

PLAN COMMISSION

July 23, 2019

6:00 P.M.

Common Council Chambers

8040 S. 6[™] Street Oak Creek, WI 53154 (414) 766-7000

Daniel Bukiewicz - Chair Dawn Carrillo Chaucey Chandler Donald Oldani Chris Guzikowski Matt Sullivan Gregory Loreck Fred Siepert Christine Hanna Vacant – ex-officio Doug Seymour – ex-officio

The City's Vision

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

NEW! Find more information on agenda items at oakcreek.zoninghub.com.

- 1. Call Meeting to Order
- 2. Roll Call
- 3. Approval of Minutes July 9, 2019
- 4. Significant Common Council Actions
- 5. Public Hearings
 - a. TID No. 12, AMENDMENT NO. 1 PROJECT PLAN AND BOUNDARIES Hold a public hearing on a proposed district boundary and Project Plan amendment for Tax Incremental Financing District (TID) No. 12. Twitter @OakCreekPC#OCPCTID12
- 6. New Business
 - a. TID No. 12, AMENDMENT NO. 1 PROJECT PLAN AND BOUNDARIES Review and Consider Plan Commission Resolution No. 2019-06 adopting the boundaries and Project Plan for Tax Incremental Financing District (TID) No. 12, Amendment No. 1. Twitter @OakCreekPC#OCPCTID12
 - MINOR LAND DIVISION Review a certified survey map submitted by Simon Krizan reconfiguring the properties at 9834 & 9878/80 S. Nicholson Rd. (Tax Key Nos. 909-9010-000 & 909-9009-000).
 ZoningHub: https://s.zoninghub.com/CIO8FVC95Z; Twitter @OakCreekPC#OCPCKrizanMLD
 - c. REZONE Review a request submitted by Linda Gorens-Levey, General Capital Group, to rezone the properties at 1001, 1199, & 1203 W. Ryan Rd. and 9600 S. 13th St. to B-4, Highway Business (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) (Tax Key Nos. 905-9995-001, 905-9993-004, 905-9992-001, 905-9010-000). ZoningHub: https://s.zoninghub.com/TYDSMALVIM; Twitter @OakCreekPC#OCPCGenCapRezone

- d. PLAN REVIEW Review a site plan and a concept rendering submitted by Jeton Rusidorski, Vivere Fine Food, Inc., for an outdoor dining patio addition to the south side of the existing restaurant at 1000 E. Rawson Ave. (Tax Key No. 732-9988-000). ZoningHub: https://s.zoninghub.com/Q3RDBPTDK1: Twitter @OakCreekPC#OCPCVivere
- e. SIGN PLAN REVIEW Review a proposed sign plan submitted by Desi Varsel, Signs Unlimited, Inc., for the Diesel Barbershop tenant space at 120 W. Town Square Way (Tax Key No. 813-9045-000).
 ZoningHub: <u>https://s.zoninghub.com/ZR0LFMHTYF</u>; Twitter @OakCreekPC#OCPCDiesel
- f. PLAN REVIEW Review plans submitted by Michael LeBreton, Take 5 Oil Change, for exterior building modifications to the oil change and car wash buildings at 6900 S. 27th St. (Tax Key No. 737-9025-000). ZoningHub: https://s.zoninghub.com/V5UM2IBPAI; Twitter @OakCreekPC#OCPCTake5
- g. SIGN PLAN REVIEW Review a proposed sign plan submitted by Pure Barre for the tenant space at 120 W. Town Square Way (Tax Key No. 813-9045-000). ZoningHub: <u>https://s.zoninghub.com/E2HGKFW2X6</u>; Twitter @OakCreekPC#OCPCPureBarre

Adjournment. Dated this 19th of July, 2019 Posted 7-19-19 bh

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

MINUTES OF THE OAK CREEK PLAN COMMISSION MEETING TUESDAY, JULY 9, 2019

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Siepert. Commissioner Chandler was excused. Also present: Kari Papelbon, Planner.

Minutes of the June 25, 2019 meeting

Commissioner Siepert moved to approve the minutes of the June 25, 2019 meeting. Commissioner Hanna seconded. On roll call: all voted aye, except Alderman Guzikowski who abstained.

CONDITIONS AND RESTRICTIONS MODHOME LLC 10730 S HOWELL AVE. TAX KEY NOS. 869-9993-000 & 865-9978-003

Planner Papelbon provided an overview of the draft Conditions and Restrictions for a Single Family Residential Planned Unit Development on the property at 10730 S. Howell Ave. (See staff report for details.)

Mayor Bukiewicz invited the applicant to the podium to say a few words. The applicant declined.

Mayor Bukiewicz read into record the comment of Josh Kultgen, 10723 S. Christina Court:

"Do the existing Conditions and Restrictions include anything related to the hours of operation for both the dog park and clubhouse complex? If not, can they be included?"

Commissioner Siepert inquired about the lot size of each unit. Planner Papelbon explained that the general development plan removed the individual lot lines from around the homes because there are no lots, they are part of the condo development. Planner Papelbon continued to explain that they do have lot layouts for each individual home, but she did not have the dimensions.

Mayor Bukiewicz asked if the applicant can address the questions regarding hours of operation. Jeremy Samatis, 670 N. Park Blvd., Glen Ellyn, Illinois, explained that the dog park would have hours of sun up to sun down with no plans of night time lighting. The club house would have the same rules, with the exception of the fitness center. The fitness center is accessed with a key card that residents can utilize 24 hours a day.

Mike Scherman, 10811 S. Christina Court:

"I own a house at 10811 South Christina Court, which backs up directly to the development. I've been involved in a lot of developments being the developer and also going against them. Most recently, you probably heard about the MLG Industrial Park, east of 43 in Grafton, maybe you haven't, but that was one where we worked together

with the community to get something that worked for everyone. I'm big on working and being good neighbors, I'm a capitalist I get the development, I've spoken to a lot of the neighbors that have been negatively impacted by this and there's one thing that really stands out, you know, contention. I think it's unconscionable that both the developer and you as a Planning Commission would allow and that's a dog park in our back yards. You don't see that in developments, particularly in this case it's been put behind the garages of the DiSanto development homes, the 85, you know, they're going to be out of sight, but it's going to be directly in our backyards where our decks are set, we're looking out at the sunset, we've been there 15 years, paid our taxes, voted diligently. This dog park is a minor luxury to the DiSanto development, what has been a homerun or I'd say a grand slam. A PUD going in there with all these details, I've done developments I would kill to get that out in Grafton. This is one thing that if DiSanto really says, I've heard them say couple times I want to be a good neighbor, this is one minor thing that could be stricken from the detailed plan. It's not too late and could make a huge difference in the quality of life for your constituents, probably appointed excuse me, but constituents of yourself Mr. Mayor and the others that will take a little bit of salt out of the wound. We have dogs, Doberman Pinschers, pit bulls, they're going to wonder who are these 100 dogs hanging out in our backvard? There's going to be fights, every one of these people, I've talked to them that live in that vicinity are going to be calling in complaints, your people are going to have to deal with it. Their dogs are going to be probably getting into battles, if a dog comes on to the land, their land, which we know dogs don't know boundaries, right, this is a wetland. Dogs are going to run onto our properties, it's going to be trespass, we can't put a fence in there because it's wetlands. We've been respectful of the DNR requirements and now all of a sudden we're going to have potentially hundreds of dogs. I mean 85 rentals, people have multiple dogs. This is a minor thing that you guys could do for all of us and if not I guarantee you the residents will be up in arms I mean planting big signs that, "stay away," trying to disrupt the sales of the properties. Like I say, it doesn't need to be this way, I've done a lot of this kind of work, this is a minor thing that you guys could do for the community and to show everyone that you're not just for development, you do care about the people who have been here long term."

Mayor Bukiewicz asked if the applicant would like to come up to address this issue. Steven Sorenson, von Briesen and Roper, explained if the dog park becomes a problem it will be dealt with and per City ordinance if it does become a problem they are required to deal with it. Mr. Sorenson explained the City has the tools in the ordinances to deal with any issues that come up.

Kay Michlig-Ferreira, 431 E. Jordan Ln:

"I live across from the development. I've had a dog almost the entire 14 years that I have lived in this subdivision, right now I have two. I do have a fenced in backyard, but my dogs were used to walking long before we ever put the fence up and they still expect me to walk them around the block. If you have a dog, you don't need a dog park. There's sidewalks in our subdivision, there's sidewalks planned in that subdivision, I think Mike, if it's a problem for those homeowners that are bordering up to it, good dog owners walk their dogs. My dogs need to be exercised because otherwise they're so squirrelly I don't even want them in my house. I've never taken my dogs to a dog park because, like I said, they don't need it."

April Siejkowski, 10820 S. Jessica Drive;

"Been here about 17 years, very nice quiet neighborhood, already we've experienced way too many accidents on the freeway and with those accidents comes more traffic and with that extra traffic it takes forever to get out of my subdivision and now you're going to put 85 homes there with possibly people that have up to four cars each, maybe. I could care less about the dog park, but the traffic is what concerns me."

Mayor Bukiewicz explained that the State will have to manage the traffic because Howell Avenue is a state highway. The state will have to make sure there are safe ins and outs for the subdivision.

April Siejkowski, 10820 S. Jessica Drive:

"But that's not going to do anything for me."

Mayor Bukiewicz reiterated that this meeting is to cover the Conditions and Restrictions and the meeting must stick to the agenda. He continued to explain that he understands traffic is increasing as the City is expanding and the City is doing their best to accommodate and control it. Mayor Bukiewicz reiterated that the Planned Unit of Development has already been approved. The applicant will have to work with the state to make sure the cars are going in and out in a safe manner.

April Siejkowski, 10820 S. Jessica Drive:

"I just feel that this, there wasn't much effort put into thinking about our neighborhood and what we have to go through. I don't know if any of you live close by, but it's not going to bother you or be a nuisance to you if this happens, it will be on our part and our area is very quiet."

Mayor Bukiewicz stated he understands and explained that other areas of the City have been impacted by development, as well.

April Siejkowski, 10820 S. Jessica Drive:

"Right it was supposed to be Kaerek's land at first, it was Kaerek's land and they sold it."

Mayor Bukiewicz explained there still would have been development or homes there.

April Siejkowski, 10820 S. Jessica Drive:

"Right, but it would have been homes. It would have been"

Mayor Bukiewicz reiterated these will be homes and the people that move in will be residents and everyone needs to be respectful of that.

April Siejkowski, 10820 S. Jessica Drive:

"I thought it was more of like an apartment complex. That's what everybody has been saying."

Mayor Bukiewicz restated that these will be single-family homes that can be used as rentals or as a condominium complex.

April Siejkowski, 10820 S. Jessica Drive:

"So, to me that's really not a house."

Mayor Bukiewicz stated it is a home even if they are rented out.

April Siejkowski, 10820 S. Jessica Drive:

"But you're calling it a condo."

Mayor Bukiewicz explained that 5% of real estate, private single-family homes, in Oak Creek are rentals.

April Siejkowski, 10820 S. Jessica Drive:

"Right, you can rent anywhere."

Mayor Bukiewicz explained that that point is not being debated, it was already addressed in the public hearing.

April Siejkowski, 10820 S. Jessica Drive:

"Well I wasn't really aware of it until about a week or so ago. So, I'm here tonight to voice my concern and I feel I should be able to do that. If nobody else is opposed to it well, ya know, then it goes, but I just feel like the traffic is going to be extremely bad, you've got FedEx, you've got, all the other commercial park across the way and you've got kids in our neighborhood and now you expect us to wait and wait and wait to get out of our subdivision or have to go all the way around to Oakwood, which is what we originally did when we were first moved in because Elm didn't come all the way through. That's what I'm concerned about."

Mayor Bukiewicz stated he understands things are changing and the road will change with them if necessary. Traffic patterns are currently changing as construction occurs.

April Siejkowski, 10820 S. Jessica Drive:

"Right, I get that."

Mayor Bukiewicz explained what Ms. Siejkowski is experiencing now might not be how it continues in the future. Traffic is part of the development of the City.

April Siejkowski, 10820 S. Jessica Drive:

"Okay, well thank you for letting me talk."

Kay Michlig- Ferreira, 431 E. Jordan Ln:

Plan Commission Minutes July 9, 2019 Page 4 of 15

"We talked about, or you guys talked about it in the last meeting. There is a park in the corporate subdivision across from your development and I, when the sidewalk went through the development went in the sidewalks went in. in the industrial development over there, I thought it's a great place to walk my dogs, and I walked a couple times across into that subdivision and I only think I did it twice because it's so hard even before they closed down the different ramps and stuff and a lot of traffic started getting diverted onto Howell Avenue as you just discussed, it's very hard to get across with your dog or if it's a kid on a bike and different people in the neighborhood said nothing's going to get done, we're bringing this up and we're getting blown off. They said nothing's going to get done until somebody gets killed crossing the road. This is as important to you guys for your tenants as it is to the people in the neighborhood and the fact that traffic is being diverted onto Howell Avenue right now is kind of an advantage for us to try and get a stop-and-go light at that intersection now before that traffic dies down a little bit and maybe we won't have that needs to be a priority for everybody to do whatever they can to get a stop-and-go light there before someone's kid, who maybe doesn't have permission to cross the road, but mom and dad are busy or whatever, maybe they don't have rules like that, I always had rules like that for my kids and my mom had rules like that for us when we were little and my mom laughs about it now because it was always. we lived in West Allis, don't cross Greenfield Avenue and yeah it was going on. So, it's really important that busyness is considered for both the fact that residents have to get in and out of the subdivision, ours and theirs, and the fact that there's going to be pedestrians and bike riders and who knows what else, cars that might get in an accident, it's important and it's something that we don't need to be enemies on this we need to work together."

Mayor Bukiewicz reiterated that Howell Avenue is a state highway and the applicant will have to work with the state. Mayor Bukiewicz also asked Commissioner Sullivan to explain the process of petition the state.

Kay Michlig- Ferreira, 431 E. Jordan Ln:

"The fact that there's a park there that it's an attractive nuisance."

Commissioner Sullivan explained that the applicant will have to complete a traffic impact analysis, usually with the State. He continued by stating it is a connecting highway, but when it comes down to what is needed along there, the City defers to the Department of Transportation and asks that the applicant include them through the process and the design.

Shannon Weyenberg, 10833 S. Christina Ct:

"So, I'm just in the backyard of the proposed development. I'll be mindful to not resurrect points that my community and neighbors have made, but I do want to address Mr. Mayor, your comment initially to the developer, 'Would the concession of not building the dog park be a deal breaker?' I didn't hear him answer that, I can understand the value that perhaps, perceptions that would lend. It's not as easy in my opinion when you bring a renter in, people rent homes, buy homes with their pets in mind, just so to say later we'll get rid of it isn't reasonable. It's disruptive to bring families and if you're looking to kind of, again, with the tenants of building a community I would highly encourage you to consider that. I do feel that it is a small concession, I built my home there I've been in there 15 years, this is very much an emotional argument then it is research and analytics, etc. When I look back to the last meeting, and I attended, although I decided

not to speak, I can recognize the staff, certainly that the developers have researched being in the business and certainly other community members around what noise pollution, light pollution, dogs parks, etc. could lend. What I was disappointed by are our council mates was the burden in being that you shifted it back to the community, the residents, to prove what they were saying was right or wrong, were not those folks that would be able to identify to a science of why you should consider not putting a stop light in, not putting in lights, or to discount residents' concerns about the travel of noise. I would fully have expected the development group if they're going to propose this to be able to defend those arguments, those concerns, and because they did not I feel you have met a wide community that's not supportive of it, they don't feel like they've been heard and many cases. I mean listening at last week's the responses. I'm sorry in my opinion felt very, sounded very condescending and when the community residents feel like they're not being heard, they're being understanding because again the community is growing and we're supportive of that, but we have, I mean that is our home, we've developed it we're adapting to the City's decision and respecting to rezone what I bought my property would always be thought as agriculture. Again, very ignorant and naïve to how things could change, but this is turning things upside down in a sense to me. So I would kindly ask that you just reconsider and listen to some of these things that we're asking to deal with the dog park to deal is one thing, but you're really discounting and not listening to the disruption that noise and the traffic, etc. will occur and because we're not here and have the means to be able to provide you evidence there is going to be those disruptions and I would just ask that you kindly consider that."

Alderman Guzikowski inquired if the dog park is necessary given the sidewalks provided. Mayor Bukiewicz stated that will be discussed.

Alderman Loreck seconded the question on the dog park. He also inquired if the hours of operation can be added to the Conditions and Restrictions. Planner Papelbon explained that the hours of operation were not provided when the Conditions and Restrictions were drafted, but if the Commission wants to include them, they can be added. She continued to explain that oftentimes club houses in similar types of developments are rented out by tenants for parities and that will usually run later than the normal business hours.

Alderman Loreck asked if the parties that rent out the club house get noise complaints if it would fall under the noise ordinance. Planner Papelbon stated the noise ordinance is always in place.

Shannon Weyenberg, 10833 S. Christina Ct:

"I just had a question in regards to the dog park. I own two dogs, so I do frequent the Oak Creek system dog park system. What I don't know is the square feet that, that's allotted for. So if you imagine, and I can appreciate you're right we don't know, we don't know how many dogs, less or more, but let's just assume it's an attractive affordable development that people want to bring their pets to and the City does allow two dogs, so I think it's certainly in the best case, for you to consider the worst case scenario and the best case. The worst case scenario is that every renter is going to have two dogs in that square feet so if you're pet owners you have a sense of how, shrieked areas increases more non-pet friendly activity and that is all things that could even in ear shot, again in my backyard, I certainly will hear that and I have an underground fence, again that was to honor the requirements that I have for my property, I'm not allowed to build a fence, etc. So, now this to me would irk my pets in the backyard to hear this constant banter from dogs. So, I am just curious about the square feet of the dog park and whether it's adequate for the occupancy that is being proposed, considering with the worst case scenario in mind."

Commissioner Carrillo explained the club house looks to be pretty far from the residents, so it shouldn't be too loud because it is not right in their back yards. Commissioner Carrillo stated it would be good to know how big the dog park is going to be and if the plan is to fence it in. She referenced living in Drexel Town Square with 600 people living in the area and only sees about two or three dogs at a time in the square.

Commissioner Hanna echoed the concerns in regards to the dog park and dogs. She strongly recommended not having the dog park.

Mr. Sorenson explained that the dog park is part of phase two and proposed not seeking approval for the dog park at this time. The developer would then be able to have people move in and analyze the need for the dog park. Mr. Sorenson asked for confirmation that the applicant needs to come back for some conditions for phase two. Planner Papelbon stated the applicant would need to come back for site plan approval not Conditions and Restrictions.

Mr. Sorenson proposed removing the dog park from this plan and if wanted, the dog park can be brought back for the site plan approval of phase two. Mr. Sorenson continued to explain they are trying to address the concerns of where the dog park is going to go and the concerns of the neighbors.

Mayor Bukiewicz stated this might be a valid compromise. This is something that should be looked at again with the site plan for phase two.

Mr. Sorenson stated they do not know exactly how big the area is for the dog park.

Mayor Bukiewicz stated that he is not sure what the appropriate size would be for a dog park. The dog park is something that can be looked at to see if it's actually needed in the future.

Mr. Sorenson explained they are willing to remove it at this time and if needed, it will be added as an addition to the site plan review for phase two.

Mayor Bukiewicz explained it is not a bad plan. He continued by saying he would rather see a park area that dogs are allowed to be in. Mayor Bukiewicz asked the applicant if the club house will have a common area that can be rented out or if the facility will just be a gym.

Mr. Samatis explained that the current design will have a common area and a fitness area with a separate entrance that is open 24 hours.

Mayor Bukiewicz inquired if the area would only be available to residents and no outside renters would be coming in. Mr. Samatis confirmed it would only be available to residents and that the club house will have the leasing office.

Mayor Bukiewicz referred back to Josh Kultgen's question regarding hours of operation. Mayor Bukiewicz stated it might be appropriate to have hours of operation for the common area. Mr. Sorenson explained that the hours of operation and other regulations of the club house will be set by the homeowners association because those are the individuals that are most affected.

Mayor Bukiewicz asked Planner Papelbon for confirmation that the condo rules will have to meet municipal codes.

Planner Papelbon explained the code already regulates noise. There are hours for excessive noise, when people can file complaints with the police. Planner Papelbon referenced 3F for the condominium bylaws. If the City regulates the hours of operation for the club house, the office hours would have to be separate from the rental terms. Planner Papelbon is not familiar with any other project that the City has done that for. Planner Papelbon asked for input from the Plan Commission for any hours of operation that are going to be regulated by the Conditions and Restrictions.

Alderman Guzikowski suggested 6 a.m. to 10 p.m.

Mayor Bukiewicz inquired if those would be the hours for everything.

Alderman Guzikowski suggested that for the leasing office and the room, 6 a.m. to 10 p.m. would cover the people working in the leasing office. This would allow people to come in and set up the common area for a party and have time to clean up.

Alderman Loreck stated that seems early for a party.

Commissioner Hanna explained she was part of a condo association that created those regulations and they followed the noise ordinance hours. She recommended putting the ordinance hours in the rules and regulations.

Kay Michlig- Ferreira, 431 E. Jordan Ln:

"For that club house, what's the capacity of the club house and it looks like there's about 16 parking spaces there. I just question if that's enough parking, if assuming every owner has two or three cars. My husband and I are two people I think we own four cars, actually we own a few more, kids have them. So if everybody's driveway is full and I think the streets aren't going to be wide enough for parking, if the person that's having the party, everybody else that lives there is going to have the right to have a party in their own unit, or if you have an overnight guest and they need to park somewhere, so, I'm just questioning if there's going to be enough parking there."

Mayor Bukiewicz stated that to his knowledge the streets are DOT regulation size. Parking would be similar to other subdivisions.

Planner Papelbon stated parking is going to be restricted to one side of the street.

Mayor Bukiewicz asked Planner Papelbon for some explanation for the 16 parking spots. Planner Papelbon explained she does not believe there is anything in the City code that regulates club house parking. To determine if that's going to be sufficient, Planner Papelbon would defer to the applicant to explain if there are other similar developments that have that kind of parking for a club house.

Mayor Bukiewicz asked the applicant to explain why 16 spots was determined.

Mr. Sorenson explained that it was determined by the size of the club house.

Commissioner Hanna asked if the pool was available for rental with the club house.

Mr. Sorenson stated it will not be available for rent, just the club house.

Mayor Bukiewicz asked that pictures of available designs to be shown.

Planner Papelbon showed the pictures and gave a brief description of the types of units.

Kristine Patzer, 115 E. Elm Rd:

"I just have a question. The first phase is going to be this fall, correct? Will all the streets and roads be put in for phase one and two prior to the first building on phase one? So, all the streets will be put in this fall?"

The applicants confirmed.

Planner Papelbon asked the Plan Commission for clarification on the hours proposed for the club house. She asked if the Conditions and Restrictions will state the hours of operation have to be in the condo bylaws or if the hours will be laid out in the Planned Unit Development Conditions and Restrictions.

Mayor Bukiewicz inquired about what is done in the City's normal business model.

Planner Papelbon reiterated that she is not aware of the City spelling out club house hours for any other development.

Mayor Bukiewicz asked about later options if the hours of operation are set by the condo bylaws.

Planner Papelbon stated if the hours of operation are restricted by the Planned Unit Development (PUD), the City can state it is in violation of the PUD, but the City has no authority to go in and police that. There is a noise ordinance that controls for any party or noise complaint that goes about the decibel level set by code, regardless of location.

Mayor Bukiewicz asked Commissioner Hanna if that's what her condo association followed.

Commissioner Hanna stated they did, but they were following other ordinances to help control other aspects. She repeated that she strongly recommends putting something in that will allow it to be policed and controlled.

Planner Papelbon asked if should be in the condo bylaws or in the PUD.

Mr. Sorenson explained that the proposed condo bylaws reference the City of Oak Creek requirements and cannot be amended without Plan Commission approval.

Commissioner Hanna asked what the proposed condo bylaws have now.

Mr. Sorenson read from the staff report, "will abide by all the codes of ordinance of the City of Oak Creek."

Alderman Loreck moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Single Family Residential Planned Unit Development for the property at 10730 S. Howell Ave.

Alderman Guzikowski asked if anything needed to be included regarding the dog park. Planner Papelbon stated based on conversations, the City will request an amended site plan that removes the dog park. The general development plan will then be included in the Conditions and Restrictions.

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

Mayor Bukiewicz asked Planner Papelbon to repeat the decision made about the dog park.

Planner Papelbon stated the general development plan will be updated with the dog park removed and included with the Conditions and Restrictions.

MINOR LAND DIVISION MARY ELLEN JONCAS 3003 & 3025 E. ELM RD. TAX KEY NOS. 903-9030-000 & 970-9999-000

Planner Papelbon provided an overview of the request to divide the southern portion of the property located at 3003 E. Elm Rd. and combine that portion with the adjacent property at 3025 E. Elm Rd. (See staff report for details.)

Mayor Bukiewicz, seeing no questions or comments, asked for a motion.

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that the Certified Survey Map (Minor Land Division) submitted by Mary Ellen Joncas for the properties at 3003 & 3025 E. Elm Rd. be approved with the following condition:

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

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

REZONE MARY ELLEN JONCAS 3003 E. ELM RD. TAX KEY NO. 903-9030-000

Planner Papelbon provided an overview of the request to rezone a portion of the parcel at 3003 E. Elm Rd. from Rs-3, Single Family Residential district to P-1 (CCU), Park district. (See staff report for details.)

Seeing as there were no questions or comments, Commissioner Siepert moved that the Plan Commission recommends to the Common Council that a portion of the property at 3003 E. Elm Rd. be rezoned from Rs-3, Single Family Residential district to P-1 (CCU), Park district (no changes to FF, Flood Fringe; C-1, Shoreland Wetland Conservancy; or FW, Floodway districts) after a public hearing.

Plan Commission Minutes July 9, 2019 Page 10 of 15 Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

CERTIFIED SURVEY MAP DARREK TRAVIS 3945, 3955, & 3971 E. ELM ROAD TAX KEY NO. 968-9998-000, 968-9021-000, & 968-9022-000

Planner Papelbon provided a review of a Certified Survey Map request to combine and reconfigure the properties at 3945, 3955, and 3971 E. Elm Rd. (See staff report for details.)

Darrek Travis, 3735 E. Elm Road, stated they are removing the existing shed.

Commissioner Hanna inquired about the amount of access points after combining the parcels. Mr. Travis stated there are currently two driveways. Planner Papelbon explained there are two driveways for the three current parcels. Mayor Bukiewicz clarified that after the parcels are combined to make two parcels, there will only be the two driveways.

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Darrek Travis for the properties at 3945, 3955, and 3971 E. Elm Rd. be approved with the following conditions:

- 1. That accessory structures meet all current relevant Code requirements.
- 2. That the Common Council Approval signature block includes the dedication of rights-of way.
- 3. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

PLAN REVIEW GOFF'S COLLISION CENTER 161 W. MARQUETTE AVE. TAX KEY NO. 782-9039-000

Planner Papelbon provided an overview of the request for a plan review including site, building, and related plans for a proposed addition to the existing building. (See staff report for details.)

Commissioner Hanna inquired if the landscaping is impacting the wetlands. Planner Papelbon stated the wetland is on the far southeast corner.

Commissioner Hanna asked how they are going to do the grading there. Planner Papelbon explained she believes the applicant is showing existing grades and does not believe the wetlands are actually impacted where they are proposing to put the addition and fenced area.

Mayor Bukiewicz stated they would have to meet all fire codes moving forward. Mayor Bukiewicz also inquired if pavers or anything similar would be used for water management. Planner Papelbon indicated the MMSD requirements for green infrastructure are varied in what they will accept. Anything at least 5,000 square feet or greater must include rain garden, pavers, or additional landscaping. These requirements can be worked into the landscape plan.

Alderman Loreck moved that the Plan Commission approves the site plans submitted by Angela Goff Chmura, Goff's Collision Center, for the property at 161 W. Marquette Ave. with the following conditions:

- 1. That all relevant Code and Conditional Use requirements remain in effect.
- 2. That a detailed landscape is submitted for review and approval by the Director of Community Development prior to submission of permit applications, unless directed by the Plan Commission.
- 3. That all revised plans (site, building, and related plans, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of permit applications.

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

PLAN REVIEW OAK CREEK – FRANKLIN JOINT SCHOOL DISTRICT 9701 S. SHEPARD HILLS DR. TAX KEY NO. 907-9020-000

Planner Papelbon provided an overview of the request for a plan review including site, building, landscaping, and related plans for proposed modifications to the existing north access and parking area, relocation of the playground, and a gymnasium addition. (See staff report for details.)

Erin Salerno, 9680 S. Jasper Street:

"I am concerned, we bought this house looking at a beautiful playground that I could see eye line for my two little children and now it's being replaced with a gymnasium solid wall. Above and beyond that we're concerned about the safety. We've had to call the police multiple times on inappropriate behaviors happening in the playground and behind the school. As it sits right now, our property is directly behind that school and we've had several people run through our yards to get away from the police that have come after we've called. We really would like a fence. I don't think it's asking too much to ask for that safety for my children whose bedrooms are right at that window level. I saw that in the landscaping plan that you have, you have trees that will be on my neighbor's yard, but not by mine probably because that's where the existing school happens to be. I would really prefer if that could possibly be continued as well, but again I strongly would rather prefer having a fence instead to connect with the one that's already by the sidewalk and for the steps that are next to the back of the school. If that's at all possible. Secondly, can you talk to us about where lights or cameras for that back very, very long alley way that is going to become will be. I would like to know if those are included as plans at all, if we'll have any sort of security back there now it's going to be a back alley pretty much. The last thing that concerned me was the noise level from the dumpsters that are currently there, it's very loud at about 4am and I've heard today quite a bit about the noise ordinances and having looked now at the noise ordinance I see that it should not be coming until 7am. So, can you tell me what I'm supposed to do about that?"

Mayor Bukiewicz informed Ms. Salerno to contact the City's Zoning Administrator.

Erin Salerno, 9680 S. Jasper Street:

"We were concerned with a solid wall of building that would get even louder."

Mayor Bukiewicz asked Ms. Salerno for clarification where her house is located in reference to the school.

Erin Salerno, 9680 S. Jasper Street, clarified that her house is west of the school.

John Gengozian, 9664 S. Jasper Street:

"My house is directly west of the new construction site and my concern certainly, I've had a couple conversations with Mr. Chromy and he's been more than receptive and easy to work with. My first concern was of course, lighting and cameras as Erin had said. Second of all, I had mentioned that food service comes at three, four, and five in the morning. Lot of these trucks have beepers. I can understand food service needs to come in the morning because of pedestrian traffic and vehicle traffic. I can accept that. However, now that this alley was is sort of created any truck that has to back down it or back away from it with a beeper is going to be excessively loud. Mr. Chromy and I both discussed the fact that possibly before say, 6 or 6:30 in the morning those trucks could deliver to the east entrance of this new facility, I know it's a logistics thing that he might have to work out with the facilities people that are there and the contractors that bring it, I think that problem has possibly been solved. My concern is, obviously as Erin had said, a fence. We've watched smoking, drinking, and public urination behind there. It's not rampant, but it does happen. It happens behind the school and up the stairs on top because the playground is there nobody is doing that stuff where you can see it from the street to the east. Once that gymnasium gets built this now becomes a very secluded area back there. I see that they have proposed landscaping with some trees behind my property, not that I'm opposed to trees, but I think you'll want me to be your eyes there. We have called several times and the windows have been left open on the first floor. Weather doesn't concern me, all it takes is a kid to punch a screen open. We've also called on one occasion when the doors were left open by the cleaning crew, here again, what if an animal goes in there, skunk meets a kid in the morning, that animal is rabid. Here again, been there for 16 years, it doesn't happen all the time, but I would like to be able to see down there, I can understand where they want to put a buffer for noise, but if you look at the elevation levels we're all basically looking at the second floor of the school, so as far as a noise buffer, I don't know if it would really do a lot, I would rather have a site line for myself and my neighbors and a fence for security. The other real quick question, and I know you addressed it Kari where's the rain water going from the top of this building. We do have a fair amount of marshy area behind there, some of my property has got some wetland on it. don't need it any wetter.

Mayor Bukiewicz assumes it is going to a storm sewer, but the applicant will be able to answer.

John Gengozian, 9664 S. Jasper Street:

"That was just a concern, but thank you."

Jason Christensen, Civil Consultant, Nielsen Madsen and Barber, 1458 Horizon Boulevard, Racine, WI, explained that the district has already reached out to the waste management provider in an attempt to get the trash pickup pushed back to 7:30 a.m. The school district has had internal conversations about the early morning deliveries. There are no cameras around

the school, but it will have lights, as shown in the staff report. Some of the landscaping on that side was added in response to some concerns brought up during the variance hearing.

Mayor Bukiewicz suggested the school district should look at this. He asked Planner Papelbon if the City requires some kind of landscaping. Planner Papelbon explained there would probably be some sort of landscaping requirements, but wouldn't be opposed if the district wanted to put in some kind of a fence. Points of access would be a concern with the fence.

Mr. Christensen, explained that there is a stairway back there that leads to the sidewalk by the street. The landscaping was proposed to help with sound and block some of the view.

Mayor Bukiewicz asked the applicant about the concerns of rain water.

Mr. Christensen clarified that the school district has meet the City of Oak Creek ordinances as well as the MMSD green infrastructure. The goal is to maintain the current drainage patterns, however, some water around the new addition will discharge to the wetland area to the west. The remaining water will be collected with the storm sewer and discharged to the east towards Shepard Hills Drive. There is a small area of proposed wetland fill.

Commissioner Siepert asked what type of surface the proposed playground area will have. Mr. Christensen stated it will have a wood chip material.

Commissioner Carrillo asked if any students use this area to get home. Mr. Christensen, explained there is a stairway that leads to the street to the west that students use to get to and from school. However, during the school day, students do not use that area.

Commissioner Carrillo made a comment that was inaudible.

Commissioner Oldani asked for confirmation that the residents who spoke live to the north of the sidewalk on the west side. Residents in the audience confirmed.

Commissioner Oldani wanted to clarify where the new alley way will be and this is where the concern for a fence is.

Mayor Bukiewicz asked if the lights would be placed on poles. Mr. Christensen clarified the lights would be mounted on the building.

Alderman Guzikowski asked the applicant if they added trees because they heard that residents were looking for that. Mr. Christensen confirmed that at the variance hearing, there was concern over the noise of beeping from trucks backing up. The district is trying to work with delivery times to help with that.

Mayor Bukiewicz suggested a chain link fence with some bushes. The school district can work with the neighbors to come up with a compromise. Mayor Bukiewicz continued by asking how they can instruct the school district to meet with the three neighboring houses.

Planner Papelbon stated she will speak with the applicant.

Commissioner Hanna agreed with the applicant that cameras may not be very helpful to preventing incidents.

Alderman Guzikowski moved that the Plan Commission approves the site plans submitted by Andrew Chromy, Oak Creek-Franklin Joint School District, for the property at 9701 S. Shepard Hills Dr. with the following conditions:

- 1. That all relevant code requirements remain in effect.
- 2. That all Green Infrastructure requirements are submitted for review and approval to the Engineering Department prior to submission of permit applications.
- 3. That all detailed, revised plans are submitted in digital format to the Department of Community Development prior to submission of permit applications.

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

Mayor Bukiewicz reiterated that staff will work with the neighbors.

John Gengozian, 9664 S. Jasper Street:

"Mr. Chromy has been very receptive and easy to deal with. I mean we had these concerns. I know Jason was at the variance meeting, as well. So, it's not been a rough go and she wants my trees she can have them, I'll trade them for a fence. But, I appreciate it."

Mayor Bukiewicz thanked the residents for coming to speak and being understanding to the development going on.

John Gengozian, 9664 S. Jasper Street:

"I can understand the progress, I mean I get up in the morning and I'm able to sit out and look at I don't know how many acres, that's my backyard well that's going to disappear, but on the other hand as long as the commission and people are willing to work with us, I guess that's part of life."

John Gengozian, 9664 S. Jasper Street:

"The other thing on the cameras, you put up a camera, it doesn't have to be functional all you have to do is point to a kid there's a camera there, they don't know if it's working or not. Thank you."

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:38 p.m.

ATTEST:

Douglas Seymour, Plan Commission Secretary

<u>7-19-19</u>

Date



Summary of Significant Common Council Actions

July 16, 2019

- **APPROVED** Ordinance No. 2941, amending the Conditions and Restrictions in Ordinance No. 2926, for automobile and truck engine and body repair, outdoor storage of vehicles and outdoor display of vehicles for sale, and semi-truck/trailer parking at 9840 S. 27th St.
- **APPROVED** Ordinance No. 2943, revising Ordinance No. 2939 to incorporate conditions and restrictions and a general development plan for the Planned Unit Development at 10730 S. Howell Ave.
- **APPROVED** Resolution No. 12083-071619, approving a Certified Survey Map submitted by Darrek Travis for the properties at 3945, 3955, and 3971 E. Elm Rd.

and Papeloon

Kari Papelbon, CFM, AICP Planner



Meeting Date: July 23, 2019

Item No. 5a/6a

PLAN COMMISSION REPORT

Proposal:	Project Plan and Territory Amendment for TID No. 12, Amend. No. 1			
Description:	Proposed amendments to the Project Plan and boundaries of Tax Increment Financing District No. 12, including additional lands to be included within the boundaries.			
Applicant(s):	City of Oak Creek			
Address(es):	7500 & 7700 S. Ikea Way; 1920, 1900, 1850, 1848, 1830, 1820, 1816, 1800, 1750, 1700, & 1632 W. Drexel Ave.; 7581, 7705, 7725, 7751, 7765, 7781, 7811, 7831, 7869, & 7909 S. 13 th St.			
Suggested Motion:	That Plan Commission adopts Resolution No. 2019-02 approving the territory addition (boundaries) and amending the Project Plan for Tax Incremental Financing District (TID) No. 12.			
Owner(s):	Ikea Property Inc., Walden OC, LLC, City of Oak Creek, Amanda Schmidt, Schmidt Family Irrevocable Trust, State of Wisconsin Dept. of Transportation, Drexel 13 LLC, Highgate LLC, Robert T and Betty A Pillar, Drexel Commercial LP, Stephen J Spidell			
Tax Key(s):	784-9023-000, 784-9024-000, 784-9012-000, 784-9013-000, 784-9014-000, 784- 9016-000, 784-9017-000, 784-9018-000, 784-9994-001, 784-9008-000, 784-9009- 001, 784-9010-001, 784-9011-000, 784-9998-001, 784-9020-000, 784-9019-000, 784-9003-000, 784-9000-000, 784-9991-001, 784-9990-001, 784-9001-000, 784- 9993-002, 811-9999-001			
Lot Size(s):	Various			
Current Zoning District(s):	B-6, Interchange Regional Retail B-4, Highway Business			
	Rm-1, Multifamily Residential I-1, Institutional			
	Rs-3, Single Family Residential FW, Floodway			
Overlay District(s):	PUD FF, Flood Fringe			
Wetlands:	⊠ Yes □ No Floodplain: ⊠ Yes □ No			
Comprehensive Plan:	Planned Mixed Use, Resource Protection Area, Limited Development Area, Two Family/Townhouse Residential			

Background:

Tax Incremental District (TID) No. 12 was created in 2016 following adoption of Plan Commission Resolution No. 2016-02, Common Council Resolution No. 11723-071916, and a Joint Review Board resolution dated July 20, 2016. This District encompasses the lands currently occupied by and immediately adjoining (south) the Ikea store.

As part of the plans for the continuing redevelopment of lands on Drexel Avenue from Ikea Way to the west side of S. 13th St., the City is proposing to add properties to the TID No. 12 boundaries and make corresponding amendments to the Project Plan. Lands to be incorporated into the TID No. 12 boundaries have been identified in the Comprehensive Plan for the proposed redevelopment, and have been, with few exceptions, rezoned for a mix of future commercial, institutional, and residential uses. These redevelopment opportunities, and the associated critical supporting infrastructure projects, have been identified as economic development priorities for the City.

Included in your packets are copies of the amended Project Plan and boundary map, which were reviewed by the Joint Review Board at a public meeting on July 16, 2019. Please refer to the Project Plan for specific details, goals, and development concepts.

Should the Plan Commission adopt Resolution 2019-02, the proposed TID No. 12 Amend. No. 1 will go before the Common Council for approval on August 5. Final review by the Joint Review Board will occur following Council approval.

Options/Alternatives: Disapproval of the proposed TID would likely result in underutilized and vacant properties to remain in their current state, and may have negative impacts on anticipated development and infrastructure projects.

Respectfully submitted:

Douglas Seymour, AICP Director of Community Development

Attachments:

Location Map

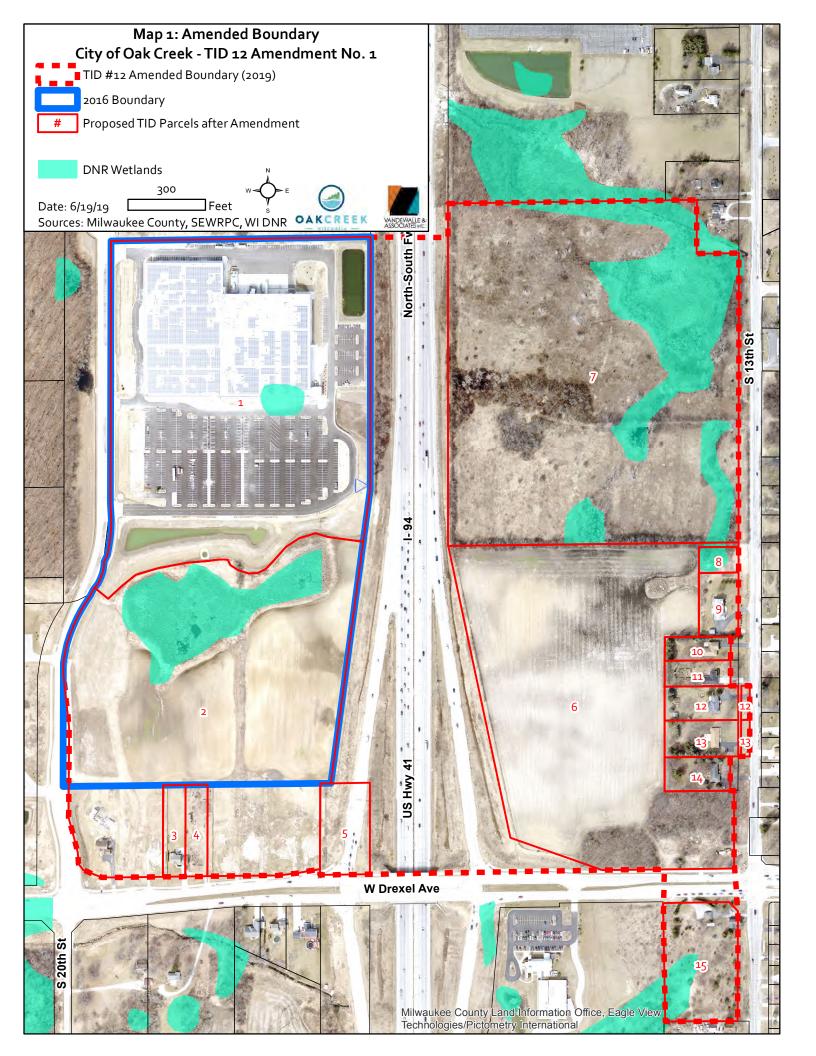
Hearing Notice

PC Resolution 2019-02

TID No. 12, Amend. No. 1 Project Plan

Prepared:

Kari Papelbon, CFM, AICP Planner



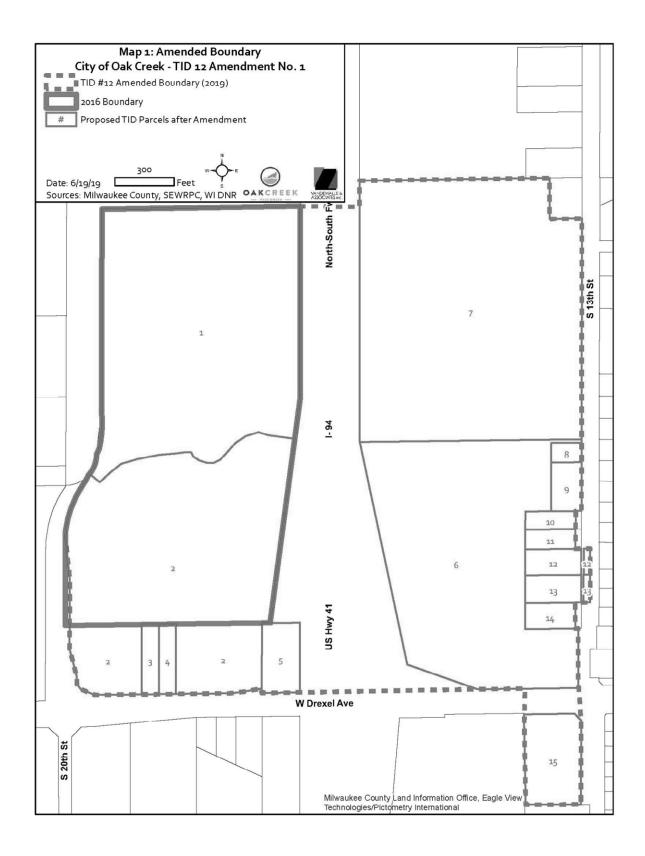
NOTICE OF PUBLIC HEARING CITY OF OAK CREEK, WISCONSIN PLAN COMMISSION

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 6:00 p.m. or thereafter on Tuesday, July 23, 2019 in the Common Council Chambers on the lower level of City Hall, 8040 S. 6th Street, by the City of Oak Creek Plan Commission on the proposed Amendment No. 1 of Tax Incremental District No. 12 (TID 12), City of Oak Creek, Wisconsin, the proposed expanded District boundary (Boundary) thereof, and related changes to the schedule and amount of eligible project costs in the Project Plan.

The purpose of TID 12, as amended, is to provide financing for new infrastructure and promote economic development in an area of the City poised for future commercial growth. Proposed project costs identified in the amended Project Plan include cash grants that may be provided by the City to owners, lessees or developers of property within TID 12, pursuant to Wis. Stat. §66.1105. The purpose of the public hearing is to hear those persons who wish to express their opinions for or against the amendment of TID 12, the proposed boundary expansion, and the amended Project Plan.

A map, legal description, and Project Plan for the amended District can be viewed at the Department of Community Development by appointment, 8040 S. 6th Street, Monday through Friday between the hours 7:30 a.m. and 4:00 p.m. A copy will be provided by request. Any person(s) with questions regarding the proposed Amendment No. 1 to TID No. 12 and/or the Project Plan may call the Planning Department at (414) 766-7000.

The proposed TID 12, Amendment No. 1 boundaries are shown in the following map and located within the city limits of the City of Oak Creek, Wisconsin:



Dated this 26th day of June, 2019.

Catherine A Roeske City Clerk City of Oak Creek

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.

RESOLUTION NO. 2019-02

A RESOLUTION ADOPTED BY THE PLAN COMMISSION APPROVING AMENDMENT NO. 1 TO THE PROJECT PLAN AND TERRITORY AMENDMENT NO. 1 FOR TAX INCREMENTAL DISTRICT NO. 12, CITY OF OAK CREEK, WISCONSIN

WHEREAS, Section 66.1105 of the Wisconsin Statutes ("Tax Increment Law") provides the authority and establishes procedures for creating tax incremental districts and approving amendments to the territory and project plans for such districts; and

WHEREAS, the Common Council for the City of Oak Creek ("Council") on July 19, 2016 adopted Resolution No. 11723-071916 that created Tax Increment Financing District No. 12 ("District") as a mixed-use district; and

WHEREAS, the City of Oak Creek Joint Review Board on July 20, 2016, adopted a resolution that approved the creation of the District; and

WHEREAS, in order to further the goals contained in the original Project Plan for the District, the City now finds it desirable to amend the District's territorial boundaries to add additional property to the District as set forth in <u>Exhibit A</u> attached hereto and incorporated herein ("Territory Amendment"), and this is the first territory amendment to the District; and

WHEREAS, the properties to be added in the Territory Amendment are contiguous to the District and will be served by improvements in the District Project Plan; and

WHEREAS, the City of Oak Creek desires to amend the Project Plan for the District for the purpose of reflecting the change to the District's boundaries as set forth in the Amendment No. 1 to Tax Incremental District No. 12 Project Plan attached hereto as <u>Exhibit B</u> and incorporated herein ("Project Plan Amendment"), which amendment shall be the first amendment to the Project Plan for the District; and

WHEREAS, the Plan Commission for the City of Oak Creek ("Plan Commission"), after completing preliminary planning work, scheduled, gave class 2 public notice of, and on July 23, 2019, having a quorum present, held a public hearing ("Public Hearing") wherein interested parties from the public were afforded a reasonable opportunity to express their views on the proposed Territory Amendment and Project Plan Amendment, in accordance with the procedures specified in the Tax Incremental Law; and

WHEREAS, prior to its first publication, a copy of the notice of said Public Hearing was sent via first class mail to the Chief Executive Officer of Milwaukee County, the Oak Creek-Franklin Joint School District, the Milwaukee Metropolitan Sewerage District, the Milwaukee County Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Incremental Law; and

WHEREAS, the Plan Commission, after due consideration following the said Public Hearing, determined that the Territory Amendment and Project Plan Amendment will provide

the City with a viable method of financing the cost of needed public improvements and other project costs within the District, thereby creating incentives and opportunities for appropriate private development, including new development and improvement of existing development, which will contribute to the overall development of the City; and

WHEREAS, the Plan Commission has prepared a Project Plan for the District attached as <u>Exhibit B</u> and incorporated herein, which includes the following amendments:

- a. Introduction.
- b. Section I, Existing Uses and Conditions.
- c. Table 2: Amended Parcel List.
- d. Map 1: Amended Boundary for TID 12, Amend. No. 1.
- e. Map 2: Existing Land Use for TID 12, Amend. No. 1.
- f. Section III, Proposed Uses.
- g. Map 3: Commercial Development Concept.
- h. Map 4: Future Land use for TID 12, Amend. No. 1.
- i. Section IV, Detailed List of Estimated Project Costs.
- j. Table 3: Detailed List of Estimated Project Costs.
- k. Map 5: Ikea Way/Northwestern Mutual Way Projects Detail.
- I. Section V, Economic Feasibility Study.
- m. Table 4: Revenue Analysis.
- n. Table 5: Cash Flow All Parcels (Existing and Amended Boundary).
- o. Section VII, Proposed Changes in Zoning Ordinances and Master Plan.
- p. Map 6: Zoning for TID 12, Amend. No. 1.
- q. Section XI, Legal Opinion.

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Council may amend any tax incremental district territory or project plan, the Plan Commission must approve the amendment to the territory and the Project Plan for such District and submit its recommendation concerning the amendment of the District and the Project Plan to the Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Oak Creek as follows:

- That the Plan Commission, pursuant to the Tax Incremental Law, hereby adopts the Territory Amendment to amend the territorial boundaries of Tax Incremental District No. 12 in the City of Oak Creek to add and include the properties set forth in the attached <u>Exhibit A</u> and incorporated herein; and
- 2. That the Plan Commission, pursuant to the Tax Incremental Law, hereby adopts the Project Plan Amendment to amend the Project Plan as attached to this resolution as <u>Exhibit B</u> and incorporated herein; and
- 3. That the Plan Commission hereby recommends that the Council adopt a resolution and thereby formally adopt the Territory Amendment and Project Plan Amendment effective as of such date, and approve the Territory Amendment and Project Plan Amendment in accordance with the provisions of the Tax Incremental Law; and
- 4. The equalized value of taxable property of the District plus the value increment of all

existing districts does not exceed 12% of the total equalized value of taxable property within the City; and

- 5. That except as specifically amended by the Territory Amendment or Project Plan Amendment, the District territory and Project Plan remain unchanged and in full force and effect; and
- 6. That the City Clerk is hereby authorized and directed to provide the Mayor and Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 23rd day of July, 2019.

Plan Commission Chair

Attest:

Secretary of the Plan Commission

EXHIBIT A TIF BOUNDARIES & LEGAL DESCRIPTION, OAK CREEK, WISCONSIN

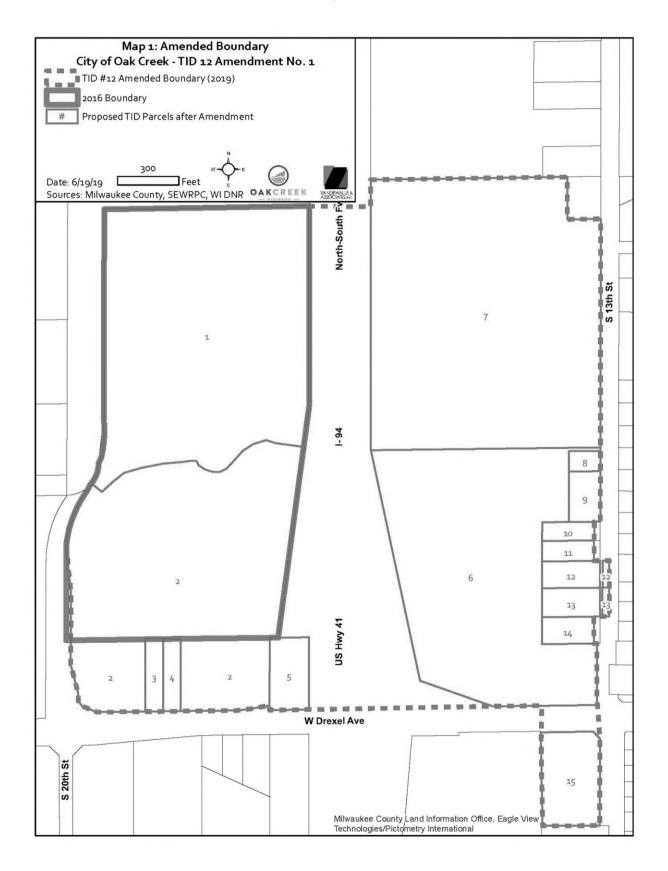


EXHIBIT A, CONTINUED

Commencing at the Southwest corner of Southeast ¼ of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin;

THENCE North 00° 10' 44" East 415.00 feet;

THENCE North 89° 18' 02" East 22.08 feet to the point of beginning of the lands to be described;

THENCE North 00° 10' 44" East 257.54 feet;

THENCE North 04[°] 27' 22" West 240.58 feet;

THENCE Northeasterly 240.29 feet along the East line of South Ikea Way and an arc of a curve whose center lies to the Southeast, whose radius is 545.50 feet, and whose chord bears North 21[°] 41' 27" East 238.35 feet to a point;

THENCE Northeasterly 52.60 feet along the arc of a curve whose center lies to the Northeast, whose radius is 331.66 feet, and whose chord bears North 29° 45' 59" East 52.55 feet to a point;

THENCE Northeasterly 7.48 feet along the arc of a curve whose center lies to the Northeast, whose radius is 159.48 feet, and whose chord bears North 40° 32' 42" East 7.48 feet to a point;

THENCE Northeasterly 98.84 feet along the arc of a curve whose center lies to the Northeast, whose radius is 159.48 feet, and whose chord bears North $21^{\circ} 26' 47''$ East 97.24 feet to a point;

THENCE North 03° 41' 29" East 10.67 feet;

THENCE North 24° 14' 50" East 31.04 feet;

THENCE Northeasterly 136.59 feet along the arc of a curve whose center lies to the Northeast, whose radius is 597.50 feet, and whose chord bears North 06° 19' 12" East 136.29 feet to a point;

THENCE North 03° 32' 26" West 61.74 feet;

THENCE North 00° 10' 44" East 1019.24 feet;

THENCE North 89° 08' 55" East 1306.81 feet to East right-of-way line of Interstate 94;

THENCE North 00[°] 03' 47" East 125.02 feet to the South Line of the Northeast ¼ of Section 7, Township 5 North, Range 22 East;

THENCE North 89° 08' 55" East 964.52 feet;

THENCE South 00° 05' 47" West 208.75 feet;

THENCE North 89° 08' 55" East 163.75 feet to the West right-of-way line of S. 13th Street (CTH "V");

THENCE South 00° 05′ 47″ West 1486.15 feet along said right-of-way line;

THENCE South 89[°]08' 55" West 30.00 feet;

THENCE South 00° 05' 47" West 192.00 feet;

THENCE North 89[°] 08' 55" East 75.00 feet to the East Line of the Southeast ¼ of Section 7, Township 5 North, Range 22 East;

THENCE South 00° 05' 47" West 274.00 feet along said ¼ Section line;

THENCE South 89° 08' 55" West 50.50 feet;

THENCE South 00° 05' 47" West 434.24 feet;

THENCE South 05[°] 07' 16" East 165.34 feet;

THENCE South 00° 06' 37" West 427.34 feet;

THENCE South 89[°] 45' 31" West 288.94 feet;

THENCE North 01[°] 02' 28" West 584.70 feet;

THENCE South 89° 17' 38" West 1328.68 feet;

THENCE North 00° 09' 11" East 22.39 feet;

THENCE South 80° 12' 18" West 101.52 feet;

THENCE South 83[°] 47' 38" West 66.06 feet;

EXHIBIT A, CONTINUED

THENCE South 89° 18' 02" West 547.06 feet;

THENCE North 88° 34' 12" West 145.37 feet;

THENCE North 65° 30' 21" West 64.86 feet;

THENCE North 38° 43' 50" West 31.80 feet;

THENCE Northwesterly 90.45 feet along the arc of a curve whose center lies to the Southwest, whose radius is 645.00 feet, and whose chord bears North 10° 00' 09" West 90.38 feet to a point;

THENCE North 14° 01' 11" West 92.42 feet;

THENCE North 00° 10' 44" West 117.78 feet to the point of beginning.

EXHIBIT B TIF PROJECT PLAN

THIS WILL BE HANDED OUT SEPARATELY

CITY OF OAK CREEK

TAX INCREMENTAL DISTRICT #12

Amendment No. 1

DRAFT July 12, 2019



ACKNOWLEDGEMENTS

Oak Creek Common Council

Daniel Bukiewicz, Mayor Steven Kurkowski, 1st District Gregory Loreck, 2nd District

Oak Creek Plan Commission

Mayor Daniel Bukiewicz, Chairperson Gregory Loreck, Alderperson Chris Guzikowski, Alderperson Don Oldani Christine Hanna Richard Duchniak, 3rd District Michael Toman, 4th District Ken Gehl, 5th District Chris Guzikowski, 6th District

Chaucey Chandler Matt Sullivan Dawn Carrillo Fred Siepert Doug Seymour, *Ex-Officio*

Oak Creek City Staff

Andrew J. Vickers, MPA, City Administrator Bridget M. Souffrant, Assistant City Administrator/Comptroller Doug Seymour, AICP, Director of Community Development Kari Papelbon, CFM, AICP, City Planner Mike Simmons, P.E., City Engineer Matt Sullivan, P.E., Assistant City Engineer Catherine A. Roeske, City Clerk Melissa Karls, City Attorney

Planning Assistance Provided by:

Vandewalle & Associates 120 East Lakeside Street Madison, WI 53715 (608) 255-3988 www.vandewalle.com

247 Freshwater Way, Suite 530 Milwaukee, WI 53204 (414) 988-8631

Jolena Presti, AICP – Principal Planner Dan Johns, AICP – Associate Planner, Project Manager Dan Eckberg, AICP – GIS Specialist

Economic Feasibility Analysis Provided by:

Robert W. Baird & Co. 777 E Wisconsin Ave Milwaukee, WI 53202 (414) 765-3635 www.rwbaird.com

Justin Fischer, Senior Vice President Emily Timmerman, Vice President

TABLE OF CONTENTS

	DN			
AMENDED SECTION I. EXISTING USES AND CONDITIONS				
	Test			
	nded Parcel List			
Map 1: Amen	ded Boundary	5		
	ng Land Use			
	ST THE TYPE, NUMBER AND LOCATION OF ALL PROPOSED PUBLIC WOR			
	EMENTS IN THE DISTRICT AND OUTSIDE THE DISTRICT			
	CTION III. PROPOSED USES			
	nercial Development Concept			
Map 4: Future	E Land Use DETAILED LIST OF ESTIMATED PROJECT COSTS	9		
	iled List Of Estimated Project Costs			
Map 5: Ikea Way/Northwestern Mutual Way Projects Detail AMENDED SECTION V. ECONOMIC FEASIBILITY STUDY Table 4: Revenue Analysis				
	Flow – All Parcels (Existing and Amended Boundary)			
	ESCRIPTION OF FINANCING METHODS			
AMENDED SE	CTION VII. PROPOSED CHANGES IN ZONING ORDINANCES AND MASTER			
PLAN		17		
SECTION VIII.	NON-PROJECT COSTS	17		
SECTION IX. RELOCATION				
SECTION X. HOW THE CREATION OF TAX INCREMENTAL DISTRICT NO. 12 WILL				
PROMOTE THE ORDERLY DEVELOPMENT OF THE CITY OF OAK CREEK				
Map 6: Zonin	g	18		
SECTION XI. L	EGAL OPINION	19		
APPENDIX A	LEGAL DESCRIPTION	20		
APPENDIX B	IMPACT ON OVERLYING TAXING JURISDICTIONS			
APPENDIX C	TAXING JURISDICTION CORRESPONDENCE			
APPENDIX D	JRB MEETING AND PUBLIC HEARING PROOFS OF PUBLICATION			
APPENDIX E	PLAN COMMISSION RESOLUTION AND PUBLIC HEARING MINUTES			
APPENDIX E	COMMON COUNCIL RESOLUTION AMENDING TID #12			
APPENDIX F APPENDIX G	JOINT REVIEW BOARD RESOLUTION APPROVING THE PROJECT PLAN	22		
AFFENDIA G		22		
	AMENDMENT	22		

INTRODUCTION

Tax Incremental District No. 12 (TID #12 or the "District") in the City of Oak Creek, Wisconsin, was formed as a mixed-use district on July 19, 2016 with a base value of \$10,700. It is currently comprised of approximately 50 acres of property, the northern 29 acres of which is now occupied by an IKEA retail store. This area is positioned to be a regional retail destination and an important gateway to the City of Oak Creek, capitalizing on a prominent location in an area to the north of West Drexel Avenue, adjacent to and just west of Interstate 94-41.

Since the opening of an IKEA store in May 2018, the vicinity is now experiencing increased traffic volumes and is attracting additional development proposals for a mix of other retail, commercial and residential uses. As such, the City wishes to amend the boundaries of TID #12 to add 14 additional parcels to the south and east of the current boundary in order to capture the significant increment potential from several of these large-scale development proposals, in turn providing the necessary revenue to finance public infrastructure and strengthen the feasibility of new private development in the Drexel Avenue corridor. The infrastructure for the expanded District will be developed by the City, while the retail, residential, and other commercial uses will be developed by the private sector, public/private partnerships, or some combination thereof. The timing of this Amendment is critical as the expanded District is poised to be built out at a rapid pace should the City have the TIF tool available to facilitate the necessary land preparations and public infrastructure in a timely and organized manner.

This TID #12 Project Plan Amendment No. 1 has been prepared in compliance with Wis. Stats. §66.1105. This amended Project Plan is to be adopted by resolution of the Common Council upon receipt of a resolution of an affirmative recommendation from the City Plan Commission and is intended to augment the original 2016 Project Plan. The District continues to comply with the requirements for a "Mixed-use TID" wherein more than 50% of the land area of the District, as amended, is suitable for a combination of industrial, commercial, or residential uses.

Given the expansion of the District from primarily a single-purpose TID to one with a larger project area and related costs, this Amendment makes substantial changes to the original Project Plan. Although the purposes of the District have not changed, the increment projections and spending allocations have changed significantly by virtue of this proposed boundary amendment. In addition, the overall level of authorized spending has been increased from the original Project Plan to better reflect actual development within the existing boundary and expected development within the expanded TID area. Below is a summary of the primary changes resulting from this Amendment:

	Original Project Plan (2016)	Amendment No. 1 Project Plan (2019)
Total Parcels	1	15
Total Area (acres)	49.94	126.52
Base Value	\$10,700	\$3,935,700
Projected Value Increment	\$63,261,743	\$165,710,885
Total Authorized Spending (including costs incurred to date)	\$20,756,139	\$29,089,666

Implementation of this Project Plan Amendment No. 1 will still require case-by-case authorization by the Common Council. Public expenditures for projects listed in the Project Plan, as amended, should and will be based on market conditions and the status of development at the time a project is scheduled for construction. The Common Council is not mandated to make the public expenditures described in the Plan. Redistribution of project costs within the total budget estimate will not require an amendment to the

Plan provided that the expenditures meet the purpose and intent of the TID as described in the Project Plan, as amended when necessary.

This amended Project Plan follows the same layout and section order as the original Project Plan. Sections where no changes are proposed are indicated as such, and sections with amendments are identified accordingly. As required by Wis. Stat. §66.1105, a copy of this amended Project Plan will be submitted to the Department of Revenue and used as the basis for their certification of TID #12, Amendment No. 1.

Summary of Findings

As required by Wis. Stat. §66.1105, and as documented in this Project Plan Amendment and the exhibits contained and referenced herein, the following findings are made:

- 1. That "but for" the creation of this District and adoption of this Amendment, the development projected to occur as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.
 - To support development within the District the City will need to make a substantial investment to pay for the costs of necessary public infrastructure. Additional investment in development incentives may also be required for the City to realize the high-quality development it desires. Due to extensive investment required, the City has determined that development of the area will not occur solely as a result of private investment. Accordingly, the City finds that absent the use of TIF, full development of the area is unlikely to occur.
- 2. The economic benefits of the amended Tax Incremental District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements. In making this determination, the City has considered the following information:
 - As demonstrated in the Economic Feasibility Section of this Amendment, the tax increments projected to be collected are expected to be sufficient to pay for the proposed project costs.
- 3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.
 - If approved, the District's amended boundary would become effective for valuation purposes as of January 1, 2019. As of this date, the 2019 assessed values of parcels to be added to the district will be added to the TID base value for all years moving forward. Taxes levied on any additional value established within the District due to new construction, renovation or appreciation of property values occurring after January 1, 2019, would be collected by the TID and used to repay the costs of TIF-eligible projects undertaken within the District.
 - Since the development expected to occur is subject to extraordinary site preparation and infrastructure costs, it is unlikely to take place or in the same manner or timeframe without the use of TIF. Since the amended District will generate economic benefits that are more than sufficient to compensate for the cost of the improvements, the City reasonably concludes that the overall benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the Amendment is not approved.
- 4. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
- 5. The equalized value of taxable property being added to the District by this Amendment, plus the existing value increment of Tax Increment District #12 and other Districts in the City, does not exceed 12% of the total equalized value of taxable property within the City.

- 6. Newly platted or replatted residential will comprise less than 35% of land area within the District as required by Wis. Stat. §66.1105(2)(cm).
- 7. The City estimates that less than 35% of the territory within the District may be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. §66.1105(5)(b) and §66.1105(6)(am)1.
- 8. The amended Project Plan for the District in the City is economically feasible and is in conformity with the Comprehensive Plan of the City.

AMENDED SECTION I. EXISTING USES AND CONDITIONS

The existing District is an area adjacent to and west of Interstate 94/41 north of West Drexel Avenue and is an important gateway to the City of Oak Creek. The area within the District is currently comprised of an IKEA retail store and agricultural and open land immediately south. The 50-acre property was formerly part of Falk Park, a Milwaukee County park. This property was involved as part of a land exchange between Milwaukee County and the current property owner in 2011.

This Amendment adds all of the lands immediately south of the existing District between Ikea Way and I-94/41, which are primarily residential or vacant. Much of this area has already been consolidated by a single owner with the intent to develop new commercial uses (parcel 2). In addition, ten parcels east of the interstate (nine of them on the north side of Drexel Avenue along 13th Street) are to be added in order to capture new revenues from several proposed large-scale commercial and residential projects.

The existing TID #12 boundary, the parcels proposed to be added, and the generalized location of known wetlands are shown on Map 1. Table 2 provides a complete listing of all parcels within the amended boundary, along with their base values in 2016 (where applicable) and current assessment values (2019). Existing land uses for the District and vicinity are shown on Map 2. Several areas within the amended TID #12 boundary include wetlands known to the Wisconsin Department of Natural Resources. All wetlands are categorically excluded from the District per Wis Stat. §66.1105(2)(k)1. The exclusion of the wetlands does not affect the contiguity of the

amended District.

This Amendment adds \$3,925,000 in 2019 assessed value to the District, which when added to the \$10,700 base value at the time of its creation raises its new base to \$3,935,700. Including cumulative value increment from the existing District of \$31,523,800, the expected total 2019 assessed value is \$35,459,500. TID #12 value increment and new base value, plus the value increment in all other Districts within the City limits, equals about 6.45% of the City's 2018 total Equalized Assessed Value, thus remaining in compliance with the "12% test" as required by Wis. Stat. §66.1105(4)(gm)4.c. - see detailed calculations in Table 1 at right.

Total City EAV (2018)		\$3,492,653,000				
12% Test \$419,118						
Increment of Existing TIDs (2018)						
TID #6	0.44%	\$15,375,700				
TID #7	0.51%	\$17,796,200				
TID #8	1.22%	\$42,778,200				
TID #10	0.46%	\$16,140,200				
TID #11	2.79%	\$97,613,800				
TID #13	0.00%	\$65,900				
TID #14	0.00%	\$0				
TID #15	0.00%	\$0				
TID #16	0.00%	\$0				
Total Existing Increment	5.43%	\$189,770,000				
TID #12 Increment (2019)	0.90%	\$31,523,800				
TID #12 - Amended Base Value (2019)	0.11%	\$3,935,700				
Total Value Subject to 12% Test		\$225,229,500				
Compliance	6.45%	PASS				

Table	1:	12%	Test
Lanc		14/0	ILSU

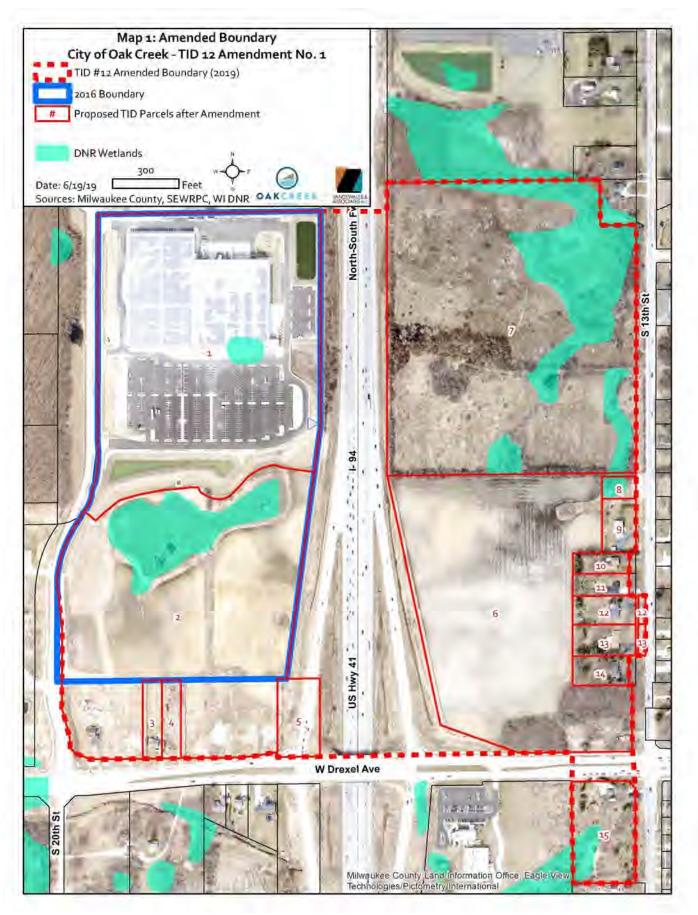
Table 2: Amended Parcel List

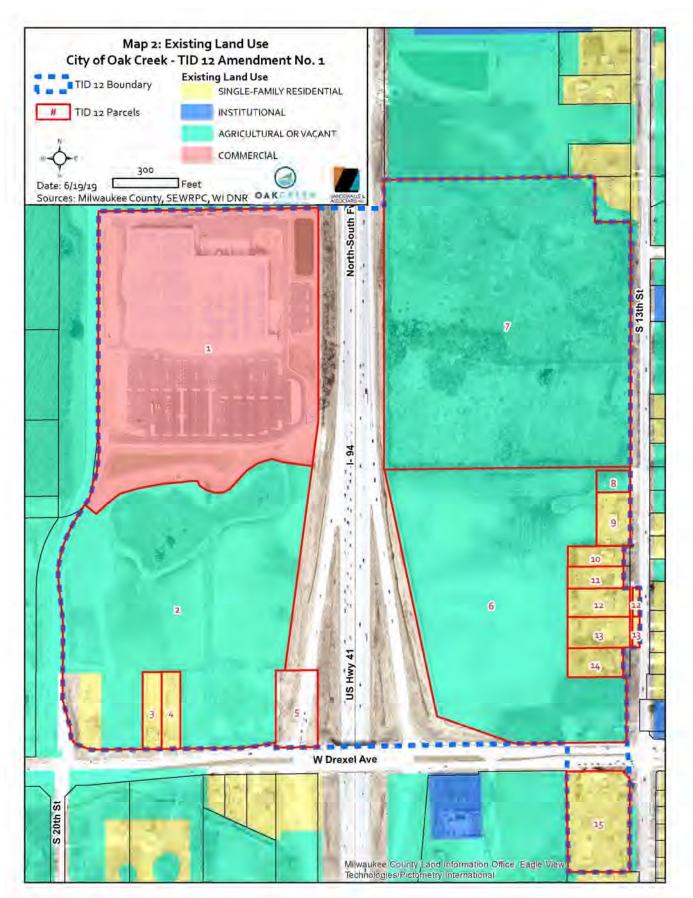
						2016		2019	
Мар						Base		Improvement	2019 Total
ID	Tax ID	Owner	Class	Address	acres	Value	Value	Value	Assessment
1	7849023000	IKEA PROPERTY INC	COM	7500 IKEA WAY S	28.76		\$5,762,400	\$25,767,500	\$31,529,900
	7849024000	WALDEN OC LLC ¹	AGR	7700 IKEA WAY S	21.18	\$10,700	\$4,600	\$0	\$4,600
	7849012000	CITY OF OAK CREEK ²	EXM	1920 DREXEL AVE W	0.81		\$0	\$0	\$0
	7849013000	WALDEN OC LLC ¹	RES	1900 DREXEL AVE W	0.82		\$81,800	\$273,000	\$354,800
	7849014000	WALDEN OC LLC ¹	RES	1850 DREXEL AVE W	0.81		\$85,300	\$0	\$85,300
	7849016000	WALDEN OC LLC ¹	RES	1848 DREXEL AVE W	0.72		\$82,700	\$9,300	\$92,000
	7849994001	WALDEN OC LLC ¹	RES	1816 DREXEL AVE W	0.86		\$85,200	\$0	\$85,200
	7849008000	WALDEN OC LLC ¹	RES	1800 DREXEL AVE W	0.98		\$79,400	\$0	\$79,400
	7849009001	WALDEN OC LLC ¹	RES	1750 DREXEL AVE W	0.91		\$86,200	\$0	\$86,200
2	7849010001	WALDEN OC LLC ¹	RES	1700 DREXEL AVE W	0.78		\$67,800	\$0	\$67,800
3	7849017000	SCHMIDT, AMANDA L	RES	1830 DREXEL AVE W	0.70		\$82,200	\$279,800	\$362,000
4	7849018000	SCHMIDT FAMILY IRREVOCABLE TRUST	RES	1820 DREXEL AVE W	0.70		\$82,200	\$0	\$82,200
5	7849011000	STATE OF WI DEPT OF TRANSPORTATION	EXM	1632 DREXEL AVE W	1.58		\$0	\$0	\$0
6	7849993002	DREXEL COMMERCIAL LP	AGR	7869 13TH ST S	23.46		\$75,900	\$0	\$75,900
7	7849998001	WIZA INVESTMENTS DREXEL LLC	COM	7581 13TH ST S	34.75		\$1,158,400	\$0	\$1,158,400
8	7849020000	HIGHGATE LLC	RES	7705 13TH ST S	0.35		\$68,800	\$0	\$68,800
9	7849019000	HIGHGATE LLC	RES	7725 13TH ST S	0.87		\$84,700	\$178,900	\$263,600
10	7849003000	HIGHGATE LLC	RES	7751 13TH ST S	0.54		\$74,400	\$73,100	\$147,500
11	7849000000	PILLAR, ROBERT T	RES	7765 13TH ST S	0.59		\$77,500	\$127,400	\$204,900
12	7849991001	HIGHGATE LLC	RES	7781 13TH ST S	1.00		\$84,800	\$67,200	\$152,000
13	7849990001	HIGHGATE LLC	RES	7811 13TH ST S	1.08		\$86,800	\$64,100	\$150,900
14	7849001000	HIGHGATE LLC	RES	7831 13TH ST S	0.77		\$83,700	\$78,200	\$161,900
15	8119999001	SPIDELL, STEPHEN J	RES	7909 13TH ST S	3.49		\$106,900	\$139,300	\$246,200
Totals					126.52	\$10,700	\$8,401,700	\$27,057,800	\$35,459,500

1. These parcels were combined by CSM on April 16, 2019 and are pending issuance of an updated tax ID and street address.

2. A portion of this parcel was vacated by the City of Oak Creek for right-of-way dedication, with the remaining portion combined into Parcel 2 by CSM.

3. 2019 assessed values are preliminary and subject to final equalization by the Department of Revenue on or before August 15, 2019.





SECTION II. LIST THE TYPE, NUMBER AND LOCATION OF ALL PROPOSED PUBLIC WORKS AND IMPROVEMENTS IN THE DISTRICT AND OUTSIDE THE DISTRICT

No changes to this section are proposed under this Amendment.

AMENDED SECTION III. PROPOSED USES

The existing District is anchored by an IKEA retail store which opened in May 2018, with future development lands located immediately south. This amendment adds all of the contiguous parcels on the north side of W. Drexel Avenue between Ikea Way and I-94/41 to capture likely future commercial development driven by increased traffic in the vicinity. The parcels to be added east of the interstate will include a combination of local retail, commercial (non-retail), professional and medical office in the area near the northwest corner of the Drexel and 13th Street intersection (parcels 6,8-10,12-14, with concept plan shown in Map 3), and potential multifamily residential to the north between I-94/41 and 13th Street (parcel 7).

The City has amended the Comprehensive Plan and Future Land Use Map (Map 4) to accommodate new developments within the expanded TID boundaries, as directed by Plan Commission and Common Council.

Newly Platted Residential Development

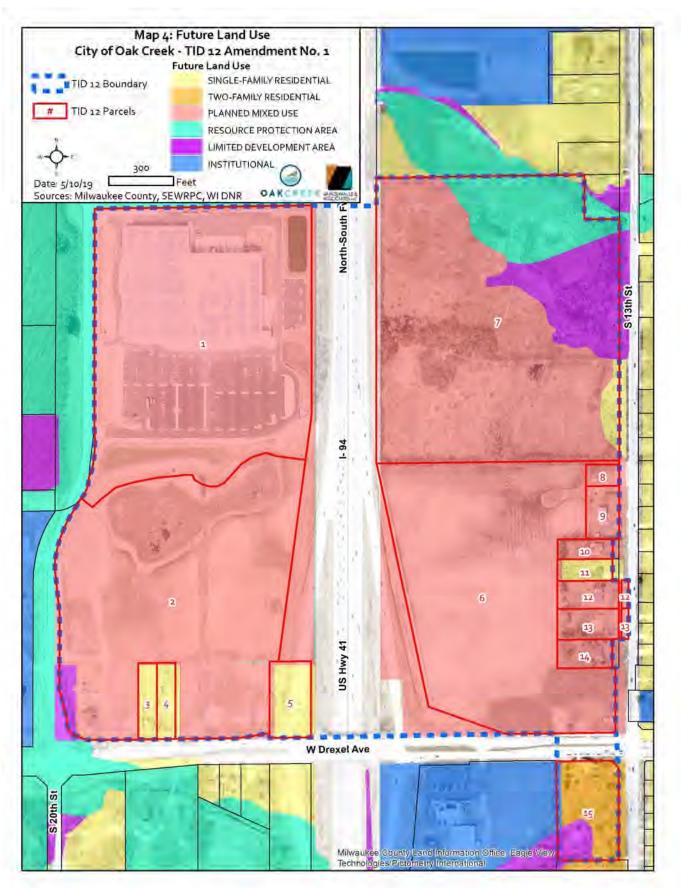
The amended District is expected to contain medium-density multifamily development on a portion of one vacant 33.64+/- acre parcel (parcel 7), a sizeable percentage of which contains wetlands and floodplain. This development does not propose to replat or otherwise subdivide the subject parcel, and no additional residential is anticipated elsewhere in the amended District at this time. Therefore, no more than thirty-five percent, by area, of the real property within the District are lands proposed for newly platted residential use.



Map 3: Commercial Development Concept

General Development Plan subject to change

Source: Highgate, LLC



SECTION IV. DETAILED LIST OF ESTIMATED PROJECT COSTS

Per the Joint Review Board's approval of this TID #12 Project Plan Amendment, the total level of authorized spending on direct project costs will be \$29,089,666, plus estimated interest and finance charges for new project costs, to facilitate growth and development over the District's 17 years of remaining life. These project expenditures are listed in Table 3, and further detailed in the tables within Section V: Economic Feasibility Study.

Consistent with the goals and purposes of the District as articulated in this Project Plan, all project expenditures are intended to promote orderly development, stimulate commercial revitalization, create jobs, enhance the value of property, and broaden the property tax base of the City of Oak Creek and the overlying taxing jurisdictions.

Implementation and construction of the proposed projects identified herein will require case-by-case authorization by the Common Council. Public expenditures for projects listed in this Project Plan should and will be based on market conditions and the status of development at the time a project is scheduled for construction. These expenditures are eligible costs whether undertaken by public or private entities.

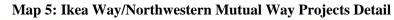
This Plan is neither meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on the best information available. The City retains the right to delete projects or change the scope and/or timing of projects as they are individually authorized by the Common Council, without amending the Plan.

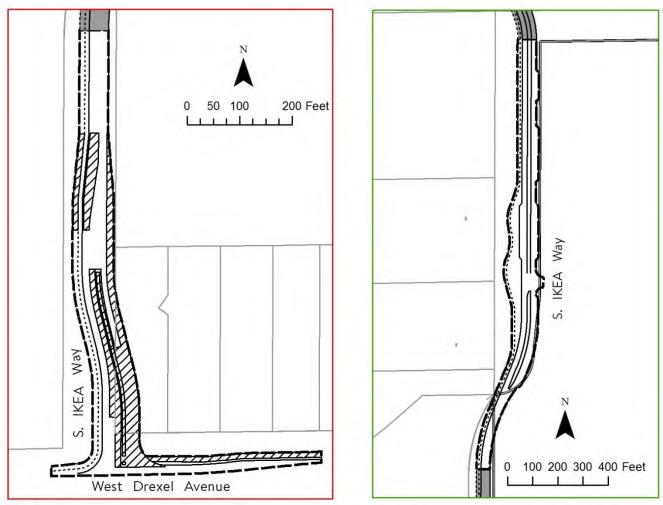
The City reserves the right to increase these costs to reflect inflationary increases beyond what is anticipated over a five (5) year period and other uncontrollable circumstances between 2019 and the time of construction. However, to the extent Project Costs exceed an increase of 15% over the current estimate the City shall require an amendment to the Plan. The City also reserves the right to increase certain Project Costs to the extent others are reduced or not implemented, without amending the Plan. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

It is anticipated that Project Costs in the territory located within a one-half (1/2) mile radius of the District and within the City will be similar to the Detailed List of Estimated Project Costs in nature and type.

Ikea Way/N	Northwestern Mutual Way Street Improvements ¹	\$5,100,000
Phase I/IA	Engineering and Design	\$24,685
	Construction	\$420,496
Phase II	Engineering, Design and Inspection	\$317,000
	Construction	\$2,729,408
	Watermain	\$441,450
	Sanitary Sewer	\$548,100
	Landscaping-Restoration	\$275,000
	Capitalized Interest	\$343,861
13 th St & D	rexel Avenue Improvements (tax-exempt G.O. bond issue)	\$2,489,666
	Engineering, Design, and Construction Inspection	\$941,458
	Roadway and Intersection Expansion	\$1,491,980
	Traffic Signals (new and modification)	\$800,000
	Storm Water Management	\$350,000
	Relocate/Bury Overhead Utilities	\$700,000
	Uncomputed Quantities (Contingency)	\$423,472
	Real Estate and Right-of-Way Acquisition	\$272,422
	50% Developer Contribution (offset/savings)	(\$2,489,666)
Developme	nt Incentives ²	\$11,000,000
	IKEA Development Project – developer-funded ³	\$6,000,000
	Developer-funded Development Incentives – remainder of District ⁴	\$11,500,000
	Up-Front Development Incentives- remainder of District	\$3,000,000
Planning, A	Administrative, Legal and Professional Costs	\$1,000,000
Total Estin	nated Project Costs	\$29,089,666

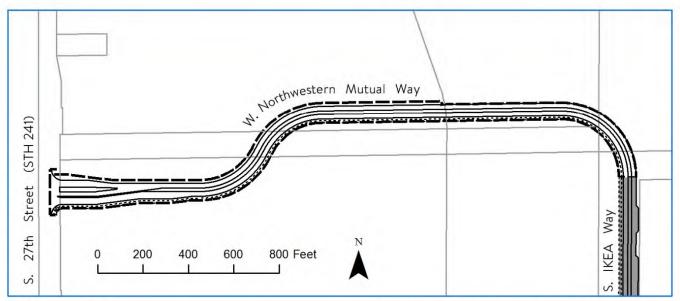
- 1. This consists of multiple phases (See Map 5) of streets and related amenities to the quality that would need to be part of the City's infrastructure and are assumed as a public cost. This work may include the following elements: road improvements; street trees; street lighting; intersection work; signage; sidewalks (both sides on interior roads); water, sanitary, storm and related infrastructure; grading and stormwater management; green design features; engineering and contingencies.
- 2. The totals for each incentive category are not to exceed costs shown (exclusive of financing costs) and are subject to a valid development agreement negotiated on a case-by-case basis.
- 3. Developer-funded and remitted by City to the extent available based on increment generated only on property subject to development agreement.
- 4. Developer funded and remitted by City to the extent available based on increment generated only by remainder of District (i.e. excluding IKEA property subject to separate development agreement).





Phase 1 & 1A

Phase 2



Phase 3 (future)

Source: City of Oak Creek Engineering Department

DRAFT July 12, 2019

AMENDED SECTION V. ECONOMIC FEASIBILITY STUDY

The information and exhibits contained within this section demonstrate that the amended District is economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan.
- The City expects to complete the projects in multiple phases and can adjust the timing of implementation as needed to coincide with the pace of development and/or redevelopment.
- The development anticipated to occur as a result of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects.

Table 3: Detailed List of Estimated Project Costs (Section IV), lists the priority projects and provides an estimated total cost for each category and/or project throughout the District's life. Hard costs are expected to be borrowed for and built within 1-2 year time frames, while soft costs for discretionary payments, administration and professional services, and finance charges/interest represent ongoing expenses. All costs are shown in 2019 dollars. Financing for certain priority projects listed in Table 3 will be made on a case-by-case basis.

Within this section are several additional tables that, together, provide a cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all project costs. The estimated total tax increments are \$46,804,205, and the total combined expenditures, including principal and interest payments for City-financed project costs, are \$32,194,091. For developer incentives that are developer-financed ("pay-as-you-go"), incentives will be paid only if tax increment is available after taking into account debt service on City obligations and administrative costs.

Each development project will need to be addressed on an individual basis through negotiations and a review of project finances ultimately resulting in a development agreement. Each project also will be reviewed in a manner addressing the criteria of job creation, tax increment creation, blight elimination, and similar development criteria. One development project may address certain criteria while another may address different criteria. Consequently, the Common Council will review each project individually and make its determinations based on the project's implementation goals. The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.

Table 4 estimates the tax increment to be generated from new construction in the District. Note that there is a one-year lag until the value of new construction is added to the tax roll and a two-year lag until the project generates tax increment. Based on the type and intensity of development estimated to occur, new construction in the District is projected to yield tax increment revenues of approximately \$46.8 million (in 2019 dollars). Increment estimates are based on assessment data for comparable properties currently paying taxes in the City of Oak Creek and surrounding municipalities.

Table 5 shows the combined cash flow for projects associated with the current District boundary, as well as the parcels added under this Amendment. All future revenues are to be split among City debt service for up-front infrastructure costs and development incentives, pay-as-you-go development incentives, and a small reserve for administrative costs.

The approximately \$125 million in projected new value increment to be generated within the amended District is expected to generate sufficient revenues to pay for the City's share of estimated costs from the original Project Plan as well as projects associated with the expansion area. These new project costs include improvements to the intersection of Drexel Avenue and 13th Street (about \$2.5 million), as well as up to \$3 million in City-financed (up-front) and \$11.5 million in developer financed (pay-as-you-go) incentives.

This analysis shows that TID #12 is expected to close on time with a projected positive cash balance of about \$14.6 million available at the end of its statutory life (the final collection year of 2036). Note that

the four City borrowings shown in Table 5 are intended to be reflective of additional issuance and financing-related costs that may be necessary to cover the estimated projects and costs listed in this Plan; however, these amounts are subject to change without having to amend this Project Plan and may vary depending upon the types of financing selected and the associated costs involved.

Plan Implementation

To remain successful, the City will continue to implement the District in accordance with the following objectives:

- Identified projects will provide the necessary public infrastructure to the area. However, public debt and expenditures should be made at the pace private development occurs to assure increment is sufficient to cover expenses.
- It is anticipated developer agreements between the City and property owners will be in place prior to major public expenditures. These agreements can provide for development guarantees or a payment in lieu of development. To further assure contract enforcement, these agreements might include levying of special assessments against benefited properties.
- The order in which public improvements are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Plan to accomplish this objective.
- Projected interest rates are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.
- If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

Table 4: Revenue Analysis

Assumptions	
Annual Inflation During Life of TID	1.00%
2018 Gross Tax Rate (per \$1,000 EV)	\$21.12
Annual Adjustment to tax rate	0.00%
Investment rate	0.00%
Data above dashed line are actual	

	- transme	Back	ground Dat	а		Revenues
	(a)	(b)	(c)	(d)	(e)	(f)
rear	TIF District Valuation	Inflation Increment	Construction Increment	TIF Increment Over Base	Tax Rate	Tax Revenue
	(January 1)		(1)			
	Base Value					
	\$10,700					
	2019 Amend \$3,925,000					
2016					-1.0	
2017	\$10,100	-0	-13 070 300	\$18,651,700	421.12	+0
2018	\$18,662,400	. 50	\$12,878,200		\$21.12	\$0
2019	\$35,465,600	\$315,406	\$8,000,000	\$43,770,306	\$21.12	\$393,924
2020	\$43,781,006	\$318,560	\$13,627,250	\$57,716,116	\$21.12	\$665,911
2021	\$57,726,816	\$321,746	\$29,390,667	\$87,428,529	\$21.12	\$924,429
2022	\$87,439,229	\$324,963	\$41,880,000	\$129,633,492	\$21.12	\$1,218,964
2023	\$129,644,192	\$328,213	\$5,000,000	\$134,961,705	\$21.12	\$1,846,491
2024	\$134,972,405	\$1,140,474	\$5,000,000	\$141,102,179	\$21.12	\$2,737,859
2025	\$141,112,879	\$1,151,879	\$5,000,000	\$147,254,057	\$21.12	\$2,850,391
2026	\$147,264,757	\$1,163,398	\$5,000,000	\$153,417,455	\$21.12	\$2,980,078
2027	\$153,428,155	\$1,175,032		\$154,592,487	\$21.12 \$21.12	\$3,110,006
2028	\$154,603,187 \$155,789,968	\$1,186,782 \$1,198,650		\$155,779,268 \$156,977,918	\$21.12	\$3,240,177 \$3,264,993
2029	\$156,988,618	\$1,210,636		\$158,188,554	\$21.12	\$3,290,058
2030	\$158,199,254	\$1,222,743		\$159,411,297	\$21.12	\$3,315,374
2032	\$159,421,997	\$1,222,743		\$160,646,267	\$21.12	\$3,340,942
2032	\$160,656,967	\$1,234,970		\$161,893,586	\$21.12	\$3,366,767
2033	\$161,904,286	\$1,259,793		\$163,153,379	\$21.12	\$3,392,849
2034	\$163,164,079	\$1,272,391		\$164,425,770	\$21.12	\$3,419,193
2035	\$164,436,470	\$1,285,115		\$165,710,885	\$21.12	\$3,445,799
	1000	\$17,358,068	\$125,776,117	-		\$46,804,205

Increment assumptions provided by City of Oak Creek, Vandewalle & Associates, and Robert W. Baird & Co.

Table 5: Cash Flow – All Parcels (Existing and Amended Boundary)

Annual Inflation 2018 Gross Tax	During Life of T Rate (per \$1,0			1.00%		Taxable	1,040,000 6.0. Refundin d August 1, 2	g Bonds 019	G.O. Date	Infrastruct 44,110,000 Refunding Bo ed August 1, 2	nds. 019	Date	52,490,000 G.O. Bonds d October 1,	2020	Tan Date	3,075,000 able G.O. Bon d October 1, 2	ids 2022					
Annual Adjustme Investment rate		e dashed line are a	ictual	0.00% 0.00%		Developer Rein Amount for Int Cost of Issuan Rounding Less: Reofferin	erest ce (est.)	\$7,590 \$41,854 \$556	Amount for Re Amount for In Cost of Issuan Rounding Less: Reofferir	terest ce (est.)	\$31,510 \$88,114 \$4,270	Amount for Pro Capitalized Int Cost of Issuan Rounding Less: Reofferir	erest ce (est.)	\$0 \$67,450 \$0	Amount for Pro Capitalized Int Cost of Issuan Rounding Less: Reofferin	erest	\$3,000,000 \$0 \$74,763 \$238 \$0					
	and the second se	ground Dat			Revenues							E	xpenditu	es				-	-	6 - 10 L		Status
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(1)	(j)	(k)	(1)	(m)	(n)	(0)	(p)	(q)	(r)	(5) Less:	(t)	(u)	(v)	(w) Year End
TIF District Valuation	Inflation Increment	Construction	TIF Increment Over Base	Tax Rate	Tax	Deinsteal	Interest	Debt Service	Principal	Interest	Debt. Service	Principal	Interest	Debt	Deinging	Interest	Debt	Administrative Costs	Payment to Developer	Combined	Annual Balance	Cumulative Balance
Valuation (January I) Base Value S10,705 0019 Annend \$3,925,000	Increment	Increment. (1)	Over base	Kate	Revenue	(10/1)	(47) & 10/1) 71C= 3.25%	Service	(10/1)	(4/1 & 10/1) TIC= 2,92%	Service	(10/1)	(4/1 & 10/1) AVG= 4.00%	Service	Principal (10/1)	(4/1 & 10/1) AVG= 0.50%	Service	Costs	Developer	Expenditures	Balance	Datance (December 31)
141,112,879 147,264,757 153,428,155 154,603,187 155,789,968 155,988,618 158,199,254 159,421,997 160,656,967 161,904,286 163,164,079	50 315,406 \$313,560 \$321,746 \$322,1746 \$322,913 \$1,140,474 \$1,151,879 \$1,163,398 \$1,175,032 \$1,186,782 \$1,186,782 \$1,196,550 \$1,210,536 \$1,222,743 \$1,2234,970 \$1,259,793 \$1,272,391 \$1,285,115	\$5,000,000 \$5,000,000 \$5,000,000	\$43,770,306 \$57,716,116	\$21.12 \$21.12	\$0 \$393,924 \$655,911 \$224,429 \$1,215,964 \$1,215,964 \$1,215,964 \$2,250,791 \$2,250,791 \$2,260,073 \$3,140,042 \$3,240,157 \$3,240,925 \$3,240,942 \$3,345,749 \$3,345,749 \$3,345,749	\$215,000 \$245,000 \$250,000 \$260,000 \$70,000	\$33,603 \$22,998 \$16,260 \$9,310 \$2,030	\$248,603 \$267,998 \$266,260 \$269,310 \$72,030	\$0 \$0 \$195,000 \$225,000 \$20,000 \$300,000 \$310,000 \$330,000 \$330,000 \$330,000 \$330,000 \$350,000 \$350,000 \$350,000	\$143,161 \$126,995 \$126,995 \$126,995 \$121,145 \$121,145 \$104,345 \$95,645 \$76,430 \$56,55 \$455,955 \$455,455 \$455,415 \$24,565 \$23,405 \$11,935	\$148,161 \$126,995 \$126,995 \$321,995 \$396,145 \$396,145 \$396,145 \$396,435 \$396,435 \$396,435 \$396,430 \$396,350 \$395,955 \$395,415 \$394,565 \$394,565 \$393,405	\$115,000 \$120,000 \$130,000 \$135,000 \$140,000 \$1440,000 \$155,000 \$155,000 \$170,000 \$177,000 \$177,000 \$180,000 \$180,000 \$195,000	\$99,600 \$95,000 \$85,200 \$80,000 \$69,000 \$69,000 \$57,200 \$57,200 \$57,200 \$44,600 \$30,800 \$33,800 \$33,800 \$16,000 \$8,200	\$214,600 \$215,200 \$215,200 \$215,200 \$214,600 \$214,600 \$214,000 \$214,200 \$214,600 \$212,200 \$214,600 \$212,800 \$21,0800 \$213,600 \$213,600 \$213,200	\$165,000 \$170,000 \$175,000 \$185,000 \$205,000 \$220,000 \$220,000 \$230,000 \$230,000 \$250,000 \$250,000 \$250,000	\$138,375 \$130,950 \$123,300 \$115,425 \$107,100 \$98,325 \$89,100 \$79,650 \$69,750 \$59,400 \$48,600 \$48,600 \$48,600 \$48,600 \$48,600 \$48,600	\$303,375 \$300,950 \$298,300 \$300,425 \$302,100 \$299,650 \$299,600 \$299,750 \$299,700 \$298,600 \$302,350 \$300,425 \$303,050	\$25,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000	\$393,924 \$244,148 \$252,580 \$366,655 \$571,378 \$1,342,450 \$1,390,497 \$1,410,341 \$1,435,330 \$1,456,680 \$1,511,239 \$1,559,321 \$1,001,583 \$345,917 \$354,734 \$335,938	\$2,349,942 \$2,373,261 \$2,396,779 \$2,420,500 \$2,444,175 \$2,468,319 \$2,492,921 \$2,517,476 \$1,956,398 \$1,306,432 \$1,309,564	\$2,109,629	\$0 \$12,256 \$206,310 \$516,543 \$951,377 \$1,451,826 \$2,058,644 \$2,771,870 \$3,591,546 \$4,412,364 \$5,234,104 \$6,056,556 \$6,880,023
	\$17,358,068	\$125,776,117	-		\$46,804,205	\$1,040,000	\$84,200	\$1,124,200	\$4,110,000	\$1,490,421	\$5,600,421	\$2,490,000	\$926,000	\$3,416,000	\$3,075,000	\$1,135,800	\$4,210,800	\$825,000	\$17,017,670	\$32,194,091		

Type of TID: Mixed-Use 2016 TID Inception (07/19/2016) 2031 Final Year to Incur TIF Related Costs 2036 Maximum Legal Life of TID (20 Years) 2037 Final Tax Collection Year

(1) Increment per City Estimates.

Estimated financing terms provided by Robert W. Baird & Co.

SECTION VI. DESCRIPTION OF FINANCING METHODS

No changes to this section are proposed under this Amendment.

AMENDED SECTION VII. PROPOSED CHANGES IN ZONING ORDINANCES AND MASTER PLAN

The City previously changed its zoning ordinances to accommodate the development that has taken place since the District was adopted in 2016. The future land use map adopted as part of the City's Comprehensive Plan was previously amended to identify property within the boundary of the District as Planned Mixed Use.

The current zoning classification of B-6 Interchange Regional Retail currently regulates much of the western portion of TID #12, including the IKEA retail store (parcel 1) and open lands immediately south to Drexel Avenue. A Certified Survey Map (CSM) submitted by Walden OC, LLC (applicant) to replat the properties at 1700, 1750, 1800, 1816, 1848, 1850, 1900 and 1920 W. Drexel Ave. and 7700 S. Ikea Way (parcel 2) into a single conforming commercial development lot was approved by the Common Council on April 16, 2019. The southwestern portion of parcel 2, formerly a city-owned right-of-way parcel currently zoned I-1 Institutional, will require a rezoning. The entirety of this CSM area is expected to be submitted for Planned Unit Development (PUD) approval at a future date.

The multifamily project proposed by Wingspan Development Group, LLC for the property at 7581 S. 13th St. (parcel 7) was rezoned from B-3 Office and Professional Business to Rm-1 Multifamily Residential PUD by the Common Council following a public hearing on May 21, 2019, with no change to FW Floodway, FF Flood Fringe or C-1 Shoreland Wetland Conservancy districts on that parcel.

The commercial development proposed by Highgate, LLC for the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St. (parcels 6,8-10,12-14) were also rezoned from B-4 Highway Business to PUD following a public hearing at the same May 21, 2019 meeting.

Necessary changes to the Comprehensive Plan and Future Land Use Map will be made as necessary to ensure consistency with these rezonings and facilitate implementation of this Project Plan as amended. If any future change to the City's ordinances are required to carry out the intent of this Plan, such changes will be made in accordance with Municipal Code Chapter 17.

SECTION VIII. NON-PROJECT COSTS

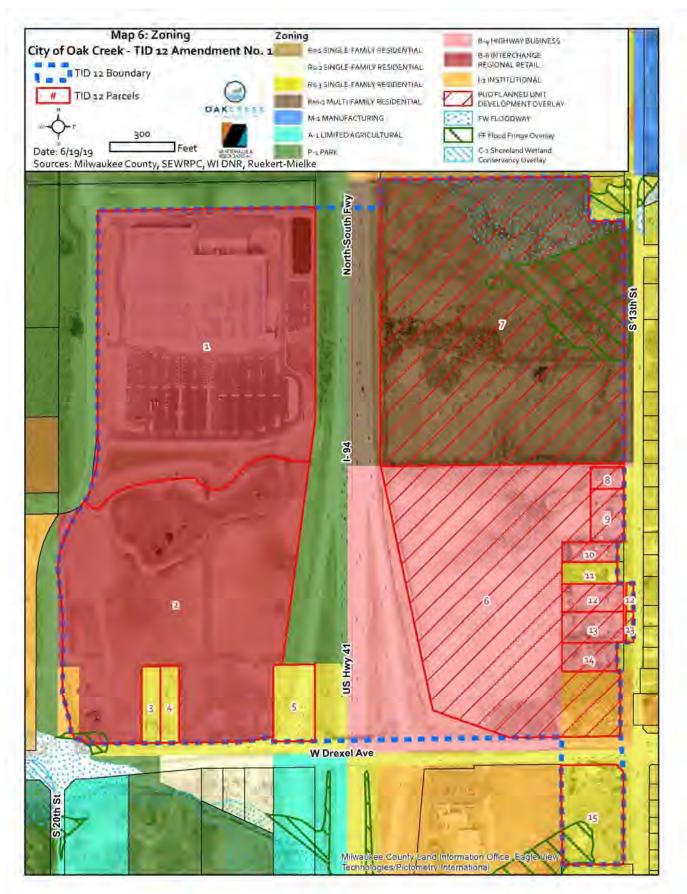
No changes to this section are proposed under this Amendment.

SECTION IX. RELOCATION

No changes to this section are proposed under this Amendment.

SECTION X. HOW THE CREATION OF TAX INCREMENTAL DISTRICT NO. 12 WILL PROMOTE THE ORDERLY DEVELOPMENT OF THE CITY OF OAK CREEK

No changes to this section are proposed under this Amendment.



SECTION XI. LEGAL OPINION

APPENDIX A LEGAL DESCRIPTION

APPENDIX B IMPACT ON OVERLYING TAXING JURISDICTIONS

Amended Base Value:\$3,935,700 (effective January 1, 2019)Projected Total Value Increment:\$165,710,885 (Development and inflation over life of District)Projected Total Tax Increment\$46,804,205 (From creation to statutory closure date)

Taxing Jurisdiction	2018 Tax Rate ¹	% of Mill Rate by Jurisdiction	Taxes Collected on Base Value by Jurisdiction	Total Tax Increment Collected Over Life of the District	Annual Taxes Collected After TID Closure ²	Increase in Annual Taxes Collected After TID Closure
MATC	1.23	5.8%	\$4,822	\$2,714,644	\$207,852	\$203,030
City of Oak Creek	6.30	29.8%	\$24,775	\$13,947,653	\$1,067,927	\$1,043,152
Milwaukee County	4.90	23.2%	\$19,288	\$10,858,576	\$831,406	\$812,118
MMSD	1.71	8.1%	\$6,734	\$3,791,141	\$290,275	\$283,541
Oak Creek-Franklin School District	6.99	33.1%	\$27,519	\$15,492,192	\$1,186,187	\$1,158,668
Total	21.12	100%	\$83,138	\$46,804,205	\$3,583,648	\$3,500,509

1. Net mill rates including school and county sales tax credits.

2. Value increment for the estimated year of District closure shall be applied to each jurisdiction's levy limit under the terms of Wis. Stat §66.06023.

APPENDIX C	TAXING JURISDICTION CORRESPONDENCE
APPENDIX D	JRB MEETING AND PUBLIC HEARING PROOFS OF PUBLICATION
APPENDIX E	PLAN COMMISSION RESOLUTION AND PUBLIC HEARING MINUTES
APPENDIX F	CITY COUNCIL RESOLUTION AMENDING TID #12
APPENDIX G	JOINT REVIEW BOARD RESOLUTION APPROVING THE PROJECT PLAN AMENDMENT



Meeting Date: July 23, 2019

Item No. 6b

PLAN COMMISSION REPORT

Proposal:	Minor Land Division							
Description:	Review of a Minor Land Division (Certified Survey Map) request to relocate the shared parcel boundary between 9834 and 9878/80 S. Nicholson Rd.							
Applicant(s):	Simon Krizan							
Address(es):	9834 and 9878/80 S. Nic	cholson Rd.						
Suggested Motion:	That the Plan Commission recommends to the Common Council that the Certified Survey Map (Minor Land Division) submitted by Simon Krizan for the properties at 9834 and 9878/80 S. Nicholson Rd. be approved with the following condition:							
	coordinate geometry co	-	mited to spelling errors, minor equired for compliance with the or to recording.					
Owner(s):	Simon R & Rosemary A K	rizan						
Tax Key(s):	909-9010-000 & 909-90	009-000						
Lot Size(s):	0.482 ac & 23.384 ac							
Current Zoning District(s):	Rs-3, Single Family Reside	ential						
Overlay District(s):	FF, Flood Fringe	C-1, Shoreland Wetland						
Wetlands:	🛛 Yes 🗌 No	Floodplain:	🛛 Yes 🗌 No					
Comprehensive Plan:	Planned Residential							

Background:

The Applicant is requesting approval of a Minor Land Division (CSM) for the properties at 9834 and 9878/80 S. Nicholson Rd. The only proposed change is for the shared property line between the two properties to be moved south by 10 feet so that the frontage for each lot is 100 feet. Minimum lot size and minimum lot width requirements will be exceeded for both parcels following the adjustment. Drainage and Utility

Easements are shown, but are not affected by the proposed lot line adjustment. Since the existing wetlands and floodplain boundaries will not be affected and are not located in the vicinity of the proposed adjustment, delineations are not required at this time.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Minor Land Division (CSM) with specified conditions, or that the Common Council not approve of the proposed CSM. Disapproval will likely result in the existing conditions of the properties to remain, which may affect the anticipated sale of the property/properties.

Respectfully submitted:

Douglas Seymour, AICP Director of Community Development Prepared:

) Papeloon

Kari Papelbon, CFM, AICP Planner

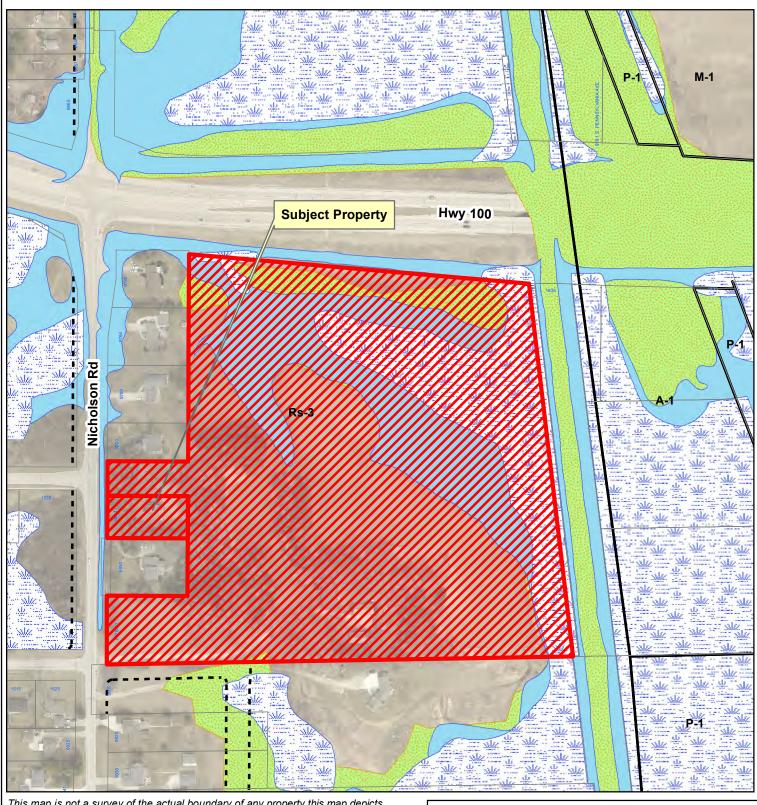
Attachments:

Location Map CSM 4939 (for reference)

Lot line adjustment exhibit (1 page)

Certified Survey Map (4 pages)





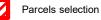
This map is not a survey of the actual boundary of any property this map depicts.





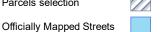
Legend

. S





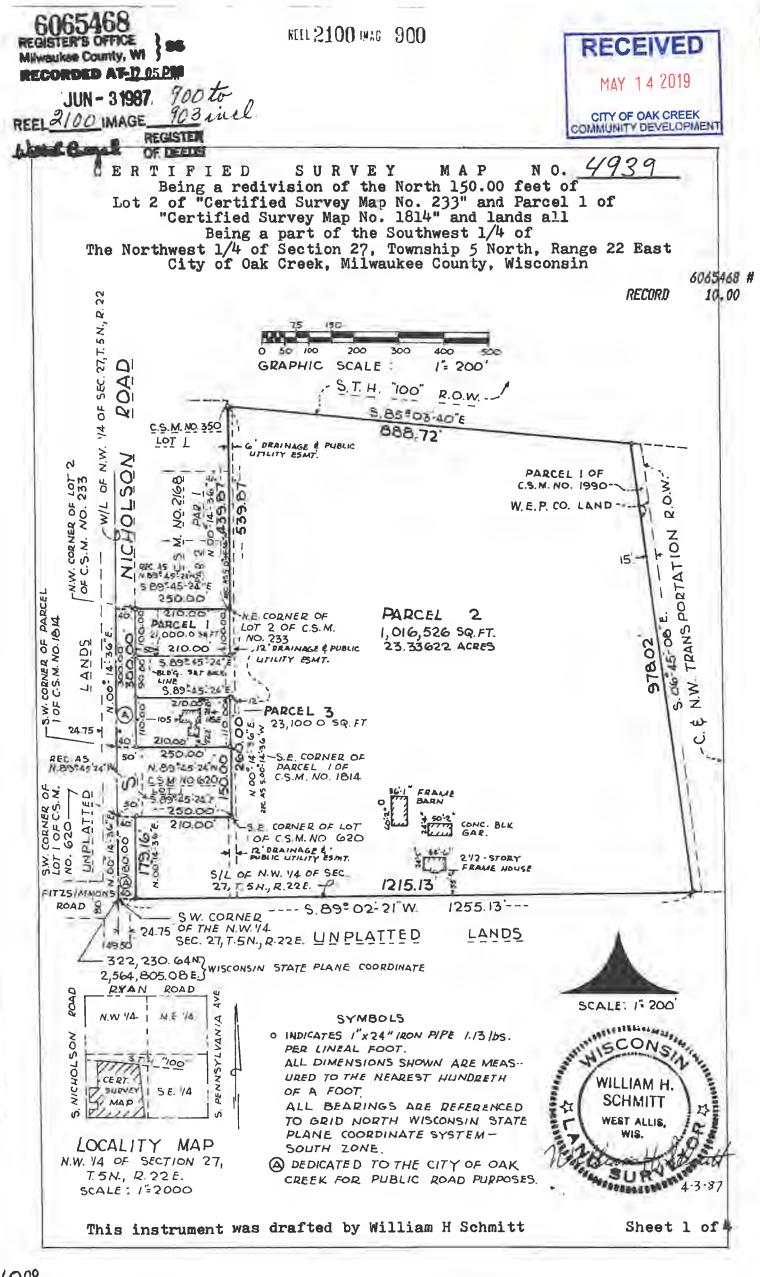
DNR Wetlands Inventory



Floodway (2008)

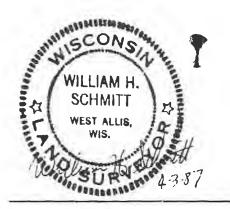
Flood Fringe (2008)

Environmental Corridor



Doc Yr :2008 Doc# 06065468 Page # 1 of 4

10%



KEL 2100 MAG 901



C E R T I F I E D S U R V E Y M A P N 0. <u>4939</u> Being a redivision of the North 150.00 feet of Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of "Certified Survey Map No. 1814" and lands all Being a part of the Southwest 1/4 of The Northwest 1/4 of Section 27. Township 5 North, Range 22 East City of Oak Creek, Milwaukee County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)SS COUNTY OF MILWAUKEE)

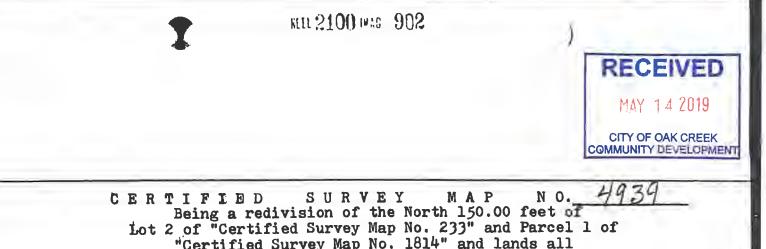
I, WILLIAM H. SCHMITT, registered land surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a redivision of the North 150.00 feet of Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of "Certified Survey Map No. 1814", all being Certified Survey Maps of record in the office of Register of Deeds, and lands all being a part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows, to-wit:

COMMENCING at the southwest corner of said Northwest 1/4 Section; running thence North 00° 14' 36" East on and along the west line of said 1/4 Section 180.00 feet to the southwest corner of "Certified Survey Map No. 620", a certified survey map of record in the office of Register of Deeds; thence South 89° 45' 24" East, recorded as North 89° 45' 24" West, on and along the south line of said Certified Survey Map, 250.00 feet to the southeast corner of said map; thence North 00° 14' 36" East, recorded as South 00° 14' 36" West on and along the east line of said certified survey map and parallel to the west line of said 1/4 Section 150.00 feet to the southeast corner of said Certified Survey Map No. 1814; thence North 89° 45' 24" West on and along the south line of said map, 250.00 feet to a point in the west line of said 1/4 Section; thence North 00° 14' 36" East on and along the west line of said 1/4 Section 300.00 feet to a point in the North line of Lot 2, extended West, of said "Certified Survey Map No. 233" and the southwest corner of "Certified Survey Map No. 2168", a certified survey map of record in the office of Register of Deeds; thence South 89° 45' 24" East on and along the north line of said Lot 2, 250.00 feet to the northeast corner of said Lot 2 and the southeast corner of said "Certified Survey Map No. 2168"; thence North 00° 14' 36" East, recorded as South 00° 14' 36" West on and along the east line of said "Certified Survey Map No. 2168", thence North 00° 14' 36" East, recorded as South 00° 14' 36" West on and along the east line of said "Certified Survey Map No. 2168", the cert Trunk Highway "100" as now laid out; thence South 85° 03' 40" East on and along said Right-of-Way line 888.72 feet to a point in the west line of Parcel 1 of "Certified Survey Map No. 1990", a certified survey map of record in the office of Register of Deeds; thence South 85° 03' 40" East on and along the west line of said Parcel 1, 978 02 feet to a point in the south line of said 1/4 Section, thence South 89° 02' 21" We

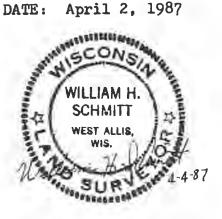
THAT I have made this survey, land divsion and map by the direction of Simon R Krizan and Rosemary A Krizan, his wife, owners of said land.

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



Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of "Certified Survey Map No. 1814" and lands all Being a part of the Southwest 1/4 of The Northwest 1/4 of Section 27, Township 5 North, Range 22 East City of Oak Creek, Milwaukee County, Wisconsin

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 18 of the Oak Creek Municipal Code in surveying, dividing and mapping the same.



(SEAL) 1212 William H Schmitt

Registered Land Surveyor, S-626

OWNERS' CERTIFICATE OF DEDICATION

As owners, we hereby certify that we caused the land described above to be surveyed, divided and mapped and dedicated as represented on this map in accordance with the requirements of Chapter 18 of the City of Oak Creek Municipal Code.

WITNESS the hand and seal of said owners this 7 day of and 198 7.

In the presence of:

Simon R Krizan (SEAL)

a. 4 Rosemary A Krizan

STATE OF WISCONSIN SS COUNTY OF MILWAUKEE)SS COUNTY OF MILWAUKEE)SS

Personally came before me this 100 day of (1) 1987, the above named Simon R Krizan and Rosemary A Krizan, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same.



oc Yr :2008 Dac# 06065468 Page # 3 of 4

(SEAL) una Bablic No My commission axpires 1895-

(SEAL)

KELL 2100 MAG 903

ĈERTIFIED SURVEY MAP NO. 4939 Being a redivision of the North 150.00 feet of Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of "Certified Survey Map No. 1814" and lands all Being a part of the Southwest 1/4 of The Northwest 1/4 of Section 27, Township 5 North, Range 22 East City of Oak Creek, Milwaukee County, Wisconsin

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of Oak Creek on this _______, 1987_.

Fredrick J. Fairban

Fredrick G Fairbanks Secretary

Milo G Schocker Chairman

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of Oak Creek on this 2nd day of ______, 1987_, by Resolution No. 7240-050587______.

Gutknech Laverne

ORAT ETTI-OF-OWN-CREE Mayo Schocker, 10 **MILWAUKEE COUNT**

COMMON COUNCIL ACCEPTANCE OF DEDICATION



TTY OF ON CREEK MILIO G Schocker, Mayor MILIO G Schocker, Mayor CITY OF ON CREEK MILIONNICEE COUNTY WISCONSIN City Clerk

This instrument was drafted by William H Schmitt

Sheet 4 of 4

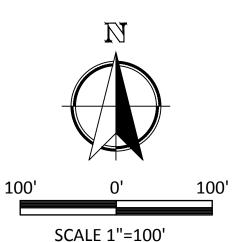
WISCONSIN

Doc Yr :2008 Dar# 06065468 Page # 4 of 4

A lot line exhibit drawing for Simon Krizan of Certified Survey Map No. 4939, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East of the Fourth Principal Meridian, in the City of Oak Creek, County of Milwaukee and State of Wisconsin.

Proposed Parcel 3 description: Parcel 3 of Certified Survey Map No. 4939, a map recorded in the Register of Deeds office for Milwaukee on June 03, 1987 as Document No. 6065468, and being a part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East of the Fourth Principal Meridian, in the City of Oak Creek, County of Milwaukee and State of Wisconsin. Excepting therefrom the Northerly 10.00 feet thereof.

Proposed Parcel 2 description: Parcel 2 of Certified Survey Map No. 4939, a map recorded in the Register of Deeds office for Milwaukee on June 03, 1987 as Document No. 6065468, and being a part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East of the Fourth Principal Meridian, in the City of Oak Creek, County of Milwaukee and State of Wisconsin. Also Including the Northerly 10.00 feet of Parcel 3 of Certified Survey Map No. 4939, a map recorded in the Register of Deeds office for Milwaukee on June 03, 1987 as Document No. 6065468, and being a part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East of the Fourth Principal Meridian, in the City of Oak Creek, County of Milwaukee and State of Wisconsin.



3406

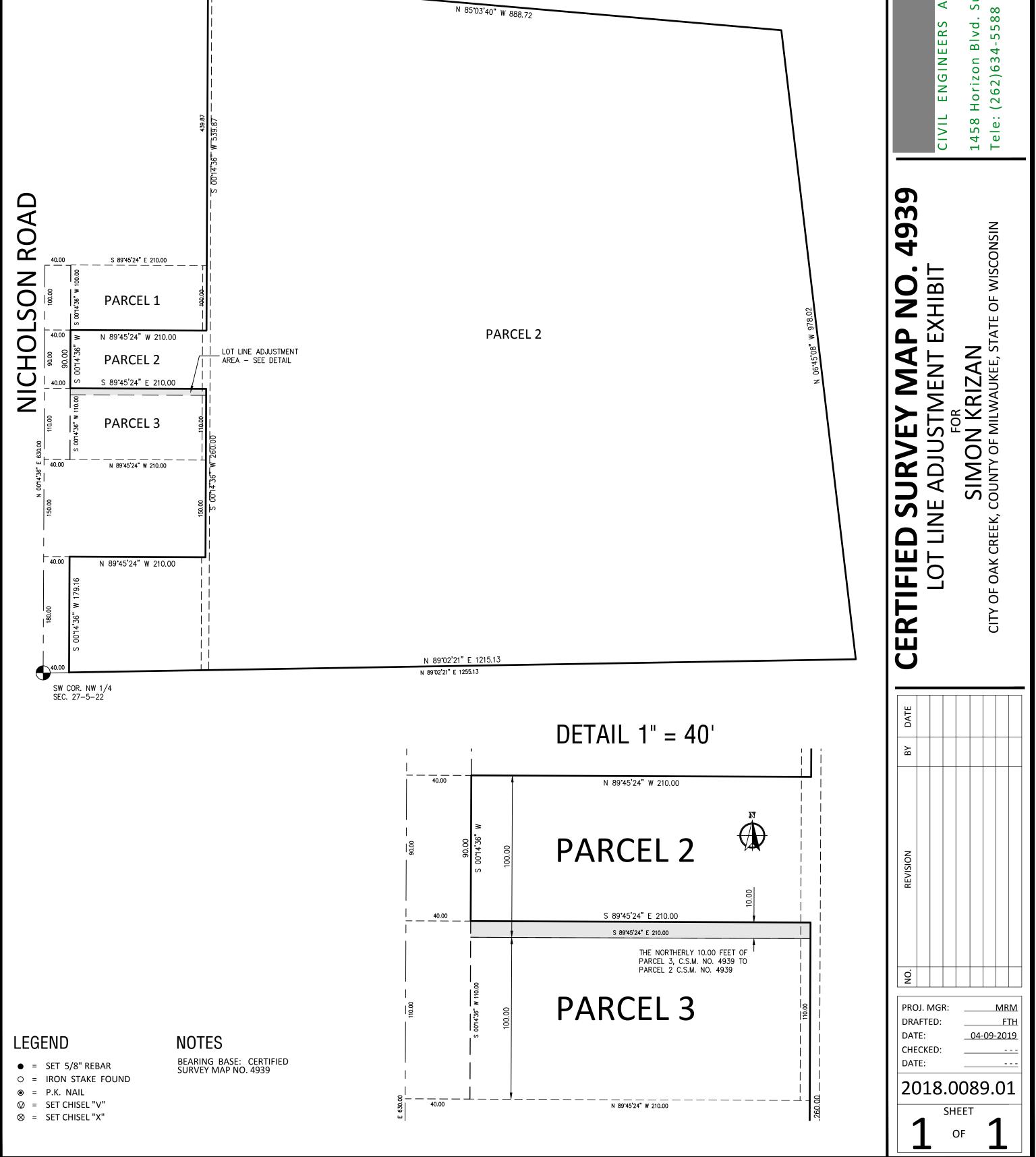
ഗ

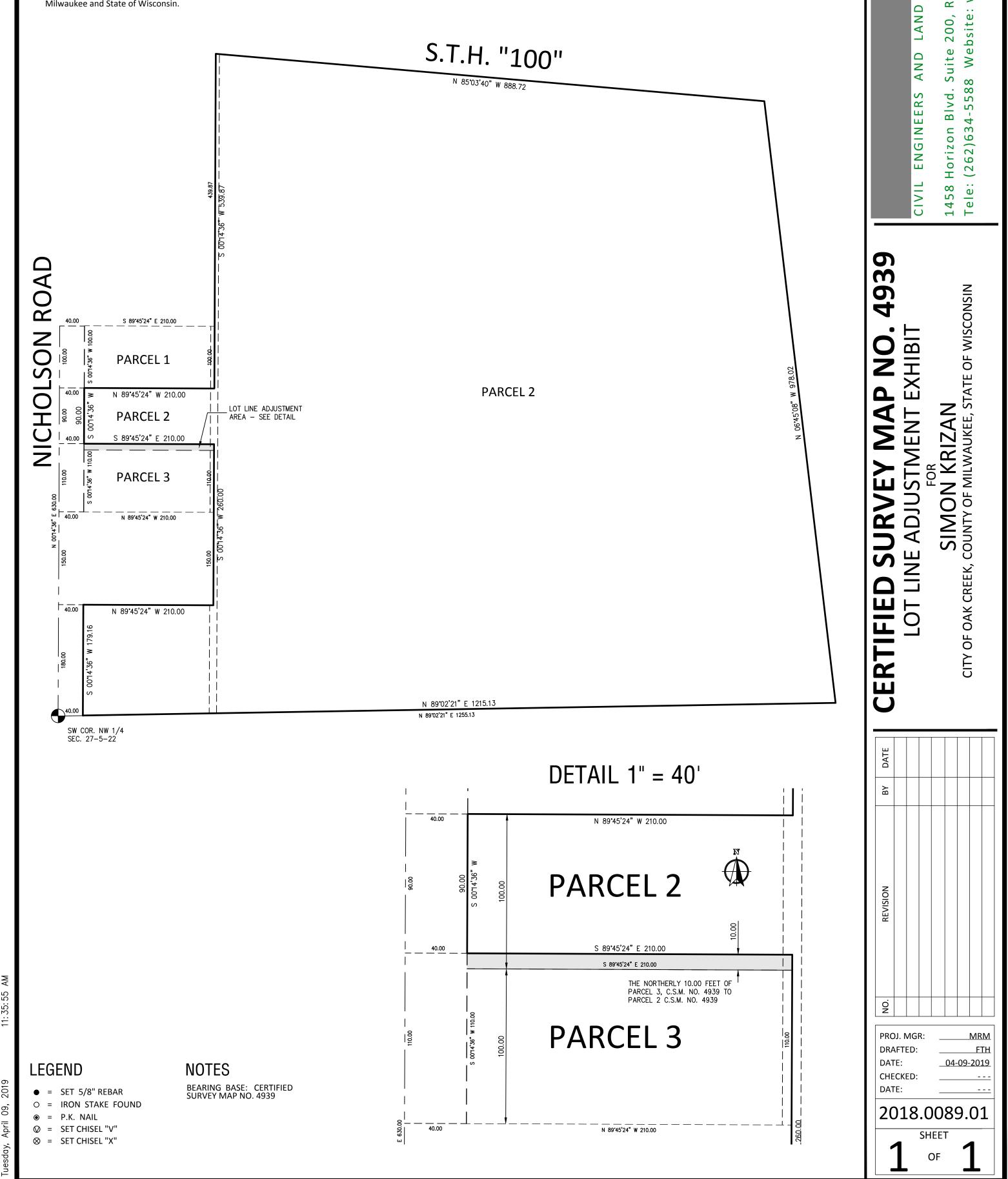
М.

Racine,

SURVEYORS

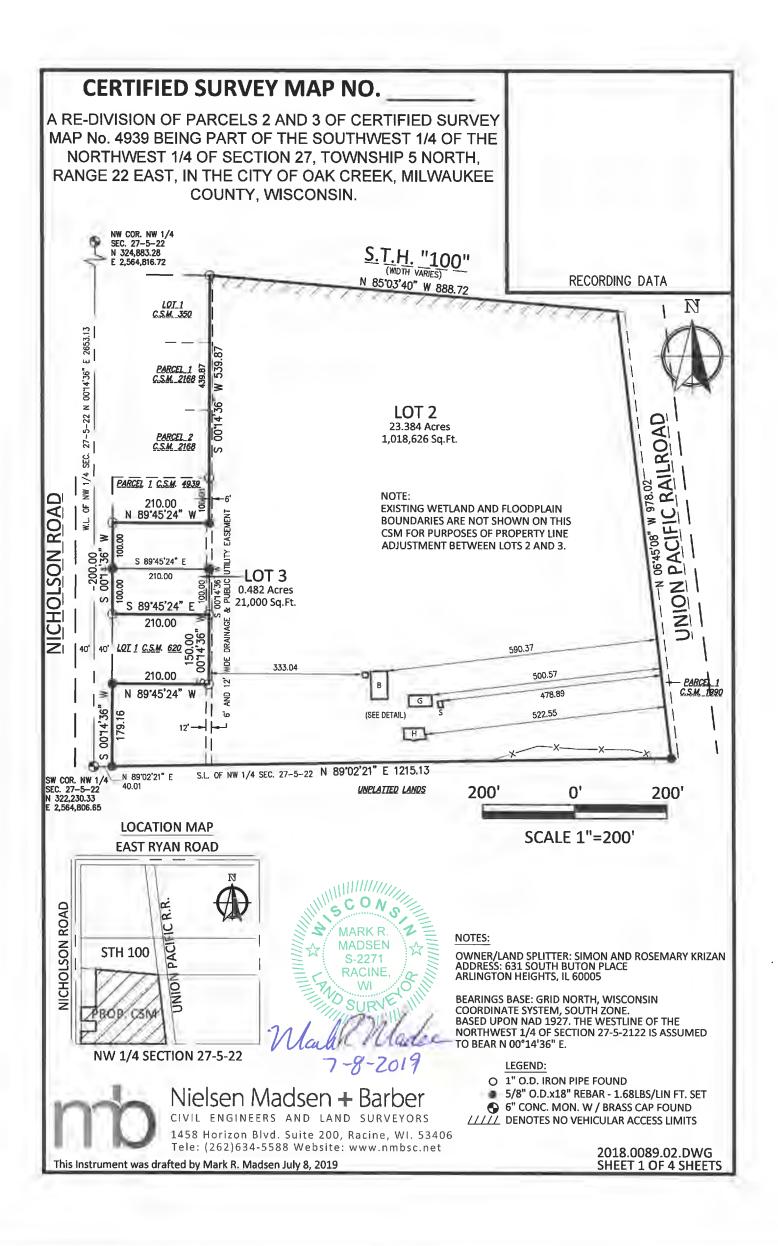
www.nmbsc.net

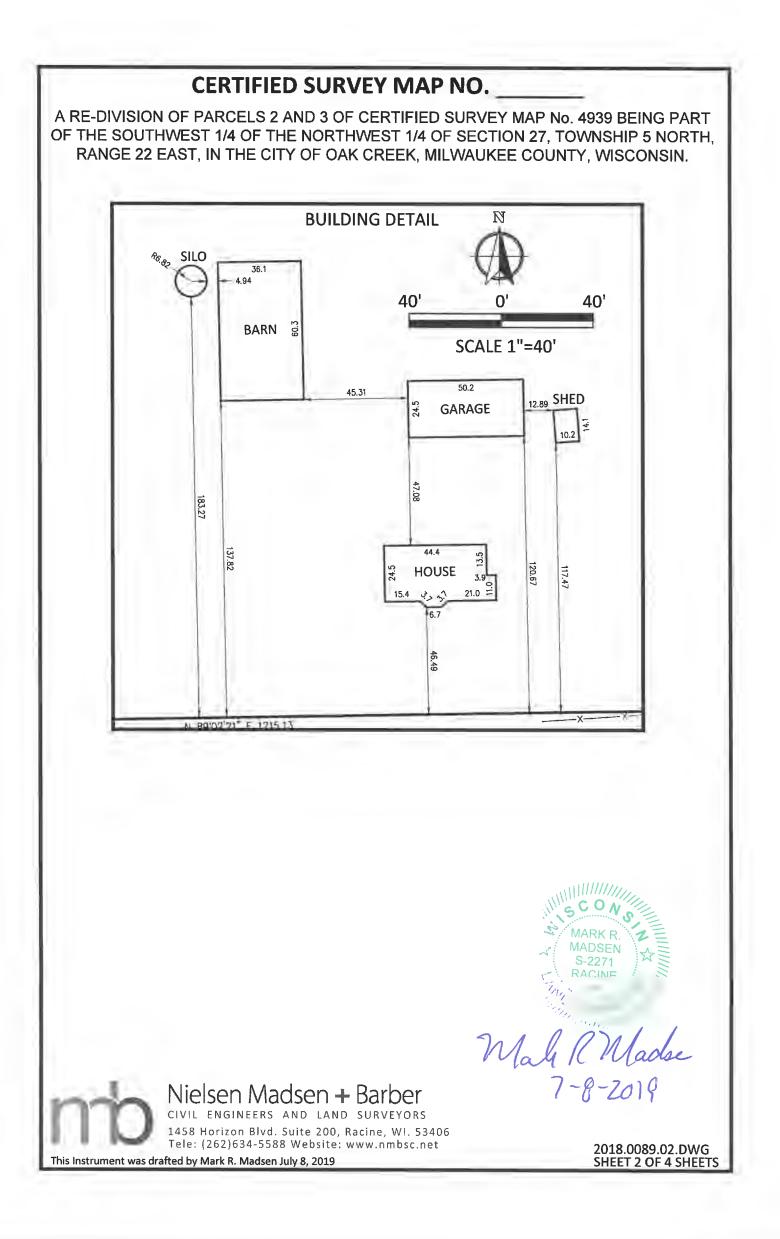




55 35:

> 2019 60 April esday,





CERTIFIED SURVEY MAP NO.

A RE-DIVISION OF PARCELS 2 AND 3 OF CERTIFIED SURVEY MAP No. 4939 BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Mark R. Madsen, hereby certify: That I have prepared this Certified Survey Map at the direction of Owners; THAT such Map is a correct representation of the exterior boundaries of the land surveyed and are described as: Parcels 2 and 3 of Certified Survey Map No. 4939 recorded on June 31, 1987 at the Register of Deeds for Milwaukee County, Wisconsin as Document No. 6065468 and being part of the Southwest ¼ of the Northwest ¼ of Section 27, Township 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin. Containing 23.866 acres.

THAT I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the land division ordinance of the City of Oak Creek, Milwaukee County in surveying, dividing, and mapping the same.

July 8, 2019 SCON CD Mark R. Madsen, P.E., P.L.S. (S-2271) MADSEN Nielsen Madsen & Barber, S.C. S-2271 1458 Horizon Blvd. Suite 200 RACINE Racine, WI 53406 WI (262)634-5588 SUR

OWNER'S CERTIFICATE

Simon and Rosemary Krizan as Owners do hereby certify that we have caused the land described on this map to be surveyed, divided, mapped, and dedicated as represented on this Certified Survey Map. Simon and Rosemary Krizan, do further certify that this Certified Survey Map is required to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF the said Simon and Rosemary Krizan, have caused these presents to be signed by Simon and Rosemary Krizan. Dated this ______ day of ______2019.

Simon Krizan

Rosemary Krizan

STATE OF ______) COUNTY OF ______) SS

Personally came before me this ______ day of ______,2019, Simon and Rosemary Krizan, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the foregoing.

Printed Name:

Notary Public, _____, ____,

Nielsen Madsen + Barber

1458 Horizon Blvd. Suite 200, Racine, WI. 53406 Tele: (262)634-5588 Website: www.nmbsc.net

This Instrument was drafted by Mark R. Madsen July 8, 2019

2018.0089.02.DWG SHEET 3 OF 4 SHEETS

CERTIFIED SURVEY MAP	NO
A RE-DIVISION OF PARCELS 2 AND 3 OF CERTIFIED S OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILV	SECTION 27, TOWNSHIP 5 NORTH,
PLANNING COMMISSION APPROVAL	
Approved as a Certified Survey Map by the City of Oak Creek Planni	ing Commission, on this day of
Chairman	
Secretary	
COMMON COUNCIL RESOLUTION	
Approved as a Certified Survey Map by the City of Oak Creek Comm	non Council, on thisday of
Daniel Bukiewicz, Mayor	
Catherine A. Roeske, City Clerk	
	S-2271 RACINE, C
	W Dollache
Nielsen Madsen – Barber	7-8-2019
CIVIL ENGINEERS AND LAND SURVEYORS 1458 Horizon Blvd. Suite 200, Racine, WI. 53406	Ŭ
Tele: (262)634-5588 Website: www.nmbsc.net This Instrument was drafted by Mark R. Madsen July 8, 2019	2018.0089.02.DWG SHEET 4 OF 4 SHEETS



Meeting Date: July 23, 2019

Item No. **6c**

PLAN COMMISSION REPORT

Proposal:	Rezone		
Description:	Review of a request to rezone the properties at 1001, 1199, & 1203 W. Ryan Rd. and 9600 S. 13 th St. to B-4, Highway Business (NO CHANGE to FW, Floodway or FF, Flood Fringe districts).		
Applicant(s):	Linda Gorens-Levey, General Capital Group		
Address(es):	1001, 1199, & 1203 W. Ryan Rd. and 9600 S. 13 th St.		
Suggested Motion:	That the Plan Commission recommends to the Common Council that the properties at 1001, 1199, & 1203 W. Ryan Rd. and 9600 S. 13 th St. be rezoned to B-4, Highway Business (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) after a public hearing.		
Owner(s):	Ryan Business Park, LLC		
Tax Key(s):	905-9995-001, 905-9993-004, 905-9992-001, 905-9010-000		
Lot Size(s):	Multiple		
Current Zoning District(s):	A-1, Limited Agricultural FW, Floodway		B-4, Highway Business M-1, Manufacturing
Overlay District(s):	FF, Flood Fringe	PUD	
Wetlands:	🗌 Yes 🗌 No	Floodplain:	🛛 Yes 🗌 No
Comprehensive Plan:	Planned Business, Resource Protection Area (along The Creek)		

Background:

The Applicant is requesting that the properties at 1001, 1199, & 1203 W. Ryan Rd. and 9600 S. 13th St. be rezoned from A-1, Limited Agricultural and M-1 (PUD), Manufacturing to B-4, Highway Business. Plan Commissioners will recall that the properties at 1001 W. Ryan Rd. and 9600 S. 13th St. were included a Comprehensive Plan Amendment to change the Future Land Use Category and Map to Planned Business in April/May of this year.

Per the submitted narrative, the request to rezone the properties relates to preparation of the development parcels north of The Creek for marketing and future development. Market conditions are indicating that these parcels would be sought for commercial developments, prompting the proposed change to B-4, Highway Business district.

While the request includes the parcels in whole, staff note that the parcel at 9600 S. 13th St. includes rightof-way for a cul-de-sac at the south. Additionally, future conditions in the vicinity of the FW, Floodway zoning district and The Creek have not been finalized. Staff proposes that the rezone of the property be limited to that portion north of the extents of The Creek. Wetland boundaries will be unaffected by the proposed rezone, and no other changes are proposed to the property at this time. All future developments will require additional reviews and approvals by the Plan Commission.

Should the Plan Commission determine that rezoning the parcels at 1001, 1199, & 1203 W. Ryan Rd. to B-4, Highway Business (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) and that portion of 9600 S. 13th St. north of The Creek to B-4, Highway Business (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) is appropriate, a motion recommending Council approval is provided above.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed rezone, or that the Common Council not approve of the proposed rezone. Disapproval of the rezone would potentially result in incompatible district standard applications and affect marketability of the parcels for anticipated future development within TID 16.

Respectfully submitted:

Douglas Seymour, AICP Director of Community Development

Prepared:

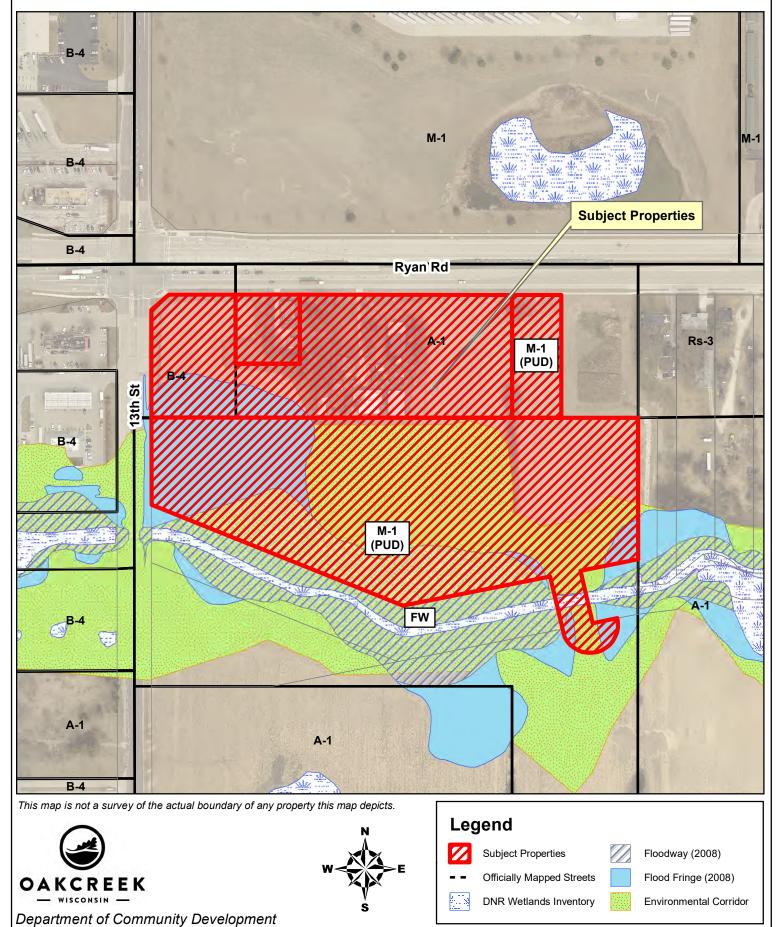
N Papeloon

Kari Papelbon, CFM, AICP Planner

Attachments:

Location Map Narrative (2 pages)

Location Map 1199, 1203, & 1001 W. Ryan & 9600 S. 13th St





COLLABORATE · INNOVATE · EXECUTE

6938 N SANTA MONICA BLVD MILWAUKEE, WI 53217 GENERALCAPITALGROUP.COM

P: 414.228.3500 F: 414.228.3700

Narrative Request

Ryan Business Park Change in Zoning Map July 23, 2019 Plan Commission

Location: The Ryan Business Park is located at the intersection of intersection of Ryan Road (STH 100) and 13th Street (CTH V). The four specific parcels which are the subject of this rezoning request include 1199 and 1203 W. Ryan Road (the former "Tischendorf Parcels"); 1001 W. Ryan Road (the former "Evershine Parcel") and the portion of 9600 S. 13th Street North of the creek or Lot 4 of CSM 9085 (formerly a portion of "the County Parcel"). These parcels are located on the northwest corner of the Ryan Business Park and are collectively all the usable land north of the Creek.

Description: As background, General Capital and its partner, Capstone Quadrangle (together, "RBP LLC"), assembled and purchased approximately 114 acres to create a Class A Business Park. At the end of 2018, RBP LLC sold 75 acres to another developer who is currently constructing a 2.6mm SF distribution facility with an investment of approximately \$200mm and creating 1,500+ jobs.

After the sale of the 75 acres, RBP LLC retained two large developable areas which will also create tax base for the City of Oak Creek. These development pads include an industrial parcel at the south end of RBP off 13th Street with approximately 16 acres of developable land, and an additional pad at the intersection of Ryan and 13th, made up of the 4 contiguous parcels (to be combined by CSM soon) which together provide approximately 14.5 acres of developable land (refer to the attached map).

The four parcels, comprising approximately 14.5 acres of developable land, are the subject of this rezoning request.

Rezoning: This rezoning request is a continuation of the planning process to prepare the site for marketing and development. At the April 23, 2019 meeting, the Plan Commission recommended that the Common Council approve the Comprehensive Plan Amendment from Planned Industrial to Planned Business for the applicable parcels pursuant to the "2020 Vision – A Comprehensive Plan for the City of Oak Creek". The Common Council unanimously approved the Plan Commission's recommendation at the May 7, 2019 meeting.



Currently, the various parcels that comprise this developable land have a mix of inconsistent zoning categories. It is important to rezone the designated parcels now, given the competitive marketplace. Most users perceive inconsistent zoning as a subjective risk with an uncertain timetable and unpredictable end result. Rezoning will facilitate clear marketing and development on the site and avoid having the property at a competitive disadvantage in the market. Following discussions with City Staff, Ryan Business Park prefers that all parcels in this application be rezoned to B-4, Highway Business District, which will enhance the continued development and completion of the shared vision of the City and Developer for a business park in this quadrant, with complementary uses and a successful, quality development.

Request. Ryan Business Park LLC requests the Plan Commission recommend approval of the requested Change in Zoning Map for the 4 properties as submitted.

Sincerely,

Línda Gorens-Levey

Linda Gorens-Levey Ryan Business Park LLC



Meeting Date: July 23, 2019

Item No. 6d

PLAN COMMISSION REPORT

Proposal:	Plan Review – Vivere Outdoor Patio with Seating
Description:	Site plan review for an outdoor dining patio with seating adjacent to the southern edge of the building.
Applicant(s):	Jeton Rusidorski, Vivere Fine Food Inc.
Address(es):	1000 E. Rawson Ave.
Suggested Motion:	That the Plan Commission approves the site plans submitted by Jeton Rusidorski, Vivere Fine Food Inc., for the property at 1000 E. Rawson Ave. with the following conditions:
	1. That all relevant Code requirements remain in effect.
	2. That all revised plans (site, building, landscaping, east elevation, etc.) are submitted in digital format for review and approval by the Department of Community Development prior to the submission of building permit applications.
Owner(s):	Brickler's Restaurant LLC
Tax Key(s):	732-9988-000
Lot Size(s):	1.194 ac
Current Zoning District(s):	B-4, Highway Business FW, Floodway
Overlay District(s):	N/A
Wetlands:	□ Yes ⊠ No Floodplain: ⊠ Yes □ No
Comprehensive Plan:	Planned Office

Background:

The Applicant is requesting site plan approval for a proposed outdoor patio seating area on the south side of the existing restaurant building at 1000 E Rawson Ave. Per the submitted narrative and concept rendering, the 19' x 27' patio is proposed to be surrounded on three (3) sides with a decorative fence. Parking will be

reduced by three (3) stalls to accommodate the patio seating area, bringing the overall parking total reserved for the restaurant to 43. Supplemental operational details for the existing restaurant, including hours of operation, are included in the narrative request attached to this report.

Approximately twelve (12) employees staff the restaurant during the weekends, and approximately six (6) employees per shift staff the restaurant during the week. Minimum parking requirements for restaurants are calculated at one (1) space per 150 square feet of gross dining area, plus one (1) space per peak shift employee. Based on the approximate number of employees onsite during weekend peak shift, approximate square footage for the dining area, and the proposed patio dining area square footage, approximately 28 stalls are required. Although the proposed patio area reduces the number of parking spaces and increases the effective gross dining area, the overall available onsite parking will exceed the minimum parking requirements. Therefore, staff supports the request.

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

Respectfully submitted:

Douglas Seymour, AICP Director of Community Development

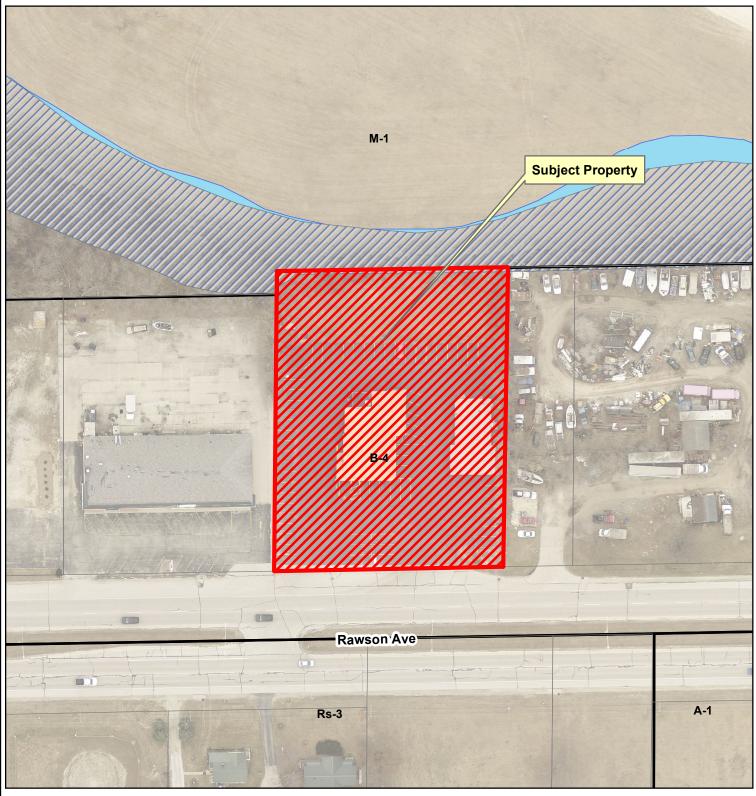
Attachments:

Location Map Narrative (1 page) Concept Rendering (1 page) Prepared:

and Papeloon

Kari Papelbon, CFM, AICP Planner

Location Map 1000 E Rawson Ave



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





Legend Subject Property



Floodway (2008)

Flood Fringe (2008)

Nivere Zdalian Restaurant

We would like to build an outdoor pation with seating for food and drinks. We world be open 11am - 11pm Monday the Sunday. We receive deliveries twice a week. During neckdays ne put 1-2 servers on per shift depending on business day, I chef, I bartender, I dish washer, I manager. On weekends we have Y servers, 2 or 3 cooks, I dish washer, I bartender, I busperson, 2 managers. We currently have Y6 parking spots plus hendicap parking. We would like to permove 3 parking spots to build the patio. The contractor is going to take off the blacktop covering these spots and by down stones to make a level Sinch high. concrete patio. It will have thick metal railing all around. It will be accessible by the ramp in the front of the restaurant for handicap accessibility.





Tony (414) 628-3045

1000E. Rawson Arr



Meeting Date: July 23, 2019

Item No. **6e**

PLAN COMMISSION REPORT

Proposal:	Sign Plan Review – Diesel Barbershop
Description:	Review a proposed sign plan for the Diesel Barbershop tenant space located at 120 W. Town Square Way.
Applicant(s):	Desi Varsel, Signs Unlimited
Address(es):	120 W. Town Square Way, Suite 300
Suggested Motion:	That the Plan Commission approves the site plans submitted by Desi Varsel, Signs Unlimited, for the Diesel Barbershop tenant space on property at 120 W Town Square Way with the following conditions:
	1. That all relevant Code requirements remain in effect.
	2. That one (1) 19.96 square-foot wall sign on the west elevation and one (1) 19.96 square-foot wall sign on the east elevation are approved.
	3. That one (1) eye-level window sign/graphic covering no more than 10% of the glass per elevation is allowed (west and east). The Applicant may submit a Sign Appeal for any additional window signs.
	4. That all revised plans are submitted in digital format for review and approval by the Department of Community Development prior to the submission of permit applications.
Owner(s):	EVCAP Oak Creek, LLC
Tax Key(s):	813-9045-000
Lot Size(s):	2.158 ас
Current Zoning District(s):	DTSMUPDD
Overlay District(s):	
Wetlands:	□ Yes ⊠ No Floodplain: □ Yes ⊠ No
Comprehensive	Planned Mixed Use

Background:

The Applicant is requesting sign plan approval for wall signs and eye-level window signs on the Diesel Barbershop tenant space in the existing center building located at 120 W. Town Square Way.

All signage within Drexel Town Square (DTS) requires Plan Commission approval prior to submission of permit applications. Per Appendix B, Section B of the DTS General Development Plan and Regulating Plan ("DTS Plan"), the following signs are allowed:

- One (1) primary sign per entry façade per tenant.
- One to two flag signs per entry façade (max. size fabric = 10 ft., max. size solid = 36" x 36").
- One (1) eye-level sign/graphic per 12 linear feet of entry façade, covering no more than 10% of the glass.
- Maximum height of primary signage = 15% of retail floor height.
- Tenants located along Drexel Ave. or Howell Ave. may have one (1) additional wall sign facing either street (special condition façade).

Per the approved Master Sign Plan for the multi-tenant, multi-building development on this property, tenant wall signs cannot exceed 36 inches in height, and are limited in size to 1 square-foot per 1 linear foot of tenant frontage. One (1) 30.25" x 95" (19.96 sf) wall sign on the west elevation (entry façade) and one (1) 30.25" x 95" (19.96 sf) wall sign on the east elevation (special condition facade) are included in the submission materials. The "BARBERSHOP" pill (tag line) incorporates push-through lettering per staff suggestion to comply with all local regulations regarding cabinet-type signs and for consistency with how similar tag line signs have been reviewed within Drexel Town Square. Each sign as proposed is therefore compliant with the Master Sign Plan and the DTS Plan.

Plan Commissioners will note that the proposed sign package includes vinyl decals on several windows. Per the approved Master Sign Plan and the DTS Plan, one (1) eye-level sign/graphic is allowed per 12 linear feet of entry façade. This equates to 12 feet on the west elevation and 12 feet on the east elevation as each entry façade is 20 linear feet. The Applicant has two options: reduce the window signs to meet the requirements of both Plans, or apply for a variance through the Sign Appeal process.

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

Respectfully submitted:

as l

Douglas Seymour, AICP Director of Community Development

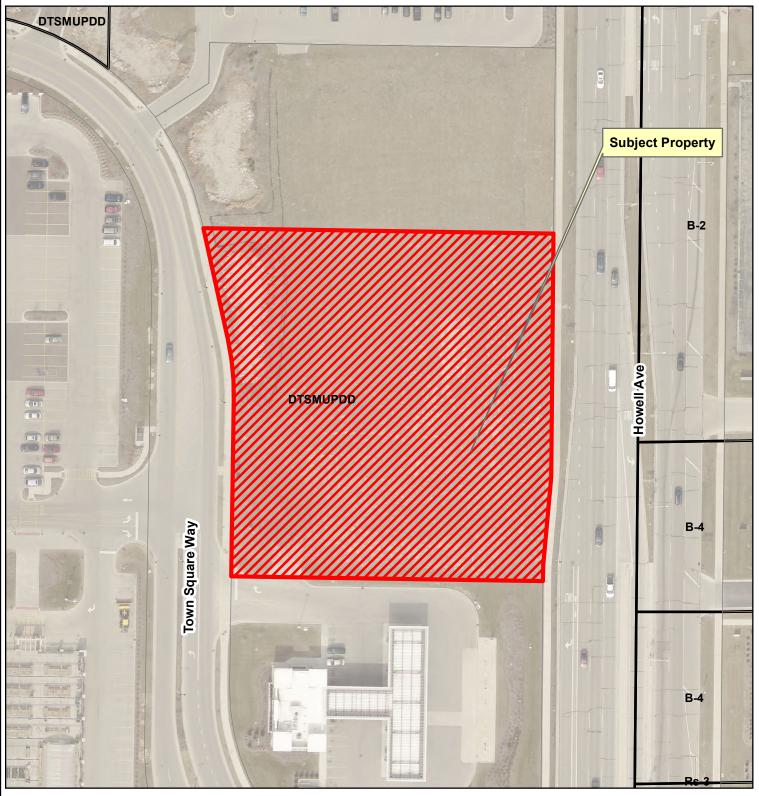
Attachments:

Location Map Approved Master Sign Plan (2 pages) Proposed Sign Plans (5 pages) Prepared:

Jer Papeloon

Kari Papelbon, CFM, AICP Planner

Location Map 120 W Town Square Way, Ste 300



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





Legend



Subject Property



SIGN CRITERIA PLAN - Drexel Town Square

Lot 7 Development at 120 W. Town Square Way Oak Creek, WI

CITY OF OAK CREEK



NOV 2 7 2017 RECEIVED

Monument Tenant Sign

- Per submitted drawing specifications of ground sign standards.
- Not to exceed seven foot (7') overall height x ten foot (10') overall width.
- LED illuminated sign cabinet with individual tenant panels.
- Translucent vinyl graphics per tenant logo specifications.
- Four inch (4") reveal with stone cap and masonry base (Hebron Brick-champagne color).
- Non-illuminated DTS logo panel with perforated aluminum fin.
- All colors and materials to match building architectural specifications.

Primary Building ID Signs

- Individual letters/logo with optional non-illuminated backer panel.
- LED illuminated with acrylic faces and vinyl graphic per tenant logo colors.
- Five inch (5") letter depth aluminum returns; painted or pre-finished.
- Letters/logo mounted flush to building or on raceway to match building color.
- One set allowed per tenant facade on the west and east (facing Howell Ave.) elevations, and one set allowed on north or south elevation for "end-cap or free standing" tenants, if said tenant has entry facade and door accessible to customers.
- Maximum letter height of thirty-six inch (36") not including back panel.
- Sign area is limited to one (1) square foot per one (1) linear foot of tenant frontage.
- No internally illuminated box signs are permitted.

Secondary Flag Signs

- One or two double sided flag signs allowed per entry facade.
- Maximum size of ten feet (10') for fabric/banner.
- Maximum size of thirty six inches x thirty six inches (36" x 36") for solid panel.
- Each tenant to submit drawing mock-up for approval.

www.AppletonSIGN.com

U



SIGN CRITERIA PLAN - Drexel Town Square

Lot 7 Development at 120 W. Town Square Way Oak Creek, WI



• Eye-level Sign/Graphic Display

- Building wall or window display per tenant logo guidelines.
- Maximum of one (1) sign/graphic per twelve (12) linear feet of entry facade.
- Window display signs are only allowed on entry facades and cannot exceed more than 10% of the glazing and to become opaque due to signage. If there is a standalone window, no more than 10% can be covered. If there are multiple contiguous windows, no more than 10% of the contiguous "set" of windows can be covered.
- Each tenant to submit drawing mock-up for approval.

Approvals

- Individual tenant sign plans must be reviewed and approved by One West Drexel, LLC prior to submittal.
- Each tenant is required to submit plans and receive Plan Commission approval.
- Sign permits must be obtained from the City of Oak Creek before construction of any signs can commence.

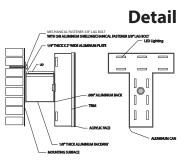
2

Diesel Barbershop 361 W. Town Square Way, Oak Creek, WI 53154 <u>Oak Creek, WI</u>

Illuminated Channel Letters on Raceways & Routed Aluminum with Push-Thru Lettering Front (West) Elevation

Quantity: 1 Trim: 1" Black Gemtrim **Return Color:** Black Face: 1/8" White Acrylic **Letter Interior:** Gloss White "Barbershop" Pill: **Routed Aluminum Painted Black** w/ 1/2" Clear Push-Thru Lettering Internal Illumination: White LED's **Raceway Color:** To Match Facade **Raceway Size:** 4" x 7" 0.125 Extruded Aluminum Mounting: Hanging Bars Flush to Fascia

Sq. Ft. Signage: 19.96 Sq. Ft. Allowance: 36" Max. Letter Height & 1 SF allowed per LF (20')



SIGNS UNLIMITED communicate your identity 6801 Mount Hermon Church Rd, Building C Durham, NC 27705





-20' STOREFRONT-

Charlie Young	charlie@signsunlimitedusa.com	Approval Signature: Please check all spellin colors, and materials befo	
919-552-8689 www.signsunlimitedusa.com -			
05/21/2019	Underwriters Laboratories Inc.° UL File #E225670	Notes:	6801 Mount Hen Durh
©COPYRIGHT NOTICE: Signs L	Unlimited expressly reserves its common law	copyright and other property rights in these drawings. These drawings are not to be reproduced, changed or copied in any form or manner with	out written expressed permission fror

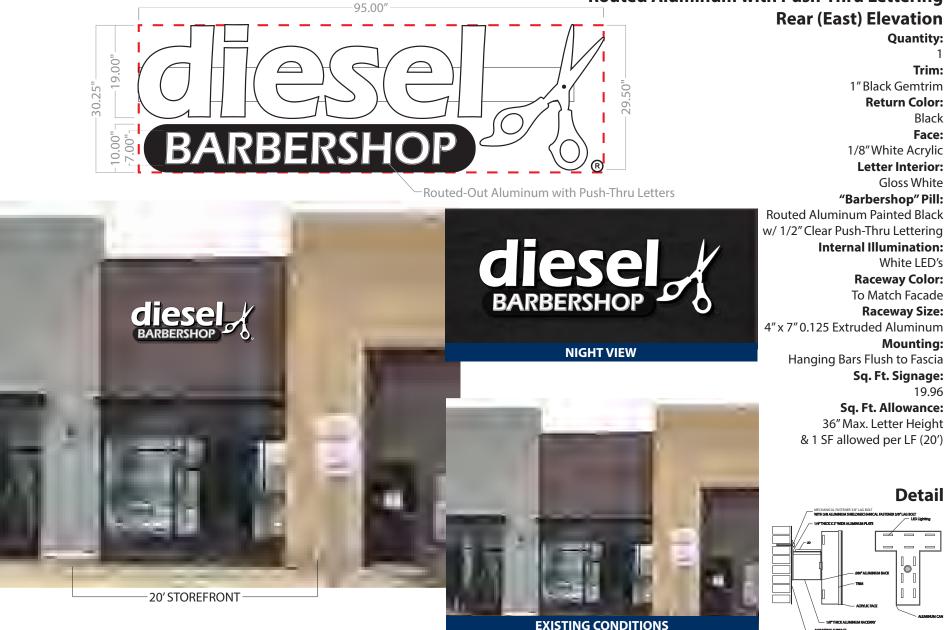
Routed-Out Aluminum with Push-Thru Letters





Diesel Barbershop 361 W. Town Square Way, Oak Creek, WI 53154 Oak Creek, WI

Illuminated Channel Letters on Raceways & Routed Aluminum with Push-Thru Lettering



919-552-8689 www.signsunlimitedusa.com	Charlie Young	charlie@signsunlimitedusa.com	pproval Signature: Please check all spelling, quantities, colors, and materials before approving		
	919-552-8689	www.signsunlimitedusa.com		SIGNS	communicate your identity
05/21/2019 Underwriters Laboratories Inc.• Notes: Durham, NC 27705	05/21/2019	Underwriters Laboratories Inc.° UL File #E225670	Notes:		Hermon Church Rd, Building C Durham, NC 27705

Diesel Barbershop 361 W. Town Square Way, Oak Creek, WI 53154 Oak Creek, WI

Underwriters Laboratories Inc.« UL File #E225670

05/30/2019







Quantity:

Applied 1st Surface Directly to Exterior of Glass (Do Not Reverse)

Door & Window Vinyl

Material:

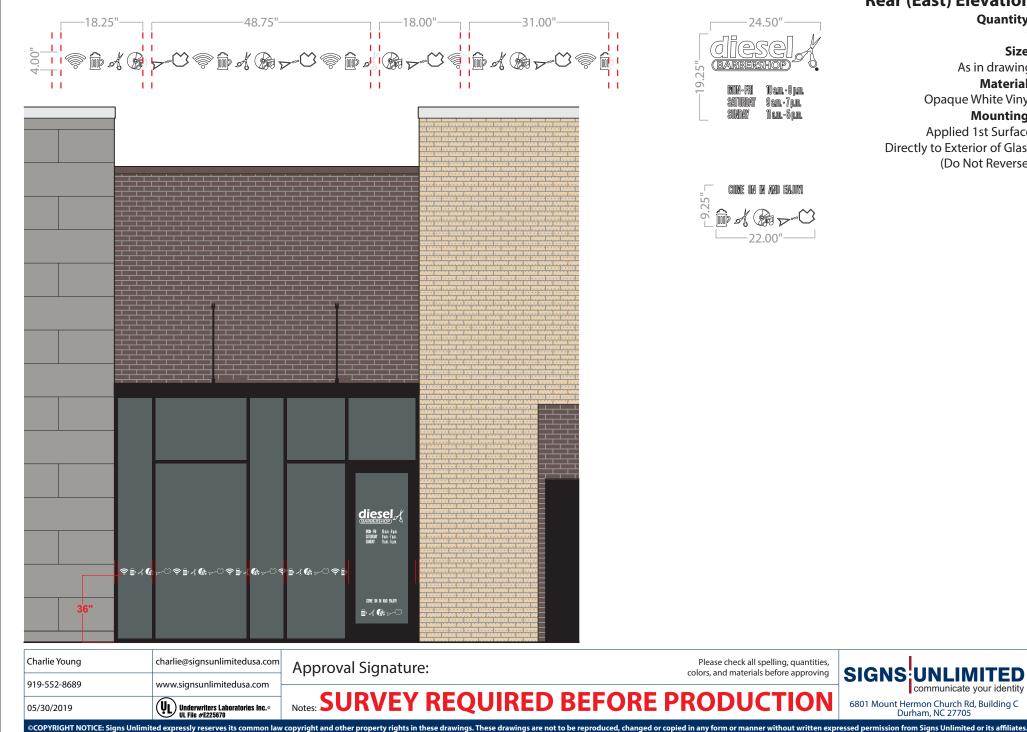
Opaque White Vinyl

Mounting:

Size:

As in drawing

Diesel Barbershop 361 W. Town Square Way, Oak Creek, WI 53154 Oak Creek, WI



Door & Window Vinyl Rear (East) Elevation Quantity:

Size: As in drawing Material: **Opaque White Vinyl Mounting:** Applied 1st Surface Directly to Exterior of Glass (Do Not Reverse)

SIGNS UNLIMITED

6801 Mount Hermon Church Rd, Building C Durham, NC 27705

communicate your identity

Diesel Barbershop 361 W. Town Square Way, Oak Creek, WI 53154 *Oak Creek, WI*

Replacement Monument Panels

Quantity: 47.25" Est. Cut Size 2 45.75" V.O. Size: As in drawing 50" Est. Cut Size **diese** BARBERSHOP Material: 0.7 3/16" White Polycarbonate w/ Applied Vinyl 14.00" **Vinyl Color:** Black <u>с</u>. Mounting: Into Existing Cabinet Sq. Ft. Signage: 5.09 Est. Each BREAKFAST · BRUNCH · LUNCH EREL verizon Stanton OPTICAL verizon anton OPTICAL diesel of BARBERSHOP **diesel** BARBERSHOP Existing panels to be removed & disposed of at the same time as installation **FIRST WATCH** FIRST WATCH verizon Stanton inton Officia verizon **EXISTING CONDITIONS**





Meeting Date: July 23, 2019

Item No. 6f

PLAN COMMISSION REPORT

Proposal:	Plan Review – Exterior Bu	uilding Modifications		
Description:	Review plans for exterio wash buildings.	r building modifications for	the existing oil change and car	
Applicant(s):	Michael LeBreton, Take 5	o Oil Change		
Address(es):	6900 S. 27 th St.	6900 S. 27 th St.		
Suggested Motion:	That the Plan Commission approves the site plans submitted by Michael LeBreton, Take 5 Oil Change, for the property at 6900 S. 27 th St. with the following conditions:			
	1. That all relevant Co	de requirements remain in e	ffect.	
	•	•	mat for review and approval by rior to the submission of permit	
Owner(s):	27TH ST LUBE & WASH L	LC		
Tax Key(s):	737-9025-000			
Lot Size(s):	2.000 ac			
Current Zoning District(s):	B-4, Highway Business			
Overlay District(s):	CCU	RRO, Regional Retail		
Wetlands:	🗌 Yes 🛛 No	Floodplain:	🗌 Yes 🛛 No	
Comprehensive Plan:	Planned Business			

Background:

The Applicant is requesting approval for proposed exterior building modifications for the oil change and car wash facility at 6900 S. 27th St. The oil change building on the south side of the property will be painted with a red and tan/brown color scheme, and black and white aluminum pan checkerboards and wall sconces will be added to the west elevation. A wall sign is shown for reference but is not part of Plan Commission review.

The car wash building on the north side of the building will be painted with the same color scheme as the oil change building. However, the proposal includes removing the existing canopy on the west elevation to create a flat façade. The proposed removal of the canopy, which is an integral component of the exterior façade design, is required to install the proposed wall sign. Plan Commissioners will note that although signs are not part of this review, the size of the proposed wall sign on this building is larger than on the oil change building. The oil can graphic is 6 feet in height with 1.5-foot-tall channel letters. Staff has recommended to the applicant that the oil can be reduced in size to match the sign on the oil change building on the south. There are no other site or building changes proposed at this time.

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

Respectfully submitted:

Douglas Seymour, AICP Director of Community Development

Prepared:

and Papelton

Kari Papelbon, CFM, AICP Planner

Attachments:

Location Map Plans (6 pages)

Location Map 6900 S 27th St. **B-4** F B-2 **Subject Property** 27th St FILES This map is not a survey of the actual boundary of any property this map depicts. Legend Subject Property OAKCREEK

Officially Mapped Streets

Department of Community Development

WISCONSIN



SIDES & REAR ELEVATIONS

TAKE 5OIL CHANGE6909 S 27th StOak Creek, WI 53123

INITIAL LAYOUT: April 02, 2019 REVISIONS: Underwriters Laboratories Inc.•

Copyright Notice © This drawing and all reproductions thereof are the property of Signs Unlimited, Inc. and may not be reproduced, published, changed or used in any way without <u>NO SIGNAGE</u>

NOT DEPICTED: PAINT SCHEME TO MATCH SIMILAR PAINT APPROACHES

Owner/Landlord Approval

SIGNS UNLIMITED



SIDES	& RFA	RFIF	VATIC	ONS

TAKE 5CAR WASH6909 S 27th StOak Creek, WI 53123

INITIAL LAYOUT: April 02, 2019

REVISIONS:



Copyright Notice © This drawing and all reproductions thereof are the property of Signs Unlimited, Inc. and may not be reproduced, published, changed or used in any way without



NOT DEPICTED: PAINT SCHEME TO MATCH SIMILAR PAINT APPROACHES

Owner/Landlord Approval



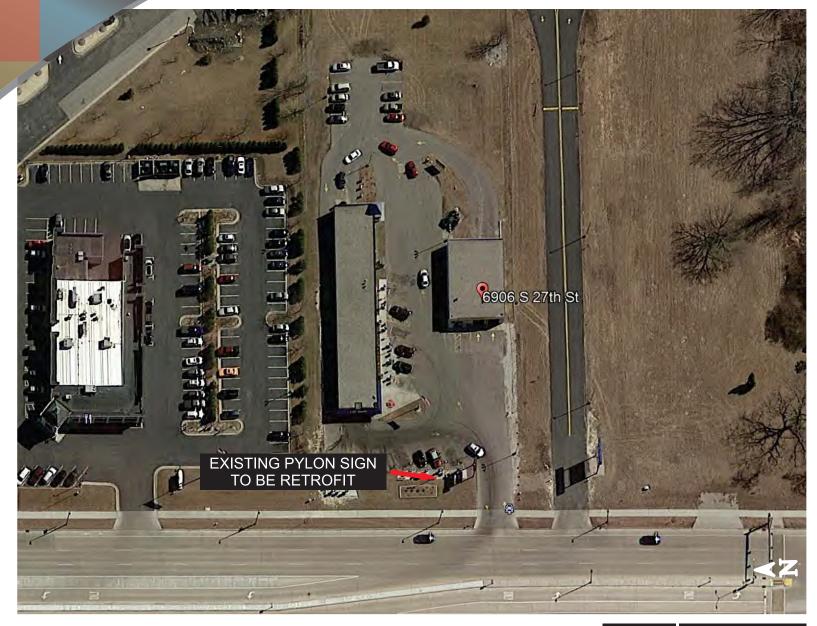


SITE PLAN **TAKE 5** OIL CHANGE 6909 S 27th St Oak Creek, WI 53132

INITIAL LAYOUT: REVISIONS:



Copyright Notice © This drawing and all productions thereof are the property of Signs Unlimited, Inc. and ay not be reproduced, published, hanged or used in any way without



<u>SITE PLAN</u>

SIGNS UNLIMITED

Owner/Landlord Approval



Item No. 6g

PLAN COMMISSION REPORT

Proposal:	Sign Plan Review
Description:	Review a proposed sign plan for Pure Barre in Suite 400 located at 120 W Town Square Way.
Applicant(s):	Pure Barre (Marilee Rusch)
Address(es):	120 W. Town Square Way Suite 400
Suggested Motion:	That the Plan Commission approve the sign plan for Suite 400 located at 120 W. Town Square Way.
Owner(s):	EVCAP Oak Creek, LLC
Tax Key(s):	813-9045-000
Lot Size(s):	2.158 acres
Current Zoning District(s):	DTSMUPDD
Overlay District(s):	N/A
Wetlands:	□ Yes □ No Floodplain: □ Yes □ No
Comprehensive Plan:	Planned Mixed Use

Background: The applicant is proposing a sign plan for Suite 400 located at 120 W. Town Square Way. The applicant is requesting approval for two wall signs. One wall sign will be installed on the east elevation and one on the west elevation. Included with this report are illustrations of how both signs will look and where they are located on the building.

All signage within Drexel Town Square zoning district requires Plan Commission approval before submitting building permits.

Per Appendix B, Section B of the Plan, the following signs are allowed:

• One primary sign per entry façade per tenant.

- One to two flag signs per entry façade (max. size fabric = 10', max. size solid = 36" x 36").
- One eye-level sign/graphic per 12 linear feet of entry façade.
- Maximum height of primary signage = 15% of retail floor height.
- Tenants located along Drexel or Howell, an additional wall sign facing either street is permitted.

Per the approved master sign plan, tenants are allowed to install wall signs that are 36 inches tall, and are limited in size to 1 square-foot per 1 linear foot of tenant frontage.

The east elevation wall sign will be 28.8 inches tall x 173.3 inches wide and have an overall size of 34.6 square feet which is in conformance with the allowed square footage based on the tenant's entry façade. The west elevation wall sign will have the exact same dimensions and design. All proposed wall signs comply with DTSMUPDD and the approved master sign program.

The applicant is not proposing any eye-level signs at this time. Per the master sign plan, the applicant will be allowed to display 1 eye-level sign for every 12 linear feet of entrance façade that does not cover more than 10% of the clear glazing. No eye-level signs will be permitted on non-entry elevations of the building.

If approved, the applicant will install one wall sign on the east elevation and one wall sign on the west elevation of the building, and not display more than 3 eye-level signs on entrance facades for Suite 400 located at 120 W. Town Square Way.

Options/Alternatives: If not approved, the applicant will not be able to install any signs for Suite 400 at 120 W. Town Square Way.

Respectfully submitted:

es l

Douglas Seymour, AICP Director of Community Development

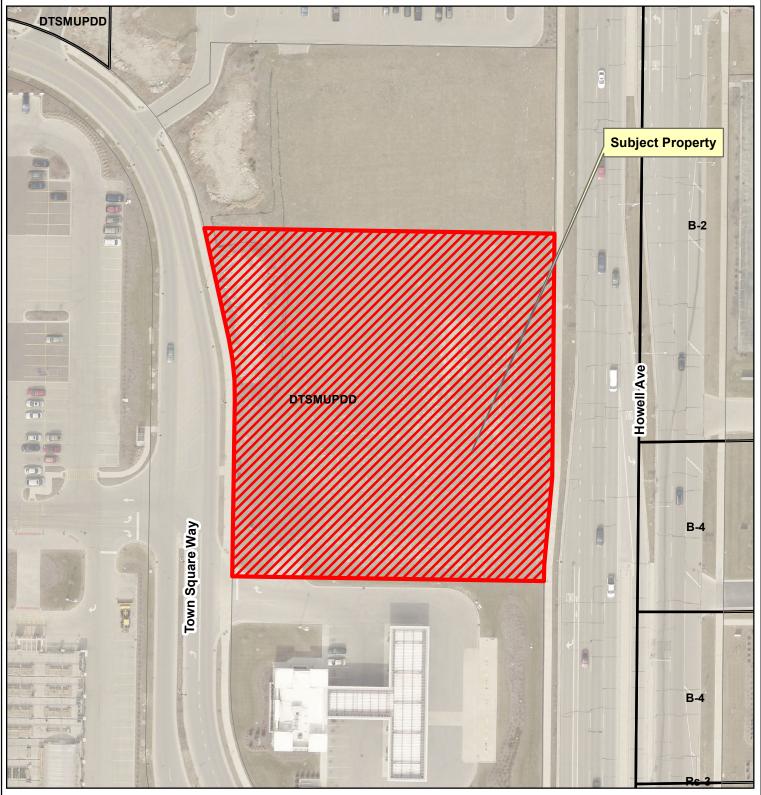
Prepared:

usie mju

Laurie Miller Zoning Administrator/Planner

Attachments: Location Map Master Sign Plan Sign Plan – East Elevation Sign Plan – West Elevation Sign Plan – Vinyl Sign on Monument

Location Map 120 W Town Square Way, Ste 300



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





Legend



Subject Property



SIGN CRITERIA PLAN - Drexel Town Square

Lot 7 Development at 120 W. Town Square Way Oak Creek, WI

CITY OF OAK CREEK



NOV 2 7 2017 RECEIVED

Monument Tenant Sign

- Per submitted drawing specifications of ground sign standards.
- Not to exceed seven foot (7') overall height x ten foot (10') overall width.
- LED illuminated sign cabinet with individual tenant panels.
- Translucent vinyl graphics per tenant logo specifications.
- Four inch (4") reveal with stone cap and masonry base (Hebron Brick-champagne color).
- Non-illuminated DTS logo panel with perforated aluminum fin.
- All colors and materials to match building architectural specifications.

Primary Building ID Signs

- Individual letters/logo with optional non-illuminated backer panel.
- LED illuminated with acrylic faces and vinyl graphic per tenant logo colors.
- Five inch (5") letter depth aluminum returns; painted or pre-finished.
- Letters/logo mounted flush to building or on raceway to match building color.
- One set allowed per tenant facade on the west and east (facing Howell Ave.) elevations, and one set allowed on north or south elevation for "end-cap or free standing" tenants, if said tenant has entry facade and door accessible to customers.
- Maximum letter height of thirty-six inch (36") not including back panel.
- Sign area is limited to one (1) square foot per one (1) linear foot of tenant frontage.
- No internally illuminated box signs are permitted.

Secondary Flag Signs

- One or two double sided flag signs allowed per entry facade.
- Maximum size of ten feet (10') for fabric/banner.
- Maximum size of thirty six inches x thirty six inches (36" x 36") for solid panel.
- Each tenant to submit drawing mock-up for approval.

www.AppletonSIGN.com

1



SIGN CRITERIA PLAN - Drexel Town Square

Lot 7 Development at 120 W. Town Square Way Oak Creek, WI



• Eye-level Sign/Graphic Display

- Building wall or window display per tenant logo guidelines.
- Maximum of one (1) sign/graphic per twelve (12) linear feet of entry facade.
- Window display signs are only allowed on entry facades and cannot exceed more than 10% of the glazing and to become opaque due to signage. If there is a standalone window, no more than 10% can be covered. If there are multiple contiguous windows, no more than 10% of the contiguous "set" of windows can be covered.
- Each tenant to submit drawing mock-up for approval.

Approvals

- Individual tenant sign plans must be reviewed and approved by One West Drexel, LLC prior to submittal.
- Each tenant is required to submit plans and receive Plan Commission approval.
- Sign permits must be obtained from the City of Oak Creek before construction of any signs can commence.

