

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 13, 2012

Mayor Foeckler called the meeting to order at 7:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Commissioner Bukiewicz, Mayor Foeckler, Commissioner Michalski, Commissioner Nowak Commissioner Correll and Commissioner Chandler. Also present were Doug Seymour Director of Community Development, Jeff Fortin Planner and Battalion Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the January 24, 2012 regular Plan Commission meeting. Commissioner Bukiewicz seconds. Roll call, all voted aye with the exception of Commissioner Correll who abstained. The minutes were approved as submitted.

Commissioner Bukiewicz moved to approve the minutes of the February 28, 2012 regular Plan Commission meeting. Commissioner Correll seconds. Roll call, all voted aye with the exception of Commissioner Dickmann who abstained. The minutes were approved as submitted.

Significant Common Council Actions

There were no additional comments or concerns from the Commission.

Project Plan for TIF District No. 11

Mr. Seymour explained as part of the redevelopment of the former Delphi Automotive property the City is establishing a Tax Incremental Financing District that would include the properties at 7929 S. Howell Avenue and 500 W. Forest Hill Avenue. The new development would be a mixed-use town center with a mix of civic, retail, residential, and other commercial uses. It is being proposed that the boundaries be expanded to include the properties adjacent to the original boundary that may include additional commercial and some industrial development. Then he went on to explain the project plan.

Mayor Foeckler opened the public hearing for comments.

Mr. Arden Degner, 8540 S. Pennsylvania Avenue expressed concern for the 35% housing proposed within the TIF district. Mr. Seymour explained it allows up to 35% and according to the plan it is showing around 22.5%. Mr. Degner questioned where the cost for the civic center infrastructure was within the project plan. Mr. Seymour explained the civic buildings were not included in the district because those buildings can not be financed via TIF so they are not included as part of the project costs. Mr. Degner expressed concern for a new civic center within the TIF using tax money. He

presented the Plan Commission with copies of some newspaper articles regarding failed TIF districts.

Mr. Ken Hegerty, 300 E. Jewell Street, explained he does not like TIF financing. He questioned why the City was moving forward on this when they don't have any developers putting plans forward. Mr. Seymour explained this was the project plan which shows conceptual land uses for the area. Mr. Hegerty stated he was concerned for the costs associated with putting roads in when they don't know if there will be any development. Mr. Seymour explained development incentives would be tied directly towards a development agreement with a developer.

Mr. Hegerty requested to know who would be developing within the TIF. Mayor Foeckler explained this was an issue of the City taking the initiative to adopt a plan that states what they would like to see and the plan is going to develop into something that is worth \$189 million of new tax base in the City. Mr. Hegerty stated that was a figure they are giving without any information. Mayor Foeckler explained it was based on professional experience and studies.

Mr. Hegerty questioned how much money the Plan Commission was going to authorize for the TIF district. Mayor Foeckler explained the proposal was for \$19.9 million. Mr. Hegerty said it was being authorized for nothing because they didn't have a plan. He questioned where the greenspace and roads were for the project. Mr. Seymour stated he was confusing this with the approval of site and building plans which will happen and the Plan Commission will approve site and building plans for the development within the TIF district but that is not what they are approving at this time. They are approving the framework that will allow for the development.

Mr. Hegerty cited a TIF in the Town of Brookfield where they were not allowed to have retail development within a TIF District. Mr. Seymour explained the Town of Brookfield implemented a TIF at a time when there were different rules regarding how TIFs could be implemented by towns versus how they could be implemented by cities.

Mr. Hegerty cited the rule that no more of 12 percent of the taxable value of the City could be in a TIF district and questioned how they would be able to implement a new TIF with all of the current TIFs in the City. Mr. Seymour stated that the City only has about 1 percent of taxable value in TIF districts, well below the 12 percent allowed by State law.

Mayor Foeckler made three calls for comments and then closed the public hearing.

TIF No. 11 Project Plan

Commissioner Dickmann commented TIFs within the City have been very very successful up to this point. He questioned how many years it would take to pay off the TIF and if we could afford to wait all the time to see a payoff. Mr. Seymour explained if left to develop on its own they would get development there but over the long term the

increase in value from the improvements they would put in will leverage a much greater tax base not only for the City but for the School District, the County and MATC. Mayor Foeckler felt it was questionable how it would develop without the TIF even without the City Hall and Library. This is the classic example of a property that TIF is supposed to be used for to make it attractive for development.

Commissioner Dickmann questioned if it was fair to be looking at this proposal knowing that in a short time they will have a new mayor and council members. Mr. Seymour explained that was a judgment he would have to make on his own but it was fair that the people who have been working and developing these plans and working on a coordinated strategy to create long term tax base for the community are the ones who vote on the creation of the district. So yes, he thinks it is fair.

Commissioner Bukiewicz stated he was the alderman of the district and he looks at this as investment in the City's future. Before anybody is going to come they need the slab gone and roads put in place. Oak Creek is a growing city and this is a natural progression that is going to enhance it. The City is in good financial shape to take this step. Location is key when it comes to development and with the Drexel Avenue interchange there is nothing better than this corner at this time.

Mayor Foeckler pointed out this site has been named a top 10 site in the area as far as development potential. Unlike anything that Cudahy or St. Francis has out there. He also pointed out a study that was done in September of 2010 that talks about the difference between traditional big box developments versus mixed use development like this. The annual tax yield per acre of a Wal-mart was \$8,374 and an urban mixed use low-rise annual tax yield per acre was \$91,472. The potential for this site is amazing and we owe it to maximize every single inch of the property because of its potential to build up and get every dollar they can into the future.

Commissioner Nowak questioned why the slab wasn't demolished at the time the buildings were demolished. Mr. Seymour explained the agreement to demolish the buildings was a mutual agreement with the property owner and at that point and time it was not cost effective for them to demolish the slabs. Timing wise it made sense and it still makes sense to keep those slabs in place until they have a final development that takes place. Commissioner Nowak questioned if there were any potential environmental problems with the site. Mr. Seymour stated there were environmental issues, all of which have been identified, and all of which are accounted for as part of this plan.

Commissioner Nowak moved that the Plan Commission adopts Resolution No. 2012-01 approving the Project Plan for Tax Increment Financing District Number 11.

Commissioner Michalski seconds. Roll call, all voted aye. The motion to approve carries.

Plan Review - Henkel Corporation Addition

500 W. Marquette Avenue
Tax Key No.: 765-9045

Mr. Fortin explained to the Plan Commission the applicant was requesting site, building, and landscaping approval of 27,778 square foot addition located at 500 W. Marquette Avenue. The addition will be onto the east end of the building and will be for receiving and storing materials for their manufacturing process. The building will be constructed of precast panels which will be painted to match the existing exterior of the Henkel facility. There will be three loading docks facing W. Marquette Avenue. This proposed addition meets all of the building height, setback and lot coverage requirements of the M-1, Manufacturing zoning district.

Commissioner Dickmann questioned if there was any types of hazardous material stored in the tank that they were building over. Mr. Doug Scheid, Scheid Architectural stated there was not and explained the types of materials that would be stored in the tank and the building should not cause any additional concerns for the Fire Department.

Commissioner Chandler questioned if there was additional flood plain work that needed to be done. Mr. Fortin explained there was a very small area of flood fringe on the site and they were not doing any work near there so there is not a concern.

Commissioner Bukiewicz questioned if there were any additional fire concerns with the site. Battalion Chief Mike Kressuk stated they have reviewed the plan and they have looked at there past history with Henkel and they don't have any issues with this particular plant. With the additional square footage being added on it would just be a matter of making sure the sprinkler requirements and any other fire code issues are met.

Commissioner Johnston questioned if they have spoke with the neighbors and requested they do so before they obtain building permits. He was concerned with them impacting the neighbor's property when they begin construction.

Commissioner Chandler questioned if there would be additional HVAC units on the addition. Mr. Scheid stated there will be additional units but they would be located in the center of the roof and should not be visible from the road unless you are a distance away.

Commissioner Bukiewicz moved that the Plan Commission approve the site, building and landscaping plans for the Henkel Corporation addition at 500 W. Marquette Avenue, subject to the following conditions:

1. That all building and fire codes are met.
2. That the final site grading, drainage, and stormwater management plans are reviewed and approved by the Engineering Department prior to the issuance of building permits.
3. That the final utility plans are approved by the Water & Sewer Utility.

4. That the lighting plan is reviewed and approved by the Electrical Inspector prior to the issuance of building permits.
5. That the landscaping plan is reviewed and approved by the City Forester and Department of Community Development prior to the issuance of building permits.

Commissioner Dickmann seconds. Roll call, all voted aye. The motion to approve carries.

Certified Survey Map/Minor Land Division – Joel Kinlow

4311 & 4401 E. Oakwood road

Tax Key No.: 963-9000 & 962-9014

Mr. Fortin explained to the Commission the owner of the properties at 4311 and 4401 E. Oakwood Road was requesting approval of a certified survey map that would redraw the property line between the two properties. The reason for this request is that the applicant has a buyer for the property at 4311 E. Oakwood Road, which is the site of the TV antenna tower and the buyer would like the tower and all support structures on the property they are purchasing. There is currently on guy-wire anchor point located on the property at 4401 E. Oakwood Road, behind the garage.

Commissioner Dickmann questioned how they would be moving the anchor point. Mr. Fortin explained they were going to be moving the lot line so the anchor point would not be within the lot with the home.

Commissioner Correll moved that the Plan Commission recommends that the Common Council approve the certified survey map submitted by Joel Kinlow for the property at 4311 & 4401 E. Oakwood Road, subject to any technical corrections being made prior to recording.

Commissioner Michalski seconds. Roll call, all voted aye. The motion to approve carries.

Commissioner Carrillo moves to adjourn. Commissioner Correll seconds. Roll call, all voted aye. The meeting adjourned at 8:07 p.m.