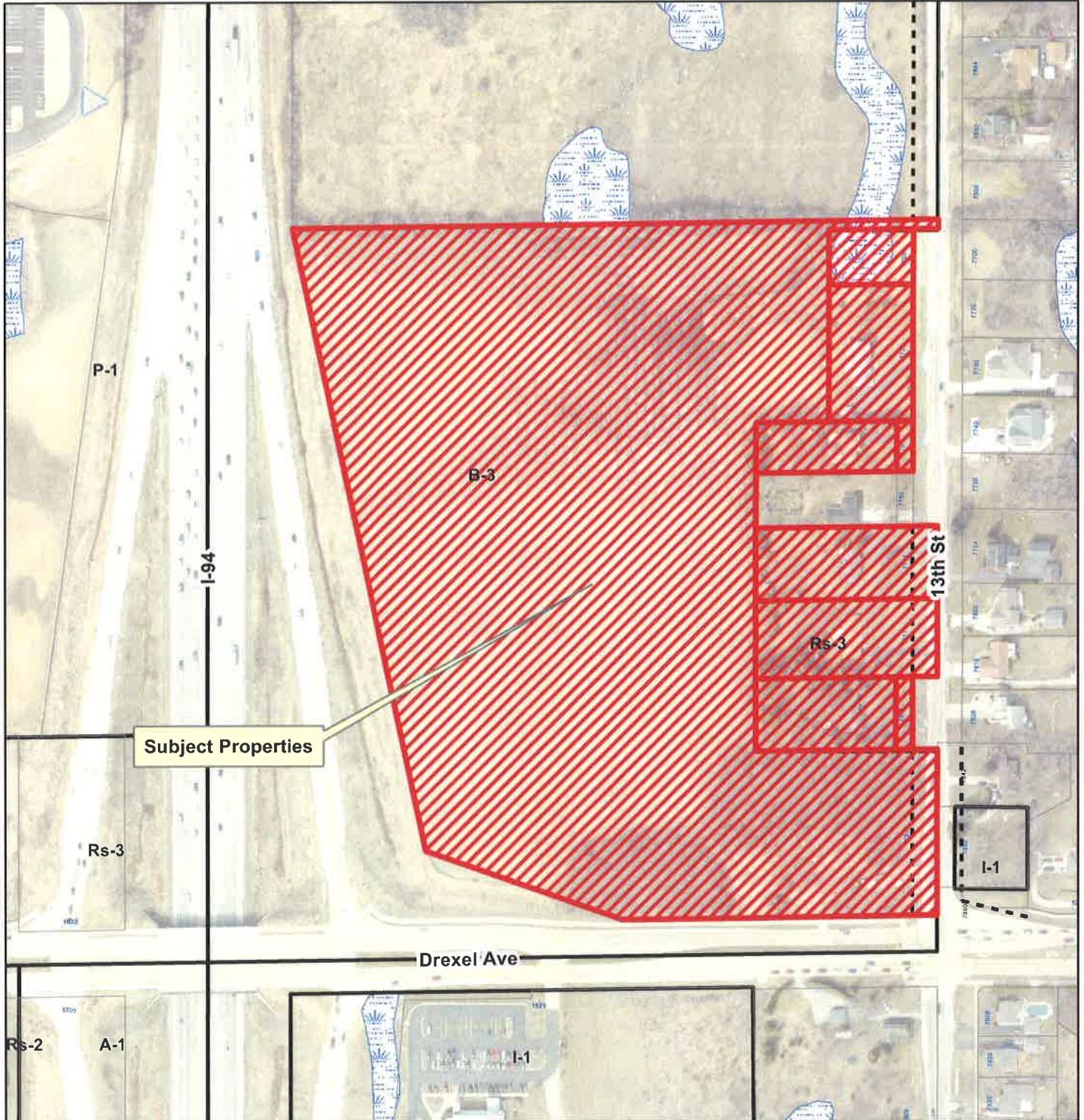
DRAFT

EXHIBIT A: GENERAL DEVELOPMENT PLAN

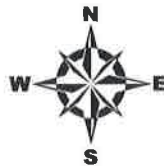


Location Map




7869 S. 13th St.



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



Legend

-  7869 S. 13th St.
-  Officially Mapped Streets
-  DNR Wetlands Inventory

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by John Thomsen, Highgate LLC, to rezone and establish a mixed use Planned Unit Development (PUD) on the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St.

Hearing Date: May 21, 2019
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: John Thomsen, Highgate LLC
Property Owner(s): Drexel Commercial LP, Highgate LLC
Property Location(s): 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St.
Tax Key(s): 784-9020-000, 784-9019-000, 784-9003-000, 784-9991-000, 784-9990-001, 784-9001-000, 784-9993-002

Legal Description:

Parcel A, 7705 S. 13th St.

Lot 2 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 1312.55 feet to a point; thence South 89°23'47" West 45.00 feet to a point on the East line of South 13th Street and the point of beginning of lands to be described; thence South 00°05'47" West along said East line 100.00 feet to a point on the North line of Lot 1 of Certified Survey Map No. 7578; thence South 89°23'47" West along said North line 152.99 feet to a point; thence North 00°05'47" East 100.00 feet to a point; thence North 89°23'47" East 152.99 feet to the point of beginning. Containing 15,298 square feet or 0.3512 acres.

Parcel B, 7725 S. 13th St.

Lot 1 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 964.92 feet to a point; thence South 89°23'47" West 45.00 feet to the point of beginning of lands to be described; thence South 89°23'47" West 153.00 feet to a point; thence North 00°05'47" East 247.30 feet to a point; thence North 89°23'47" East 153.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 247.30 feet to the point of beginning. Containing 37,834 square feet or 0.8685 acres.

Parcel C, 7751 S. 13th St.

Lot 1 of Certified Survey Map No. 271, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 965.25 feet to a point; thence South 89°18'02" West 75.01 feet to a point on the East line of South 13th Sheet and the point of beginning of lands to be described; thence

South 00°05'47" West along said East line 92.00 feet to a point on the North line of Certified Survey Map No. 110; thence South 89°18'02" West along said North line 255.00 feet to a point; thence North 00°05'47" East 92.00 feet to a point; thence North 89°18'02" East 255.00 feet to the point of beginning. Containing 23,457 square feet or 0.5385 acres.

Parcel D, 7781 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 773.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 00°05'47" West along the West line of South 13th Street 137.00 feet to a point; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to the point of beginning.

Parcel E, 7811 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 499.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to a point on the West line of South 13th Street; thence South 00°05'47" West along said West line 137.00 feet to the point of beginning.

Parcel F, 7831 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 367.25 feet to a point; thence South 89°18'02" West 75.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 255.00 feet to a point; thence North 00°05'47" East 132.00 feet to a point; thence North 89°18'02" East 255.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 132.00 feet to the point of beginning. Containing 33,657 square feet or 0.7726 acres.

Parcel G, 7869 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 65.01 feet to a point on the North line of West Drexel Avenue and the point of beginning of lands to be described; thence South 89°18'02" West along said North line 571.63 feet to a point; thence North 70°38'48" West along said North line 377.71 feet to a point on the East line of Interstate Highway 94; thence North 12°06'03" West along said East line 1156.78 feet to a point; thence North 00°03'52" East along said East line 0.15 feet to a point on the North line of the Southeast 1/4 of said Southeast 1/4 Section; thence North 89°13'29" East along said North line 1172.69 feet to a point on the East line of said Southeast 1/4 Section; thence South 00°05'47" West along said East line 17.74 feet to a point; thence South 89°23'47" West 198.00 feet to a point on the West line of Lot 2 of Certified Survey Map No. 7578; thence South 00°05'47" West along said West line 347.63 feet to a point on the North line of Lot I of Certified Survey Map No. 271; thence South 89°18'02" West along said North line 132.00 feet to a point on the West line of said Lot 1; thence South 00°05'47" West along said Lot 1 and its extension 598.00 feet to a point on the South line of Lot 1 of Certified Survey Map No. 130;

thence North 89°18'02" East along said South line 330.00 feet to a point on the East line of said Southeast ¼ Section; thence South 00°05'47" West along said East line 302.24 feet to the point of beginning. Containing 1,038,561 square feet or 23.8421 acres.

The Common Council has scheduled other public hearings for May 21, 2019 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 24, 2019
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: 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, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.



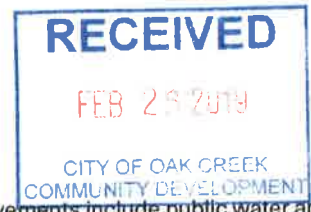
Project Summary

Introduction

The following design guidelines have been prepared for the PUD for the overall development of the property comprised of the following existing Tax Keys: 7849993001, 7849020000, 7849019000, 7849003000, 7849001000, 7849991000, 7849990000. A Certified Survey Map delineating the various parcel splits has been approved and will be recorded. The development comprises ±27 acres of unimproved land located at the northwest corner of Drexel Avenue and South 13th Street. Highgate is projected to have primarily commercial, retail and compatible uses with approximately 150,000 square feet of buildings with a forecast market value of approximately \$35 to \$45 million. The guidelines detailed herein provide general recommendations for the PUD.

General Development Plan and Zoning

A General Development Plan (GDP) showing the intended Highgate LLC development boundaries and uses is attached. Eight (8) of the nine (9) parcels of the development are zoned B-4, Highway Business. The ninth parcel, which is intended for use as a neighborhood hospital, was rezoned to I-1, Institutional in 2018. Summit Credit Union, adjacent to the neighborhood hospital along Drexel Avenue, has recently been approved for a Conditional Use Permit (CUP). This PUD application is requesting approval of a PUD overlay for all the subject land, including the neighborhood hospital and credit union parcels. The GDP provides for the infrastructure to accommodate the proposed improvements. The parcel layout is shown purely for hypothetical sizes, but is configured to be able to respond to a variety of medium size buildings as well as the ability to handle a few smaller buildings along 13th Street. The GDP is designed to best position the development for likely transactions that are "in market."



Public Improvements

Proposed public improvements include public water and sanitary sewer main extensions to service the parcels throughout the Development. Off-site improvements include modifications to both Drexel Avenue and 13th Street to accommodate the projected traffic generation from the development.

Development Features

General landscape and lighting requirements are provided on the GDP and shall follow standards established by the Municipal Code. A recreational path will be provided through the development which will provide connectivity to the Oak Leaf Trail along Drexel Avenue. Vehicular access throughout the development will be provided by common roads leading to surface parking lots on each parcel. Shared parking is not contemplated at this time. Parking lot geometry will generally comply with City of Oak Creek requirements. Storm water management will be accomplished by two facilities (one in the south and one in the north). An existing wetland complex is located in the northern portion of the site. The development is not anticipating any wetland fill permitting.

General Building Design Guidelines

General building design guidelines will focus on creating complementary buildings with details and proportions that are scaled to the pedestrian. The intent is to encourage users to provide building and site designs that match the City's overall design character through the use of materials, roof lines, signage, and proportions and to create architectural interest through the creative use of cornices, friezes, pilasters, arcades, piers, brick patterns, lintels, sills, special roof features, special door and window features, mullions, porticos, and medallions.



Architectural Style and Character

No one architectural style is required for the PUD. Architectural style and character should be based upon the suitability of a building for its purposes, legibility of the building's use, the building's proposed massing, proportion, scale, orientation to public spaces and other buildings, use of materials, and other attributes which may significantly represent the character of the proposed development. However, buildings should be compatible with each other and share a common architectural language. This includes incorporating common design elements such as varied roof forms, minimized setbacks, scaling, massing, materials and architectural detailing as discussed herein. It is not the intent of these guidelines to encourage duplication and repetition of existing structures. Rather, these guidelines provide a framework to allow for inventive solutions and distinctive buildings that will not detract from each other.

Acceptable Primary Building Materials

The following is a list of building materials that are acceptable. Primary materials are those that make up at least 70% of the solid (non-window) portion of any elevation.

- Metal panels or metal panel systems are acceptable for the construction of all building types.
- Common size brick is acceptable for the construction of all building types. Special sizes and shapes are acceptable for the construction of all building types.
- Native Stone including limestone, fieldstone or lannon stone is acceptable on any building type.
- Cedar Siding or cement resin siding may be used in combination with brick or other accepted masonry.

Acceptable Accent and Secondary Materials

The following materials are allowable secondary materials. Accents and secondary materials comprise less than 30% of the solid portion of any elevation.

- Precast Concrete and Cast Stone are acceptable when used as accents, lintels, sills or decorations. Other uses shall be considered on a case by case basis.
- Terra Cotta is an acceptable material as cladding or accent.
- Stucco is acceptable as a wall finish material on upper floors and gables
- Wood Shingle Siding is acceptable on upper floors and gable ends or as roofing material
- Ornamental Metals are acceptable as accent materials such as grills, railing, panels, gutters, etc.
- Decorative Concrete Block is acceptable only when used as a secondary building material or accent. It is considered most appropriate as a material found in the base portion of building. The use of standard, plain gray block or glazed block is not acceptable. Other uses will be reviewed on a case by case basis.

Material Changes

Building material changes should always occur at inside corners to give the materials a sense of permanence and thickness. A change at an exterior corner does not provide this sense and additionally, may create an unprotected seam vulnerable to damage and peeling. In most cases, it is recommended that primary facade materials turn corners at exterior corners. Material changes may also occur horizontally. In these cases, heavier material should generally appear below lighter material.

Building Heights

The height of any structure shall not exceed 50 feet.

Roof Forms and Materials

The following roof forms are allowed:

1. Gabled roofs. These roofs should have a minimum 6 inches rise for 12 inches of run.
2. Flat roofs with extended parapets. Parapets are extended walls that give height and shape to the roof line. These are an acceptable roof expression.
3. Combination flat and gabled roofs or hip roofs. Flat roofs are acceptable on commercial and larger buildings when done in conjunction with gabled roofs, hip roof dormers, or articulated parapet walls. If a long roof paralleling the street is unavoidable, large gables facing the street should be used to help maintain the rhythm of gables facing the street. The following roof materials are acceptable:
 - Clay Tiles
 - Wood Shingles
 - Slate
 - Asphalt Shingles
 - Standing Seam Metal Roof
 - EPDM, TPO/Ballasted or non-ballasted with a parapet

Large Development Projects

1. New buildings occupying 100 feet or more of street frontage should be designed with recesses and projections, material changes, or other articulation every 30 to 60 feet, to break up large masses and create the appearance of smaller buildings and individual storefronts.
2. Scaling features such as a horizontal banding, columns, sills, lintels, and other features should be used to emphasize window openings, changes in color, material, and texture.
3. Smaller retail stores that are part of a larger principal building should have display windows and separate outside entrances.
4. Flat roofs are acceptable on commercial and larger buildings when done in conjunction with gabled roofs, dormer or articulated parapet walls. If a long roof paralleling the street is unavoidable, large gables or similar treatments facing the street will be required.
5. Include sidewalks along the full length of any facade featuring a customer entrance.

Signage

Building signage should fit with and enhance the character of a building and the overall PUD. Signage for the PUD shall comply with the City of Oak Creek zoning ordinances for a B-4, Highway Business District. The project contemplates the inclusion of three (3) monument signs as depicted in the Proposed Site Plan. Individual signage at each building shall be reviewed separately.

General Site Design Guidelines

Attention should be focused on the physical arrangement of buildings, walkway, parking lots, lighting, landscaping and other elements on a property. The following site design guidelines are proposed:

1. Move parking to the sides and rears of buildings when possible.
2. Trash and utility areas should be screened.
3. In cases where buildings are set back, dense landscaping or decorative fencing should be used to help define the street edges and to soften the visual impact.

Minimum Building Offset

No principal building or structure shall be placed closer than 10 feet to a side or 20 feet to a rear lot line.

Minimum Building Setback

Building set backs shall conform with pertinent zoning ordinances.

Site and Structure Design Criteria

Parking for this PUD shall comply with relevant sections of the City of Oak Creek Zoning Code as it pertains to the respective use of each parcel. This PUD shall not have cross access easement but not shared parking between the parcels. Landscaping, outdoor lighting, fencing shall comply with City of Oak Creek zoning ordinances.

Permitted Uses

Uses of each commercial parcel shall comply with Section 17.0315 of the City of Oak Creek zoning code for B-4, Highway Business Districts. Lot 2 located at the northwest corner of 13th Street and Drexel Avenue will conform with those approved uses as defined in Section 17.0318 of the City of Oak Creek zoning code for I-1, Institutional Districts.

Lot Size

The various lot sizes are predetermined by PUD Site Plan.

Building Size/Parking Requirements

The building size and parking ratios for each individual lot are generally anticipated as follows:

USE	BUILDING SF	PARKING	ACRES
Commercial	±7,000	140	2.02
Financial	±3,500	20	1.30
Medical	±18,500	29	2.14
Commercial	±5,000	50	1.59
Commercial	±5,000	50	1.56
Commercial	±57,600	212	2.87
Commercial	±50,000	300	5.68
	±146,600	±675	17.16

Proposed Site Plan



**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 23, 2019**

CONDITIONS AND RESTRICTIONS

HIGHGATE LLC

7705, 7725, 7751, 7781, 7831, AND 7869 S. 13TH ST.

**TAX KEY NO. 784-9020-000, 784-9019-000, 784-9003-000, 784-9991-000, 784-9990-001,
784-9001-000, AND 784-9993-002**

Planner Papelbon provided an overview of the conditions and restrictions for the listed properties. (See staff report for details).

City Engineer Simmons asked for confirmation if the cross-access easement for the property to the north is for secondary or emergency access to that property and if it would allow for full access to traffic in both directions.

Mike Kressuk, Oak Creek Fire Department, the Fire Department's recommendation is that this is an access point for the apartment complex to the north. He continued to explain there was concern that the proposed apartment complex to the north only has one access road, but would have access through this development. It is the Fire Department's goal is to have the access point available as soon as possible in the development.

Planner Papelbon added that Planning is looking for cross-connectivity between the two developments.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Planned Unit Development submitted by John Thomsen, Highgate LLC, for the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St. after a public hearing.

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

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 26, 2019**

PLANNED UNIT DEVELOPMENT

HIGHGATE, LLC

7705, 7725, 7751, 7781, 7811, 7831 AND 7869 S. 13th ST.

**TAX KEY NOS. 784-9020-000, 784-9019-000, 784-9003-000, 784-9991-000, 784-9990-001,
784-9001-000, 784-9993-002**

Planner Papelbon provided an overview of the establishment of a planned unit development. (See staff report for details.)

Commissioner Hanna asked if there are going to be stop signs, especially to the north on 13th Street, and if left-turns out are going to be allowed. Mayor Bukiewicz stated that that would be the main entrance into the facility and it would be both right and left land turns. The road improvements, which would have to be reworked there with a median (the right-hand turns) would have to be put in. Mayor Bukiewicz stated there would be dedicated turn lanes and two entrance/exits on 13th Street because the traffic impact analysis does not allow for any on Drexel Avenue. Obviously, the one further south is the left turn. It appears to be the only way out. Planner Papelbon stated that the far north access is anticipated to be a signalized intersection.

Commissioner Carrillo asked about the trail. Planner Papelbon responded that right now it is a placeholder and the location is subject to change. It will be a recreational trail that will be accessible to the existing Oak Leaf Trail, and it will connect to the parcel to the north, which is anticipated for residential development, so it will connect the two. As far as whether it is going to be paved, Zoning Administrator/Planner Wagner stated that at this time it is not known whether it will be paved or mowed grass.

Alderman Guzikowski stated his concerns with the traffic and getting in and out of the site. *Mayor Bukiewicz comments were inaudible.*

Planner Papelbon gave an explanation of the use of Planned Unit Developments per Mayor Bukiewicz's request.

Mayor Bukiewicz asked Asst. Fire Chief Kressuk if he had any concerns. Asst. Fire Chief Kressuk stated that at this time, they are dealing with a lot of unknowns. The initial concern was the location of the hospital and the possibility of the nearest access point to get off of 13th Street to get to that hospital. However, this is a new type of hospital and not necessarily one that they anticipate transporting to a lot yet. However, the Fire Department will be in on the plan review discussions.

Commissioner Siepert moved that the Plan Commission recommends approval of the planned unit development submitted by John Thomsen, Highgate LLC, for the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at their next meeting (April 9, 2019). Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

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

Applicant: John Thomsen, Highgate, LLC
Property Address(es): 7705, 7725, 7751, 7781, 7811,
7831, and 7869 S. 13th St.
Tax Key Number(s): 784-9020-000, 784-9019-000,
784-9003-000, 784-9991-000, 784-9990-001, 784-9001-000, 784-9993-002

Approved by Plan Commission: 4-23-19
Approved by Common Council: TBD
(Ord. # TBD)

1. LEGAL DESCRIPTION

Parcel A, 7705 S. 13th St.

Lot 2 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

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Parcel B, 7725 S. 13th St.

Lot 1 of Certified Survey Map No. 7578, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 964.92 feet to a point; thence South 89°23'47" West 45.00 feet to the point of beginning of lands to be described; thence South 89°23'47" West 153.00 feet to a point; thence North 00°05'47" East 247.30 feet to a point; thence North 89°23'47" East 153.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 247.30 feet to the point of beginning. Containing 37,834 square feet or 0.8685 acres.

Parcel C, 7751 S. 13th St.

Lot 1 of Certified Survey Map No. 271, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 965.25 feet to a point; thence South 89°18'02" West 75.01 feet to a point on the East line of South 13th Street and the point of beginning of lands to be described; thence South 00°05'47" West along said East line 92.00

feet to a point on the North line of Certified Survey Map No. 110; thence South 89°18'02" West along said North line 255.00 feet to a point; thence North 00°05'47" East 92.00 feet to a point; thence North 89°18'02" East 255.00 feet to the point of beginning. Containing 23,457 square feet or 0.5385 acres.

Parcel D, 7781 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast ¼ of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

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Parcel E, 7811 S. 13th St.

Unplatted Lands, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 499.25 feet to a point; thence South 89°18'02" West 33.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 297.00 feet to a point; thence North 00°05'47" East 137.00 feet to a point; thence North 89°18'02" East 297.00 feet to a point on the West line of South 13th Street; thence South 00°05'47" West along said West line 137.00 feet to the point of beginning.

Parcel F, 7831 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 367.25 feet to a point; thence South 89°18'02" West 75.00 feet to the point of beginning of lands to be described; thence South 89°18'02" West 255.00 feet to a point; thence North 00°05'47" East 132.00 feet to a point; thence North 89°18'02" East 255.00 feet to a point on the East line of South 13th Street; thence South 00°05'47" West along said East line 132.00 feet to the point of beginning. Containing 33,657 square feet or 0.7726 acres.

Parcel G, 7869 S. 13th St.

Part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Southeast 1/4 Section; thence North 00°05'47" East along the East line of said Southeast 1/4 Section 65.01 feet to a point on the North line of West Drexel Avenue and the point of beginning of lands to be described; thence South 89°18'02" West along said North line 571.63 feet to a point; thence North 70°38'48" West along said North line 377.71 feet to a point on the East line of Interstate Highway 94; thence North 12°06'03" West along said East line 1156.78 feet to a point; thence North 00°03'52" East along said East line 0.15 feet to a point on the North line of the Southeast 1/4 of said Southeast 1/4 Section; thence North 89°13'29" East along said North line 1172.69 feet to a point on the East line of said Southeast 1/4 Section; thence South 00°05'47" West along said East line 17.74 feet to a point; thence South 89°23'47" West 198.00 feet to a point on the West line of Lot 2 of Certified Survey Map No. 7578; thence South 00°05'47" West along said West line 347.63 feet to a point on the North line of Lot I of Certified Survey Map No. 271; thence South 89°18'02" West along said North line 132.00 feet to a point on the West line of said Lot 1; thence South 00°05'47" West along said Lot 1 and its extension 598.00 feet to a point on the South line of Lot 1 of Certified Survey Map No. 130; thence North 89°18'02" East along said South line 330.00 feet to a point on the East line of said Southeast 1/4 Section; thence South 00°05'47" West along said East line 302.24 feet to the point of beginning. Containing 1,038,561 square feet or 23.8421 acres.

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 each area affected by the Planned Unit Development 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:
- | | |
|--|---|
| <p>1) General Development Plan</p> <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> 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 storage m) Location(s) of wetlands (field verified) n) Location(s) and details of sign(s) n) Location(s) and details of proposed fences/gates | <p>2) Landscape Plan</p> <ul style="list-style-type: none"> a) Screening plan, including parking lot screening/berming b) Number, initial & mature sizes, and types of plantings c) Percentage open/green space <p>3) Building Plan</p> <ul style="list-style-type: none"> a) Architectural elevations (w/dimensions) b) Building floor plans (w/dimensions) c) Materials of construction (including colors) <p>4) Lighting Plan</p> <ul style="list-style-type: none"> a) Types & color of fixtures b) Mounting heights c) Types & color of poles d) Photometrics of proposed fixtures <p>5) Grading, Drainage and Stormwater Management Plan</p> <ul style="list-style-type: none"> a) Contours (existing & proposed) b) Location(s) of storm sewer (existing and proposed) c) Location(s) of stormwater management structures and basins (if required) <p>6) Fire Protection</p> <ul style="list-style-type: none"> a) Locations of existing & proposed fire hydrants b) Interior floor plan(s) c) Materials of construction d) Materials to be stored (interior & exterior) |
|--|---|
- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.

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

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed within this planned unit development shall be limited to those permitted by the B-4, Highway Business zoning district, these Conditions and Restrictions, previous authorized conditional use permits and all applicable sections of the Municipal Code (as amended) except that the following uses shall specifically be permitted:
 - 1. Banks, savings and loan associations, and other financial institutions with drive-through facilities.
 - 2. Group day care centers with outdoor activity areas.
 - 3. Indoor Commercial recreation facilities, including health clubs and sporting facilities.
 - 4. Hospitals and day surgery clinics.
- B. A minimum of 30% of the entire land area included in this Planned Unit Development shall be set aside as open space (excluding all impervious areas).
- C. All structures shall be constructed in conformance with Section 17.1009 (as amended).
- D. No principal building or parts of a principal building shall exceed fifty (50) feet in height. Accessory structures shall not exceed seventeen (17) feet in height.
- E. Signage for the development shall be in conformance with Sections 17.0701-17.0715 and all other applicable Sections of the Municipal Code.
- F. A Master Sign Plan for all development signs and Master Sign Plans for each multitenant building

(3 or more tenant spaces) shall be submitted for review and approval by the Plan Commission prior to submission of sign permit applications.

- G. Solid waste collection and recycling shall be the responsibility of the owner. All solid waste and recycling collection units shall be screened and sited in conformance with Municipal Code requirements.
- H. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).
- I. The owner and operator of the Planned Unit Development shall enter into an agreement with the City for the design, construction, and maintenance of a public trail as depicted on the General Development Plan prior to the issuance of permits for any phase of the development.

4. PARKING AND ACCESS

- A. A Traffic Impact Analysis (TIA) shall be performed and submitted to the Engineering Department for review prior to the submission of applications for Plan Commission review of site, building, landscaping, lighting, and similar plans. Required roadway improvements and modifications identified in the TIA shall be the responsibility of the property owner, unless otherwise provided for by other executed agreements.
- B. A cross-access easement with the Wingspan (Hub 13) PUD to the north shall be provided, with a copy of such executed agreement provided to the City prior to the issuance of any permits for any phase of this development.**
- C. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended) and these Conditions and Restrictions.
- D. Access to South 13th Street (CTH V) in accordance with executed agreements and access management plans is subject to the review and approval of Milwaukee County. Such approval shall be provided to the City prior to the issuance of any building permits.
- E. There shall be no direct vehicular access to W. Drexel Avenue.

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 17.0808 of the Municipal Code (as amended).
- B. Pole heights shall be limited to 25 feet within 100 feet of a residential zoning district line, and shall not be located within any buffer yard.

6. BUILDING AND PARKING SETBACKS*

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	25 ft	20 ft	10 ft
Accessory Structure*	25 ft	See Sec. 17.0501	See Sec. 17.0501
Off-street Parking	10 ft	0 ft	0 ft

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

7. BUFFER YARDS

A buffer yard shall be created and maintained around all business and manufacturing districts which abut upon residential districts. Buffer yards shall be a minimum of 20 feet in width; shall be in addition to the required street yards, side yards, and rear yards; and shall screen business or manufacturing uses from adjoining lands in such a manner that:

- A. If the buffer yard is composed entirely of plant materials, it shall be of sufficient initial depth and height and of such varieties as to provide adequate visual screening within no more than two years and during all seasons of the year.
- B. Where architectural walls or fences are used, sufficient landscaping shall be used in conjunction with such wall or fence to create an attractive view from the residential side, and all walls and fences shall be maintained in a structurally sound and attractive condition. Any wall or fence shall be not less than four (4) feet nor more than six (6) feet in height.
- C. All landscaping shall be maintained by the owner or operator to the satisfaction of the Zoning Administrator or a designee.
- D. Where the land adjacent to the buffer yard is a parking lot, the buffer yard shall be sufficiently opaque to prevent the penetration of headlight glare. Overhead lighting installed in or adjacent to a buffer yard shall not throw any rays onto adjacent residential properties.
- E. No signs shall be permitted on or in any part of the buffer yard.

8. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Planned Unit Development. This Planned Unit Development approval shall expire within twelve (12) months after the date of adoption of the ordinance 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

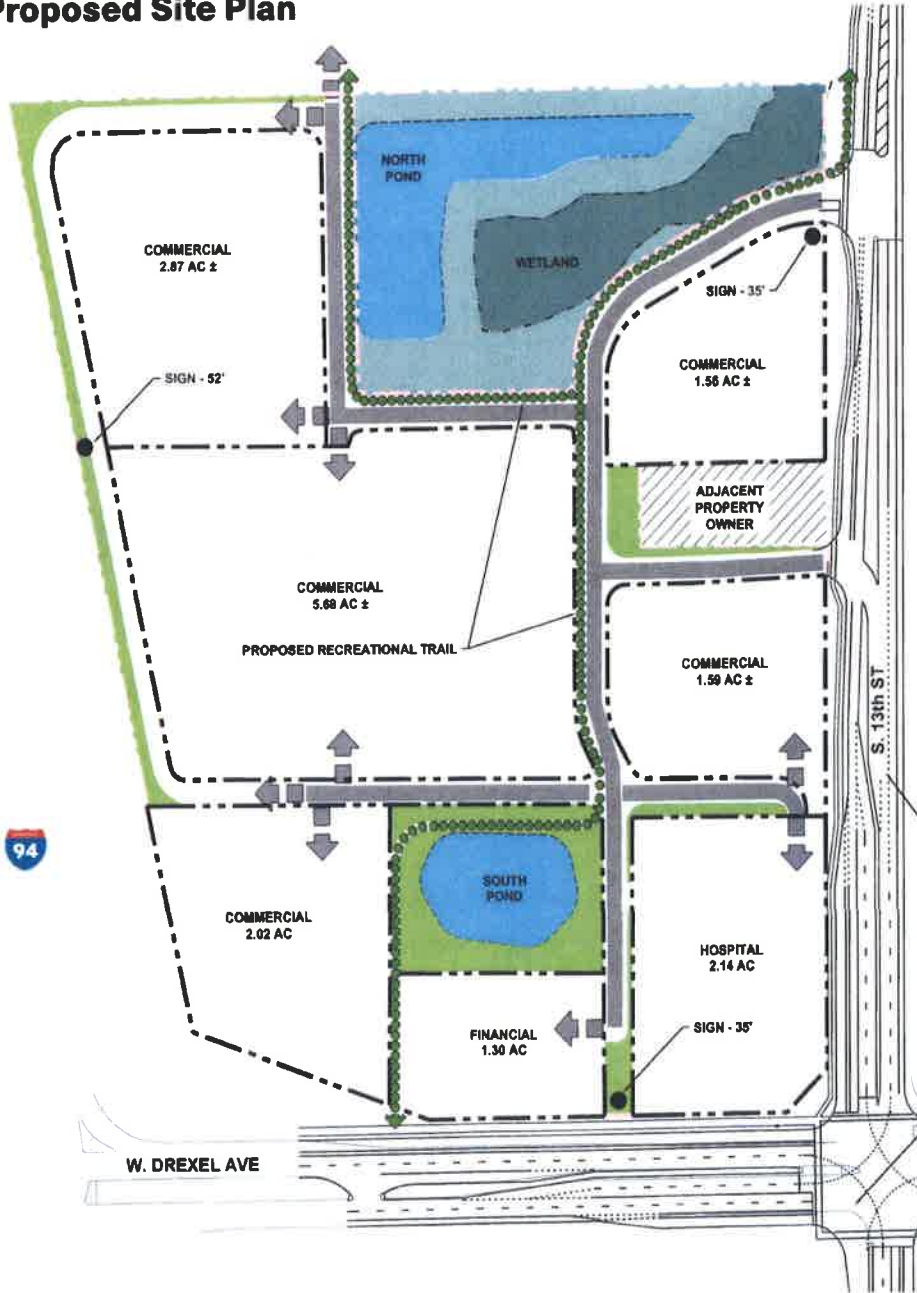
Date

(please print name)

EXHIBIT A: GENERAL DEVELOPMENT PLAN (ENLARGED)

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

Proposed Site Plan



OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by Jason Macklin, Wingspan Development Group, LLC, to rezone and establish a Multifamily Residential Planned Unit Development on the property at 7581 S. 13th St. (NO CHANGE TO FW, FLOODWAY; FF, FLOOD FRINGE; OR C-1, SHORELAND WETLAND CONSERVANCY).

Hearing Date: May 21, 2019
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Jason Macklin, Wingspan Development Group, LLC
Property Owner(s): WIZA Investments Drexel LLC (Vendor), Drexel 13 LLC (Vendee)
Property Location(s): 7581 S. 13th St.
Tax Key(s): 784-9998-001

Legal Description:

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 7, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, except the North 208.75 feet of the East 208.75 feet and further excepting that part lying Westerly of a line 150 feet Easterly of a reference line described as follows:

Commencing at a point on the North line of said $\frac{1}{4}$ Section 1323.45 feet West of the Northeast corner thereof; thence running Southerly to a point on the South line of said $\frac{1}{4}$ Section, 1321.81 feet West of the Southeast corner thereof, excepting therefrom lands described in award of damages recorded as Document No. 10737204.

The Common Council has scheduled other public hearings for May 21, 2019 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 24, 2019
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: 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, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.



COMMON COUNCIL REPORT

Item: Rezone and Planned Unit Development for Wingspan Development Group LLC for the property at 7581 S. 13th Street.

Recommendation: That the Council adopts Ordinance 2937, an ordinance to approve a rezoning of the property at 7581 S. 13th Street to Rm-1, Multifamily Residential Planned Unit Development (no change to FW, FLOODWAY; FF, FLOOD FRINGE; OR C-1, SHORELAND WETLAND CONSERVANCY).

Fiscal Impact: Approval would allow for the development of a vacant parcel with a 300 unit multifamily residential development with an estimated value of thirty million dollars. This property is not currently located in a TID. However, there currently is consideration of an extension to TID 12 to include this property to provide for exceptional public infrastructure costs related to identified improvements to 13th Street and Drexel Avenue.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: Wingspan Development Group, LLC is requesting approval for a Planned Unit Development over the property at 7581 S. 13th Street, to be rezoned to Rm-1, Multifamily Residential (PUD). This property was included in an amendment to the future land use category and map in the Comprehensive Plan to “Mixed Residential” in June of 2018.

Per the submitted narrative general development plan, six (6) three-story apartment buildings (40 units per building) with underground parking, and three (3) two-story apartment buildings (20 units per building) with attached garages are proposed on the west side of the property. Of the 300 total apartments, approximately 10% will be studios, 42% will be 1-bedroom units, 38% will be 2-bedroom units, and 10% will be 3-bedroom units. Conceptual floor plans are included with this report for reference. On the east side the property a 6,500 square-foot clubhouse with leasing office and in-ground swimming pool with deck are proposed near the entrance on S. 13th Street. Amenities such as fire pits, grilling areas, walking paths, gardens, and dog run areas are provided throughout the development. A future connection to the Highgate development to the south is also anticipated and shown on the site plan, although details for such will be coordinated between the property owners. Wetlands comprise approximately 10.6 acres of the property, the majority of which (10.193 ac) will remain undisturbed and preserved. Some wetland fill areas (19,148 square feet) will be required for the access road, parking areas, and a portion of the clubhouse. Floodplain areas will remain completely undisturbed.

The proposal includes a mix of limited on-street parking, surface parking, underground and garage spaces. Each of the underground parking garages will accommodate 42 parking stalls (252 in total), and each of the attached garages can accommodate 2 cars (8 per building, 24 total) with additional driveway space for 2 vehicles (24 total). Surface parking for 268 vehicles has been provided throughout the development. Minimum parking requirements for multifamily residential dwellings are based on the number of bedrooms.

Minimum setbacks appear to be met in the proposal. Maximum unit densities also appear to be met in the proposal. Per Code, the maximum density allowed is 14.5 units per net acre, which excludes wetland areas. This would allow up to 340 units, and 300 are proposed. Copies of wetland fill permits/approvals will be required to be submitted to the City once issued.

A general development plan and conditions and restrictions (see attached) were part of the Plan Commission review of this request. The Commission voted to recommend that this planned unit development be approved, including the aforementioned conditions and restrictions.

Options/Alternatives: Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Planned Unit Development.

Respectfully submitted:



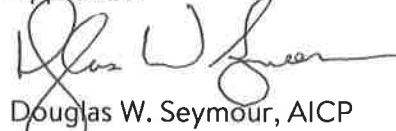
Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2937

Location Map

Hearing Notice

Narrative

Plan Commission minutes

Conditions and Restrictions

ORDINANCE NO. 2937

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 7581 S. 13TH STREET TO RM-1, MULTIFAMILY RESIDENTIAL (PUD) PLANNED UNIT DEVELOPMENT. (NO CHANGE TO FW, FLOODWAY; FF, FLOOD FRINGE; OR C-1, SHORELAND WETLAND CONSERVANCY)

(1st Aldermanic District)

WHEREAS, WINGSPAN DEVELOPMENT GROUP, LLC has applied for a rezoning of the property at 7581 S. 13th Street to Rm-1, Multifamily Residential (PUD), Planned Unit Development.

WHEREAS, the property is more precisely described as follows:

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 7, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, except the North 208.75 feet of the East 208.75 feet and further excepting that part lying Westerly of a line 150 feet Easterly of a reference line described as follows:

Commencing at a point on the North line of said $\frac{1}{4}$ Section 1323.45 feet West of the Northeast corner thereof; thence running Southerly to a point on the South line of said $\frac{1}{4}$ Section, 1321.81 feet West of the Southeast corner thereof, excepting therefrom lands described in award of damages recorded as Document No. 10737204.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning be approved; and

WHEREAS, the Common Council held a public hearing on said application on May 21, 2019 at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and with the favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved; and

WHEREAS, the Plan Commission had recommended that the application be approved subject, however, to the imposition of certain conditions and restrictions upon the construction, location and operation of this Planned Unit Development and which conditions and restrictions are incorporated by reference into this ordinance; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the Planned Unit Development rezoning was approved for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Planned Unit Development,.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are hereby rezoned to Rm-1, Multifamily Residential (PUD), Planned Unit Development. (no change to FW, FLOODWAY; FF, FLOOD FRINGE; OR C-1, SHORELAND WETLAND CONSERVANCY) and the Zoning Map of Chapter 17 of the Municipal Code is amended to reflect the rezoning.

SECTION 2: The Planned Unit Development is subject to the aforementioned conditions and restrictions on the design, construction and operation of the Rm-1, PUD (Multifamily Residential Planned Unit Development). The General Development Plan attached thereto as

Exhibit A is hereby approved. Any substantial changes to the General Development Plan shall be subject to approval by the Common Council and may require additional public hearings.

SECTION 3: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 4: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 5: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this _____ day of _____, 2019.

President, Common Council

Approved this _____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A: GENERAL DEVELOPMENT PLAN

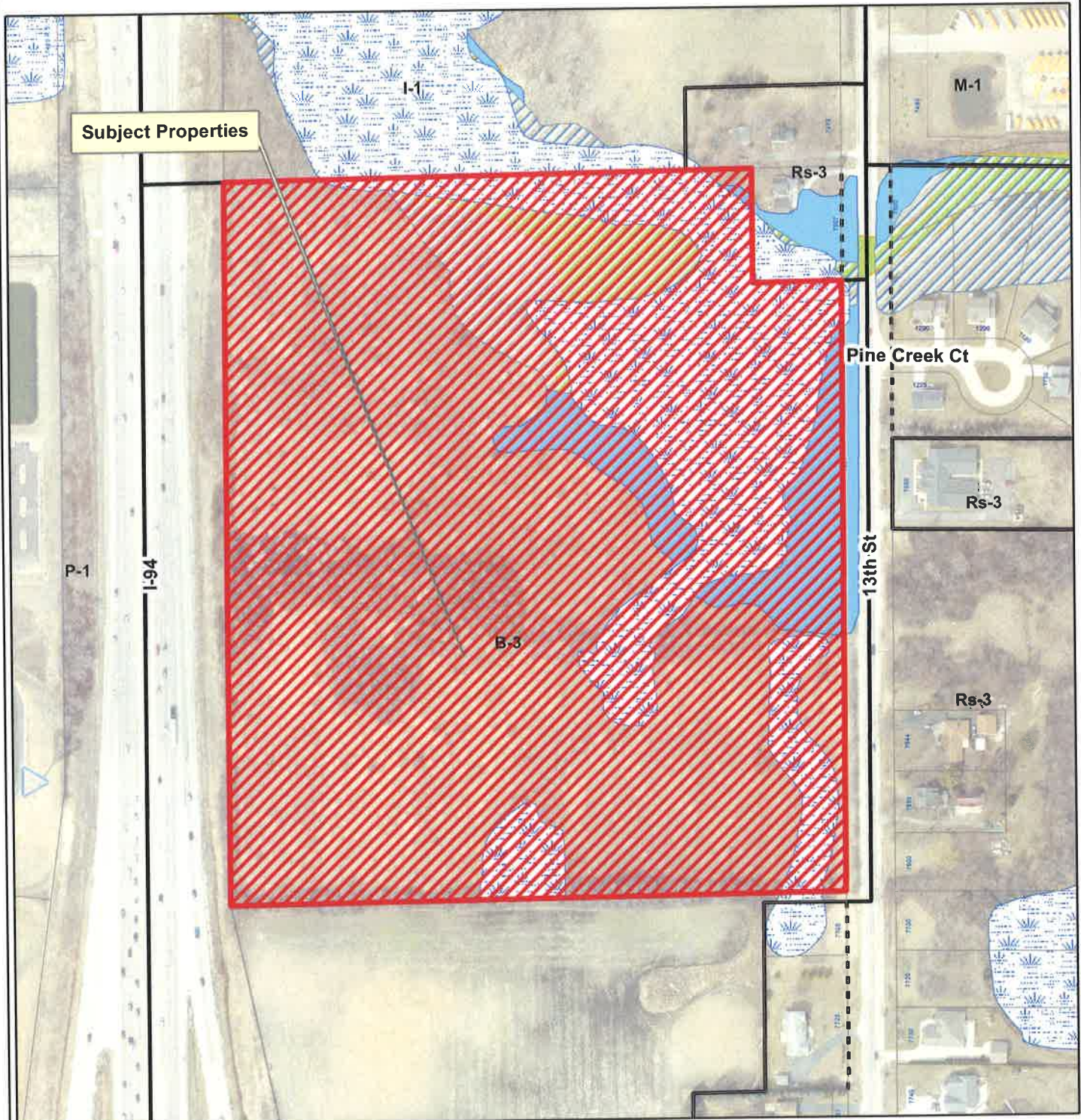


18 ARCHITECTURAL SITE PLAN
1" = 40' 0"



Location Map

7581 S. 13th St.









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



Department of Community Development



Legend

	7581 S. 13th St.		Floodway (2008)
	Officially Mapped Streets		Flood Fringe (2008)
	DNR Wetlands Inventory		Environmental Corridor

TO BE PUBLISHED MAY 1 & 8, 2019

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by Jason Macklin, Wingspan Development Group, LLC, to rezone and establish a Multifamily Residential Planned Unit Development on the property at 7581 S. 13th St. (NO CHANGE TO FW, FLOODWAY; FF, FLOOD FRINGE; OR C-1, SHORELAND WETLAND CONSERVANCY).

Hearing Date: May 21, 2019
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Jason Macklin, Wingspan Development Group, LLC
Property Owner(s): WIZA Investments Drexel LLC (Vendor), Drexel 13 LLC (Vendee)
Property Location(s): 7581 S. 13th St.
Tax Key(s): 784-9998-001

Legal Description:

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The Common Council has scheduled other public hearings for May 21, 2019 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 24, 2019
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

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HUB13 – PUD Narrative



WINGSPAN DEVELOPMENT GROUP LLC

7581 South 13th Street

City of Oak Creek, Wisconsin

Prepared for:

**Wingspan Development Group LLC
March 12, 2019**

Contents

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1 Project Description	1
2 General Value of the project	2
3 Organization Structure.....	2
4 Proposed Departure from the Standards	2
5 Schedule and Delivery	2

List of Appendices

Appendix A Site Map

Appendix B Site Plan

1 Project Description

Wingspan Development Group is planning to develop a multifamily community on a portion of a 33.64+/- acre vacant site along I94 in Oak Creek, WI. The site is bound by I-94 to the west, 13th Street to the East, and vacant land to the north and south. A large portion of the site contains wetlands and floodplain. Wingspan Development Group plans to develop the multifamily buildings on the western portions of the site. The site will be accessed via a driveway on South 13th Street, with a future connection to the southern property.

The property is currently zoned B-3. The proposed rezoning request is to PUD. Multifamily zoning was considered for this property; however, the established zoning code for multifamily has restrictive building size requirements. After discussion with the City, the City agreed that PUD would be more appropriate zoning to allow for more urban scale multifamily buildings. The underlying multifamily zoning was used for the basis for these PUD requirements with exception to the building sizing requirements.

Based on the Planned Land Use of the comprehensive plan adopted in 2002, the property was anticipated to be single family residential. The City is currently working on updating the comprehensive plan. Based on the growth of Drexel Town Center and surrounding developments, it is anticipated that higher density development will be included in the updated comprehensive plan. A commercial center is being planned for the adjacent property to the south of the HUB13 subject property. With the anticipation of the retail development project, a higher density residential development, HUB13 will be a complementary land use for the surrounding area.

The HUB13 property is approximately 33+/- acres with approximately 10.6 +/- acres of the site being wetland areas. The proposed site plan will be sensitive to the existing wetland areas; however, some disturbance of the wetland is anticipated and will require wetland permitting. Furthermore, there are floodplains on the site that will not be impacted.

There will be six three-story apartment buildings with 40 units each and underground parking for approximately 42 cars in each building. The mix of units will be approximately 10% studios, 42% one-bedroom, 38% two-bedroom and 10% three-bedroom units. There will also be three two-story stacked flat buildings with twenty units and garage parking for eight cars in each building. The site will have approximately 568 total parking spaces throughout the development. There will also be a +/- 6,500 sf, single-story clubhouse with amenities such as fitness center with yoga studio, package receiving room, resident lounge, cyber café, and leasing offices at the main entry to the development. The buildings will have bike storage and a dog wash room for the residents' use.

Along with the interior amenities at the clubhouse there will also be a resort style swimming pool with sundeck. The site will feature a fenced "off-leash" dog area, zen garden, grilling areas as well as a fire pit for the residents' use.

2 General Value of the Project

HUB13 will be an investment into the greater community of Oak Creek. With an estimated constructed value of approximately \$57M, the residents of HUB13 will live, work, and play in the Oak Creek community. The rental rates of HUB13 will depend on various measures (units size, unit type, amenities, and views, etc.). The range of rental rates are anticipated to be between \$1,050 and \$2,500 per month.

3 Organization Structure

Wingspan Development Group LLC is well a qualified developer with a national footprint that spans ongoing developments in several states. The principals of a 40+ year general contracting and construction management firm Nicholas & Associates formed Wingspan Development Group to capitalize on multifamily, student housing, land development, and mixed-use development opportunities. Wingspan's corporate headquarter is in suburban Chicago with an additional office in Milwaukee, WI. The principals of Wingspan bring over 80 years of experience in structuring, entitling, financing, developing, constructing, and managing real estate projects across multiple asset types including: multifamily, student housing, for-sale residential, retail, mixed-use, government, and office. This wide breadth of expertise, along with an unparalleled commitment to detail and execution, allow Wingspan to deliver projects of the highest quality across multiple markets. Wingspan approaches every opportunity seeking to find the best value proposition for a given property without compromising quality. That thought process drives site selection, design, and building processes. Wingspan has established relationships with top tier consultants and trade partners whose priority is to deliver an outcome that reflects our focus on quality. As a vertically integrated company, Wingspan utilizes the sister company, Nicholas & Associate's extensive experience and expertise throughout the pre-construction and construction phases of a project.

Wingspan plans to make HUB13 a valuable addition to their portfolio as well as an asset to the community. Wingspan engages top-tier third party property managers to manage the on-going operations of the property.

4 Proposed Departure from the Standards

HUB13 development is anticipated to substantially comply with the City of Oak Creek standards for the development. HUB13 will be using all masonry products on the exterior of the buildings.

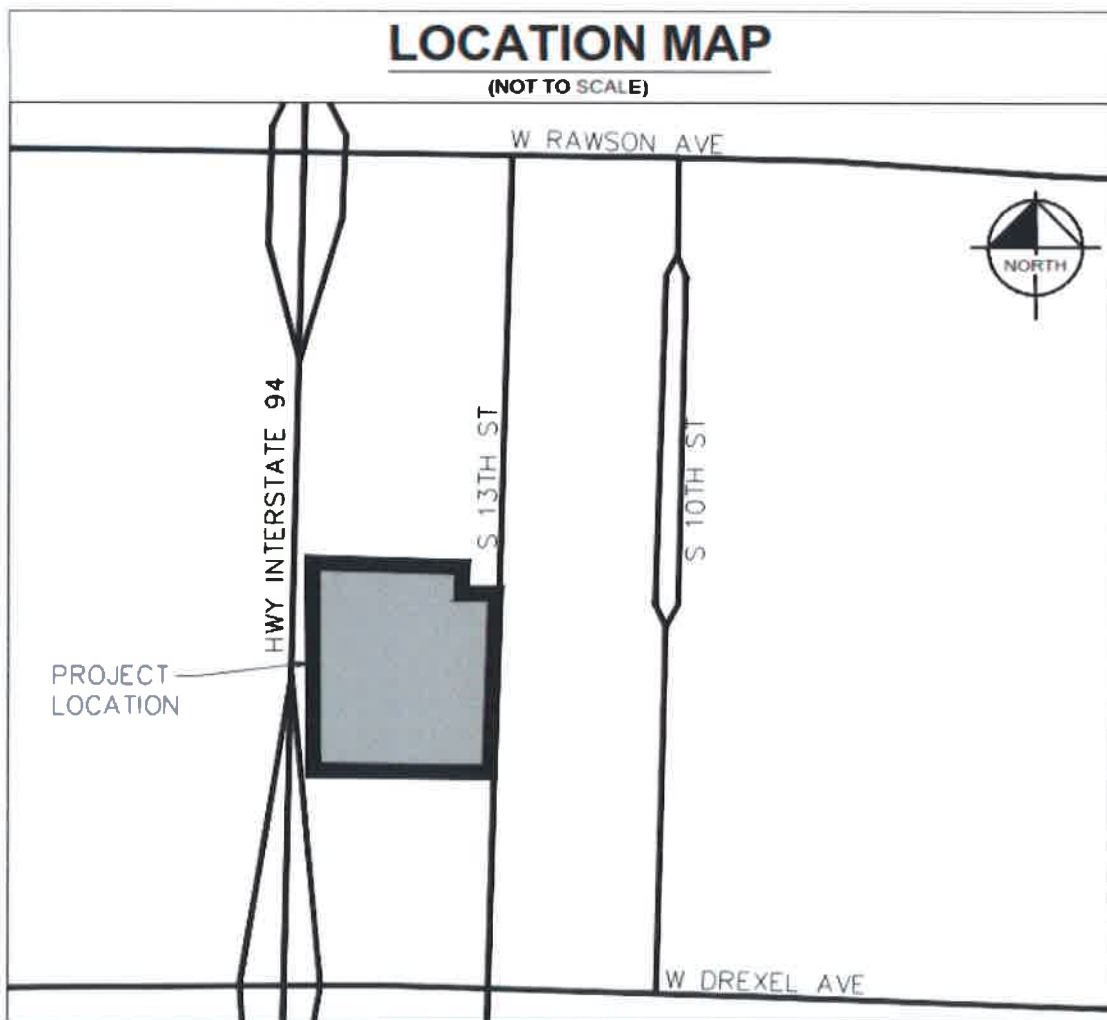
Exterior Building Materials:

All of the buildings will have high quality exterior materials. The Apartments will have approximately 10% brick, 20% cast stone, 50% architectural masonry siding and 20% windows or doors, thus meeting the requirement for building materials. The Stacked Flats will have approximately 15% brick, 10% cast stone, 40% architectural cement siding and 35% windows or doors, thus meeting the requirement for building materials. The Clubhouse will have approximately 20% brick, 15% cast stone, 30% architectural masonry siding and 35% glass and doors, thus meeting the requirement for building materials.

5 Schedule and Delivery

HUB13 is anticipated to be constructed in a single phase; however, phased occupancy will be provided as buildings are finished. It is anticipated that the clubhouse will be constructed with the early apartment building to allow for pre-leasing and create a street presence along 13th Street. The apartment buildings are anticipated to be constructed from the southeast buildings first to the northern buildings last. Ground breaking is anticipated in the 3rd quarter of 2019 assuming the wetland permitting that is required can be accomplished in a timely manner. The full buildout is anticipated to take approximately 18 months.

Appendix A Site Map



Appendix B Site Plan



**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 9, 2019**

**PLANNED UNIT DEVELOPMENT
WINGSPAN DEVELOPMENT GROUP, LLC
7581 S. 13TH STREET
TAX KEY NO. 784-9995-001**

Planner Papelbon provided an overview of the establishment of a planned unit development. (See staff report for details.)

Commissioner Siepert inquired about the future planning for the 2020 Comprehensive Plan for this area.

Planner Papelbon explained this development is in conformance with the current Comprehensive Plan. The future Comprehensive Plan will include developments that are already in progress.

Commissioner Siepert expressed a concern about already making changes to the new upcoming plan.

Planner Papelbon explained that the Comprehensive Plan amendment they are going through for the entire City would anticipate this because it already went through the amendment last year. Previous approvals and approvals going through the process now would be reflected in the future Comprehensive Plan.

Commissioner Siepert asked how many new developments of this type have come up in the City in the last six months to a year. He estimated four or five new developments.

Planner Papelbon stated that is approximately correct over the last three or four years.

Commissioner Siepert asked how many total units that is.

Planner Papelbon stated that her estimate is around 1,000 units.

Commissioner Siepert is concerned about the number of new apartments right now.

Alderman Guzikowski explains he understands Commissioner Siepert's concern, but explained that they have to consider that not everyone is moving into a house.

Commissioner Siepert explained that the City needs a good foundation of people that are going to stick around for a long time to balance out the City.

Planner Papelbon explained that there are new subdivisions coming up, and single family residential development is making a comeback in the market. However, there is still a market and need for the mix of residential options. Planner Papelbon also explained that the City didn't really see any new apartment complexes during or following the economic downturn until the last few years. The recent developments could be making up for the lack of development during that time period.

Commissioner Siepert questioned how full the current apartments are.

Planner Papelbon stated they are hearing the apartments are full or around a healthy vacancy rate of 3%.

Alderman Guzikowski explained a resident stopped him on the way in to City Hall to tell him that apartments are the future and they need to be mindful of that.

Alderman Loreck asked if other developments have tried to come into the City that has not made it to Plan Commission.

Planner Papelbon clarified that any development has to be reviewed on its own merits, and its fit with the overall area and plans for future development in the Comprehensive Plan. Everything is decided on a case by case basis, but the Comprehensive Plan is used as a guide. Part of the Comprehensive Plan is developed based on developments in the market. The Commission is seeing these types of developments being proposed as a response to the market.

Alderman Loreck asked if the applicant was present and willing to speak.

Jason Macklin, Wingspan Development Group, 1001 Feehanville Drive, Mount Prospect, Illinois. There is also an office in Milwaukee.

Alderman Loreck asked the applicant to touch on the market demand, interest in the area, and some of the amenities that will be offered.

Mr. Macklin explained they commissioned a market study using a local consultant, Pete Magenber. The market study showed there is a significant demand even with the upcoming projects in this market. Some of the amenities include a resort style swimming pool, package receiving room, Zen garden, outdoor grilling area, a fenced in dog park, and fire pits.

Alderman Loreck expressed a concern about the influx of school aged children on the school systems that can occur with large developments. He asked if the applicant has developments elsewhere and what kind of demographics occupy them.

Mr. Macklin explained it is a very diverse group including empty nesters, young professionals, and families.

Commissioner Siepert asked when the Planning Commission would be able to see the final Comprehensive Plan.

Planner Papelbon explained the City is on schedule for a final Comprehensive Plan to be presented late summer.

Alderman Guzikowski asked for anything other speakers to come forward.

Richard Ahlstrom, 7386 South Logan Avenue:

"I'm here mostly concerned, as a concerned citizen in regards to things like the continuing increase of traffic in the City especially at that location. As well, as the high number of apartment complexes that are being built, in comparison to the relatively low number of

available lots for private home building. I'm in the situation where I'm interested in building in Oak Creek. I've been in Oak Creek since 1993 and the number of lots available doesn't compare to the number of units going up and I'm just hoping someone can speak on the traffic concerns, the school concerns a little further, and just the overall increase in population in Oak Creek for people that have been in the City a long time."

Alderman Guzikowski asked if anyone would speak on his concerns.

Director of Community Development Seymour explained traffic is a concern of everyone right now. The current construction projects and the growth of the City are adding to the traffic concerns. The earlier Comprehensive Plans and the Comprehensive Plan from 2002 called for a build out for a lot more people if all the land was developed. As the Comprehensive Plans are refined those numbers came down as the community decided where we wanted to be. The key is to get the right developments in the right places. Mr. Ahlstrom was correct for years we had had single family development. Even though there is a demand for single family housing in Oak Creek the economics involved make it difficult to bring in single family homes at a price point that meets the market. It makes more sense economically to develop multi-family developments in the correct areas. Director of Community Development Seymour confirmed there are developers that come in to build developments that are not approved because they do not fit in the Comprehensive Plan. The challenge before the Commission and the City is to find the right areas for this type of development and to make sure the development is consistent with the standards we as a community expect to see from residential developers, whether it is single family or multi-family. Director of Community Development Seymour explained that given the mixture of apartments in this development he doesn't expect to see many school aged children come out of this development. Some children will most likely come from this development, but nothing compared to what we would see with a single family residential development.

Alderman Loreck explained there is a desire to increase single family homes in the area. As part of the strategic plan the City did an inventory of available lots for single family homes. There are currently two subdivisions going in. This specific location might not work well for single family development due to the wetlands pushing the buildings closer to the freeway.

Julie Holler, 8180 South Lauree Lane:

"I came here years ago when Drexel Ridge was proposed and I thought it was a good idea because it was supposed to be seniors only and now that people are living there it's not seniors only. So we've seen these developments brought to us say they're upscale, seniors, etc. and they don't stay that way. So, what's to tell us that this is going to be what we get and I find it hard to believe that it's going to be 15 grade school children just because you see six kids waiting for the bus doesn't mean that there is six kids that go to that school because each school probably has about a third parent drop off or pick-ups, but you're talking about or the article said 300 units here. Orchard Circle or whatever is off 27th Street and Forest Hill is going to be 275 and let's not forget the Franklin units by 27th and Minnesota which will also be going to our school district which I believe are about 180 units. So, 600 and some apartment units in a year and half is a lot and, I think we are growing at too fast of a rate. I think there are empty nesters that want to move out, but nobody is developing ranch condos or condos in general anymore. I think there's still a need for that and I think we're just going where the dollars are. Which brings me to what kind of tax income, is this a TIF district? What kind of money is the City going to see if this passes?"

Director of Community Development Seymour explained when Drexel Ridge was originally proposed as senior housing for the Korean Church, but that project never got tax credits and was never built. So, Drexel Ridge was never intended as senior community. The apartment complexes make up a good number of the ten largest tax payers in Oak Creek. They are tax payers and they are very high valued projects. This project is estimated at a developed value of about \$36,000,000, but not sure of the assessed value. Right now, this development is not in a TIF district. There are plans to make some infrastructure improvements that should have been done as part of the County's redo of 13th Street, the City is looking for a financial mechanism to complete those improvements the way they need to be so we don't have to come back and tear it up every five years, we can build out that intersection using proceeds from this expanded district so that we don't have to dedicate capital improvements, or general fund money. Apartments do not work everywhere they shouldn't work everywhere. We would love to see more duplexes, condos, or single family condos. We have talked with people about developing those types of developments, it just hasn't happened yet. The Strategic Plan lays it out that in order for Oak Creek to be the community we want it to be we need to have diverse types of housing.

Jim Prochnow, 7507 South 13th Street:

"First of all, this building goes right around my house and I knew nothing about it what so ever, I never got no, nothing in the mail on it, if it wouldn't have been for my neighbor yesterday I wouldn't have even known about this. Another thing they're just redoing 13th Street, well everybody knows that, but what are they going to rip it up again because, ya know, 300 houses going in my back yard. It took them a year and a half to get where they are and it's disgusting, I got my house up for sale, I'm gonna get out of here. That's all Oak Creek wants is apartments and office buildings and shopping centers and I've been born and raised in Oak Creek and this is getting ridiculous. Thank you."

Alderman Guzikowski explained a mailing did go out, but there was a problem with the coding and some letters were missed. Alderman Guzikowski apologized on behalf of the City.

Commissioner Sullivan addressed the traffic issue. A few years ago a traffic impact analysis was done for the corridor of Drexel Avenue. At that point those improvements on 13th and Drexel and areas of those natures were included in a lot of plans that were developed by the County or other parties. With the development to the south of this parcel another iteration of that traffic impact analysis was done. Which then bored another iteration of the intersection of 13th and Drexel, which at that point the County did not include in their improvements because of the funding mechanisms they were under they couldn't wait otherwise they would lose about 80% of the funds from the federal government. At the point when this came forward they were required to do another iteration to that traffic and this improvement did not change any configuration of 13th or Drexel Avenue intersection that was based on the last iteration. When it comes down to the final iteration, which it sounds like either the developer or the City will be improving on there would be no major changes from this complex. As far as tearing it all up, the Engineering department has looked at it and we can actually do most of the work by just removing the curb and trying to work towards the west side of the road and not spending as much money as you would normally need. It doesn't reach 100 feet passed the entrance to this property, we wouldn't be acquiring any property everything would be built in the right of way that was provided by the development to the south or what is currently there.

Alderman Guzikowski explained that 13th Street is being driven by the County and the City cannot do anything about the work except keep citizens informed.

Mr. Ahlstrom asked for clarification on the amount of parking that the complex will be providing.

Planner Papelbon explained they will be providing over 500 stalls including underground parking, garage parking, driveway parking, and surface parking.

Mr. Ahlstrom:

"So, you're anticipating 500 new vehicles to be regularly at that property. And your estimation is that, that doesn't have an effect on the traffic at that intersection? That's what I understood you to say."

Commissioner Sullivan explained that it is not his estimation; the estimate was made by a professional traffic engineer. He continued to explain that the analysis takes into consideration A.M. and P.M. peaks and that not everyone leaves at the same time. The assumption is about 180 trips in the morning and about 190 trips in the afternoon or P.M. peaks. There are parameters that the traffic engineers use that are developed nationwide. The traffic engineers take a number of studies from a number of different types of complexes, similar to this one, and create an average to determine what is needed.

Mr. Ahlstrom:

"My concern is those averages don't also have a Drexel Town Square less than a mile away and an Ikea less than a mile away."

Commissioner Sullivan explained the whole traffic impact is from Howell to 27th Street with the anticipation of these buildouts. The entire corridor was modeled and used on the trip ratios that were developed based on the uses that were provided. He continued to explain that the analysis does take into consideration Ikea. Once construction is done there will hopefully be some ease in the traffic.

Alderman Guzikowski asked for a motion.

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves the rezoning of the property at 7581 S. 13th St. from B-3, Office and Professional Business to Rm-1 (PUD), Multifamily Residential Planned Unit Development (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at their next meeting (April 23, 2019).

Commissioner Hanna seconded. On roll call: all voted aye except, Commissioner Siepert, who voted no. Motion carried.

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 23, 2019**

**CONDITIONS AND RESTRICTIONS
WINGSPAN DEVELOPMENT GROUP LLC
7581 S. 13TH ST
TAX KEY NO. 784-9998-001**

Planner Papelbon provided an overview of the Conditions and Restrictions for a Multifamily Residential Planned Unit Development at 7581 S. 13th Street. (See staff report for details).

Commissioner Hanna asked how the developers plan to address the wetland area.

Planner Papelbon explained there is one section of wetland fill that has been proposed near the club house, and the development road into the development. The remaining wetlands will be undisturbed. The majority of the wetlands are in the northeast corner that will not be part of the development.

Commissioner Hanna asked if they were planning to compensate for the disturbed areas.

Planner Papelbon stated they are planning to apply for a wetland fill permit, which she believes to be about 19,000 square feet.

Commissioner Hanna asked a question regarding the floodplain that was inaudible.

Planner Papelbon explained the floodplain will not be affected by the proposal.

Commissioner Hanna asked a question that was inaudible.

Planner Papelbon specified the floodplain is in the northeast corner.

City Engineer Simmons explained there are no real concerns regarding storm water, and all the general things Engineering is looking for are accounted for in the agreement. There will be a Development Agreement for a public sidewalk, public water, and private sewer. Engineering has seen the Traffic Impact Analysis. There are some minor requirements for 13th Street near the entrance that will be addressed in the plans.

Commissioner Siepert asked if there was any interference with the expressway easement on the west side.

Planner Papelbon explained the boundary of the property is outside of that easement.

Commissioner Siepert asked to confirm the property line placement (for the freeway).

Planner Papelbon confirmed it is property line to property line, and the development does not go into that right-of-way.

Commissioner Chandler asked the applicant to provide a little more information about the change from 12 months to 18 months for time of compliance.

Jason Macklin, 1001 Feehanville Drive, Mount Prospect, Illinois, explained as part of the permitting process they have to go through the DNR and the Army Corps of Engineers. This can be a lengthy process, they want to make sure they are allowing enough time.

Commissioner Chandler moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Multifamily Residential Planned Unit Development for the property at 7581 S. 13th St., after a public hearing.

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

George Wroczynski, 7650 S. 13th Street:

"I've been there for I'd say about 14 years. There's been a lot of development there and there's more. My major concern is while there's, you were talking about wildlife delineation and there is some adjacent to my property. I basically moved there just for well you know to get away from the city and congestion and enjoy nature; a lot of my neighbors do the same. Now I notice they developed 13th Street, they widened it, they made it bigger, you know, traffic is traffic, but with this development I mean every time there's an accident on 94, 13th Street is bumper to bumper and there's a lot of accidents. With this proposed unit how are these people going to go into this unit and on this unit to work and back home without a stale mate of traffic. It doesn't make any sense. I think it's really, I mean there's so many areas that doesn't have residential properties in the Oak Creek area and Franklin and this and that, but I think it's really, you know, kind of like by instance put up a parking lot. It's just the way I feel. Like I said, I just think it's, now correct me if I'm wrong across in that area wasn't there an Oak Creek Park at one time or am I mistaken?"

(Inaudible response)

George Wroczynski, 7650 S. 13th Street:

"There wasn't?"

Alderman Guzikowski said no.

George Wroczynski, 7650 S. 13th Street:

"Okay, cuz I walk, I like walking through woods and I noticed there was a foundation in there and someone told me, and I don't know if it's correct or not, that there was at one time a park in there, but maybe there wasn't. But like I said, it's a beautiful area, there's a lot of wildlife and I don't want to go way up to Burnett County or something just to be a way from congestion. So that's my point and I'm totally against it. Thank you."

Alderman Guzikowski thanked Mr. Wroczynski.

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

Applicant: Jason Macklin, Wingspan Development Group
Property Address(es): 7581 S. 13th St.
Tax Key Number(s): 784-9998-001

Approved by Plan Commission: 4-23-19
Approved by Common Council: TBD
(Ord. #TBD)

1. LEGAL DESCRIPTION

The Northeast ¼ of the Southeast ¼ of Section 7, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, except the North 208.75 feet of the East 208.75 feet and further excepting that part lying Westerly of a line 150 feet Easterly of a reference line described as follows:

Commencing at a point on the North line of said ¼ Section 1323.45 feet West of the Northeast corner thereof; thence running Southerly to a point on the South line of said ¼ Section, 1321.81 feet West of the Southeast corner thereof, excepting therefrom lands described in award of damages recorded as Document No. 10737204.

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 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 & type(s) of dwellings
 - iii) Number of garage & surface parking spaces
 - iv) Dimensions
 - v) Setbacks
- h) Location(s) of loading berth(s)
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of wetlands (field verified)
- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

2) **Landscape Plan**

- a) Screening plan, including parking lot screening/berming
- b) Number, initial size, and type of plantings
- c) Percentage open/green space

3) **Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans
- 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

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

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 1 above, and/or as specified by these conditions and restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit. Landscaping, in accordance with the approved plan, shall be installed for each phase prior to the issuance of occupancy permits for that phase.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. There shall be a maximum of six (6) 3-story multifamily buildings, a maximum of three (3) two-story multifamily buildings, and a maximum of 300 units. Accessory buildings, garages, a clubhouse, and a pool may be permitted so long as they are compliant with all applicable provisions of the Municipal Code (as amended) and these conditions and restrictions.**
- B. Solid waste collection and recycling shall be the responsibility of the owner.
- C. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).
- D. The clubhouse and pool shall be constructed as part of the initial phase of the development, and must be completed prior to or concurrent with the issuance of occupancy permits for any residential buildings.**

4. PARKING AND ACCESS

- A. A Traffic Impact Analysis (TIA) shall be performed and submitted to the Engineering Department for review prior to the submission of applications for Plan Commission review of site, building, landscaping, lighting, and similar plans. Required roadway improvements and modifications identified in the TIA shall be the responsibility of the property owner.
- B. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended).
- C. Access to South 13th Street (CTH V) in accordance with executed agreements and access management plans is subject to the review and approval of the Wisconsin Department of Transportation. Such approval shall be provided to the City prior to the issuance of any building permits.
- D. A cross-access easement with the Highgate PUD to the south shall be provided, with a copy of such executed agreement provided to the City prior to the issuance of any permits for any**

phase of this development.

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code (as amended).

6. SETBACKS*

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	30 ft	25 ft	10 ft
Accessory Structure*	30 ft	See Sec. 17.0501	See Sec. 17.0501
Parking	25 ft	15 ft	15 ft

**No accessory structures shall be permitted in the front yard or in required buffer yards.*

7. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Planned Unit Development. This Planned Unit Development approval shall expire within twelve (12) months after the date of adoption of the ordinance 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.

8. OTHER REGULATIONS

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

9. VIOLATIONS & PENALTIES

Any violations of the terms of this 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.

10. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the 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).

11. ACKNOWLEDGEMENT

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

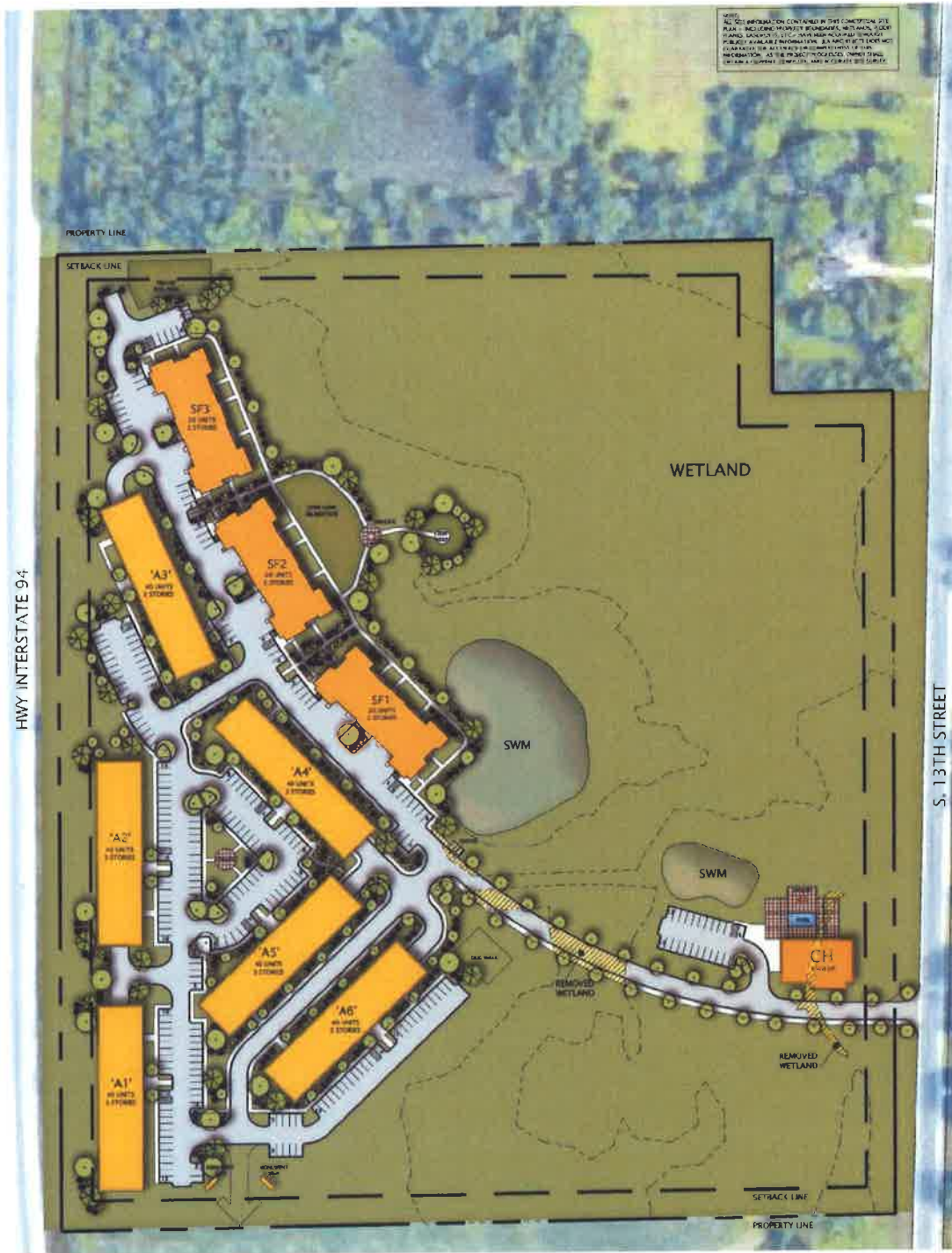
Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: CONCEPT SITE PLAN

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



NOTE: ALL INFORMATION CONTAINED IN THIS CONCEPTUAL SITE PLAN, INCLUDING PROPERTY BOUNDARIES, WITH ANY, IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF JLA ARCHITECTS. PUBLICLY AVAILABLE INFORMATION IS A PART OF THIS DOCUMENT. FOR THE MOST CURRENT INFORMATION, PLEASE CONTACT THE ARCHITECT. AS THE PROJECT PROGRESSES, IMPROVED INFORMATION WILL BE PROVIDED TO THE CITY OF OAK CREEK.



JLA
ARCHITECTS

MADISON : MILWAUKEE
jla-ap.com

JLA PROJECT NUMBER: 13-1108-01



HUB 13 - OAK CREEK - APARTMENTS

GENERAL DEVELOPMENT PLANS

PROGRESS DOCUMENTS

Please refer to the project progress on the project schedule for more information. This document is for informational purposes only. It is not intended to be used for any other purpose.

DATE OF ISSUANCE: MARCH 12, 2019

REVISION SCHEDULE

None Decisions Done

SHEET TITLE

ARCHITECTURAL SITE LAYOUT PLAN

SHEET NUMBER

ASP-100

EXHIBIT B: CONCEPT BUILDING RENDERINGS

(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.)



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(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.)





COMMON COUNCIL REPORT

Item: \$4,110,000 General Obligation Refunding Bonds and \$1,050,000 Taxable General Obligation Refunding Bonds (Estimated)

Recommendation: Motion to approve the Plan of Finance for TID #12 debt refinancing

Fiscal Impact: The refunding bonds will be paid from tax increment revenue in TID 12 from the value generated by IKEA.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: As Council is aware, the City is consulting with Baird as its financial advising firm. Justin Fischer, Senior Vice President with Baird, will be at the Council meeting to discuss the new refunding procedure and to go more indepth on the Plan of Finance for TID 12.

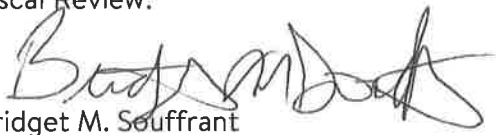
The Plan of Finance is refunding the original \$5,100,000 General Obligation short term note for infrastructure leading up and including the IKEA site in TID 12. The City is prepared to take this short term financing into long term financing ending in 2024 and 2036. As is customary when we issue bonds for development infrastructure, the City is now prepared to divide the debt into tax exempt and taxable based on split of work completed on public versus private property. Council will recall this split resulted from the amended development agreement where the parties determined how to appropriate the money saved on the infrastructure projects. The City has received approval from our Bond Counsel at Quarles & Brady and thus we have a split of \$1,050,000 of taxable refunding bonds and \$4,110,000 as tax exempt. On June 18th, the Common Council will review the award resolution finalizing the terms and interest rates for the estimated refundings.

Options/Alternatives: Council could choose to issue another short term note and prolong the long term, final debt issuance, however the TID is able to support the long term debt with the existing increment.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant

Assistant City Administrator/Comptroller

Attachments:

BAIRD

100
YEARS

City of Oak Creek

City Council Meeting

May 21, 2019

Justin A. Fischer, Senior Vice President

jfischer@rwbaird.com
777 East Wisconsin Avenue
Milwaukee, WI 53202
Phone 414.765.3827
Fax 414.298.7354

City of Oak Creek

City Council Meeting

May 21, 2019



Timeline

- Baird and City discuss plan of finance May 8, 2019
- City Council considers plan of finance May 21, 2019
 - Preparations are made for issuance
 - ✓ Official Statement
 - ✓ Bond Rating
 - ✓ Marketing
- City Council considers Award Resolution for TIF #16 (finalizes term and interest rate) June 18, 2019
- Closing (funds available for TIF #16) June 27, 2019
- City Council considers Award Resolution for TIF #12 (finalizes terms and interest rates) July 16, 2019
- Closing (funds available for TIF #12) August 1, 2019

Borrowing/Structure/Purpose

Estimated Size:	\$2,850,000	\$4,110,000	\$1,050,000
Issue:	Taxable G.O. Promissory Note	G.O. Refunding Bonds	Taxable G.O. Refunding Bonds
Purpose:	TIF #16 Up-Front Incentive Payment (Amazon)	Refinance 2016 Notes (Tax-Exempt Portion) – TIF #12 (IKEA)	Refinance 2016 Notes (Taxable Portion) - TIF #12 (IKEA)
Structure:	Matures June 1, 2020	October 1, 2024 – 2036	October 1, 2020 – 2024
First Interest:	June 1, 2020	April 1, 2020	April 1, 2020
Callable:	October 1, 2019	TBD	TBD
Estimated Interest Rate:	3.50%	3.11%	3.77%

City of Oak Creek

City Council Meeting

May 21, 2019

TIF #16 Financing Illustration



		\$2,850,000		\$2,935,000					
		Taxable G.O. Prom Note - POS		Taxable G.O. Refunding Bonds					
		Dated June 27, 2019		Dated April 1, 2020					
Revenues		Expenditures						Net Revenues	
(a)	(b)	(c)	(d)	(e)	(f)	(g)			
Projected Total TID #16 Revenues	Interest <i>(6/1 & 12/1)</i>	Principal <i>(10/1)</i>	Interest <i>(4/1 & 10/1)</i>	Debt Service	Less: Administrative Costs	Available After Debt Service & Admin Costs			
Year	AVG= 3.50%		AVG= 4.25%			Year			
2019							2019		
2020	\$105,600	\$75,921			\$25,000	\$4,679	2020		
2021	\$1,478,400		\$55,000	\$187,106	\$25,000	\$1,211,294	2021		
2022	\$1,493,184		\$120,000	\$122,400	\$25,000	\$1,225,784	2022		
2023	\$1,508,116	Assumes Principal refinanced 4/1/2020. Interest paid with tax increment revenue.	\$125,000	\$117,300	\$242,300	\$25,000	\$1,240,816	2023	
2024	\$1,523,197		\$130,000	\$111,988	\$241,988	\$25,000	\$1,256,209	2024	
2025	\$1,538,429		\$135,000	\$106,463	\$241,463	\$25,000	\$1,271,966	2025	
2026	\$1,553,813		\$140,000	\$100,725	\$240,725	\$25,000	\$1,288,088	2026	
2027	\$1,569,351		\$145,000	\$94,775	\$239,775	\$25,000	\$1,304,576	2027	
2028	\$1,585,045		\$150,000	\$88,613	\$238,613	\$25,000	\$1,321,432	2028	
2029	\$1,600,895		\$160,000	\$82,238	\$242,238	\$25,000	\$1,333,658	2029	
2030	\$1,616,904		\$165,000	\$75,438	\$240,438	\$25,000	\$1,351,467	2030	
2031	\$1,633,073		\$175,000	\$68,425	\$243,425	\$25,000	\$1,364,648	2031	
2032	\$1,649,404		\$180,000	\$60,988	\$240,988	\$25,000	\$1,383,417	2032	
2033	\$1,665,898	\$190,000	\$53,338	\$243,338	\$25,000	\$1,397,561	2033		
2034	\$1,682,557	\$195,000	\$45,263	\$240,263	\$25,000	\$1,417,295	2034		
2035	\$1,713,112	\$205,000	\$36,975	\$241,975	\$25,000	\$1,446,137	2035		
2036	\$1,744,567	\$215,000	\$28,263	\$243,263	\$25,000	\$1,476,304	2036		
2037	\$1,776,494	\$220,000	\$19,125	\$239,125	\$25,000	\$1,512,369	2037		
2038	\$1,808,953	\$230,000	\$9,775	\$239,775	\$25,000	\$1,544,178	2038		
2039	\$1,841,903					\$1,841,903	2039		
	\$31,088,896	\$75,921	\$2,935,000	\$1,409,194	\$4,344,194	\$475,000	\$26,193,781		

City of Oak Creek

City Council Meeting

May 21, 2019

TIF #12 Financing Illustration



		\$1,050,000 Taxable G.O. Refunding Bonds Dated August 1, 2019			\$4,110,000 G.O. Refunding Bonds Dated August 1, 2019					Net Revenues		
Revenues		Expenditures										
(a) Projected Total TID #12 Revenues		(b) Principal	(c) Interest	(d) Debt Service	(e) Principal	(f) Interest	(g) Debt Service	(h) Combined Debt Service	(i) Less: Administrative Costs	(j) Available After Debt Service & Admin Costs		
Year		(10/1)	(4/1 & 10/1)		(10/1)	(4/1 & 10/1)				Year		
			TIC= 3.77%			TIC= 3.11%						
2019											2019	
2020	\$665,911	\$200,000	\$39,266	\$239,266		\$163,406	\$163,406	\$402,672	\$25,000	\$238,239	2020	
2021	\$672,573	\$235,000	\$27,457	\$262,457		\$140,063	\$140,063	\$402,519	\$25,000	\$245,054	2021	
2022	\$679,301	\$240,000	\$20,054	\$260,054		\$140,063	\$140,063	\$400,117	\$25,000	\$254,184	2022	
2023	\$686,096	\$250,000	\$12,350	\$262,350		\$140,063	\$140,063	\$402,413	\$25,000	\$258,684	2023	
2024	\$692,959	\$125,000	\$4,200	\$129,200	\$135,000	\$140,063	\$275,063	\$404,263	\$25,000	\$263,697	2024	
2025	\$699,891				\$270,000	\$134,663	\$404,663	\$404,663	\$25,000	\$270,229	2025	
2026	\$706,892				\$280,000	\$123,863	\$403,863	\$403,863	\$25,000	\$278,030	2026	
2027	\$713,964				\$290,000	\$112,663	\$402,663	\$402,663	\$25,000	\$286,301	2027	
2028	\$721,105				\$305,000	\$101,063	\$406,063	\$406,063	\$25,000	\$290,043	2028	
2029	\$728,319				\$315,000	\$88,863	\$403,863	\$403,863	\$25,000	\$299,456	2029	
2030	\$735,604				\$325,000	\$76,263	\$401,263	\$401,263	\$25,000	\$309,342	2030	
2031	\$742,963				\$340,000	\$65,700	\$405,700	\$405,700	\$25,000	\$312,263	2031	
2032	\$750,394				\$350,000	\$55,500	\$405,500	\$405,500	\$25,000	\$319,894	2032	
2033	\$757,901				\$360,000	\$45,000	\$405,000	\$405,000	\$25,000	\$327,901	2033	
2034	\$765,482				\$370,000	\$34,200	\$404,200	\$404,200	\$25,000	\$336,282	2034	
2035	\$773,139				\$380,000	\$23,100	\$403,100	\$403,100	\$25,000	\$345,039	2035	
2036	\$780,873				\$390,000	\$11,700	\$401,700	\$401,700	\$25,000	\$354,173	2036	
		\$12,273,367	\$103,326	\$1,153,326	\$4,110,000	\$1,596,231	\$5,706,231	\$6,859,558	\$425,000	\$4,988,809		

City of Oak Creek

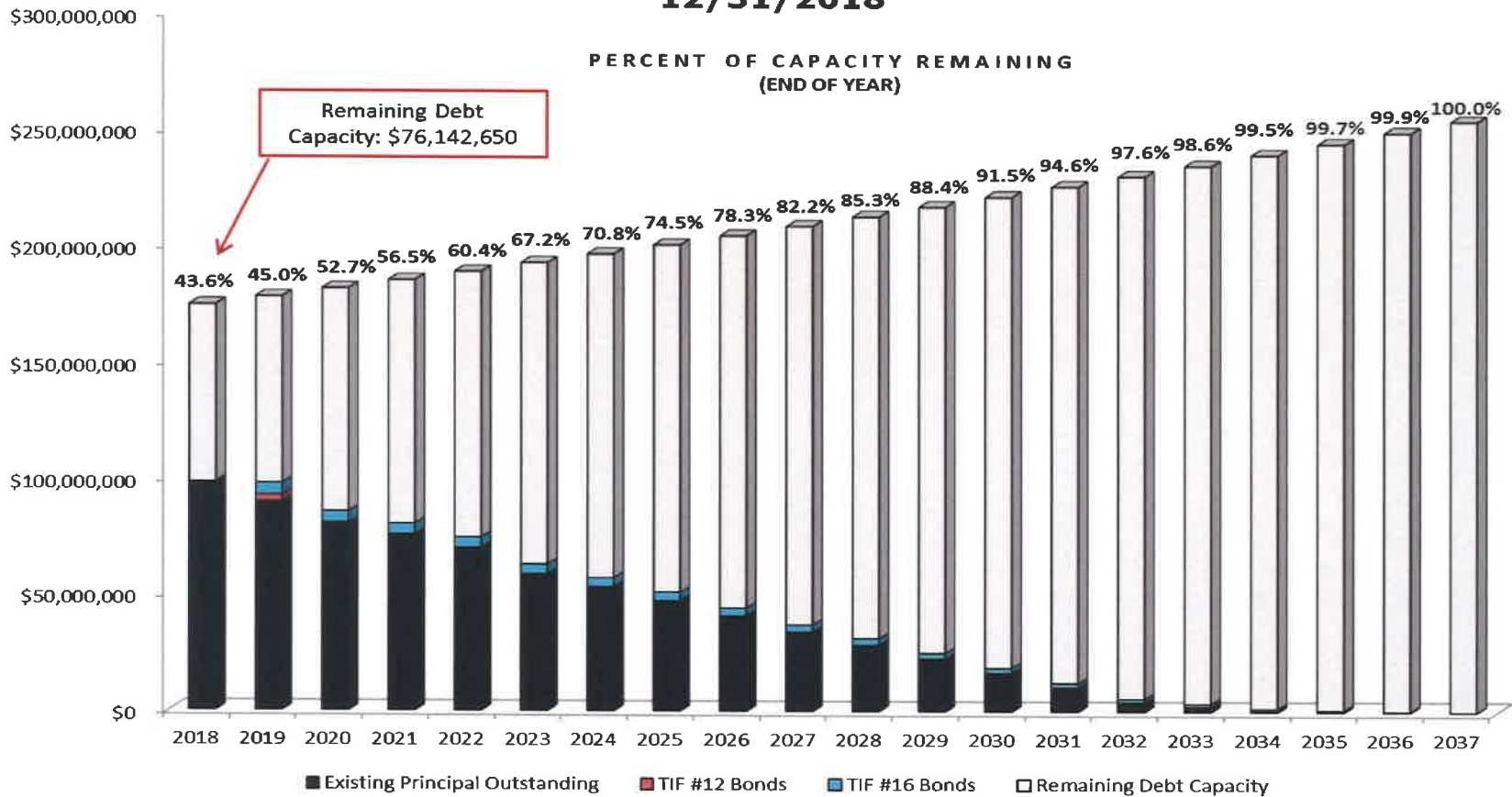
City Council Meeting

May 21, 2019

GO Debt Capacity (5% of Equalized Valuation (TID-IN))



City of Oak Creek HYPOTHETICAL GENERAL OBLIGATION DEBT CAPACITY AS OF 12/31/2018



Note: Future capacity based on 2018 Equalized Valuation (TID-IN) of \$3,492,653,000 with annual growth of 2.00%.

COMMON COUNCIL REPORT

- Item:** \$2,850,000 Taxable General Obligation Promissory Notes (Estimated)
- Recommendation:** Motion to approve the Plan of Finance for initial TID #16 project costs related to Ryan Business Park.
- Fiscal Impact:** The promissory notes will be paid from tax increment revenue in TID 16 from the values generated by the Amazon project.
- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: As Council is aware, the City is consulting with Baird as its financial advising firm. Justin Fischer, Senior Vice President with Baird will be at the Council meeting to discuss the City's new borrowing procedure and to go more indepth on the Plan of Finance for TID 16.

The Plan of Finance is covering the initial TID project costs for the Ryan Business Park development. On June 18th, the Common Council will review the award resolution finalizing the terms and interest rates for the estimated \$2,850,000 borrowing.

Options/Alternatives: Council has obligated the City for these project costs through the Finance Development Agreement with Ryan Business Park, LLC.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments:

BAIRD

100
YEARS

City of Oak Creek

City Council Meeting

May 21, 2019

Justin A. Fischer, Senior Vice President

jfischer@rwbaird.com

777 East Wisconsin Avenue

Milwaukee, WI 53202

Phone 414.765.3827

Fax 414.298.7354

City of Oak Creek

City Council Meeting

May 21, 2019



Timeline

- Baird and City discuss plan of finance..... May 8, 2019
- City Council considers plan of finance..... May 21, 2019
 - Preparations are made for issuance
 - ✓ Official Statement
 - ✓ Bond Rating
 - ✓ Marketing
- City Council considers Award Resolution for TIF #16 (finalizes term and interest rate) June 18, 2019
- Closing (funds available for TIF #16) June 27, 2019
- City Council considers Award Resolution for TIF #12 (finalizes terms and interest rates) July 16, 2019
- Closing (funds available for TIF #12) August 1, 2019

Borrowing/Structure/Purpose

Estimated Size:	\$2,850,000	\$4,110,000	\$1,050,000
Issue:	Taxable G.O. Promissory Note	G.O. Refunding Bonds	Taxable G.O. Refunding Bonds
Purpose:	TIF #16 Up-Front Incentive Payment (Amazon)	Refinance 2016 Notes (Tax-Exempt Portion) – TIF #12 (IKEA)	Refinance 2016 Notes (Taxable Portion) - TIF #12 (IKEA)
Structure:	Matures June 1, 2020	October 1, 2024 – 2036	October 1, 2020 – 2024
First Interest:	June 1, 2020	April 1, 2020	April 1, 2020
Callable:	October 1, 2019	TBD	TBD
Estimated Interest Rate:	3.50%	3.11%	3.77%

City of Oak Creek

City Council Meeting

May 21, 2019

TIF #16 Financing Illustration



		\$2,850,000 Taxable G.O. Prom Note - POS Dated June 27, 2019		\$2,935,000 Taxable G.O. Refunding Bonds Dated April 1, 2020					
Revenues		Expenditures						Net Revenues	
Year	(a) Projected Total TID #16 Revenues	(b) Interest (6/1 & 12/1) AVG= 3.50%	(c) Principal (10/1)	(d) Interest (4/1 & 10/1) AVG= 4.25%	(e) Debt Service	(f) Less: Administrative Costs	(g) Available After Debt Service & Admin Costs	Year	
2019								2019	
2020	\$105,600	\$75,921				\$25,000	\$4,679	2020	
2021	\$1,478,400		\$55,000	\$187,106	\$242,106	\$25,000	\$1,211,294	2021	
2022	\$1,493,184		\$120,000	\$122,400	\$242,400	\$25,000	\$1,225,784	2022	
2023	\$1,508,116		\$125,000	\$117,300	\$242,300	\$25,000	\$1,240,816	2023	
2024	\$1,523,197		\$130,000	\$111,988	\$241,988	\$25,000	\$1,256,209	2024	
2025	\$1,538,429		\$135,000	\$106,463	\$241,463	\$25,000	\$1,271,966	2025	
2026	\$1,553,813		\$140,000	\$100,725	\$240,725	\$25,000	\$1,288,088	2026	
2027	\$1,569,351		\$145,000	\$94,775	\$239,775	\$25,000	\$1,304,576	2027	
2028	\$1,585,045		\$150,000	\$88,613	\$238,613	\$25,000	\$1,321,432	2028	
2029	\$1,600,895		\$160,000	\$82,238	\$242,238	\$25,000	\$1,333,658	2029	
2030	\$1,616,904		\$165,000	\$75,438	\$240,438	\$25,000	\$1,351,467	2030	
2031	\$1,633,073		\$175,000	\$68,425	\$243,425	\$25,000	\$1,364,648	2031	
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2033	\$1,665,898		\$190,000	\$53,338	\$243,338	\$25,000	\$1,397,561	2033	
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2038	\$1,808,953		\$230,000	\$9,775	\$239,775	\$25,000	\$1,544,178	2038	
2039	\$1,841,903						\$1,841,903	2039	
	\$31,088,896	\$75,921	\$2,935,000	\$1,409,194	\$4,344,194	\$475,000	\$26,193,781		

Assumes Principal refinanced 4/1/2020. Interest paid with tax increment revenue.

City of Oak Creek

City Council Meeting

May 21, 2019

TIF #12 Financing Illustration



		\$1,050,000 Taxable G.O. Refunding Bonds Dated August 1, 2019			\$4,110,000 G.O. Refunding Bonds Dated August 1, 2019					Net Revenues		
Revenues		Expenditures										
(a) Projected Total TID #12 Revenues		(b) Principal	(c) Interest	(d) Debt Service	(e) Principal	(f) Interest	(g) Debt Service	(h) Combined Debt Service	(i) Less: Administrative Costs	(j) Available After Debt Service & Admin Costs		
Year		(10/1)	(4/1 & 10/1) TIC= 3.77%		(10/1)	(4/1 & 10/1) TIC= 3.11%				Year		
2019											2019	
2020	\$665,911	\$200,000	\$39,266	\$239,266		\$163,406	\$163,406	\$402,672	\$25,000	\$238,239	2020	
2021	\$672,573	\$235,000	\$27,457	\$262,457		\$140,063	\$140,063	\$402,519	\$25,000	\$245,054	2021	
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2025	\$699,891				\$270,000	\$134,663	\$404,663	\$404,663	\$25,000	\$270,229	2025	
2026	\$706,892				\$280,000	\$123,863	\$403,863	\$403,863	\$25,000	\$278,030	2026	
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2028	\$721,105				\$305,000	\$101,063	\$406,063	\$406,063	\$25,000	\$290,043	2028	
2029	\$728,319				\$315,000	\$88,863	\$403,863	\$403,863	\$25,000	\$299,456	2029	
2030	\$735,604				\$325,000	\$76,263	\$401,263	\$401,263	\$25,000	\$309,342	2030	
2031	\$742,963				\$340,000	\$65,700	\$405,700	\$405,700	\$25,000	\$312,263	2031	
2032	\$750,394				\$350,000	\$55,500	\$405,500	\$405,500	\$25,000	\$319,894	2032	
2033	\$757,901				\$360,000	\$45,000	\$405,000	\$405,000	\$25,000	\$327,901	2033	
2034	\$765,482				\$370,000	\$34,200	\$404,200	\$404,200	\$25,000	\$336,282	2034	
2035	\$773,139				\$380,000	\$23,100	\$403,100	\$403,100	\$25,000	\$345,039	2035	
2036	\$780,873				\$390,000	\$11,700	\$401,700	\$401,700	\$25,000	\$354,173	2036	
\$12,273,367		\$1,050,000	\$103,326	\$1,153,326	\$4,110,000	\$1,596,231	\$5,706,231	\$6,859,558	\$425,000	\$4,988,809		

City of Oak Creek

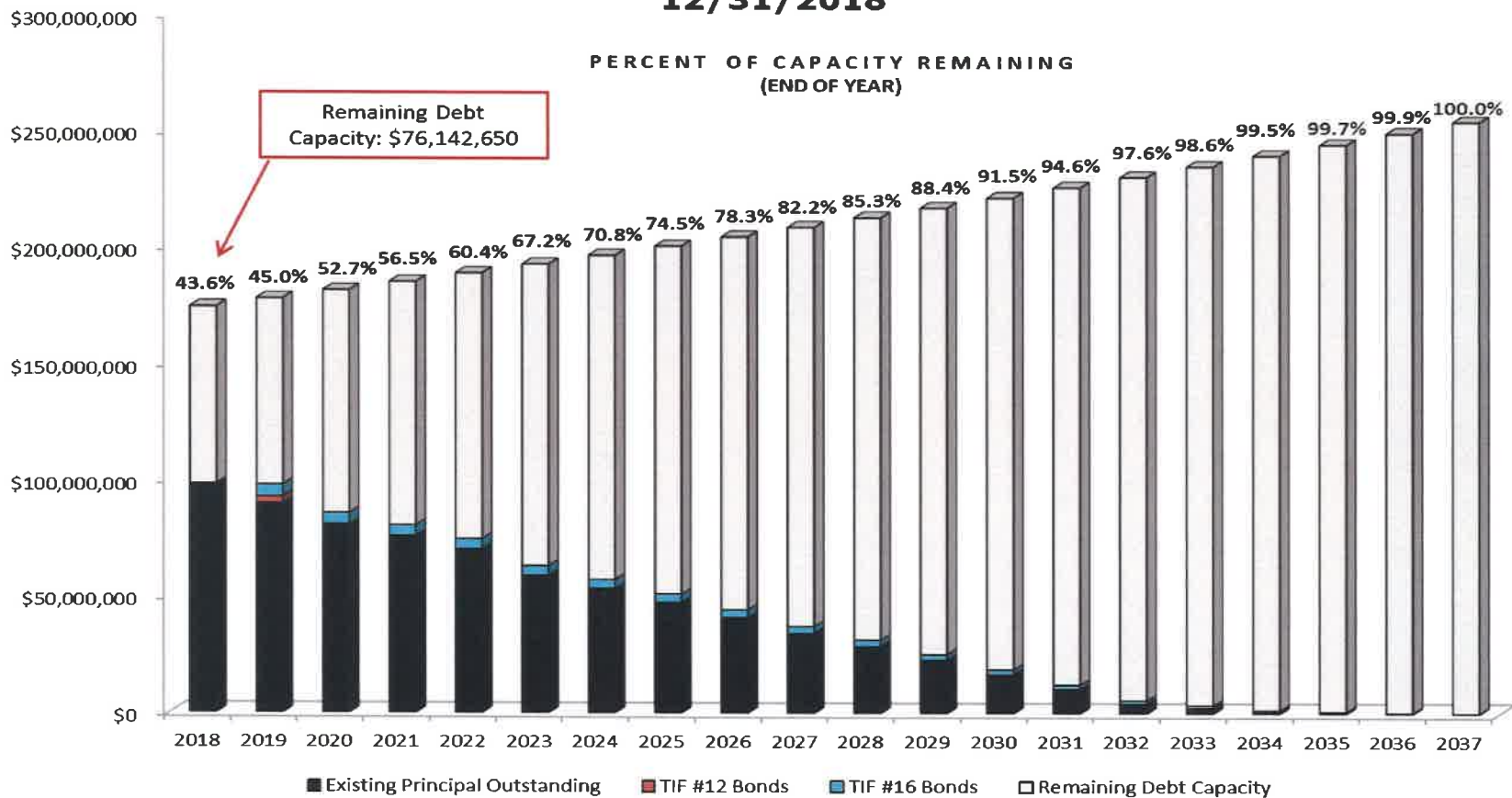
City Council Meeting

May 21, 2019

GO Debt Capacity (5% of Equalized Valuation (TID-IN))



City of Oak Creek HYPOTHETICAL GENERAL OBLIGATION DEBT CAPACITY AS OF 12/31/2018



Note: Future capacity based on 2018 Equalized Valuation (TID-IN) of \$3,492,653,000 with annual growth of 2.00%.

COMMON COUNCIL REPORT

Item: City Board and Commission salary updates

Recommendation: That the Common Council adopts Ordinance No. 2938, fixing the salary ranges, salary, wages, and allowances for board and commission members in the City under the control of the Common Council of the City of Oak Creek.

Fiscal Impact: Salary increase approved in 2019 City Budget. Budget impact for these increases will be \$500.00 for Board of Review, an increase from \$10.00 an hour to \$13.00 an hour. Board of Zoning/Housing appeals has an increase from \$30.00 to \$40.00 for members, and \$40.00 to \$50.00 a meeting for the Chair. Resulting in a \$1,960.00 annual increase.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: This ordinance is updated to reflect current boards and commissions; rates of pay have been modified for Board of Review and Board of Zoning/Housing Appeals members.

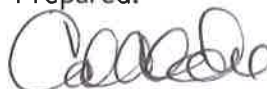
Options/Alternatives: None.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Catherine A. Roeske, CMC, WCMC
City Clerk

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Ordinance #2938

ORDINANCE NO. 2938

AN ORDINANCE FIXING THE SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR BOARD AND COMMISSION MEMBERS

The Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: There is herewith established the uniform rates of pay of those certain offices and positions in the City services under the control of the Common Council of the City of Oak Creek affecting non-union, management and miscellaneous personnel. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City pursuant to this ordinance.

SECTION 2: Members of the different boards and commissions shall be compensated according to the schedule listed below:

Board or Commission	Secretary	Member	Chair	Occurrence
Plan Commission	N/A	\$45.00	N/A	Per Meeting
Civil Service Commission	N/A	\$30.00	\$40.00	Per Meeting
Police and Fire Commission	\$40.00	\$30.00	\$40.00	Per Meeting
Board of Zoning/Housing Appeals	Per P/T Ord.	\$40.00	\$50.00	Per Meeting

The following boards and commissions are uncompensated.

- Parks and Recreation Commission
- Library Board
- Board of Health
- Traffic and Safety Commission
- Celebrations Commission
- Community Development Authority
- Finance Committee
- Landscape and Beautification Committee
- Tourism Commission

SECTION 3: No employee or ex officio member of a board, commission or a committee shall be compensated unless they are acting in the capacity of a citizen member and not as part of their normal duties.

SECTION 4: Due to the unique nature and number of the meetings required for the Board of Review, it is covered separately from the other boards and commissions. Members of the Board of Review will be compensated at an hourly rate of \$13.00 per hour for their meetings.

SECTION 5: VALIDITY. If any section, subsection, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such

holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Oak Creek hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof, may be declared invalid or unconstitutional.

SECTION 6: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

This ordinance shall take effect and be in full force and effect from and after its passage and publication and shall apply as of May 22, 2019.

Introduced this _____ day of _____, 2019.

Passed and adopted this _____ day of _____, 2019.

President, Common Council

Approved this _____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

Vote: Ayes _____ Noes _____

COMMON COUNCIL REPORT

Item: 2019-20 Official Newspaper

Recommendation: That the Common Council designate NOW Media Group (parent company for the Milwaukee Journal Sentinel - SOUTH NOW edition) to serve as the official City newspaper for the next 12 months.

Fiscal Impact: Funds to cover the cost of the official notices in 2019 have been budgeted in the General Government-Legal Notices Account.

In the past twelve months, these publications have amounted to a total cost of \$17,711.97.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: As a third class city, one of the state requirements we have is an annual bid process for an official City newspaper. An official notice was published on March 27, 2019, inviting bids to be publicly opened at noon on May 7, 2019.

The only bid received was from NOW Media Group (parent company of the Milwaukee Journal Sentinel).

The rates are as follows and are a decrease of 2018 rates (shown in red).

	1 st insertion per line	2 nd insertion per line
Council Proceedings	\$0.614 (\$0.65)	\$0.53 (\$0.485)
Legal Notices	\$0.614 (\$0.65)	\$0.53 (\$0.485)
	1 st insertion per column inch	2 nd insertion per column inch
Display ads, sample ballots and other matter set in display format	\$6.50 (\$6.14)	\$5.30 (\$4.85)
Affidavit	\$1.00	


Options/Alternatives: none.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: 2018-19 Billing totals; 2019 Invitation for Bid

South NOW

Billing totals for required publications

2018	
Jan	\$1,929.43
Feb	\$838.68
Mar	\$1,413.65
Apr	\$1,019.77
May	\$2,077.46
June	\$955.80
July	\$1,952.67
Aug	\$2,088.88
Sept	\$1,654.73
Oct	\$1,479.33
Nov	\$1,480.44
Dec	\$1,429.79
	\$18,320.63

2019	
Jan	\$617.92
Feb	\$987.81
Mar	\$1,760.75
Apr	\$1,226.39
	\$4,592.87

Previous 12 months total: **\$17,711.97**



March 26, 2019

CITY OF OAKCREEK
OFFICIAL NEWSPAPER BID
ATTN: CITY CLERK
8040 S. 6th STREET
OAK CREEK, WI 53154

Invitation for Bid – 2019

The below information is the state certified information for the SOUTH NOW publication for legal advertising.

Name of Type: Arial Classified

Type size: 8

Indicate Line Rates:	1 st Insertion	Subsequent Insertion	Column Width (pica)
1 column	\$6.14	\$4.850	9.17

Display Rates, per column inch:

1st Insertion: \$6.14

Subsequent Insertion: \$4.85

Paid Newspaper Subscriptions to be circulated in this geographic area: 15,546

Affidavit Cost: \$1.00

Affidavits shall be mailed within 10 days of publication.

Dates of Publication: Every Wednesday

Deadline for Display advertisement is Wednesday week prior by 10:00AM

Deadline for Liner advertisement is prior Friday at 10:00AM

Vendor: SOUTH NOW

Authorized Signature: /s/ Tara Mondloch

Print Name & Title: Tara Mondloch, Director, Public Notices | Obituaries

Date: March 26, 2019

Address: 333 W. State Street, Milwaukee, WI 53203

Telephone: 414-224-2121

Fax: 877-943-0443

Email: legal@jmg.com

COMMON COUNCIL REPORT

Item: Temporary Access Easement

Recommendation: That the Common Council adopts Resolution No. 12062-052119, a resolution accepting a temporary access easement upon Lot 61 of Glen Crossing Addition No. 2, a/k/a 8479 S. Rosewood Trail (Tax Key No. 829-0086) (2nd Aldermanic District).

Fiscal Impact: There is no cost to the City in acquiring this temporary easement.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: As a condition of developing his property for the Glen Crossing Addition No. 2 residential subdivision, the Developer was required to construct a temporary cul-de-sac at the south end of Rosewood Trail. The cul-de-sac provides for safe vehicular turnaround movements for city work vehicles as well as all other vehicles. The cul-de-sac and related access easement will remain in place until such time that the road is extended further to serve future developing lands to the south of the subdivision.

The easement lies partially upon Lot 61, but is situated upon a narrow southern extended "leg" of the parcel that would not prohibit the lot from being built upon prior to termination of the easement.

Options/Alternatives: Vehicles would not be entering the temporary cul-de-sac legally without the easement.

Respectfully submitted:



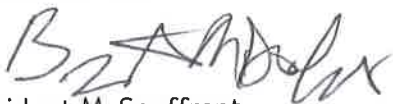
Andrew J. Vickers, MPA
City Administrator

Prepared:



Michael C. Simmons, PE
City Engineer

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Resolution 12062-052119, Temporary Access Easement

RESOLUTION NO. 12062-052119

**RESOLUTION ACCEPTING A TEMPORARY ACCESS
EASEMENT AT 8479 S. ROSEWOOD TRAIL
(2nd ALDERMANIC DISTRICT)**

WHEREAS, the 5,612 square foot temporary access easement ("Easement") has been prepared affecting the following Property Owner, to wit:

Glen Crossing LLC
Lot 61 of Glen Crossing Addition No. 2
8479 S. Rosewood Trail
Oak Creek, WI 53154
Tax Key No. 829-0086-000

NOW, THEREFORE, BE IT RESOLVED that said Easement, to be located at the temporary south terminus of Rosewood Trail upon Lot 61 of Glen Crossing Addition No. 2 (8479 S. Rosewood Trail), granted by the Property Owner to the City of Oak Creek ("City), is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Easement on behalf of the City, and upon execution by both the City and the Property Owners, the City Clerk is hereby directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21st day of May, 2019.

Passed and adopted this 21st day of May, 2019.

Kenneth Gehl, Common Council President

Approved this 21st day of May, 2019.

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

**Temporary Access
Easement**

Document Number

Document Title

EASEMENT NO. _____

PROJECT NO. Glen Crossing Addition No. 2

RESOLUTION NO. 12062-052119

ADDRESS NO. 8479 S. Rosewood Lane

GRANTOR(S) Glen Crossing LLC
20711 Watertown Road
Suite A
Waukesha WI. 53186

Recording Area

Michael C. Simmons, City Engineer
Engineering Department
8040 S. 6th Street
Oak Creek, WI 53154

Name and Return Address

829-0086
Parcel Identification Number (PIN)

TEMPORARY ACCESS EASEMENT

SOUTH ROSEWOOD LANE

Glen Crossing Addition No. 2 Subdivision

THIS INDENTURE, made this _____ day of _____, 2019, by and between, Glen Crossing LLC, 20711 Watertown Road, Suite A, Waukesha, WI 53186, party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

Grantor does hereby grant to the Grantee a Temporary Access Easement in which Grantor has constructed a temporary cul-de-sac pavement for use by City vehicles and the traveling public across the real property of Grantor in the City of Oak Creek, County of Milwaukee and State of Wisconsin, as shown on Exhibit "A", and described as follows:

The South 132.01 feet of Lot 61 of the recorded plat of Glen Crossing Addition Number 2, located in the NW 1/4 and NE 1/4 of the SW 1/4 of Section 17, T.5 N., R.22 E., City of Oak Creek, Milwaukee County, WI., being more particularly described as follows;

Commencing at the intersection of the West Right-of-Way Line of S. Rosewood Lane and the Southerly Boundary Line of the recorded plat of Glen Crossing Addition Number 2, said Point being the POINT OF BEGINNING of the lands herein described;

THENCE North 89°34'13" West on and along the Southerly Boundary Line of said plat, 42.02 feet;

THENCE North 00°00'12" East on and along the Westerly Line of Lot 61, 132.01 feet;

THENCE South 89°34'18" East a distance of 43.00 feet to a point on the West Right-of-Way Line of S. Rosewood Lane;

THENCE South 00°25'42" West on and along said West Right-of-Way Line, 132.01 feet to the POINT OF BEGINNING.

Lands contain 5,612 square feet more or less.

The Grantee and its invitees shall have the right to enter upon and to pass and repass over and along the aforesaid Temporary Easement whenever and wherever necessary for the purpose of general public travel and execution of City services.

The Grantee shall have the right to trim or remove any trees, bushes, branches or roots so as not to interfere with the Grantee's use of the Temporary Access Easement.

The aforesaid cul-de-sac pavement and Temporary Easement shall be maintained and kept in good order and condition at the expense of the Grantee.

There shall be no direct driveway access to the afore described temporary easement from adjoining properties.

No structures, which are defined as anything constructed or erected, the use of which requires more or less permanent location on ground, or attached to something having permanent location on the ground, shall be located anywhere within the boundaries of the temporary access easement, until such time that said easement is terminated.

The temporary access easement shall terminate at such time that a connecting public street is platted and dedicated beyond the described premises. At that time, Grantee or Grantee's designee shall remove the temporary cul-de-sac pavement, and Grantor or it's designee shall resume full use of the land for its purposes.

Grantor reserves the right, to themselves, their heirs, personal representatives, successors and assigns, to have the full use and enjoyment of the aforesaid premises, except as to the rights herein granted.

The City shall and does hereby agree to indemnify and save harmless the Grantors, their heirs, personal representatives, successors and assigns, from any and all loss of damage to property or injury to or death of any and all persons, or from any suits, claims, liability or demand in connection therewith however caused, resulting directly or indirectly by reason of the installation, operation, maintenance, removal, use or existence of the aforesaid temporary access easement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

GRANTOR:


Glen Crossing LLC, a Wisconsin Limited Liability Company, as owner


Robert W. Stack, Member 5/10/2019
Date


Roger W. Johnson, Member 5/10/2019
Date

STATE OF WISCONSIN)
)SS.
WAUKESHA COUNTY)

Personally came before me this 10 day of May, 2019, the above-named, Robert W. Stack and Roger W. Johnson as members of GLEN CROSSING LLC, as owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.


Notary Public, Waukesha County, WI

My commission expires: 2/12/21



EXHIBIT A

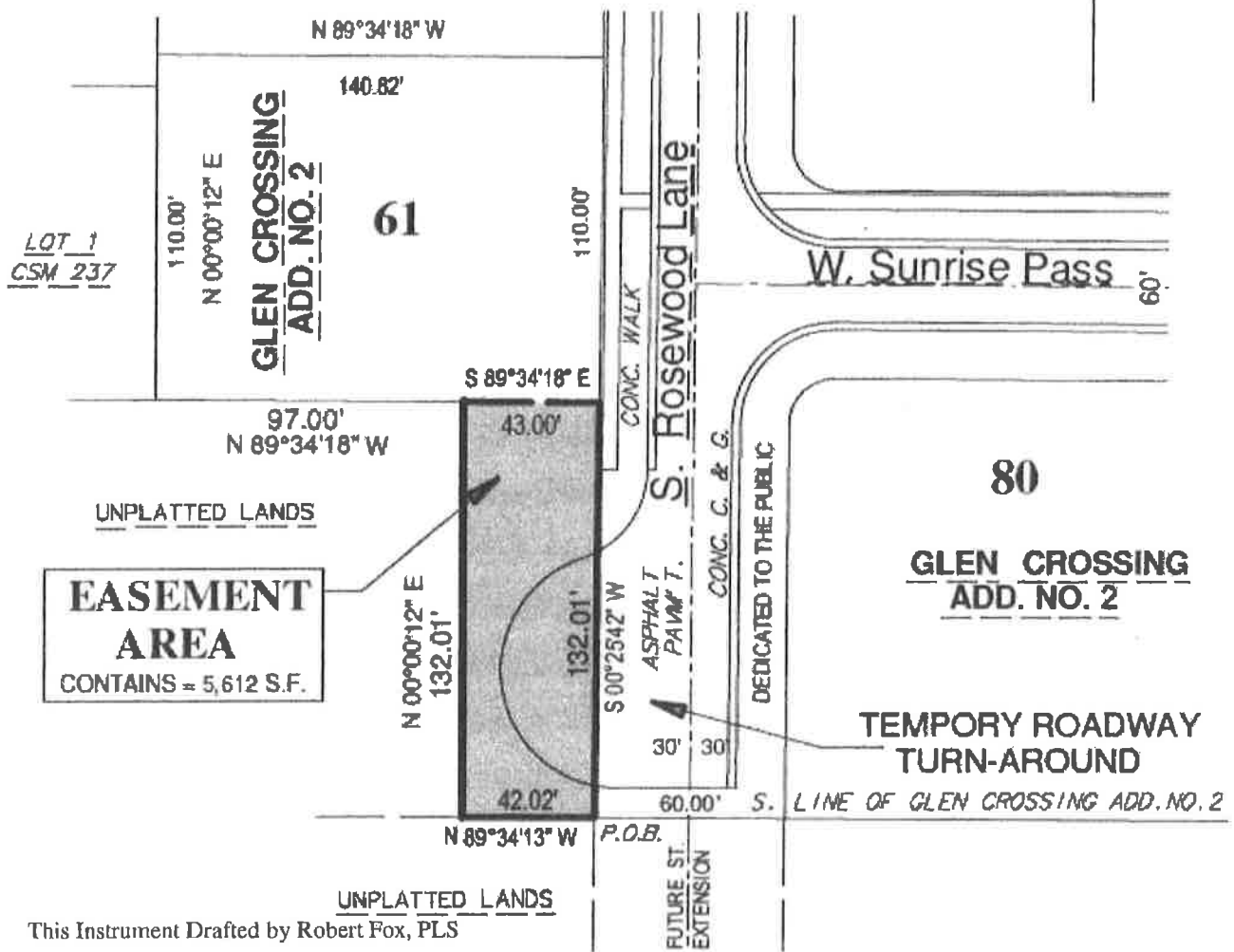
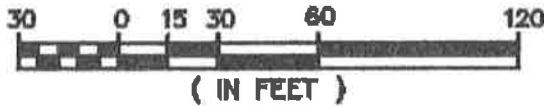
TEMPORARY EASEMENT
FOR ROADWAY PURPOSES

SOUTH ROSEWOOD LANE

Glen Crossing Addition No.2 Subdivision



GRAPHIC SCALE: 1" = 60'



This Instrument Drafted by Robert Fox, PLS



COMMON COUNCIL REPORT

Item: Temporary Access Easement

Recommendation: That the Common Council adopts Resolution No. 12063-052119, a resolution accepting a temporary access easement upon Lot 72 of Glen Crossing Addition No. 2, a/k/a 8493 S. Nighthawk Trail (Tax Key No. 829-0086) (2nd Aldermanic District).

Fiscal Impact: There is no cost to the City in acquiring this temporary easement.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: As a condition of developing his property for the Glen Crossing Addition No. 2 residential subdivision, the Developer was required to construct a temporary cul-de-sac at the south end of Rosewood Trail. The cul-de-sac provides for safe vehicular turnaround movements for city work vehicles as well as all other vehicles. The cul-de-sac and related access easement will remain in place until such time that the road is extended further to serve future developing lands to the south of the subdivision.

The cul-de-sac and easement lie wholly across the central frontage of Lot 72, situated such that the parcel will not be permitted to be built upon until after the easement is officially terminated.

Options/Alternatives: Vehicles would not be entering the temporary cul-de-sac legally without the easement.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Michael C. Simmons, PE
City Engineer

Fiscal Review:

Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Resolution 12063-052119, Temporary Access Easement

RESOLUTION NO. 12063-052119

**RESOLUTION ACCEPTING A TEMPORARY ACCESS
EASEMENT AT 8493 S. NIGHTHAWK TRAIL
(2nd ALDERMANIC DISTRICT)**

WHEREAS, the 3,958 square foot temporary access easement ("Easement") has been prepared affecting the following Property Owner, to wit:

Glen Crossing LLC
Lot 72 of Glen Crossing Addition No. 2
8493 S. Rosewood Trail
Oak Creek, WI 53154
Tax Key No. 829-0086-000

NOW, THEREFORE, BE IT RESOLVED that said Easement, to be located at the temporary south terminus of Rosewood Trail upon Lot 72 of Glen Crossing Addition No. 2 (8493 S. Rosewood Trail), granted by the Property Owner to the City of Oak Creek ("City), is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Easement on behalf of the City, and upon execution by both the City and the Property Owners, the City Clerk is hereby directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21st day of May, 2019.

Passed and adopted this 21st day of May, 2019.

Kenneth Gehl, Common Council President

Approved this 21st day of May, 2019.

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

**Temporary Access
Easement**

Document Number

Document Title

EASEMENT NO

PROJECT NO. Glen Crossing Addition No. 2

RESOLUTION NO. 12063-052119

ADDRESS NO. 8493 S. Nighthawk Trail

GRANTOR(S) Glen Crossing LLC
20711 Watertown Road
Suite A
Waukesha WI. 53186

Recording Area

Michael C. Simmons, City Engineer
Engineering Department
8040 S. 6th Street
Oak Creek, WI 53154

Name and Return Address

829-0086
Parcel Identification Number (PIN)

TEMPORARY ACCESS EASEMENT

SOUTH NIGHTHAWK TRAIL
Glen Crossing Addition No. 2 Subdivision

THIS INDENTURE, made this _____ day of _____, 2019, by and between, Glen Crossing LLC, 20711 Watertown Road, Suite A, Waukesha, WI 53186 , party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

Grantor does hereby grant to the Grantee a Temporary Access Easement in which Grantor has constructed a temporary cul-de-sac pavement for use by City vehicles and the traveling public across the real property of Grantor in the City of Oak Creek, County of Milwaukee and State of Wisconsin, as shown on Exhibit "A", and more particularly described as follows:

Being the Easterly 35 feet of Lot 72 of the recorded plat of Glen Crossing Addition Number 2, located in the NW 1/4 and NE 1/4 of the SW 1/4 of Section 17, T.5 N.,R.22 E., City of Oak Creek,

Milwaukee County, WI. , bounded and described as follows;

Commencing at the intersection of the Westerly Right-of-Way Line of S. Nighthawk Trail with the Southerly Boundary Line of the recorded plat of Glen Crossing Addition Number 2, Point also being the Southeasterly Corner of said Lot;

Thence North $00^{\circ}25'42''$ East along the West Right of Way Line of S. Nighthawk Trail , 20.00 feet to the POINT OF BEGINNING of the lands herein described;

THENCE North $89^{\circ}34'13''$ West and parallel to the South Line of said subdivision, 35.00 feet;

THENCE North $00^{\circ}25'42''$ East and parallel to said West Right-of-Way Line, 92.21 feet to a point of curvature;

THENCE on and along the arc of a curve, center which lies to the southwest, having a radius of 197.67 feet, a central angle of $05^{\circ}08'38''$, a chord of 17.74 feet, bearing North $02^{\circ}08'37''$ West, 17.75 feet, to the northerly property line of Lot 72;

THENCE North $80^{\circ}12'00''$ East, on and along said northerly property line, 35.12 feet to a point on the westerly Right-of-Way Line of S. Nighthawk Trail;

THENCE Southeasterly on and along said Right-of-Way Line and the arc of a curve, center of which lies to the Southwest, having a radius of 232.67 feet, a central angle of $05^{\circ}54'36''$, a chord of 23.99 feet, bearing South $02^{\circ}31'36''$ East, 24.00 feet to a point of tangency;

THENCE South $00^{\circ}25'42''$ West on and along said Right-of-Way Line, 92.21 feet to the POINT OF BEGINNING.

Lands contain 3,958 square feet more or less.

The Grantee and its invitees shall have the right to enter upon and to pass and repass over and along the aforesaid Temporary Easement whenever and wherever necessary for the purpose of general public travel and execution of City services.

The Grantee shall have the right to trim or remove any trees, bushes, branches or roots so as not to interfere with the Grantee's use of the Temporary Access Easement.

The aforesaid cul-de-sac pavement and Temporary Easement shall be maintained and kept in good order and condition at the expense of the Grantee.

No structures, which are defined as anything constructed or erected, the use of which requires more or less permanent location on ground, or attached to something having permanent location on the ground, shall be located anywhere on the parcel containing the temporary access easement, until such time that said easement is terminated.

The temporary access easement shall terminate at such time that a connecting public street is platted and dedicated beyond the described premises. At that time, Grantee or Grantee's designee shall remove the temporary cul-de-sac pavement, and Grantor or it's designee shall resume full use of the land for its purposes.

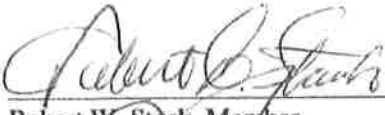
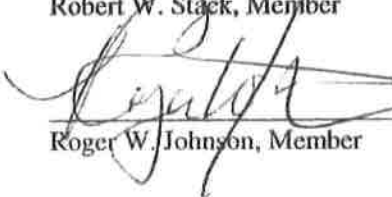
Grantor reserves the right, to themselves, their heirs, personal representatives, successors and assigns, to have the full use and enjoyment of the aforesaid premises, except as to the rights herein granted.

The City shall and does hereby agree to indemnify and save harmless the Grantors, their heirs, personal representatives, successors and assigns, from any and all loss of damage to property or injury to or death of any and all persons, or from any suits, claims, liability or demand in connection therewith however caused, resulting directly or indirectly by reason of the installation, operation, maintenance, removal, use or existence of the aforesaid temporary access easement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

GRANTOR:

Glen Crossing LLC, a Wisconsin Limited Liability Company, as owner

	<u>5/10/2019</u>
Robert W. Stack, Member	Date
	<u>5/10/2019</u>
Roger W. Johnson, Member	Date

STATE OF WISCONSIN)
)SS.
WAUKESHA COUNTY)

Personally came before me this 10 day of May, 2019, the above-named, Robert W. Stack and Roger W. Johnson as members of GLEN CROSSING LLC, as owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

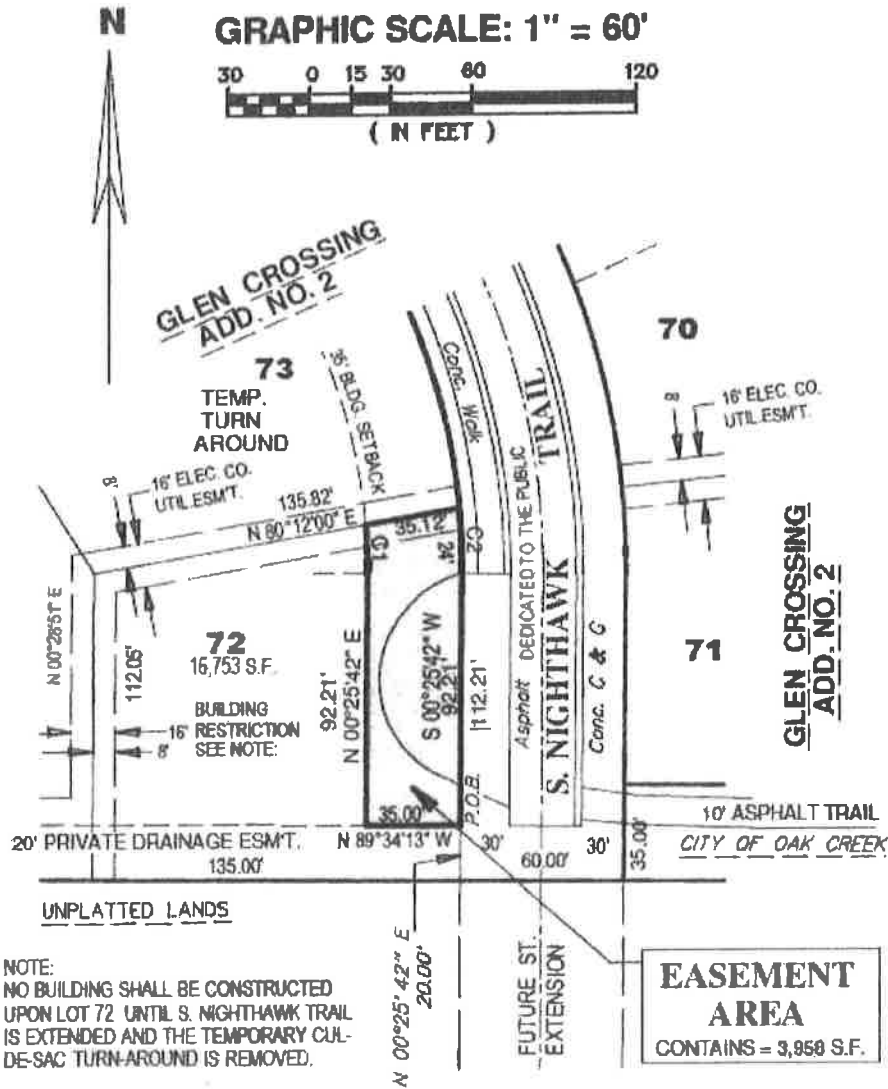


Notary Public, Waukesha County, WI

My commission expires: 2/12/21



EXHIBIT A
Glen Crossing Addition No. 2
TEMPORARY EASEMENT
FOR ROADWAY PURPOSES
SOUTH NIGHTHAWK TRAIL
 Glen Crossing Addition No. 2



#	Radius	Delta	Length	Chord	Chord Bearing	Tan In	Tan Out
1	197.67'	05°08'38"	17.75'	17.74'	N 02°08'37" W	N 00°25'42" E	N 04°42'56" W
2	232.67'	05°54'38"	24.00'	23.99'	S 02°31'36" E	N 05°28'54" W	S 00°25'42" W



COMMON COUNCIL REPORT

Item: We Energies Easement

Recommendation: That the Common Council adopts Resolution No. 12064-052119, a resolution granting to We Energies a permanent easement upon 9555 S. 13th Street for utility relocations (Tax Key No. 904-9014-000, 6th Aldermanic District).

Fiscal Impact: There are no costs associated with this easement transaction.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The road improvements being constructed for the Ryan Business Park and other developing lands in the southwest portion of the City are requiring that some existing utilities within public road right-of-way be relocated to accommodate additional travel lanes. The City owns the parcel at 9555 S. 13th Street. The south branch of the Oak Creek flows through the property, and the City maintains the channel there. We Energies needs to encroach onto 9555 with one of their utility pole relocations, and is requesting a 12'-wide permanent easement across the property's east frontage to legally do so.

Options/Alternatives: We Energies will not relocate without the easment and that would affect the work on the road improvements.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Michael C. Simmons, PE
City Engineer

Fiscal Review:

Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Resolution 12064-052119, Easement

RESOLUTION NO. 12064-052119

**RESOLUTION GRANTING TO WE ENERGIES A PERMANENT
EASEMENT UPON 9555 S. 13TH STREET FOR UTILITY RELOCATIONS
TAX KEY NO. 904-9014-000**

(6TH ALDERMANIC DISTRICT)

WHEREAS, the 12' x 146' permanent distribution easement for overhead electric and communications facilities ("Easement") has been prepared affecting the following Property Owner, to wit:

City of Oak Creek
9555 S. 13th Street
Oak Creek, WI 53154
Tax Key No. 904-9014-000

; and

WHEREAS, We Energies ("Grantee") requires the Easement from the City ("Grantor") so that Grantee may accommodate the request to have Grantee's facilities relocated to accommodate a public works road improvement project.

NOW, THEREFORE, BE IT RESOLVED that said Easement is hereby approved and granted.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Easement on behalf of the City, and upon execution, the City Clerk is directed to send the Easement to We Energies for their recording of the document with the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21st day of May, 2019.

Passed and adopted this 21st day of May, 2019.

Kenneth Gehl, Common Council President

Approved this 21st day of May, 2019.

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

**DISTRIBUTION EASEMENT
OVERHEAD ELECTRIC AND
COMMUNICATIONS**

Document Number

WR NO. **4356767** IO NO. **76365**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF OAK CREEK, a Wisconsin Municipal Corporation**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, CHARTER CABLE PARTNERS, LLC and WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a strip of land twelve (12) feet in width being a part of that certain **Certified Survey Map No. 5502**, as recorded in the office of the Register of Deeds for Milwaukee County on January 8th, 1991, as **Document No. 6448221**; also being a part of the **Northeast ¼ of Section 30, Township 5 North, Range 22 East**, City of Oak Creek, Milwaukee County, Wisconsin.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

904-9014-000
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, erect, operate, maintain and replace overhead utility facilities, including a line of poles, together with the necessary conductors, anchors, guy wires, underground cable, pedestals, riser equipment and all other appurtenant equipment above ground which Grantee deems necessary to transmit electric energy, signals, television and telecommunications services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed by Grantee whenever it decides it is necessary so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

9. Relocation: In the event that Grantor requires the relocation of the electrical facilities within the easement area due to bridge, city utility or drainage improvement activities on land surrounding the easement area, Grantee agrees to relocate said electrical facilities at its expense, on a one-time basis, upon reasonable written notice from Grantor, provided that Grantor provides a suitable alternate location for said facilities, with all necessary easement rights for their construction and maintenance at the new location. This relocation agreement applies to the original Grantor only and does not apply to any heirs, successors or assigns of said land.

Grantor:

CITY OF OAK CREEK, a Wisconsin Municipal Corporation

By _____

DANIEL J. BUKIEWICZ, Mayor

By _____

CATHERINE A. ROESKE, City Clerk

Personally came before me in Milwaukee County, Wisconsin on _____, 2019,
the above named Daniel J. Bukiewicz, the Mayor, and Catherine A. Roeske, the City Clerk, of the CITY OF OAK CREEK, a
Wisconsin Municipal Corporation, for the municipal corporation, by its authority, and pursuant to Resolution File
No. _____ adopted by its _____ on _____, 2019.

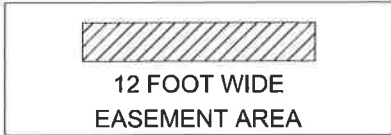
Notary Public Signature, State of Wisconsin

Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires _____

KEY



LINE	LENGTH	BEARING
L1	45.00'	S89°56'00"W

NE COR.
SEC. 30
T5N R22E

S.T.H. 100 (W. RYAN RD.)
SECTION LINE

646.08' S00°04'00"E
SECTION LINE

LOT 1
CSM 5502

LOT 4
CSM 9085

L1
P.O.B.

PROPERTY LINE

OULOT 3
CSM 9076

PL

PROPERTY LINE

P.O.E.

LOT 2
CSM 5502

LOT 3
CSM 9085

R.O.W.

146.00'
S. 13TH ST.

R.O.W.



BEARINGS REFERENCED TO
WISCONSIN STATE PLANE COORDINATE SYSTEM,
SOUTH ZONE (NAD 27)

SCALE, FEET 0 100 200



EXHIBIT "A"



PART OF CSM 5502
LOCATED IN THE NE ¼ OF
SEC. 30, T5N, R22E, CITY OF OAK CREEK,
MILWAUKEE COUNTY, WISCONSIN

WR NUMBER: 4356767

DATE: 04/09/2019

DRAWN BY: FCO

SCALE: 1" = 200'

PAGE 1 of 1



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 5/21/19 License Committee Report.

Fiscal Impact: License fees in the amount of \$5,560.00 were collected. If Operator License denials are approved, as recommended by the License Committee, refunds in a total amount of \$50 would be issued.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background:

The License Committee met on 5/9/19. Recommendations are as follows:

1. Grant an Operator's license to Christa N. DuFay, 3442 S. 13th St., Milwaukee (Cellar Pub and Grill).
2. Deny an Operator's license to Sarah R. Aragon, 1816 W. Rogers St., Milwaukee (BP W Discount Liquor) for falsification of application by omission.
3. Deny an Operator's license to Jesus Gonzales III, 2178 S. 14th St., Milwaukee (Agave Blu Cantina) for falsification of application by omission and for felony convictions.
4. Grant a Special Event permit to Don Savaglia, agent on behalf Savaglia Financial Advisors for their 20th Anniversary Celebration to be held at Lake Vista Park on June 22, 2019.
5. Grant a Temporary Class B Beer license to Tim Windler, agent on behalf of the South Suburban Chamber of Commerce for the Savaglia 20th Anniversary Celebration to be held at Lake Vista Park on June 22, 2019.
6. Grant a Special Event permit to Nicole Behnke, agent on behalf of Newaukee for The Confluence Community Art Showcase and Festival to be held at Lake Vista Park on July 20, 2019.
7. Grant a Temporary Class B Beer license to Kristin Craig, agent on behalf of the Oak Creek Tourism Commission for The Confluence Community Art Showcase and Festival to be held at Lake Vista Park on July 20, 2019.

8. Grant a Special Event permit to Heather Ryan, agent on behalf of the Oak Creek-Franklin Foundation for Education for an Art in the Park Art Show/Sale to be held at Henry Miller Park on May 25, 2019.

The following items were received after License Committee met. Tentative recommendations are as follows (favorable background reports received):

9. Grant an Operator's license to:

- * Jacob J. Nordstrom, 5207 W. Donges Ln., Brown Deer (Target)
- * Anthony S. Prochaska, 10570 W. Cortez Cir., Franklin (Target)
- * Cory J. Hagen, 2640 N. Booth St., Milwaukee (Target)
- * Zachary J. Sjolund, 5335 S. Tuckaway Ln., Greenfield (Agave Blu Cantina)
- * Carrie M. Welch, 109 15th Ave., South Milwaukee (Pick 'n Save)
- * Jesse L. Stoehr, 3525 S. River Glen Ln., Milwaukee (Aldi)
- * Jesse G. Stansell, 1719 N. Astor St., Milwaukee (Pizza Man)
- * Karla Huertas, 1101 E. Park Blvd., Oak Creek (Pizza Man)
- * Jacob C. Krings, 222 2nd St., Pewaukee (The Waters of Oak Creek)

10. Grant a Temporary Class B Beer license to Jas A. Mortenson, agent on behalf of All Saints Lutheran Church - ELCA, 9131 S. Howell Ave., for the "How Great Thou "ART" Fair to be held on July 20, 2019.

11. Grant a Temporary Class B Beer / Class B Wine license to Carolyn Bukiewicz, agent on behalf of the DTS Summer Soulstice Festival in Drexel Town Square to be held on June 15, 2019.

12. Grant an Amusement Operator and Amusement Devices License(s) to:

- * Gardner Technical Services LLC, 1415 Johnson St., Janesville, WI
- * Brewer Amusement Company LLC, 412 Sparta St., McMinnville, TN
- * Red's Novelty Ltd, 1921 S. 74th St., West Allis, WI
- * Games Are Us, Inc., 4905 S. Woodlawn Pl., Greenfield, WI
- * Sam's Amusement, 930 Washington Rd., Kenosha, WI
- * National Entertainment Network, 325 Interlocken Pkwy, Broomfield, CO

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: None

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the May 15, 2019 Vendor Summary Report in the total of \$582,835.43.

Fiscal Impact: Total claims paid of \$582,835.43.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Of note are the following payments:

1. \$97,949.92 to Advanced Disposal (pg #1) for April recycling and trash pickup.
2. \$5,078.00 to American Litho (pg #1) for summer acorn printing.
3. \$5,320.06 to Arvest Central Mortgage Co (pg #2) for tax overpayment refund.
4. \$9,204.00 to Ascension Medical Group (pg #2) for pre-employment physicals, Fire Department's wellness exams, and nursing services/supplies.
5. \$18,171.00 to Baker Tilly (pgs #2-3) for services in connection to 2018 financial audit and OPEB.
6. \$66,002.70 to Benistar (pg #3) for Medicare supplement insurance.
7. \$51,662.00 to BS&A (pg #4) for BS&A annual service/support fee.
8. \$10,400.00 to Dept. of AG, Trade, & Consumer Protection (pg #5) for weight and measure contract inspection.
9. \$9,800.00 to DTS Mixed Use LLC (pg #6) for Drexel Town Square restroom charges for special events.
10. \$7,336.00 to General Traffic Controls, Inc. (pg #7) for school zone equipment, Projects: 19026, 19028, and 19031.
11. \$7,985.00 to Grunau Company (pg #8) for additional bubbler in Library.
12. \$6,007.29 to Hein Electric (pg #9) for City maintenance work and repairs.
13. \$11,947.53 to Houseal Lavigne Associates (pg #10) for comprehensive plan and zoning code update, Project #17001.
14. \$12,521.66 to Kansas City Life Insurance Co (pgs #11-12) for June disability insurance.

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15. \$5,192.44 to Milwaukee County Treasurer (pg #14) for April court fines.
 16. \$26,484.86 to Reinders, Inc. (pg #15) for DPW maintenace supplies and new Toro mower, Project 19025.
 17. \$7,069.66 to Securian Financial Group, Inc. (pgs #17-18) for June employee life insurance.
 18. \$26,740.00 to Tyler Technologies, Inc. (pg #20) for assessor services.
 19. \$59,318.75 to US Bank (pgs #22 - 33) for equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.
 20. \$17,195.60 to WE Energies (pgs #20-21) for street lighting, electricity & natural gas.
 21. \$14,531.81 to WI Court Fines & Surcharges (pg #21) for April court fines.
 22. \$20,111.08 to World Fuel (pg #22) for fuel inventory.

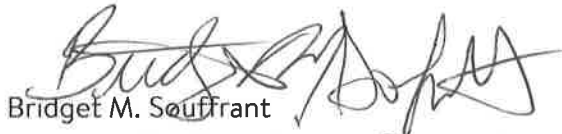
Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: 5/15/19 Invoice GL Distribution Report