



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

## COMMON COUNCIL MEETING AGENDA

MARCH 3, 2020  
7:00 P.M.

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

### The City's Vision

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 2/17/20

### Recognition

4. **Resolution:** Consider Resolution No. 12138-030320, a Resolution of Appreciation to Ronald P. Piojda, retiring Police Sergeant (by Committee of the Whole)
5. **Council Proclamation:** Consider Council Proclamation No. 20-02, Congratulations to Joshua Rich for receiving the Eagle Scout Award (by Committee of the Whole).
6. **Mayoral Proclamation:** Congratulations to Roc Ventures, South Suburban Chamber of Commerce 2019 Pride in Premise Award Winner.
7. **Mayoral Proclamation:** Congratulations to Pixologie, South Suburban Chamber of Commerce, 2019 Business of the Year Award Winner (less than 25 employees).
8. **Mayoral Proclamation:** Congratulations to The Grunau Company, South Suburban Chamber of Commerce, 2019 Business of the Year Award Winner (25 or more employees).
9. **Mayoral Proclamation:** Congratulations to Doug Milinovich, South Suburban Chamber of Commerce, 2019 Member of the Year Award Winner.

### Old Business

10. **Ordinance:** Consider Ordinance No. 2963, an Ordinance to amend Chapter 19 of the Municipal Code, and to adopt the Comprehensive Plan of the City of Oak Creek (held 2/4/20, 2/17/20) (by Committee of the Whole).

## New Business

11. **Motion:** Consider a *motion* to approve the Plan of Finance for \$5,075,000 of refunding bonds per the approved TID #11 City / Emerald Row Phase II and III Development Agreement (by Committee of the Whole).
12. **Motion:** Consider a *motion* to approve the Plan of Finance for \$2,905,000 of TID #16 project costs related to Ryan Business Park (by Committee of the Whole).
13. **Motion:** Consider a *motion* to approve the Plan of Finance for \$2,265,000 of project costs related to the TID #12 Stand Rock Hospitality development (by Committee of the Whole).
14. **Motion:** Consider a *motion* to approve the Plan of Finance for \$835,000 G.O. promissory notes for Zund per the approved TID #11 City / Zund Development Agreement (by Committee of the Whole).
15. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending January 31, 2020.
16. **Resolution:** Consider *Resolution* No. 12143-030320, setting the date and time for the 2020 Board of Review (by Committee of the Whole)

## WATER & SEWER UTILITY

17. **Resolution:** Consider *Resolution* No. 12134-030320, approving a sanitary sewer easement at 6508 S. Howell Ave. (Project No. 17106) (Tax Key No. 719-9985-000) (1<sup>st</sup> District).
18. **Resolution:** Consider *Resolution* No. 12135-030320, approving a water main easement at 150 E. Oakwood Rd. (Project No. 17103) (Tax Key No. 823-9996-004) (5<sup>th</sup> District).
19. **Resolution:** Consider *Resolution* No. 12136-030320, vacating the existing sanitary easement and approving a sanitary easement at 6448 S. Howell Ave. (Project No. 17106) (Tax Key No. 719-9087-002) (1<sup>st</sup> District).
20. **Resolution:** Consider *Resolution* No. 12137-030320, requesting Milwaukee Metropolitan Sewerage District program and install a regional interceptor sewer in 27<sup>th</sup> Street from Oakwood Road to the County Line (6<sup>th</sup> District).

## COMMUNITY DEVELOPMENT

21. **Resolution:** Consider *Resolution* No. 12144-030320, approving a Certified Survey Map submitted by Walden OC, LLC, for the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave., and 7700 S. Ikea Way (2<sup>nd</sup> District).

## ENGINEERING

22. **Resolution:** Consider *Resolution* No. 12142-030320, approving the HUB13 Development Agreement with Wingspan Development Group, LLC for the design and construction of public improvements for the development located at 7581 S. 13<sup>th</sup> St. (Tax Key Nos. 784-9998-001) (Project Nos. 20052 and 20053) (1<sup>st</sup> District).

**LICENSE COMMITTEE**

23. **Motion:** Consider a *motion* to grant the various license requests as listed on the 3/3/20 License Committee Report (by Committee of the Whole).

**VENDOR SUMMARY**

24. **Motion:** Consider a *motion* to approve the February 26 2020 Vendor Summary Report in the combined total amount of \$884,880.69. (Of this total, \$699.30 will impact the 2019 fiscal year. The remaining amount, \$884,181.39, will impact the 2020 fiscal year) (by Committee of the Whole).

***Adjournment.***

**Public Notice**

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

RESOLUTION NO. 12138-030320  
BY: COMMITTEE AS A WHOLE

RESOLUTION OF APPRECIATION  
TO  
RONALD P. PIOJDA

WHEREAS, Ronald P. Piojda began his employment with the City of Oak Creek on January 18, 1993, as a full-time Police Officer; and

WHEREAS, during his twenty-seven years and one month of service, Ronald P. Piojda has been an integral part of the Police Department while serving as a Patrol Officer early in his career, then rising to the rank of Sergeant; and

WHEREAS, Ronald P. Piojda has had a history of service while also serving the United States in the US Air Force Reserve 440<sup>th</sup> Tactical Airlift Wing from 1985 through 1995, and

WHEREAS, Ronald P. Piojda has continued to serve the citizens of Oak Creek with honor and professionalism; and

WHEREAS, Ronald P. Piojda has served in numerous specialty units in addition to his normal duties throughout his career to include Crime Prevention, Court Liaison, Honor Guard, Emergency Response Unit, Career Survival Unit, Police Motorcycle Unit, Policy Review, Crisis Intervention Unit, Field Training Officer, Auxiliary Unit Supervisor, Recruitment Team, Municipal Jail Administrator, Juvenile Unit, and coordinator for National Night Out, and

WHEREAS, Ronald P. Piojda has served on the Department's Honor Guard Unit from 1996 until retirement. During this service, Piojda served as a team leader and helped to establish the Honor Guard Unit as one of the model units in the State of Wisconsin. During this time Piojda has also assisted in the training of numerous members of the Honor Guard community, and

WHEREAS, Ronald P. Piojda has been a valuable employee during his years of dedicated service with the Oak Creek Police Department, always striving to enhance the quality of life for the citizens of the City; and has been well known for his work ethic and his dedication to the Department; and

WHEREAS, Ronald P. Piojda received four (4) Shift Acknowledgements, four (4) Attendance Awards, four (4) Unit Citations one (1) Award of Excellence, one (1) award for Outstanding Achievement for National Night Out, and was named the 2002 Police Officer of the Year by Oak Creek American Legion Post 434; and

WHEREAS, Ronald P. Piojda is retiring from the Oak Creek Police Department after completing 27 years and 1 month of full-time service to the City of Oak Creek.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek, for and on behalf of the citizens of the City of Oak Creek, that sincere gratitude and appreciation be extended to Ronald P. Piojda for his years of professional, dedicated and faithful service to the City of Oak Creek and the Police Department, and that the best wishes for good health and happiness be extended to Ronald P. Piojda and his family for future years.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of the meeting and that the City Clerk is hereby directed to transmit a suitable copy thereof to Ronald P. Piojda.

Passed and adopted this 3rd day of March, 2020.

\_\_\_\_\_  
President, Common Council

Approved this 3rd day of March, 2020.

\_\_\_\_\_  
Mayor, City of Oak Creek

ATTEST:

\_\_\_\_\_  
City Clerk

Vote: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

COUNCIL PROCLAMATION NO. 20-02  
CONGRATULATIONS TO  
JOSHUA RICH  
FOR RECEIVING THE EAGLE SCOUT AWARD

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, less than four percent of all Scouts actually achieve this goal; and

WHEREAS, at a Court of Honor an Eagle Award will be conferred upon Joshua Rich; and

WHEREAS, as his Eagle project, Joshua worked with the Salvation Army to renovate their monument sign, putting in a new LED digital display; and

WHEREAS, Joshua Rich, with the help of local companies: Everbrite, Adaptive Display Solutions, Wellcraft, and Createscape Landscaping Service, Inc., and many fundraising efforts, raised in excess of \$32,000 to cover the material costs necessary for his Eagle Project; and

WHEREAS, Joshua Rich worked with other scouts, removing old brick and installing a new landscaping ring; and

WHEREAS, after over 500 manhours of work, and a year and a half to complete, replacing the defective sign has provided the Salvation Army a means to promote events and opportunities to, and for, the community; and

WHEREAS, the Oak Creek Common Council wishes to recognize this noteworthy achievement of Joshua Rich.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby extend their congratulations to Eagle Scout Joshua Rich for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

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

Dated this 3<sup>rd</sup> day of March, 2020.

Presented and adopted this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Common Council President

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

**MAYORAL PROCLAMATION  
CONGRATULATIONS TO  
ROC VENTURES  
SOUTH SUBURBAN CHAMBER OF COMMERCE  
2019 PRIDE IN PREMISE AWARD WINNER**

WHEREAS, the Pride in Premise award is given annually by the South Suburban Chamber of Commerce to the Chamber member who exemplifies pride in their community through the design, construction and maintenance of their facilities and landscaping; and

WHEREAS, the South Suburban Chamber of Commerce will be hosting a banquet on Thursday, February 20, 2020, to honor the "2019 Pride in Premise" award winner; and

WHEREAS, ROC Ventures has been chosen by the South Suburban Chamber of Commerce to receive the "2019 Pride in Premise" award; and

WHEREAS, ROC Ventures manages a collection of brands in the sports, entertainment, and real estate sectors. These include the Milwaukee Wave, the Milwaukee Milkmen, The Rock Sports Complex, and collegiate baseball franchises located in Indiana, the Ballpark Commons development, and more. ROC stands for "Return on Community," a goal which informs each and every endeavor undertaken by the organization; and

WHEREAS, ROC Venture's work on the Ballpark Commons Development, The Rock Sports Complex, and Milwaukee Milkmen baseball stadium has created positive economic growth for the surrounding communities; and

WHEREAS in June 2019, Milkmen Stadium, which can hold 4,000 seats opened to the public. The beautifully constructed stadium is home to the Milwaukee Milkmen and University of Wisconsin-Milwaukee baseball program. Games feature fan favorite foods, a beer garden and entertainment for the whole family; and

WHEREAS, ROC Venture's beautifully constructed family-friendly sports entertainment district has forever transformed the landscape of the South Suburban communities.

NOW, THEREFORE, BE IT RESOLVED that I, Daniel Bukiewicz, Mayor on behalf of the citizens of the City of Oak Creek hereby congratulate ROC Ventures for being the winner of the South Suburban Chamber of Commerce "Pride in Premise" award.

ATTEST:

\_\_\_\_\_  
Daniel J. Bukiewicz  
Mayor, City of Oak Creek

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk

**MAYORAL PROCLAMATION  
CONGRATULATIONS TO  
PIXOLOGIE  
SOUTH SUBURBAN CHAMBER OF COMMERCE  
2019 BUSINESS OF THE YEAR AWARD WINNER**

WHEREAS, the South Suburban Chamber of Commerce conducts an annual search for the business most deserving of recognition because of their contributions to the south suburban communities, their organizations, and its youth; and

WHEREAS, the South Suburban Chamber of Commerce will be hosting a banquet on Thursday, February 20, 2020, to honor the "2019 Business of the Year" award winner for businesses with fewer than 25 employees; and

WHEREAS, Pixologie has been chosen by the South Suburban Chamber of Commerce to receive the "2019 Business of the Year" award for businesses with fewer than 25 employees; and

WHEREAS, Ann Matuszak and Mollie Bartelt co-founders of Pixologie are dedicated to preserving personal stories. After six years and over one million photos saved, clients have started calling them "Pixologists."; and

WHEREAS, they often say, "It's not too late to save a family tradition". Ann and Mollie work to help families organize, digitize and foreverize photos, film and videos to create a photo estate that can be passed down to generations; and

WHEREAS, over the past six years, Pixologie has been a sponsor for the Wisconsin Senior Olympics. They have worked to preserve the photos and videos of the athletes from the last three decades so the organization can display them proudly; and

WHEREAS, as proud members of the South Suburban Chamber of Commerce, Pixologie regularly hosts a Chamber Networking Breakfast, is a regular attendee at events and offers services as a courtesy to the Chamber.

NOW, THEREFORE, BE IT RESOLVED that I, Daniel Bukiewicz, Mayor on behalf of the citizens of the City of Oak Creek, hereby congratulate Pixologie for being the winner of the South Suburban Chamber of Commerce "2019 Business of the Year" award.

ATTEST:

\_\_\_\_\_  
Daniel Bukiewicz  
Mayor, City of Oak Creek

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk

**MAYORAL PROCLAMATION  
CONGRATULATIONS TO  
DOUG MILINOVICH  
SOUTH SUBURBAN CHAMBER OF COMMERCE  
2019 MEMBER OF THE YEAR AWARD WINNER**

WHEREAS, the South Suburban Chamber of Commerce conducts an annual search for the chamber member most deserving of recognition because of their contributions to the south suburban communities, their organizations, and its youth; and

WHEREAS, the South Suburban Chamber of Commerce will be hosting a banquet on Thursday, February 20, 2020, to honor the "2019 Member of the Year" award winner; and

WHEREAS, Doug Milinovich has been chosen by the South Suburban Chamber of Commerce to receive the "2019 Member of the Year" award; and

WHEREAS, Doug Milinovich, First Weber Realtors prides himself on being available to his clients. He treats each client like a friend or family member. His goal is to provide a real estate experience that exceeds the client's expectations"; and

WHEREAS, Doug Milinovich regularly gives back to the communities he serves. Doug currently serves as Vice President of the Franklin Noon Lions, provides mentorships and scholarships for Franklin High School Students, is a member of the Franklin Board of Review, President of Prairie Grass Preserve Home Owners Association, and a Board Member for the South Suburban Chamber of Commerce. Doug regularly donates time as a volunteer in his community.

NOW, THEREFORE, BE IT RESOLVED that I, Daniel Bukiewicz, Mayor on behalf of the citizens of the City of Oak Creek, hereby congratulate Doug Milinovich for being the winner of the South Suburban Chamber of Commerce "2019 Member of the Year" award.

ATTEST:

\_\_\_\_\_  
Daniel J. Bukiewicz  
Mayor, City of Oak Creek

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk



**MAYORAL PROCLAMATION  
CONGRATULATIONS TO  
THE GRUNAU COMPANY  
SOUTH SUBURBAN CHAMBER OF COMMERCE  
2019 BUSINESS OF THE YEAR AWARD WINNER**

WHEREAS, the South Suburban Chamber of Commerce conducts an annual search for the business most deserving of recognition because of their contributions to the south suburban communities, their organizations, and its youth; and

WHEREAS, the South Suburban Chamber of Commerce will be hosting a banquet on Thursday, February 20, 2020, to honor the "2019 Business of the Year" award winner for businesses with 25 or more employees; and

WHEREAS, The Grunau Company has been chosen by the South Suburban Chamber of Commerce to receive the "2019 Business of the Year" award for businesses with 25 or more employees; and

WHEREAS, the Grunau Company was established as a plumbing company in 1920 by Paul J. Grunau, and has since expanded its business to include mechanical construction, fire protection, metals and service; and

WHEREAS, the Grunau Company strives to keep its customers happy and also serve their community. In 2019, Grunau sponsored the Oak Creek High School Robotics Team, the American Heart Association, the Oak Creek Fire Department, City of Burlington Volunteer Fire Association, Greendale Jr. Panthers Baseball, STEM Forward, Project Echelon, and the Ronald McDonald House, and more. Additionally, Grunau employees volunteered for the Ronald McDonald House, WI Veterans Chamber of Commerce, ACE Mentor Program, and created teams and events to support Toys for Tots, the Boys and Girls Club of Greater Milwaukee, National Alliance on Mental Illness, Matthew Rittner, and the AHA Heart Ball drive. Grunau Company also sponsors and mentors four Cristo Rey Jesuit High School students.; and

WHEREAS, the Grunau Company has seen significant growth in the past 3 years including the acquisition of Flannery Fire in Kenosha, WI, opened service division in Kenosha, WI, office expansions in Orlando, Pittsburgh and Indianapolis and an expansion in Youngstown, OH in early 2020; and

WHEREAS, the Grunau Company is celebrating its 100th anniversary in 2020 and has reshaped the Milwaukee area over the last century, including the iconic riverfront Schlitz Park, US Bank Center, Northwestern Mutual tower, Fiserv Forum, Oak Creek Library, and Drexel Town Square.

NOW, THEREFORE, BE IT RESOLVED that I, Daniel Bukiewicz, Mayor on behalf of the citizens of the City of Oak Creek, hereby congratulate the Grunau Company for being the winner of the South Suburban Chamber of Commerce "2019 Business of the Year" award.

\_\_\_\_\_  
Daniel J. Bukiewicz  
Mayor, City of Oak Creek

ATTEST:

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk

## COMMON COUNCIL REPORT

- Item:** Comprehensive Plan Adoption and Text Amendment - Chapter 19, Comprehensive Plan
- Recommendation:** That the Council adopts Ordinance 2963, an ordinance to amend Chapter 19 of the Municipal Code, and to adopt the Comprehensive Plan of the City of Oak Creek.
- Fiscal Impact:** This Comprehensive Plan updates and replaces the "2020 Vision - A Comprehensive Plan for the City of Oak Creek" adopted by the Common Council April 1, 2002. The Comprehensive Plan provides essential guidance for development within the City over the next 20 years. While area-specific updates to the have occurred since 2002, this Comprehensive Plan is the culmination of a multiyear effort to update the Plan in its entirety. Positive effects will be seen in all Critical Success Factor categories, ultimately providing opportunities for continued positive fiscal impacts for future developments and reinvestments.
- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

---

**Background:** As the Common Council is aware, staff have been engaged with consultants from Houseal Lavigne Associates (HLA) in the preparation of a full update to the "2020 Vision – A Comprehensive Plan for the City of Oak Creek." Following an extensive program for public engagement, Steering Committee review, internal staff participation, a public Open House held October 10, and a public hearing before the Plan Commission, staff and HLA are presenting the draft Comprehensive Plan for Council adoption.

In November of 2019, the Council was provided with select discussion points of the Draft Plan for each Aldermanic District. Comments received from Council were incorporated into the document presented to (and adopted by) the Plan Commission. During the public review process, the Plan Commission amended the Land Use Map to identify the properties on the east side of S. 13<sup>th</sup> St. between Rawson Ave. and the property at 7433 S. 10<sup>th</sup> St. (currently owned by Bast Holdings, aka GoRiteway) as appropriate for future Commercial development. South of that area to the existing cemetery would remain shown as Industrial. Additional comments received by staff regarding minor corrections and clarifications were in the process of being incorporated into the draft, and were presented to the Plan Commission during the public hearing on December 10, 2019, and subsequent meetings on January 14 and 28, 2020.

Wisconsin Statutes Section 66.1001(2) defines the contents required to be incorporated into a Comprehensive Plan, which are included with this report for Council reference. The Plan Commission

---

accepted the aforementioned comments and adopted Resolution 2019-04, adopting the Comprehensive Plan and recommending Common Council adoption.

---

revised for March 3, 2020

This ordinance was held by the Council until this date to provide an opportunity to make final edits to the document based on comments provided by the Council pursuant to the February 4<sup>th</sup> meeting. Those comments, most of which were stylistic in nature and did not impact upon the goals and objectives of the plan, have been incorporated into the final draft of the plan that is presented for your consideration this evening. Please contact the Planning Department if you would like to review a complete list of edits that were made based on those comments.

**Options/Alternatives:** Council may request modifications or clarifications to portions of the Comprehensive Plan, provided such modifications or clarifications are in conformance with Wisconsin Statutes.

---

Respectfully submitted:



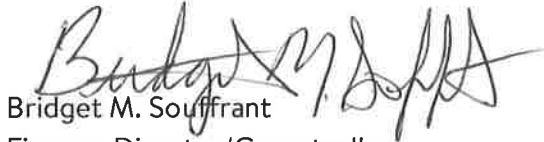
Andrew J. Vickers, MPA  
City Administrator

Prepared:



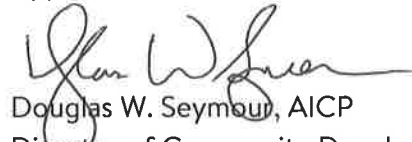
Kari Papelbon, CFM, AICP  
Planner

Fiscal Review:



Bridget M. Souffrant  
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP  
Director of Community Development

---

Attachments:

Ordinance 2963

Chapter 19 Amendment

Wis. Stats. 66.1001(2), Contents of a Comprehensive Plan

Plan Commission Resolution 2019-04

Comprehensive Plan (link to be provided)

Existing Future Land Use map

Proposed Future Land Use map

Implementation Matrix

Excerpted Plan Commission Minutes 12/10/19 & 1/14/20



# COMPREHENSIVE PLAN

City of Oak Creek

Draft February 26, 2020



# TABLE OF CONTENTS

- Introduction** . . . . . 1
  - Purpose of the Comprehensive Plan . . . . . 2
  - Planning Process . . . . . 2
  - Organization of the Plan . . . . . 3
  - Vision, Goals, and Objectives . . . . . 3
- Community Context** . . . . . 5
  - Regional Setting . . . . . 6
  - Foundation of Community Outreach and Engagement . . . . . 7
  - Demographic and Market Overview . . . . . 10
  - Existing Land Use and Development . . . . . 14
  - Zoning and Development Controls . . . . . 16
- Land Use Plan** . . . . . 21
  - Land Use Plan Vision Statement . . . . . 22
  - Housing and Neighborhoods Framework Vision Statement . . . . . 26
  - Housing and Neighborhoods Framework Plan . . . . . 33
  - Economic Development Vision Statement . . . . . 36
  - Commercial and Industrial Areas Framework . . . . . 41
- Transportation and Mobility Plan** . . . . . 45
  - Transportation and Mobility Plan Vision Statement . . . . . 46
  - Roadway Network . . . . . 46
  - Active Transportation . . . . . 51
  - Public Transit . . . . . 53
- Parks, Open Space, and Environmental Features Plan** . . . . . 57
  - Parks, Open Spaces, and Environmental Features Plan Vision Statement . . . . . 58
  - Parks . . . . . 58
  - Open Space . . . . . 62
  - Environmental Features . . . . . 63
- Community Facilities and Utilities Plan** . . . . . 67
  - Community Facilities and Utilities Plan Vision Statement . . . . . 68
  - City Governance & Public Safety . . . . . 68
  - Education . . . . . 71
- Implementation** . . . . . 77
  - Active Use . . . . . 78
  - Jurisdiction Cooperation and Participation . . . . . 78
  - Maintain Public Communication . . . . . 78
  - Amending Development Regulations . . . . . 79
  - Update . . . . . 79
  - Potential Funding Sources . . . . . 79
  - Implementation Action Matrix . . . . . 81



**DRAFT**  
FOR REVIEW & DISCUSSION

---

# INTRODUCTION

---

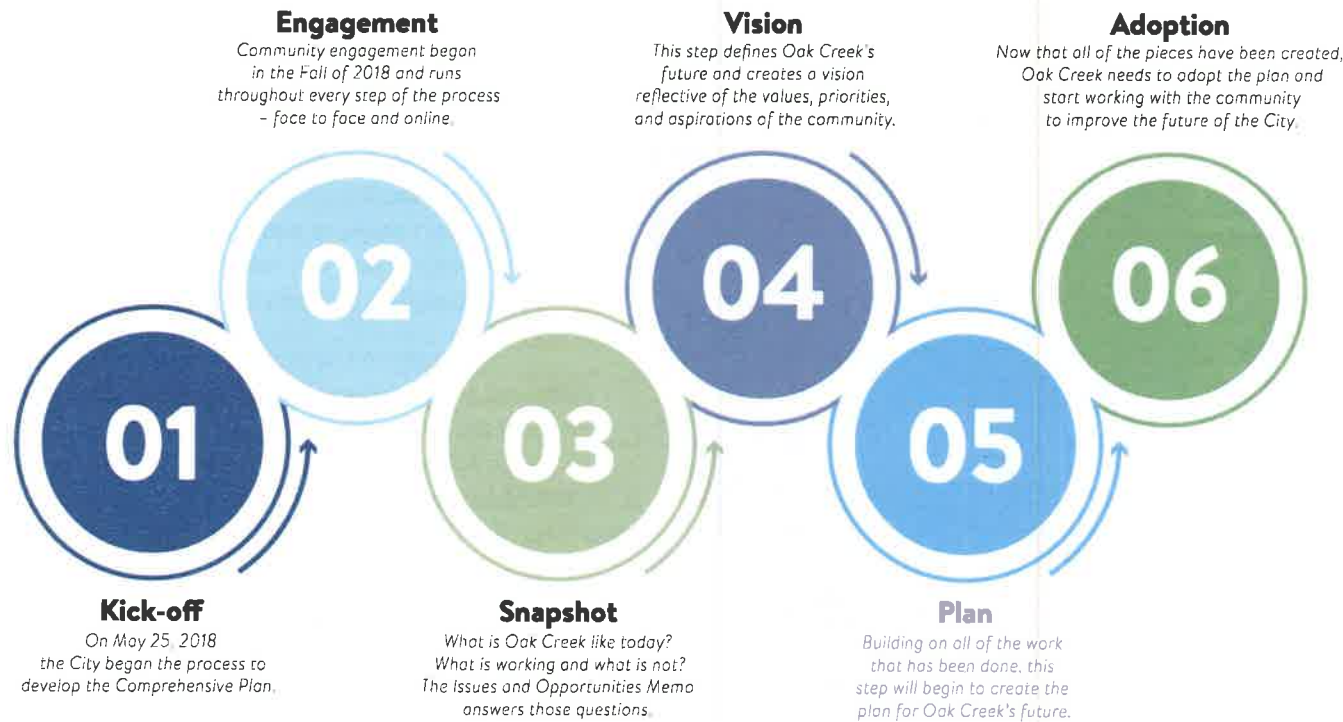
*Oak Creek finds itself navigating a critical crossroads where land use and development decisions made today will define what the community will look like for generations. Two decades into the 21st Century, Oak Creek continues to experience rapid growth and must envision how the community will grow and transition to a fully built-out City.*

*The high rate of population growth, availability of land for development, and mix of land uses, makes planning for the future of the community essential in maintaining the high quality of life Oak Creek residents enjoy today. The decisions, investments, and actions taken over the life of the Plan will establish a foundation for what Oak Creek looks like and how it develops, carrying implications well beyond the horizon of this document.*

*The City of Oak Creek's Comprehensive Plan acts as a guiding policy document for the City over the next 20 years. The Comprehensive Plan establishes a vision for the community and provides City staff and elected and appointed officials with the recommendations and strategies necessary to make that vision a reality. The Comprehensive Plan update will be followed by an update to the City's Zoning Code to ensure that plan recommendations are supported by the land use and development regulations needed to realize the community's vision.*







## Purpose of the Comprehensive Plan

The Comprehensive Plan includes goals, objectives, and specific projects, policies, and programs to guide decision making and direct future growth and development in the City. The City of Oak Creek derives its authority to develop a Comprehensive Plan from Wisconsin State Statute 66.1001. The State requires that a Comprehensive Plan incorporate a twenty-year vision and provide a rational basis for local land use decisions.

## Planning Process

The Comprehensive Plan update was completed in a six-step planning process that began with extensive outreach and engagement with City staff, the Comprehensive Plan Steering Committee, and the community at large. The Steering Committee included residents and representatives of businesses, schools, and other community organizations. The initial feedback informed an analysis of existing conditions in the community which focused on issues and opportunities to be addressed in the Plan.

These issues and opportunities were then brought back to the community for further feedback through a Visioning Workshop. Oak Creek residents were asked to envision what they would like their community to become in the next 20 years.

Workshop input was combined with an understanding of existing conditions to inform the development of a vision for the City's land use and development; transportation and mobility; parks, open spaces, and environmental features; and community facilities and utilities in the year 2040.

Complementary goals and preliminary policies were also developed and then brought back to City staff for consideration and refinement. The Plan is the culmination of this planning process, making it truly reflective of the Oak Creek community and the vision and aspirations of its residents, business owners, service providers, and other stakeholders.



## Organization of the Plan

The Comprehensive Plan is divided into the following seven sections:

**Section One:** Introduction – outlines the purpose, structure, and organization of a community comprehensive planning project.

**Section Two:** Community Context – provides an overview of the City’s regional setting, a summary of key themes from community outreach efforts, an overview of demographic and market potentials, as well as a review of the City’s existing land use and development regulations.

**Section Three:** Land Use Plan – illustrates and describes in general terms the type and location of future land uses within the City of Oak Creek. This section also includes detailed recommendations and policies targeted at the City’s housing and neighborhoods as well as commercial and industrial areas.

**Section Four:** Transportation and Mobility Plan – ensures that an adequate transportation network is maintained and enhanced to accommodate the safe and efficient movement of people of all ages and abilities whether they choose to drive, walk, or bike.

**Section Five:** Parks, Open Spaces, and Environmental Features Plan – provides specific recommendations to ensure that high quality parks, recreation programming, open spaces, and environmental features continue to be available for the community in the coming decades. Additionally, this section of the Plan addresses agricultural and cultural resources within the community.

**Section Six:** Community Facilities and Utilities Plan – identifies the future need for community facilities and utilities in Oak Creek, and offers long-range recommendations for improvements to ensure that the community is adequately served by the City, its utilities, and service providers.

**Section Seven:** Implementation Plan – presents specific actions as well as funding sources that the City should pursue as it endeavors to implement the recommendations of the Comprehensive Plan.

## Vision, Goals, and Objectives

Every section of the Plan begins with the Vision, Goals, and Objectives for that subject. The Vision Statement is written as a retrospective depicting the Oak Creek community in the year 2040.

The **Vision Statement** is an aspirational narrative that describes Oak Creek’s accomplishments as a community since the adoption of the Comprehensive Plan. It is a snapshot of the collective desires of the community and serves as the foundation for the goals, policies, and recommendations set forth in the Plan.

To be effective in realizing the community’s vision for its future, the Comprehensive Plan includes **Goals and Objectives** to provide specialized guidance that transforms collective community values into operational statements. These statements should be used as guidelines for elected and appointed officials, City staff, business owners, developers, residents, and all other stakeholders.

**DRAFT**  
FOR REVIEW & DISCUSSION

---

# COMMUNITY CONTEXT

---

*Since the City of Oak Creek was incorporated in 1955, it has transitioned from a semi-rural community of under 5,000 residents, to a diverse city of over 36,000 with major corporations like Master Lock, PPG, and Astronautics, and to the desirable suburb of Milwaukee that the community is today.*

*Oak Creek's industrial roots remain strong with corporate and logistics uses taking the place of heavier manufacturing. These industrial areas are interspersed within the City's residential neighborhoods and commercial corridors, and in some instances are being reimagined and transformed into developments, such as the mixed-use Drexel Town Square or Lake Vista Park, both regional destinations.*

*Limited land within the City currently remains as actively farmed agricultural land or fallow agricultural land and much of it is either being developed or being marketed for new development. Oak Creek has nearly four miles of Lake Michigan coastline which is transitioning from obsolete industrial development to activated public space with new housing, shops, restaurants, and recreational opportunities envisioned for the future.*



*Look for quotes from  
online questionnaires  
in these bubbles  
throughout  
the Plan.*

A large graphic for Section 2. It features a dark blue outer semi-circle and a light blue inner semi-circle. The word 'SECTION' is written vertically in white, and a large white number '2' is centered in the light blue area. The background of the graphic is a photograph of a lake and trees.

## SECTION 2

## Regional Setting

The City of Oak Creek encompasses 28.4 square miles of the southeast portion of Milwaukee County. The City's boundaries are generally College Avenue to the north, Racine County to the south, 27th Street to the west, and Lake Michigan to the east. The City shares its borders with the communities of Franklin, Cudahy, South Milwaukee, Milwaukee, Greenfield, and Caledonia.

Oak Creek is well-connected to the region by federal, state, and county roadways and rail. Oak Creek is connected to Milwaukee, Chicago, and the North Shore communities of Chicago by I-41 and I-94; Franklin by STH 100/Ryan Road and Rawson Avenue; South Milwaukee and Racine by STH 32/Chicago Road; and Mitchell International Airport, Racine, and the City of Milwaukee by STH 38/Howell Ave. The Amtrak Hiawatha line connects Oak Creek to Chicago, Glenview, Milwaukee, and Sturtevant via the General Mitchell International Airport station, located approximately four miles from the heart of Oak Creek.



“Oak Creek is far enough from the big city with a rural feel, but still close enough to be convenient.”

## Foundation of Community Outreach and Engagement

Input and feedback from Oak Creek residents, business owners, service providers, and other stakeholders were key in the development of the Comprehensive Plan. At the inception of the process and at key points throughout it, hundreds of people provided input and feedback through a variety of mediums to help form the foundation of the Plan and shape its direction. The following outreach efforts and initiatives were conducted:

### Comprehensive Plan Steering Committee:

The City of Oak Creek established a Comprehensive Plan Steering Committee consisting of a diverse group of stakeholders, including representatives of the local business community, residents, elected and appointed City officials, Milwaukee Area Technical College, Oak Creek Franklin Joint School District, and the Milwaukee Metropolitan Sewerage District. At key stages of the development of the Plan, the Steering Committee provided feedback and acted as a sounding board as representatives of the larger community.

**Stakeholder Interviews:** In October 2018, Houseal Lavigne conducted 10 stakeholder interviews. These one-on-one conversations provided the opportunity for City leadership, staff, business owners and operators, and other key stakeholders to convey more specific and nuanced information.

**Elected Officials Roundtable:** On the afternoon of October 16, 2018, the City hosted a roundtable discussion. All elected officials in the City were invited to attend and discuss the issues and opportunities in the City.

**Business Workshop:** On the morning of October 17, 2018, the City hosted a business workshop. Business owners, operators, developers, and other members of the business community were invited to attend to engage in conversation about the current business climate in Oak Creek and how the City can support future business development, evolution, and growth.

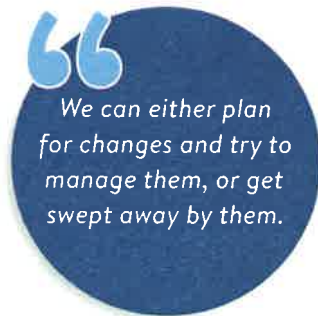
**Community Workshop:** On the evening of October 17, 2018, the City hosted a community workshop. This event was open to everyone in Oak Creek to gather feedback on the issues and opportunities in the City.

**Project Website:** The City of Oak Creek made a website dedicated to the Comprehensive Plan project. The website was accessible through the City's website and housed information about the Plan and its importance to the community, updates on upcoming events, online questionnaires for residents and business owners, and map.social, an interactive mapping tool.

**Immersive Outreach:** On December 5, 2018, the City hosted a Christmas Tree Lighting Ceremony. Staff and the consultant were present in the multipurpose room to provide opportunities for public participation and comment. This included a demonstration of map.social, a build-your-own city exercise/station with legos, various children's activities, and a survey with door prizes.

**Visioning Workshop:** On the evening of March 13, 2019, the City hosted a Visioning Workshop. This event involved Oak Creek residents, business owners, and other stakeholders, putting pen to paper to illustrate their vision for the City, highlight potential strategies to address local issues, and identify desired land use and development throughout the community.

**Open House:** On the evening of October 10, 2019, the City hosted an open house. This event allowed participants to review and offer feedback on the Comprehensive Plan prior to its consideration by the Plan Commission and adoption by the City Council.





## Key Themes

Through community outreach a number of issues were identified, evaluated, and taken into consideration in the preparation of the Plan. These include:

**Fast Pace of New Development:** Participants expressed concern over the fast pace of new development, particularly the development of light industrial land uses. These community members discussed the need to update and enhance the required supporting infrastructure to maintain the high level of service residents and businesses currently enjoy. Stakeholders also discussed the need for better development standards and design guidelines for new commercial, industrial, and multiunit residential developments.

Participants suggested that the design guidelines should include greater requirements for the screening and buffering of commercial and industrial land uses, especially for those adjacent to residential areas. Finally, attendees talked about the need to balance new residential, commercial, and industrial development with more entertainment and nightlife options, as well as amenities for youth (e.g. a recreation center or community theater).

**Limited Availability of Land for Development:** Input received through community engagement events highlighted a concern that there is limited amount of land available for development, and the need to be discerning over the types of land uses the City permits. Of particular concern was the anticipated demand for new single-family residential development in conjunction with the Foxconn development in Racine County. Participants expressed that the population of Oak Creek is likely to increase if the Foxconn development is realized, making the preservation of available land for single-unit detached development a priority for the community.



**Distribution and Warehousing Uses:**

Another area of concern regarding land use and development in the City is the perceived increase in industrial development, particularly distribution and warehousing. Participants expressed concern regarding the placement of such developments in close proximity to residential neighborhoods. Participants were also concerned about the amount of additional traffic these new uses would cause, and discussed the need for better traffic management and the potential designation of truck routes.

**Lack of Public Transportation:**

The perceived lack of public transportation within the City and connecting the City to the surrounding region was commonly brought up during outreach events. Several participants who represented large employers in the City cited this as a main issue in their attempts to attract and retain workforce. These stakeholders suggested that the City partner with regional transportation providers to expand the limited bus service that currently exists, and better serve reverse commuters.

**Incomplete Sidewalk and Bicycle Lane Network:**

Many participants expressed a desire for a more complete sidewalk and bicycle lane network. Of particular concern were the perceived safety issues for students attempting to walk or bike to school, and the need to develop safe routes to encourage active transportation options for youths. Additionally, participants discussed the need to build more sidewalks and bicycle lanes along busy corridors, such as the intersection of Drexel and Howell Avenues.

**Quality of City Services:**

Participants throughout the outreach process expressed that they believe a strength of the City is the high-quality services offered to residents. The most commonly praised services include police and fire protection, the public library, as well as trash collection and snow removal. Participants discussed the need to enhance the funding of these services to ensure that their high quality is maintained in spite of anticipated population growth. Attendees also discussed the perceived lack of communication of the local government and cited the need for greater marketing of City events and initiatives.



## Demographic and Market Overview

An analysis of Oak Creek’s demographic trends and market conditions was conducted as a part of the Issues and Opportunities Memorandum to ensure that all policy recommendations are grounded in reality. The following overview is a summary of a more detailed analysis that was included in the Existing Conditions Report on file with the City.

### Population

Oak Creek’s resident population is seeing continuous growth. Since 2000, the number of residents has increased by 28 percent. In 2017, Oak Creek had an estimated population of 36,354, with projections from the State of Wisconsin Demographic Services Center anticipating the City’s population to exceed 40,000 residents by 2030.



*Diversity will only strengthen our City and we need to foster an attitude of acceptance and goodwill to the City’s changing community.*

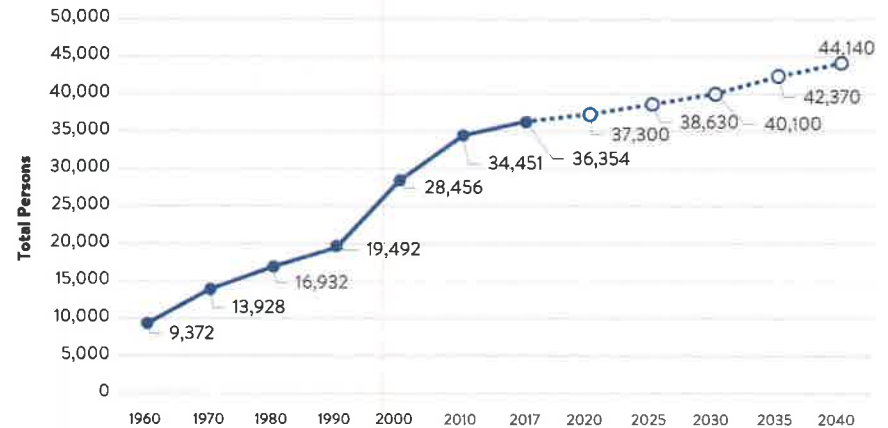
### Age Characteristics

The 2017 estimated median age in Oak Creek is 37.9, with more than 58.2 percent of the population considered adults of working age. Seniors aged 65+ make up 12.2 percent of the Oak Creek population, and the State of Wisconsin Demographic Services Center predicts that in Milwaukee County, those aged 65+ will make up 17 percent of the population by 2040.

### Total Employment

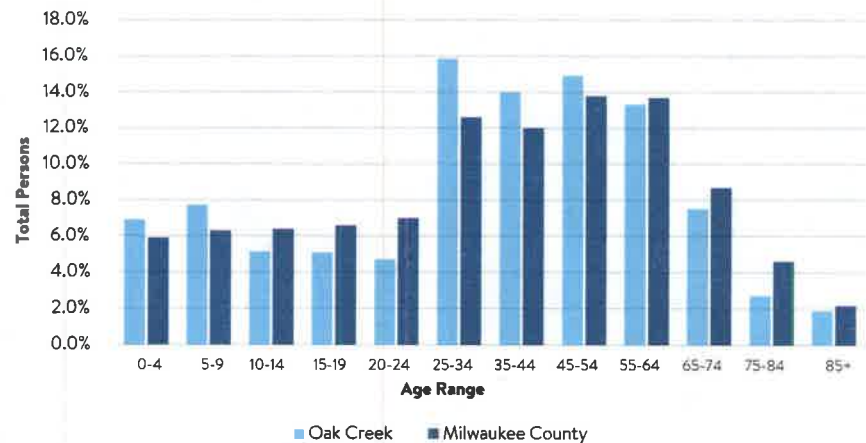
An analysis of 2017 employment data (the latest year available) and share by industry in Oak Creek compared to the larger Milwaukee County area reveals comparative advantage in several local employment sectors. Changes in employment by industry in Oak Creek compared to Milwaukee County indicate Transportation and Warehousing; Manufacturing; Wholesale Trade; and Arts, Entertainment, and Recreation sectors have performed well in Oak Creek. This demonstrates that within these sectors Oak Creek has local competitive advantage to doing business compared to another location in Milwaukee County, making them potential growth sectors.

**Population Change**  
City of Oak Creek



U.S. Census Bureau, Wisc. Demographic Services Center, Houseal Lavigne Associates

**Population Change by Age (2017)**  
City of Oak Creek and Milwaukee County



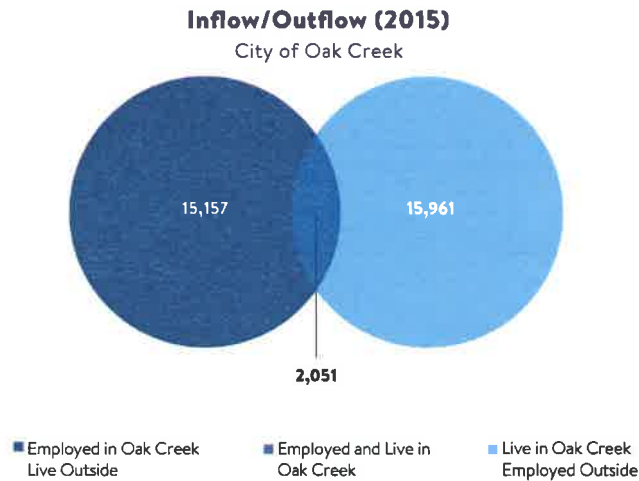
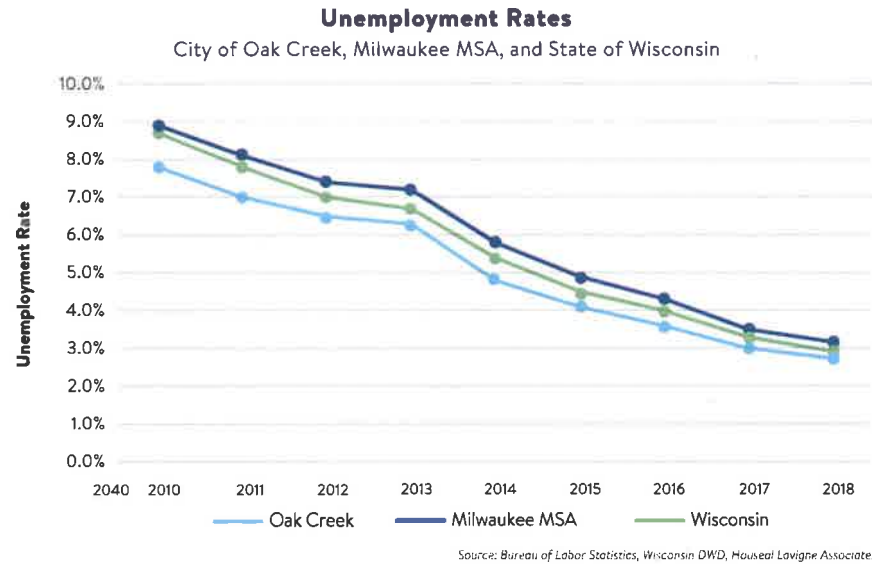
Source: U.S. Census Bureau, Houseal Lavigne Associates

## Unemployment Rates

According to Bureau of Labor Statistics data, the unemployment rate in Oak Creek averaged 2.7 percent in 2018. These record-low rates are a positive economic indicator for the City; however, labor shortages and job attrition may be issues that arise during periods of low unemployment.

## Inflow/Outflow

Inflow and outflow indicate the number of employees that enter or leave the community for work. In 2015, 12 percent of Oak Creek's workforce, or over 2,000 residents, both lived and worked in the City. Census data reveals that over 15,000 non-residents work in Oak Creek, and almost 16,000 residents leave Oak Creek to work. Of the residents who work outside of the City, 39 percent worked in Milwaukee, with no other work destination employing a greater share of Oak Creek's workforce.



## Total Housing Units

Oak Creek's housing stock has grown substantially over the last two decades. The total number of housing units increased by nearly 2,600 since the year 2000, going from 11,897 total units to 14,485 in 2017.

## Housing Type and Tenure

Oak Creek housing stock consists of a diverse mix of housing types. Single-unit detached homes (e.g., single family homes) make up almost 55 percent of all housing units, representing the largest segment of the housing stock. Single-unit attached, and two-unit homes (e.g., townhomes and duplexes) comprise 6.5 percent of all housing types, and multi-unit housing (3+ units) represents 37.1 percent of all units. Owner-occupied units account for 60.5 percent of all housing in Oak Creek, compared to 39.5 percent renter-occupied housing.

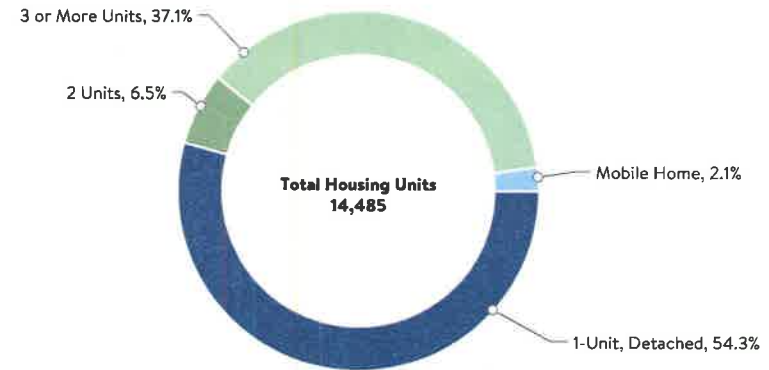
## Housing Age

Almost one-half of Oak Creek's housing stock (49 percent) was constructed since 1990, the majority of which were constructed between 1990 and 1999.

## Housing Value

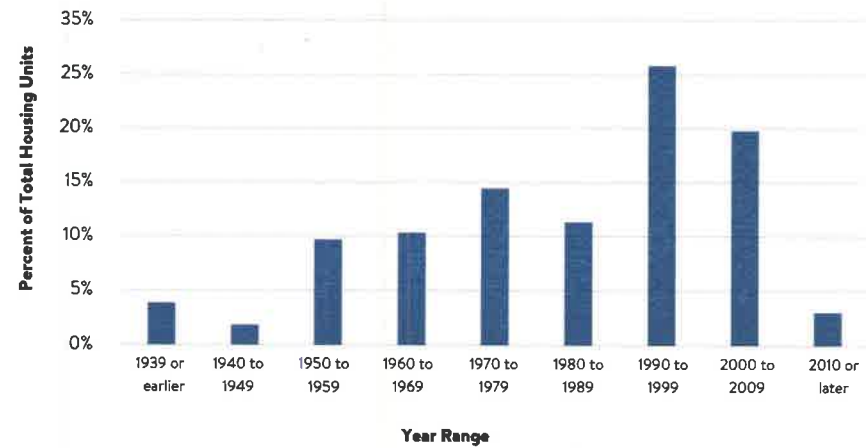
More than 57 percent of owner-occupied units in Oak Creek exceed \$200,000 in value. The 2017 estimated median home value for Oak Creek is \$214,200. The largest percentage (43.5 percent) of homes in the City range in value from \$200,000 to \$300,000, followed by housing in the range of \$150,000 to \$200,000, which accounts for 28.2 percent of total housing. An estimated 70 percent of owner-occupied housing units in Oak Creek have a mortgage.

**Housing Units by Type (2017)**  
City of Oak Creek



Source: U.S. Census Bureau, Housecall Lavigne Associates

**Housing by Year Built (2017)**  
City of Oak Creek



Source: U.S. Census Bureau, Housecall Lavigne Associates

## Multiunit Market

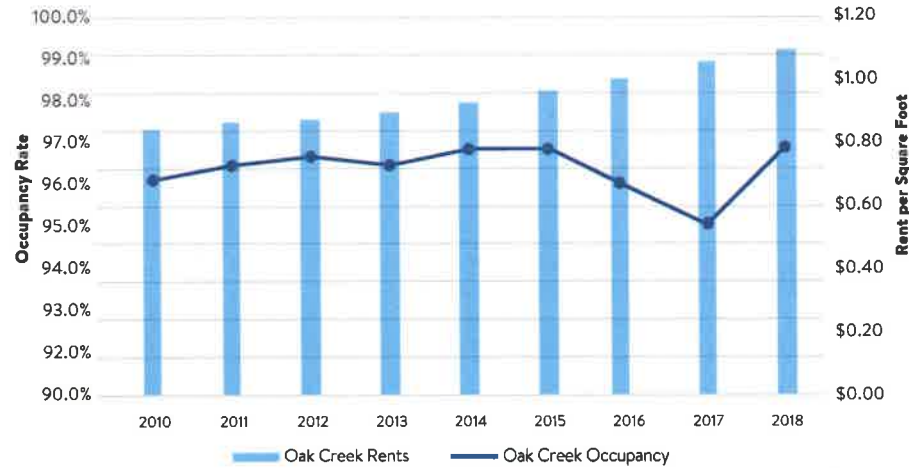
Multiunit residential (e.g, apartment) rents in Oak Creek have consistently trended upwards over the past decade. This reflects the widespread demand for multiunit dwellings that many urban markets are experiencing due to downsizing empty-nesters, and younger cohorts newly entering the housing market. Overall trends and shifting demographics indicate that the local multiunit market and regional market will remain consistent.

## Industrial Market

Oak Creek has over 26 million square feet of industrial and flex space across 552 buildings. Declining vacancy rates, stable and growing industrial rents, and positive net absorption support the fact that the industrial market remains an important contributor to the local economy.

### Multiunit Rents & Occupancy

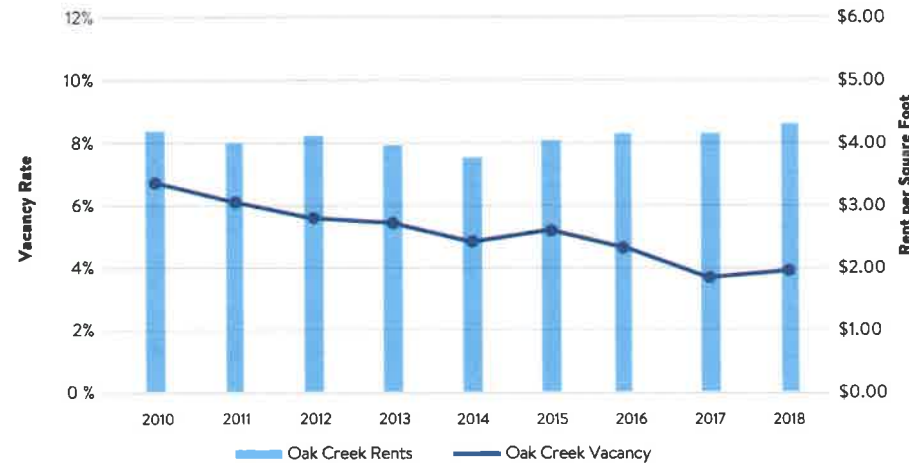
City of Oak Creek



Source: CoStar, Houseal Lovigne Associates

### Industrial Rents & Vacancy

City of Oak Creek



Source: CoStar, Houseal Lovigne Associates

## Existing Land Use and Development

Land, and how it is designated, developed, and utilized, is at the core of comprehensive planning. An inventory of existing land uses was completed to provide a foundation for the recommendations and policies regarding future land use and development. These recommendations and policies are included in *Section 3: Land Use Plan*.

Oak Creek's development pattern consists of a wide variety of land uses and development types. This pattern is influenced by the City's history as an industrial center, the presence of several major transportation corridors, and extensive environmental features including wetlands and floodplains related to the namesake Oak Creek watershed and Lake Michigan coast. Relying upon field reconnaissance (completed in August 2018), detailed research, and geospatial analysis, every parcel within Oak Creek has been inventoried and classified into one of the 12 land use categories detailed in *Section 3: Land Use Plan*.

### Single-Family Detached

Free-standing single-family homes on dedicated properties.

### Single-Family Attached

Single-family dwellings that share at least one common wall with an adjacent dwelling. Common examples include townhomes, duplexes, and rowhomes.

### Mobile Home Park

Neighborhoods or subdivisions for mobile or manufactured homes.

### Multifamily

Structures with multiple housing units stacked vertically that often have a common entrance and shared amenities. Common examples include multi-story apartment and condominium buildings.

### Mixed Use

Properties that contain multiple, distinct land uses. These properties are most commonly single structures with multiple uses stacked vertically, such as first-floor commercial spaces with office or residential above.

### Commercial

Commercial structures with businesses selling goods and services within the community.

### Office

Buildings constructed and designed as office space for professional firms, including medical practices such as doctor or dentist offices.

### Light Industrial

Facilities for warehousing, distribution, manufacturing, and processing.

### Institutional

A wide variety of uses that provide or support public services and amenities. This includes government-owned buildings, schools, places of worship, hospitals, and non-profit organizations.

### Parks, Open Space, and Agriculture

Areas that are used for active and passive recreation, natural areas, and agricultural land.

### Utility and Railroad





Land that is dedicated to the production, storage, distribution, and maintenance of public and private utilities, including all transportation right-of-way.

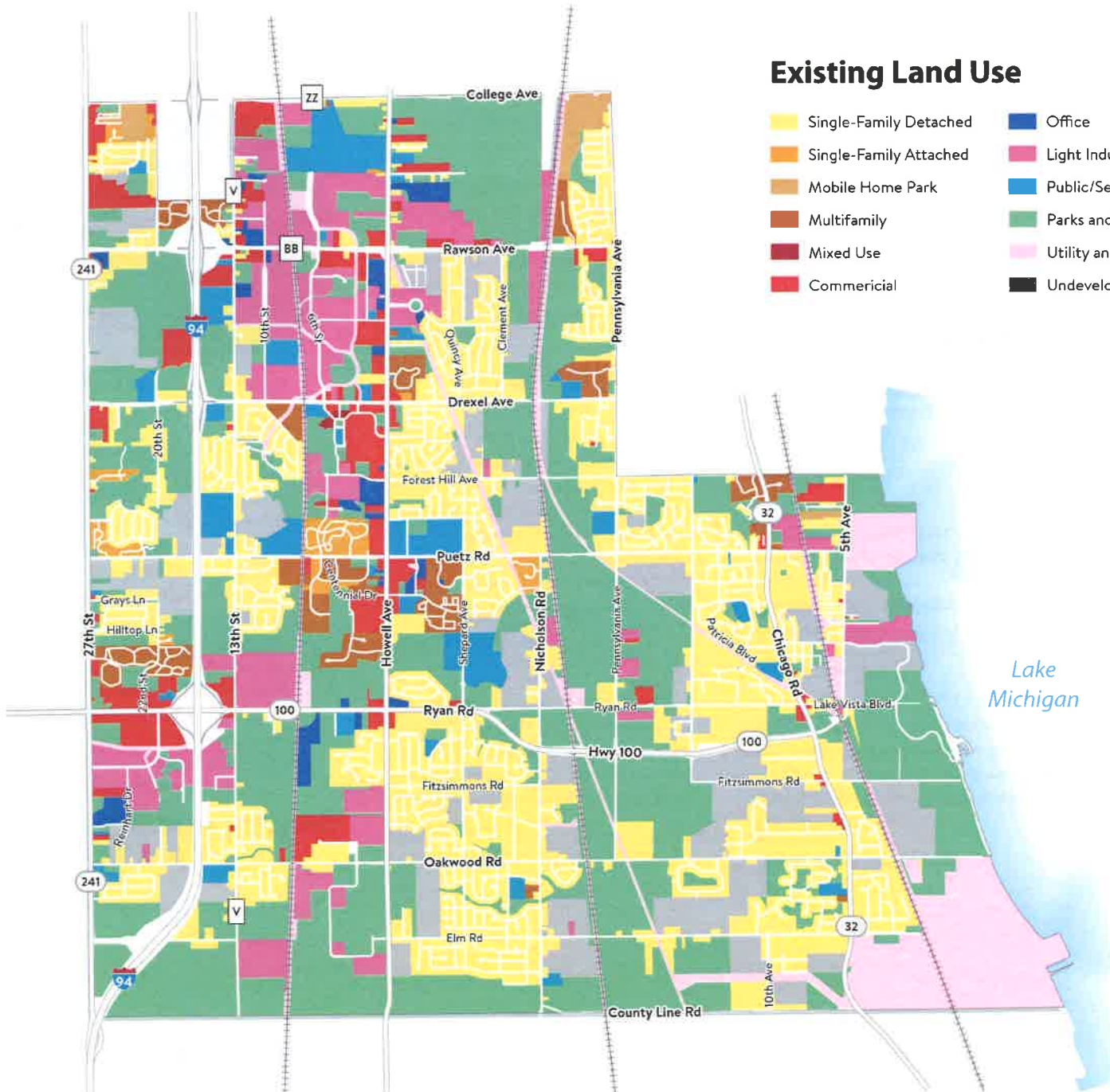
### Vacant/Undeveloped

Land that sits empty and unused and can reasonably be considered available for redevelopment.



## Existing Land Use

- |  |  |
|--|--|
|  Single-Family Detached |  Office               |
|  Single-Family Attached |  Light Industrial     |
|  Mobile Home Park       |  Public/Semi-Public   |
|  Multifamily            |  Parks and Open Space |
|  Mixed Use              |  Utility and Railroad |
|  Commercial             |  Undeveloped          |



## Zoning and Development Controls

This section provides an overview of current zoning districts in the City of Oak Creek. The zoning code is Chapter 17 of the Municipal Code, which is a regulatory document that dictates land use and guides development within the City. While essential to planning, the zoning code is also a valuable resource for property owners and developers seeking to invest within the community. A thorough analysis and update of the code will be completed after the adoption of the Comprehensive Plan to ensure that the code and plan align. The City of Oak Creek has established 23 zoning districts including:



*I am concerned that business is zoned too close to residential and too close to other community areas.*

### A-1 Limited Agricultural District

The A-1 Limited Agricultural District is intended to provide for the continuation of general farming and related uses in those areas of the City that are not yet committed to urban development.

### ER Equestrian Residential District

The ER Equestrian Residential District is intended to provide for large residential lots with limited animal husbandry uses accessory to residential uses. Residential development in the ER district is permitted at densities that are under 0.3 dwelling units per net acre.

### Rs-1, Rs-2, Rs-3, Rs-4 Single-Family Residential District

The Rs-1, Rs-2, Rs-3, and Rs-4 Residential Districts are intended to provide for single-family residential development at densities ranging from 2.0 to 5.4 dwelling units per net acre.

### Rs-5 Mobile Home Park District

The Rs-5 Residential District is intended to provide for the location of mobile home parks in a residential setting that are compatible with adjacent land uses.

### Rd-1 Two-Family Residential District

The Rd-1 Residential District is intended to provide for two-family residential development at densities not exceeding 5.8 dwelling units per net acre.

### Rm-1 Multifamily Residential District

The Rm-1 Residential District is intended to provide for multifamily residential development at densities ranging from 5.0 to 14.5 dwelling units per net acre.

### B-1 Local Business District

The B-1 Local Business District is intended to provide for individual or small groups of retail and customer service establishments, serving primarily the convenience of the local neighborhood.

### B-2 Community Business District

The B-2 Community Business District is intended to provide for the orderly and attractive grouping at appropriate locations of businesses, offering a wider range of retail products and services than are provided in B-1 Local Business Districts.

### B-3 Office and Professional Business District

The B-3 Office and Professional Business District is intended to provide for individual or groups of buildings limited to office, professional, and special service uses.

### **B-4 Highway Business District**

The B-4 Highway Business District is intended to provide for the orderly and attractive grouping at appropriate locations, along federal, state, and county highway routes, of those businesses and customer services which are logically related to and dependent upon highway traffic, or which are specifically designed to serve the needs of such traffic.

### **B-6 Interchange Regional Retail District**

The B-6 Interchange Regional Retail District is intended to provide for the orderly and attractive grouping of high-intensity retail, commercial and mixed uses along the federal interstate highway system.

### **LM-1 Light Manufacturing District**

The LM-1, Light Manufacturing District is intended to provide for a mix of low-impact (of a limited nature and size) manufacturing, industrial, wholesaling, limited warehousing, research and development, engineering and testing, and related service facilities and uses. These uses are to occur within enclosed buildings and not have an adverse effect upon the district in which the use is located.

### **M-1 Manufacturing District**

The M-1 Manufacturing District is intended to provide for manufacturing, industrial, and related uses of a limited nature and size. Based on actual physical and operational characteristics, these uses are not be detrimental to the surrounding area or to the City as a whole due to smoke, noise, dust, odor, traffic, appearance, or other similar factors.

### **I-1 Institutional District**

The I-1 Institutional District is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public, public-related, or private ownership and where the use for public purpose is anticipated to be permanent. Uses permitted shall generally serve the public benefit.

### **P-1 Park District**

The P-1 Park District is intended to provide for areas where the open space and recreational needs, both public and private, of the citizens of the City of Oak Creek can be met without undue disturbance of natural resources and adjacent uses.

### **C-1 Shoreland Wetland Conservancy District**

The C-1 Shoreland Wetland Conservancy District is intended to preserve, protect, and enhance the ponds, streams, and wetland areas of the City of Oak Creek. The preservation, protection, and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and improve water quality, both ground and surface; prevent flood damage; control storm water runoff; protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife habitat; protect native and endangered plant communities; avoid the location of structures on soils which are generally not suitable for use; and protect the water-based recreation resources of the City.



## FW, FF, GFP Floodplain Zoning Districts

The Floodway District, Flood Fringe District, and General Floodplain District are intended to regulate floodplain development to (1) Protect life, health and property; (2) Minimize expenditures of public funds for flood control projects; (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers; (4) Minimize business interruptions and other economic disruptions; (5) Minimize damage to public facilities in the floodplain; (6) Minimize the occurrence of future flood blight areas in the floodplain; (7) Discourage the victimization of unwary land and homebuyers; (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and (9) Discourage development in a floodplain.

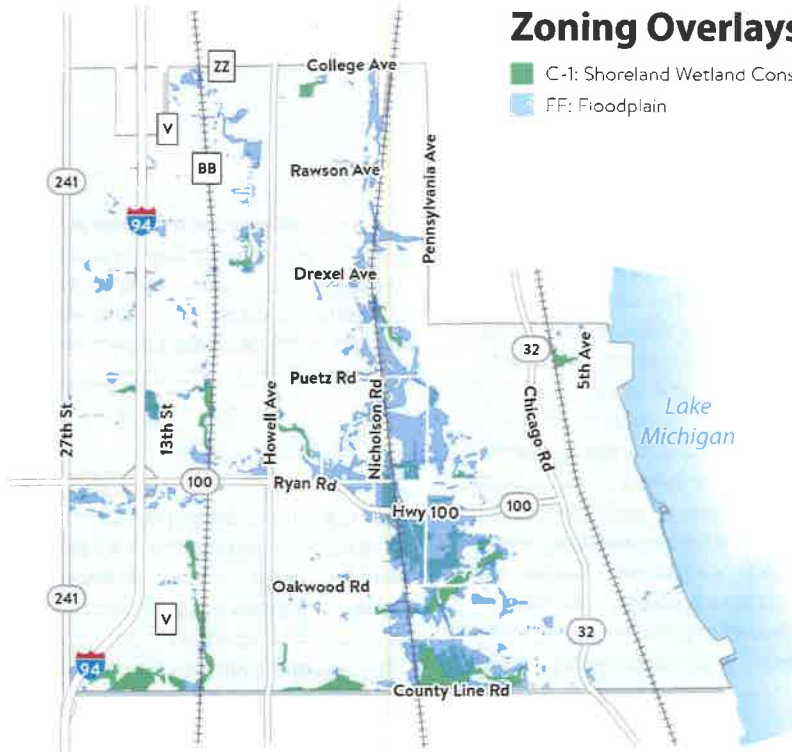
## Planned Unit Development Overlay District

The Planned Unit Development (PUD) District is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, diversified building types, and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning.

The current trigger for the application of the PUD process is 10 acres for residential and commercial developments and 20 acres for industrial and mixed use developments. Two additional overlay districts are nested within the PUD Overlay district, including the traditional neighborhood development PUD and the lakefront overlay. PUDs that occur in these areas are subject to additional standards.

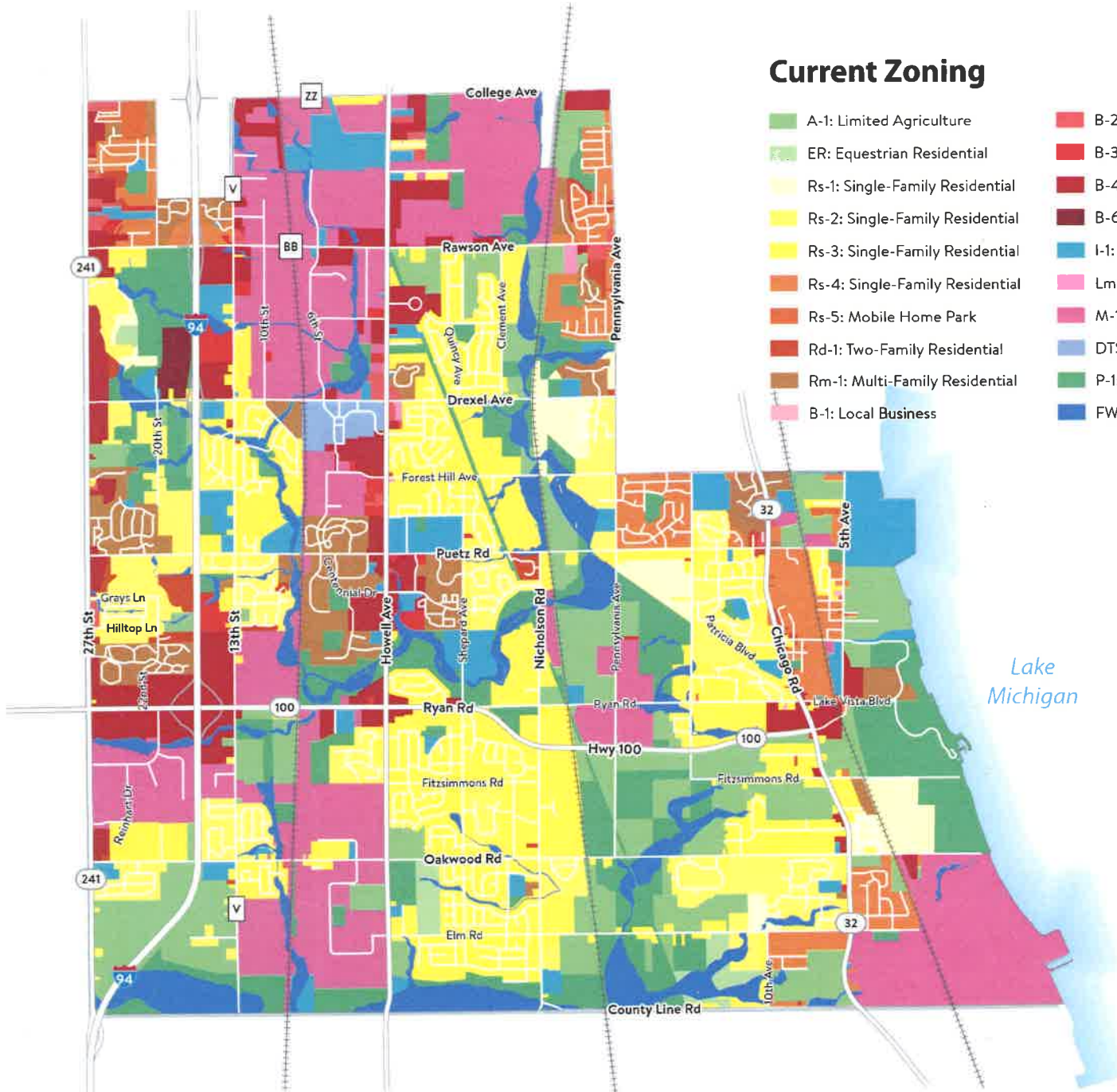
## Zoning Overlays

- C-1: Shoreland Wetland Conservancy
- FF: Floodplain



# Current Zoning

- A-1: Limited Agriculture
- ER: Equestrian Residential
- Rs-1: Single-Family Residential
- Rs-2: Single-Family Residential
- Rs-3: Single-Family Residential
- Rs-4: Single-Family Residential
- Rs-5: Mobile Home Park
- Rd-1: Two-Family Residential
- Rm-1: Multi-Family Residential
- B-1: Local Business
- B-2: Community Business
- B-3: Office & Professional Business
- B-4: Highway Business
- B-6: Interchange Regional Retail
- I-1: Institutional
- Lm-1: Light Manufacturing
- M-1: Manufacturing
- DTSMUPDD: Drexel Town Square Mixed Use Planned
- P-1: Park
- FW: Floodway



**DRAFT**  
FOR REVIEW & DISCUSSION

---

# LAND USE PLAN

---

*Providing policy and direction for how land is used and developed in Oak Creek is a primary function of the City, and a critical focus of the Comprehensive Plan. To support this directive, the Land Use Plan guides the type, intensity, and location for land use and long-range investment. The Land Use Plan builds upon the established development pattern within Oak Creek to foster a compatible and desirable mix of uses that will better meet the needs of both current and future residents and businesses.*

## *Maintaining Flexibility*

*The Land Use Plan is a general guide for growth and development in Oak Creek and is meant to serve as a foundation for future decision-making. It is not meant to be a site-specific development or zoning plan, but rather a guide for land use decisions. The Land Use Plan is flexible and should accommodate creative approaches to development that are consistent with the policies and recommendations included in the Comprehensive Plan.*

## *Framework Plans*

*In addition to community-wide land use policies, the Land Use Plan includes two framework plans to provide further guidance regarding the unique issues facing the City's housing and neighborhoods as well as commercial and employment areas that will better meet the needs of both current and future residents and businesses.*



## Land Use Plan Vision Statement

In 2040, Oak Creek is a vibrant community that has experienced thoughtful growth and development to accommodate its growing population. The City has preserved and enhanced its residential neighborhoods in the heart of the community, and has grown its commercial and industrial tax base along key intersections of I-94. A greater diversity of housing options, including single-family attached and multifamily properties, help to buffer lower density residential areas from commercial and industrial uses. The Lakefront has been redeveloped, and is a regional destination for entertainment, recreation, shopping, and dining, and is an attractive and desirable place to live for people of all ages. The City's parks and open spaces have been preserved and enhanced, and the quality of the community's environmental features has improved over time.

## Future Land Use Categories

Oak Creek has experienced steady growth over the last two decades and it is projected that the community will continue to grow during the life of the Comprehensive Plan. Regional growth is driving local demand for industrial development as well as quality housing. As the number of residents and employees grows, there is increased demand for the commercial development that supplies needed goods and services. Opportunities for greenfield development are becoming increasingly rare, and great care must be taken to guide development and maximize Oak Creek's potential for housing and economic development.

The Land Use Plan strives to balance the preservation of established single-family neighborhoods, with the need to diversify the City's housing stock and enhance and expand commercial and employment areas. The Future Land Use Map identifies the following primary land uses:



### Single-Family Detached

This land use consists of freestanding single-family homes. Single-family detached housing should continue to be the predominant land use in the community. Infill development should be encouraged to strengthen existing neighborhoods, while new single-family detached development should be primarily focused east of South Howell Avenue, except in logical additions to existing subdivisions.



### Single-Family Attached

Also referred to as two-family residential, rowhomes, townhomes, or duplexes, this land use comprises single-family dwellings that share at least one common wall with an adjacent dwelling, and each unit has a separate external entrance. Single-family attached housing should form a larger share of housing as the City seeks to diversify housing options while maintaining community character. This land use should continue to be concentrated along major transportation corridors, such as East Puetz Road, East Ryan Road, and I-94, buffering single-family detached neighborhoods from commercial and industrial uses. New development of this type should also occur near the lakefront.

*“I love living in Oak Creek. I grew up in the area and can't believe how much it has grown/improved.”*



### *Multifamily*

This land use consists of structures with multiple housing units stacked vertically and often having a common entrance and shared amenities. Multifamily housing should continue to be located along major transportation corridors, and should primarily consist of medium density development with higher density developments located in Drexel Town Square and along the lakefront. The following Housing and Neighborhoods Framework contains additional detail on the appropriate scale and density of multifamily development.



### *Mixed Use*

This land use primarily consists of properties that contain multiple, distinct uses stacked vertically within the same structure. The most common example of this land use is a first-floor commercial space with office or residential on the upper floors. This land use also includes horizontal mixed use development within Planned Unit Developments (PUDs). Mixed use development should expand from Drexel Town Square and the Marketplace to also include the lakefront.



### *Commercial*

This land use comprises commercial structures with businesses selling goods and services. These uses can range in size from individual businesses on dedicated properties to shopping centers with multiple tenants. Commercial development in Oak Creek should continue to be primarily concentrated along major transportation corridors; however, the development of commercial nodes integrated into residential areas serving the neighborhood should be encouraged.



### *Business Park*

This land use consists of groups of buildings planned and constructed as business parks for professional firms with a mix of office, training, research, production, and other ancillary uses. Business Park uses in Oak Creek should continue to be concentrated in the vicinity of Interstate 94-41.



### *Industrial*

This land use comprises a mix of warehousing, distribution, manufacturing, and processing. Large-scale industrial developments should continue to be located and expanded along the southern portion of the I-94 corridor, and reinvestment should be encouraged in the smaller-scale industrial development located in the northern portion of Oak Creek.

### *Public/Semi-Public*

This land use includes a wide variety of uses that provide or support public services and amenities, including government-owned buildings, schools, places of worship, hospitals, and not-for-profit organizations. Public and semi-public uses are located throughout the community; however, new public/semi-public development should be located outside of commercial and industrial corridors.



### *Parks and Open Space*

This land use is defined by areas that are used for active and passive recreation and natural areas including greenways and floodplains. Parks and open space should continue to make up a large percentage of land within the community with their quality enhanced over time. Potential areas for the development of new parkland have been identified to ensure that the City's growing population continues to have safe and convenient access to recreation opportunities.

### *Agriculture*

This land use includes areas that should remain agricultural or transition to open space through the use of tools such as conservation easements.



### *Utilities and Railroad*

This land use comprises land that is dedicated to the production, storage, distribution, and maintenance of public and private utilities, including all railroad right-of-way.

### *Airport*

This land use consists of land located within the General Mitchell International Airport property boundary. Land within this boundary may be available for appropriate development in partnership with Milwaukee County.

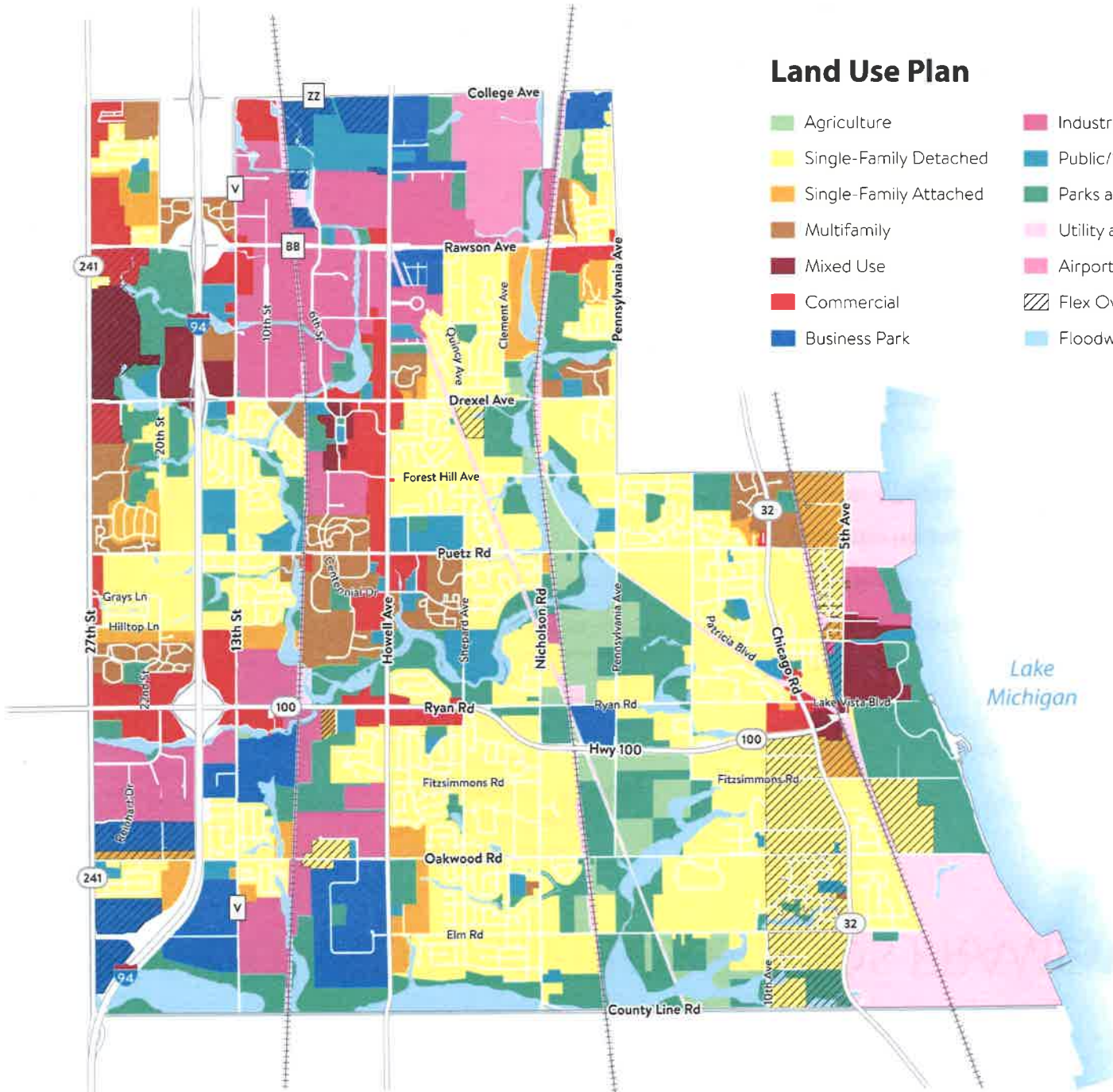


### *Maintain Flexibility Overlay*

This land use consists of key areas in the community, such as the area surrounding the Ikea and the area adjacent to the Lakefront, that should be considered for a variety of future potential land uses. Although a preferred future land use is identified for these areas on the Future Land Use map, the City should remain open to considering additional land uses that enable developers and property owners to best respond to future market conditions, while also supporting the guiding vision and goals of the Comprehensive Plan. The intended character and intensity of future development for each area identified for this land use category is further discussed in the Housing and Neighborhoods Framework, and Commercial and Industrial Areas Framework sections of the Comprehensive Plan, (no interpretation of the Future Land Use Map should be made without referencing these sections).

# Land Use Plan

- Agriculture
- Single-Family Detached
- Single-Family Attached
- Multifamily
- Mixed Use
- Commercial
- Business Park
- Industrial
- Public/Semi-Public
- Parks and Open Space
- Utility and Railroad
- Airport
- Flex Overlay
- Floodway





# HOUSING AND NEIGHBORHOODS FRAMEWORK

The Housing and Neighborhoods Framework provides a more detailed guide for the development of future housing and the enhancement of existing residential neighborhoods. The framework builds off of the Land Use Plan to ensure that the limited areas available for new residential growth are developed in a manner that reflects the vision of the Oak Creek community while providing for a greater diversity in housing options. The Housing and Neighborhoods Framework map provides greater detail on the desired types, densities, and location of housing throughout the City.

## Housing and Neighborhoods Framework Vision Statement

**In 2040, Oak Creek has become a premier suburb of the Milwaukee metropolitan area. People in all stages of life, from young professionals and first time homebuyers, to growing families and empty nesters, choose to locate in Oak Creek because of the high quality and wide variety of housing options.**

## Goal

*Preserve Oak Creek's single-family character while encouraging the development of a diverse housing stock.*

## Objectives

1. **Promote Reinvestment**
2. **Target Residential Development**
3. **Attainable Housing**
4. **Promote Affordable Senior Housing**
5. **Encourage Conservation-Oriented Development**
6. **Encourage Increased Density Where Appropriate**
7. **Foster Community Health**

## Objective 1: Promote Reinvestment

**Promote reinvestment in established neighborhoods.**

The City of Oak Creek has residential neighborhoods that were established across a wide time period stretching back to the 1890s. Established neighborhoods make up the heart of the community, and continued investment in these areas is critical in keeping Oak Creek an attractive and vibrant City. Areas shown in on the following map are subdivisions that were built prior to 1980, and are where the majority of the City's naturally occurring attainable housing is located. These areas should be the City's primary focus as it works to encourage private property owners to continually invest and maintain their properties.

Continual reinvestment in these areas is key to providing quality housing at a variety of price points through both resale and new builds. Strategies to accomplish this include:

- **Support Property Maintenance:**  
Reinvestment into the exterior of a home can be expensive and time consuming. Although the majority of costs are associated with materials and labor, other costs may stem from the fee to place a dumpster or receive a license or permit. The City should consider waiving the costs that the City generates for a limited time period every year to encourage homeowners to reinvest in their properties. For example, the cost to place a dumpster could be lowered or eliminated for groups of five or more neighbors looking to clean up, paint, or fix their homes.

- **Strategic Code Enforcement:**  
Strategic Code Enforcement is a system where legal tools, human and technology resources, and effective strategies are aligned to maximize compliance with codes and responsible standards by the property owners in the community. Due to the limited capacity of the Community Development Department, the creation of an efficient system such as this one would ensure that Oak Creek is utilizing its resources as effectively as possible, deploying them in a manner that would have the greatest impact on maintaining the stable and well-kept nature of the City's residential areas. To accomplish this, the City should:
  - Adopt technology to maximize the amount of time inspectors are in the field, speed the flow of information between concerned parties, foster accountability, and track results;
  - Put systems in place to establish a fast and seamless process by which cases move through the enforcement process by coordinating code enforcement activities with the activities of other City departments;

- Identify which property maintenance issues should be prioritized and focus resources to these categories;
- Continue to foster strong working relationships with Oak Creek residents, neighborhood associations, and homeowners' associations to capitalize on their "eyes on the ground"; and
- Build an information system on the City's website to better communicate the code enforcement process with the Oak Creek community.

## Objective 2: Target Residential Development

**Target areas for new residential development in accordance with the Land Use Plan.**

Nearly 45 percent of land in Oak Creek is used for parks, open space, or agriculture. Although much of this land will remain as currently used, several areas are prime for development. In 2017, the City of Oak Creek conducted a study to determine the single-family detached development potential of undeveloped land in the City. The study identified 66 sites comprising more than 2,000 acres that could be developed for single family residential purposes. However, of the 66 identified sites, only seven are larger than 50 acres and under single ownership, making development more difficult. Additionally, the study revealed that wetlands and other environmental features greatly impact the ability of many undeveloped properties to be utilized.



Given the limited opportunities that exist to accommodate future housing in Oak Creek, it is critical that the City encourage residential development in accordance to the Land Use Plan. Amendments to the Land Use Plan should be thoughtful and intentional to ensure that the vision of the community is realized. Furthermore, the City should consider the following strategies to ensure that the goals of the Land Use Plan and the Housing and Neighborhoods Framework are accomplished.

- Proactively rezone properties identified in the Land Use Plan for all forms of housing. The Land Use Plan and Housing and Neighborhoods Framework maps identify areas in the City best suited for the development of single-family detached, single-family attached, and multifamily housing. Areas of new single-family detached housing are primarily concentrated in the heart of the community. Areas of new single-family attached and multifamily residential development are concentrated adjacent to the City's Lakefront District, within the 27th Street corridor, and on currently undeveloped parcels. These areas would act to buffer single family detached neighborhoods from existing and proposed commercial and employment areas.

- Establish standards of review for zoning text and map amendments including standards for both the City Plan Commission, who is responsible for the review and recommendation of all proposed changes and amendments, and the Common Council, which is responsible for the approval or denial of such. Currently, Section 17.12, Changes and Amendments, of the City's zoning ordinance does not include standards of review for zoning text and map amendments. In addition to considering alignment with the Land Use Plan, it is recommended that the City establish standards of review similar to the LaSalle Factors, a set of factors established by courts in the state of Illinois to be considered when reaching zoning decisions.

Not only will this clearly communicate to developers and the public the desirability of realizing the goals of the Comprehensive Plan, but it will also guide elected and appointed officials to help avoid arbitrary and capricious decision making.

### Objective 3: Attainable Housing

**Encourage the development of attainable housing products.**

More than 15,000 people work in Oak Creek who live outside of the community, representing a potential source of new residents. People who live and work in the same community help boost the local economy by recycling their spending and keeping dollars local. They also help reduce traffic congestion by shortening or eliminating commutes. Despite these potential benefits to having a larger proportion of residents with local jobs, many of the workers who currently commute to Oak Creek may not be able to afford a home in the community.

Of the more than 15,000 people who work in Oak Creek but live elsewhere, 80 percent make less than \$40,000 a year according to 2015 U.S. Census Longitudinal Employer-Household Dynamics data. Assuming a single-earner household, that person could afford to spend no more than \$1,000 on housing every month. However, according to the American Community Survey, more than 50 percent of the rental units in Oak Creek were asking more than \$1,000 per month in 2017. High rental rates coupled with high occupancy rates (97 percent in 2017) make it difficult for people who work in Oak Creek to be able to afford to live in the community. As Oak Creek continues to grow and develop, the City should work to capture the portion of the local workforce who live outside the City. This should include encouraging the development of attainable housing in conjunction with new residential development as recommended in this Section and detailed in the Land Use Plan and Housing and Neighborhoods Framework maps.

### Objective 4: Promote Affordable Senior Housing

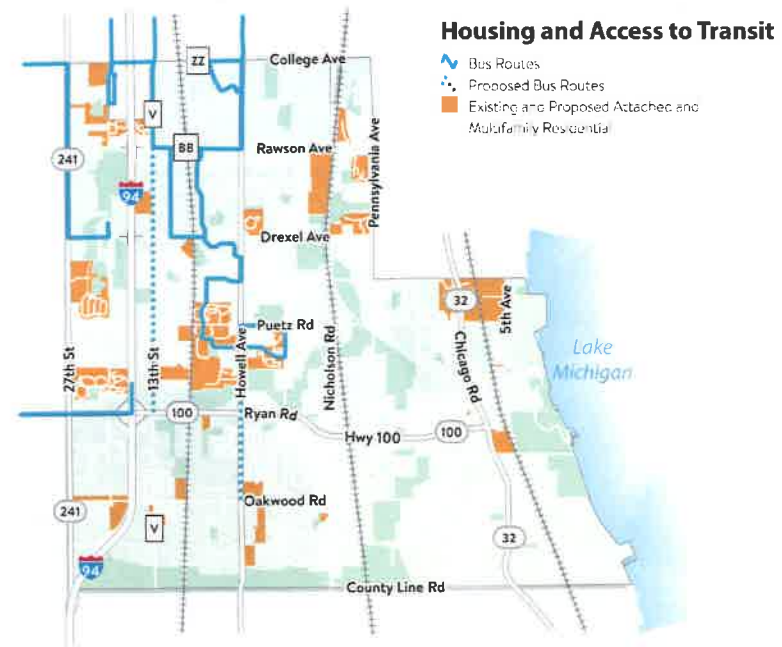
**Promote the development of affordable senior housing near retail, transit, and open space.**

Currently, only approximately 12 percent of the Oak Creek population is aged 65 or older. However, in the coming years this cohort could nearly triple in Milwaukee County according to the Wisconsin Demographic Services Center. To retain this population and make Oak Creek a community where residents can age in place, the City should promote the development of affordable senior housing which incorporates universal design.

This housing should be near retail, transit, open space and trail networks, and other amenities attractive to empty nesters and retirees. The Land Use Plan identifies appropriate locations in the community for this type of development.

Although the City should work to promote the development of affordable senior housing, it should also strive to ensure that these areas are not isolated from the larger community. The Waters senior living community in Drexel Town Square is one example of well-located senior housing in Oak Creek. Additional multigenerational development that is attractive and suited for seniors as well as young professionals will ensure that Oak Creek remains vibrant for years to come.

*“New housing development really needs to include middle income single-family homes and apartments. Luxury homes, condos, and apartments definitely have their place in any community, but we really need a good mix in housing stock so that people who are looking to work here can also afford to live here.”*



## Objective 5: Encourage Conservation-Oriented Development

Revise the City's subdivision ordinance to encourage conservation designed development and other sustainable practices to accommodate residential growth adjacent to sensitive natural areas.

Oak Creek is bisected by two creek corridors, and new single-family and multifamily housing are likely to be built in close proximity to natural areas, including floodplains and wetlands. Although it is essential to develop new residential housing products to accommodate projected population growth, it is also critical that the City protects its natural resources.

One strategy to accomplish this is conservation-oriented subdivision development, also known as cluster development. It is an approach to residential development that preserves contiguous areas of open space and natural areas by clustering smaller residential parcels on select areas of the site. The overall housing density remains the same, but the site design allows for larger areas of common open space that can be used as neighborhood or community parkland. This approach to development also provides for naturalized storm-water management while minimizing the amount of roadway and utility infrastructure needed to serve a given development.

Additionally, sustainable practices such as restricting impermeable surfaces, allowing alternative energy sources, and promoting native landscapes can also help to protect the quality of these natural resources.

The Housing and Neighborhoods Framework map identifies areas in the City most appropriate for this type of development. These areas include parcels that may be partially impacted by floodplains, but still possess development potential elsewhere on the parcel. To encourage this type of development, it is recommended that the City updates its subdivision ordinance to include provisions for the allowance of this type of development. Provisions should include:

- Prioritized list of resources to be conserved;
- Percent of total land area to be conserved as permanent protected, public open space;
- Incentive for increased density in exchange for land conservation; and
- Design guidelines for the layout of streets, lots, and conservation areas.

*I want to see the natural environment working hand in hand with development.*

### Conventional Sprawl

This example shows 32 homes  
Gross Density = 1 Dwelling Units/Acre  
Net Density = 1 Dwelling Units/Acre



### Conservation Development

This example shows 32 homes  
Gross Density = 1 Dwelling Units/Acre  
Net Density = 4 Dwelling Units/Acre



## Objective 6: Encourage Increased Density Where Appropriate

Encourage increased density in select areas of the City, including the Lakefront and along key corridors.

More than half of the housing in Oak Creek consists of single-family detached structures. Although this substantial housing stock is essential for the community's identity as a family-friendly City, greater diversity in housing options is increasingly important to accommodate residents during every stage of life. Higher density housing, like single-family attached and multifamily developments, supports greater housing diversity. The City should encourage increased housing density in select areas, including the Lakefront and along key corridors in accordance with the Land Use Plan and Housing and Neighborhoods Framework map.



Below are additional strategies that the City should consider to increase residential density while maintaining Oak Creek's existing single-family character.

- **Update the list of Permitted and Conditional Uses in the Rm-1 zoning district.** Currently, the Rm-1 zoning district is intended to provide for multifamily residential development at densities ranging from five to 14.5 dwelling units per acre. However, multifamily development in excess of four units must be approved as a conditional use. Uses are considered conditional when they have the potential to negatively impact surrounding development and warrant additional scrutiny. This process also allows for residents to protest the development regardless of the quality of the development. To avoid this type of protest, often referred to as “not in my backyard,” the City should consider permitting

smaller scale multifamily development as-of-right in certain areas of Oak Creek. To ensure that this type of development does not negatively impact surrounding areas, it is recommended that the City also establish specific use standards, such as greater landscaping requirements, consistent and complementary site design, and location requirements .

- **Permit accessory dwelling units (ADU) as a conditional use in the Rs-4 and Rd-1 Districts.** ADUs, sometimes call “granny flats,” can provide for greater density in existing single-family neighborhoods without negatively impacting community character. ADUs also provide opportunities for multi-generational housing where parents downsize and continue to live with their children and grandchildren. The City should consider allowing internal or attached accessory dwelling units as

a conditional use in the Rs-4 Single Family Residential District and Rd-1 Two Family Residential District. These districts are most appropriate for ADUs as they currently allow for greater density than other residential zoning districts yet also have minimum lot sizes that would accommodate this type of development.

External accessory dwelling units should not be permitted as they are more visible and thus more likely to change the character of neighborhoods. The City should ensure that certain conditions are met in the approval of the conditional use including the availability of sufficient parking and quality design that would have little to no impact on the appearance of the primary residence and character of development as seen from the adjacent street.



## Objective 7: Foster Community Health

Encourage new residential development that supports healthy lifestyles and positively impacts key well-being indicators.

The City desires to take a more active role in planning and programming for the health of the community with an understanding that environmental factors influence health such as access to parks, healthy food, and safe walking and biking facilities for people of all ages and abilities. To help foster a culture of health and wellness in Oak Creek, it is recommended that the City promote health equity in all new residential developments.

There are several approaches that the City should take to accomplish this including:

- Revising Section 14.104 of the City's Subdivision Ordinance to require sidewalks or trails to be installed in all new residential developments. Currently, sidewalks are only required to be installed where the Common Council determines they are necessary. This language should be strengthened to require them unless the Plan Commission and Common Council make the determination that they are not necessary to further the objectives of this plan, with special consideration given to the creation of safe routes to schools and healthy food. The revised section should include standards for determining whether a sidewalk is appropriate on one or both sides of the road.

- Incentivizing the development of residential neighborhoods that incorporate elements of universal design. Universal design makes buildings and environments accessible to all people, regardless of age, ability, or status in life. Universal design components that should be incentivized include level access from the street, zero entry thresholds, fixtures and fittings located at varying heights and widths, and other design elements that allow for lifetime homes.
- Promoting development in accordance with the Land Use Plan which supports healthier living by putting residential areas within walking distance of commercial areas. New development should be complemented by investment in bike and pedestrian infrastructure, parks, and gathering spaces.
- Promoting incorporation of public gathering spaces into design of new neighborhoods to provide opportunities for social interaction. Treatments should be encouraged at a range of scales, from large central parks and plazas, to small spaces like corner seating areas and parklets.



## Housing and Neighborhoods Framework Plan

### Established Residential

These areas consist of Oak Creek's established residential neighborhoods where single-family detached homes are predominant. The City should work to preserve and protect these areas as they are the core of Oak Creek's family-friendly community.

### Targeted Reinvestment

These areas consist of residential subdivisions built before 1980. These are the oldest neighborhoods in Oak Creek, and the largest source of naturally occurring attainable housing as new residential development occurs throughout the City. The City should work to encourage and enforce the continued maintenance and reinvestment into these critical neighborhoods to ensure that the community maintains a diverse housing stock.

### Single-Family Growth Areas

These areas are currently undeveloped, and have been identified for new single-family detached residential neighborhoods. These areas should be developed in a manner that reflects the scale and character of nearby established residential areas, with a greater focus on walkability and establishing connections to existing neighborhoods and collector roads.

### Conservation Residential

These areas are currently undeveloped, and located partially in the floodplain or adjacent to the floodplain and other natural areas. Conservation development should be encouraged that clusters single-family detached housing on buildable portions of these areas and preserves natural areas.

### Attached Residential

These areas consist of established and proposed neighborhoods of single-family attached residential development. These locations are primarily proposed for areas that serve to buffer lower density single-family neighborhoods from higher density residential areas and commercial corridors. The City should ensure that new attached residential areas are well-connected to existing roadways, neighborhoods, and surrounding amenities.

### Established Multifamily Residential

These areas consist of established multifamily developments of varying scale that should be maintained.

### Medium Density Multifamily Residential

These areas consist of proposed neighborhoods of medium density multifamily development. These locations are primarily proposed for areas that are adjacent to lower-density residential areas or existing medium density multifamily developments. The City should ensure that new development of this type is adequately screened from single-family detached neighborhoods and well connected to surrounding roadways and uses.





### High Density Multifamily Residential

These areas consist of proposed neighborhoods of high density multifamily development. These areas are primarily adjacent to existing or proposed mixed use areas, or in a location that would buffer other residential uses from commercial or employment uses. The City should ensure that new development of this type is adequately screened from single-family detached neighborhoods, and well connected to surrounding roadways and uses.

### Flex Overlay Lakefront

These areas are within and adjacent to the Lakefront Redevelopment Area and comprise former industrial properties, a manufactured home park, a commercial nursery, and residential subdivisions of varying ages. As the vision for the lakefront continues to be realized, the City should remain flexible with the types of new development and redevelopment that occurs in these areas. Land use types have been identified based on the Lakefront Redevelopment Area TID #13, and to ensure compatibility with adjacent land uses. The City should encourage higher-density residential development in these areas to help generate a critical mass of people living near the lakefront to better support proposed commercial and mixed uses.

### 27th Street and West Oakwood Road Residential

This area is primarily composed of single-family detached homes with deep lots, smaller lot single-family detached homes along South Judith Place, as well as a currently vacant restaurant fronting South 27th Street.

These properties about several industrial uses that generate truck traffic and other adverse impacts. If these properties were to redevelop, the City should encourage single-family attached development to help buffer the single-family detached properties to the south, and to take better advantage of the access off of South 27th Street.

Although single-family attached development is appropriate and desired for this site, the City should remain flexible and open to allowing a business park development to expand in this area if they utilize landscape buffer yards to screen the single-family detached houses to the south.

### Oakwood Road and Oakview Business Park Residential

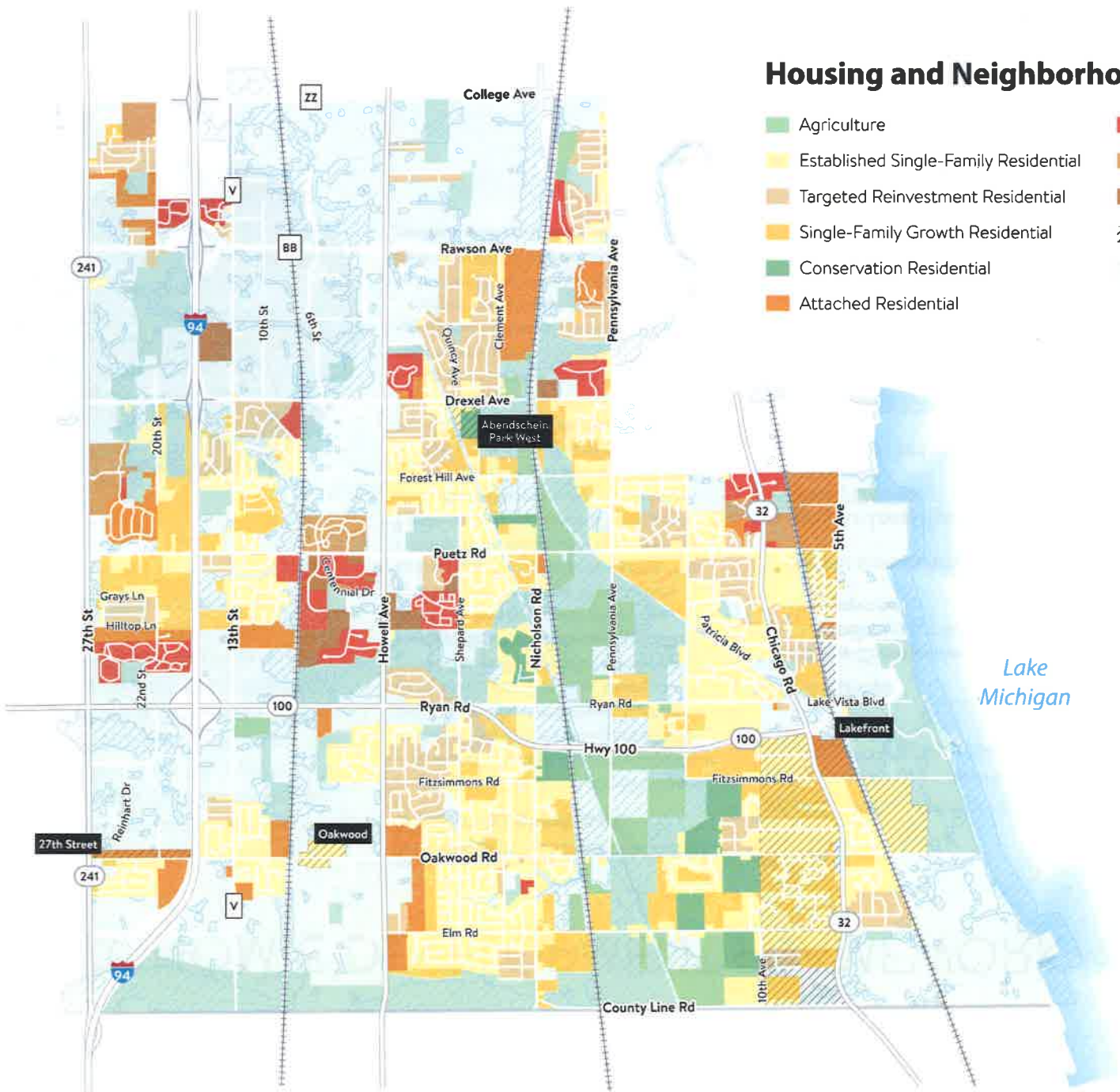
This area is currently single-family detached homes. If redevelopment were to occur, the City should encourage industrial or business park uses in this area.

### Abendschein Park West Residential

This area is currently open space and low density single-family detached homes. If redevelopment were to occur, the City should encourage moderate density single-family detached or attached housing.

# Housing and Neighborhoods Framework

- Agriculture
- Established Single-Family Residential
- Targeted Reinvestment Residential
- Single-Family Growth Residential
- Conservation Residential
- Attached Residential
- Established Multifamily Residential
- Medium Density Multifamily Residential
- High Density Multifamily Residential
- Flex Overlay
- Wetlands and Floodplains



# ECONOMIC DEVELOPMENT FRAMEWORK

Although Oak Creek’s family-friendly neighborhoods attracted many residents to the community, its commercial and employment areas also serve a vital role in the health of the City. These areas are largely concentrated along major transportation corridors such as 27<sup>th</sup> Street, Rawson Avenue, Howell Avenue, Drexel Avenue, and Ryan Road.



At times, I still need to travel to Brookfield or Mayfair area for better shopping or dining experiences. I would like to see some higher quality restaurants to draw more people to Oak Creek.

## Economic Development Vision Statement

In 2040, the City of Oak Creek contains a variety of commercial districts that add to the quality of life for local residential neighborhoods, and serve as exciting destinations for shopping, dining, and entertainment. This includes bustling corridors like Howell Avenue and 27<sup>th</sup> Street, as well as vibrant mixed use districts such as Drexel Town Square and the growing Lakefront district. The number of residents who leave the City for their shopping needs is lower than ever due to the new retail districts that offer convenient and desirable shopping to Oak Creek’s growing neighborhoods. The City’s continued dedication to industrial growth has maintained Oak Creek as an employment hub for the region. New office and industrial uses are appropriate, desirable, and in keeping with Oak Creek’s high standards and the character of the community, and have been thoughtfully developed to minimize conflicts with residential neighborhoods.

## Goal 1

*Expand commercial and mixed use development in appropriate locations throughout the City.*

### Objectives

1. **Bolster Commercial, Entertainment, and Mixed Use Development**
2. **Reflect Community Standards**
3. **Increase Local Retail and Dining Options**
4. **Redevelop the Lakefront**
5. **Improve Appearance and Stormwater Function**

**Objective 1: Bolster Commercial, Entertainment, and Mixed Use Development**  
**Promote additional commercial, entertainment, and mixed use development in accordance with the Land Use Plan.**

As Oak Creek continues to grow its population, more retail opportunities will be needed to reduce residents’ travel for day-to-day needs, and to keep dollars spent on dining and entertainment in the City. To encourage the development of commercial, entertainment, and dining uses, the City should work to develop new commercial nodes, especially along Howell Avenue and in the northern portion of the City. Additionally, the City should promote mixed use development as a means of providing a mass of residents and potential patrons in proximity to businesses, while also fostering a sense of place. The Land Use Plan identifies areas in the City that are most appropriate for commercial and mixed use development, including along 27<sup>th</sup> Street north of Drexel Avenue, surrounding the I-94 and Ryan Road interchange, and areas adjacent to the Lakefront District.

To encourage this type of development, it is recommended that the City consider the following strategies:

- Proactively rezone properties identified in the Land Use Plan for commercial and mixed use development. The Land Use Plan and Economic Development Framework maps identify areas in the City best suited for the development of new commercial and mixed use areas. Areas identified for new development of this type are concentrated adjacent to the City's Lakefront District, along 27th Street, and on currently undeveloped parcels in key transportation corridors.
- Expand the list of permitted uses in key zoning districts. Trending uses that could be added as permitted uses in the City's business zoning districts include co-working offices, incubator spaces, indoor event conversions, food halls, breweries, or distilleries.
- Consider alternative funding sources for improvements that foster a sense of place. Improvements such as sidewalk enhancements, street-scaping, and incorporating street furniture on public and private property in commercial areas should be promoted by the City in order to foster a sense of place. Alternative funding sources such as Tax Increment Finance (TIF) Districts, Business Improvement Districts (BID), or Special Service Areas (SSA) can also be used. Additional detail on these alternative funding sources are included in *Section 7: Implementation Plan*.

## **Objective 2: Reflect Community Standards**

**Ensure that commercial and multifamily development and redevelopment reflect the high standards of the community.**

As Oak Creek has emerged as a vibrant and desirable suburb of Milwaukee, the City's ability to be more discerning about the physical appearance of development has increased. In previous area planning efforts, the City adopted guidelines that pertain to design standards, such as building design, blockface design, building materials, roof materials, building facades, and other exterior factors. The City should consider updating and expanding these design guidelines to apply to other commercial and multifamily areas in the City, such as Howell Avenue and Ryan Road. Regardless of whether the guidelines are expanded, they should be updated to include graphics, pictures, and other visual assistance to better communicate desired outcomes.

## **Objective 3: Increase Local Retail and Dining Options**

**Promote neighborhood-serving commercial uses in proximity to residential neighborhoods.**

Oak Creek's numerous subdivisions remain desirable places to raise a family, but they can be somewhat isolated from surrounding areas. There is a growing demand from empty-nesters, young professionals, and young families to live in neighborhoods with options for recreation, shopping, and work within walking or biking distance of home. To accommodate the demand for greater walkability, the Land Use Plan identifies areas adjacent or within residential neighborhoods that are best suited for neighborhood-serving commercial uses, such as grocery stores, eateries, or pharmacies. To realize this type of neighborhood commercial development, the City should consider establishing use and design standards within the existing plan review process to successfully integrate and transition these neighborhood commercial areas with their adjacent residential neighborhoods. These standards could include intersection location requirements, enhanced landscape regulations, traffic study requirements, or design guidelines.

## Objective 4: Redevelop the Lakefront

### Continue to implement the Lakefront Redevelopment Concept TID#13.

In June 2018, Oak Creek created Tax Increment District (TID) #13 for the area along the City's lakefront. The TID was created to stimulate the redevelopment of catalytic sites and provide financing for public and private improvements along the lakefront. The TID would accomplish this by capturing new incremental value within the boundaries of a new district. This includes properties in need of longer-term strategic positioning for redevelopment as well as those with more immediate redevelopment potential. Many of the elements included in the TID #13 Project Plan were also mentioned by participants of the Visioning Workshop as uses they would like to see at the Lakefront, including a mix of uses and greater access to the lake. The Land Use Plan complements the TID #13 Plan to encourage its implementation. Elements of the TID #13 Plan that are incorporated into the Land Use Plan include:

- Activated recreation areas along the lakefront;
- Increased residential opportunities; and
- Commercial and mixed-use options.

## Objective 5: Improve Appearance and Stormwater Function

### Improve the appearance and stormwater function of commercial, industrial, and multifamily developments in the City.

As Oak Creek has transitioned from an industrial town to a sought-after residential community, the City's desire for higher-quality development has increased. The City should work to improve the appearance of commercial, industrial, and multifamily developments in the City to meet this new standard.

One strategy to accomplish this is to strengthen the City's landscaping standards to ensure that they are consistently applied across development types, and enhanced to require a varying amount of screening based on adjacent uses. Not only would these revisions improve the appearance of the community, they would also improve the stormwater function of sites throughout the City. These revisions should supplement the Green Infrastructure Standards recently adopted by the Milwaukee Metropolitan Sewerage District, which only apply when a development adds 5,000 square feet or more of impervious surface.

Existing parking lot landscape requirements detail the amount of parking lot area that a developer must dedicate to landscape area (five percent of surfaced area), however, it does not dictate the amount or type of landscape material. The City should consider enhancing this section to provide more detail on the minimum number and type of landscape elements within and at the perimeter of parking lots to strive for a more consistent application and appearance throughout the City or by zoning district.

The City should consider developing incentives for the use of green infrastructure, such as native plantings, bioswales, and permeable pavers to improve onsite stormwater absorption. Incentives could include a reduction in the overall amount of landscape required for the site.

In addition to increasing and clarifying the requirements for parking lot landscape and incentivizing the use of green infrastructure, the City should consider establishing required parking maximums in addition to minimums. Parking maximums limit the amount of parking that can be developed, leaving more area available for landscape or open space, which helps to reduce stormwater runoff.

## Goal 2

*Foster new industrial development and encourage reinvestment in existing industrial areas while minimizing impacts to surrounding residential areas.*

## Objectives

1. **Ensure Quality Site Design**
2. **Require Private Investment**
3. **Support Artisan Manufacturing**
4. **Develop Retrofit Standards**

## **Objective 1: Ensure Quality Site Design**

**Revise the City’s development standards to ensure quality site design that reflects the high standards of the community and the preservation of quality open space.**

There are several areas in Oak Creek where busy commercial and incompatible industrial areas abut single-family neighborhoods. The City should consider changes to development standards to minimize the potential for conflict between residences and businesses.

### *Lot Coverage and Open Space*

Open space and natural area preservation can also provide a transition between industrial development and residential areas. The City should consider revisions to its maximum lot coverage requirements. Additionally, the City should consider relocating this requirement from Section 17.1009 (a) (21) so that it is included with all other bulk and dimensional requirements. These revisions would ensure that adequate open space is made available for stormwater absorption and landscaping by capturing all forms of impermeable cover, including parking lots, driveways, and drive aisles as well as make the code more user friendly.

### *Buffer Yards*

Landscaped buffers are effective ways to mitigate some of the concerns associated with incompatible land uses, such as light pollution, runoff, and poor appearance. Currently, the City requires that a buffer yard be created and maintained around all business and manufacturing districts which abut upon residential districts, and which are adjacent to freeways and limited access arterial streets and highways. It is recommended that this requirement be enhanced to include a variety of buffer yard types that feature varying depths, landscape materials, and heights based on adjoining land uses. This will ensure that incompatible uses, regardless of the district they are located in, are buffered from one another. Additionally, varying buffer yard requirements could work to incentivize the development of commercial and employment uses in areas of the City more suited for that type of development by requiring fewer landscape elements and minimizing required depth.

## **Objective 2: Require Private Investment**

**Continue to require appropriate private investment in infrastructure to offset the City’s burden related to the development or expansion of industrial land uses.**

Industrial development has the potential to place great demand on a City’s infrastructure, including the provision of water and roadways. As new industrial developers invest in Oak Creek, the City currently requires appropriate private investment in infrastructure to offset the increased burden related to the development. The City should continue requiring this of private developers when appropriate.

## **Objective 3: Support Artisan Manufacturing**

**Consider allowing live/work spaces in appropriate locations in the City for Artisan Manufacturing.**

Artists throughout the country are encountering difficulties in locating suitable and affordable spaces where they can live, create, and sell their goods. Municipalities such as Nashville, TN; Indianapolis, IN; and Somerville, MA; have developed innovative solutions to overcome these barriers to help the arts and culture community thrive. These cities have amended their zoning codes to create clearer categories for arts and culture-related uses (such as the small batch production of textiles), and remove barriers and special permit requirements for artisan and micro-businesses. These amendments were made applicable to industrial areas with small lots that were in need of reinvestment.



Although industrial areas in Oak Creek have been experiencing positive net absorption rates since 2016, there is still an approximately six percent vacancy rate, more than two points higher than the surrounding area. In addition to vacancies, Oak Creek is experiencing a trend of freight and logistics-oriented industrial development that require large land areas, making the small lot industrial space in the northern portion of the City more likely to change users or redevelop during the life of the Comprehensive Plan. To ensure that these areas experience continual reinvestment, and to support the arts and culture community in Oak Creek, the City should consider allowing artisan manufacturing, especially in areas close to Drexel Town Square or other commercial nodes.

To accomplish this, the City should explore:

- Creating a new use definition for Artisan Manufacturing;
- Allowing Artisan Manufacturing in small lot industrial areas in close proximity to commercial areas;
- Permitting multiunit live/work housing within Artisan Manufacturing; and
- Allowing some retail collocated with production spaces.

#### Objective 4: Develop Retrofit Standards

**Consider the development of retrofit standards to ensure appropriate reinvestment in existing industrial and commercial properties as uses change.**

When an existing industrial or commercial building changes use, the property owner or tenant should be required to bring the building up to the current standards before they are able to receive an occupancy permit. These required improvements, although essential, do not require investments that would improve the appearance of the site or building. Retrofit standards expand upon these requirements to ensure that new owners or tenants make improvements, such as installing landscaping, restriping parking lots, or installing internal sidewalks.

It is recommended that the City establish a zoning compliance certification process which would require all new users to certify with the Department of Community Development that they comply with all zoning ordinance requirements. When seeking compliance certification, appropriate users would be required to apply retrofit standards to their property. The City could also establish a menu of retrofit options to allow developers to choose the most effective and financially feasible option for the development.



## Commercial and Industrial Areas Framework

### Neighborhood Commercial

These areas consist of existing and potential commercial uses that are integrated into residential neighborhoods. Neighborhood commercial development should reflect the scale and character of surrounding residential neighborhoods, and provide for day-to-day shopping needs of nearby households.

### Corridor Commercial

These areas consist of existing and potential commercial corridors along major and minor arterials. These areas should accommodate commercial development that is meant to serve Oak Creek residents as well the regional community. The City should work to make these corridors more pedestrian-friendly by requiring internal walkways and connections to public sidewalks and ensure that corridors are adequately buffered from any adjacent residential use.

### Mixed Use

These areas are suited for mixed use buildings at a variety of scales. The first floor of these buildings should be commercial retail, commercial service, or restaurant uses while the upper floors should be office space or multifamily residences. Mixed use development efforts in the City should be concentrated in building out Drexel Town Square and the new Creekside Crossing Marketplace and creating a new district at the lakefront.

### Business Park

These areas consist of existing office uses and currently undeveloped land. The City should encourage the consolidation of parcels within this land use designation for the development of planned business parks. The City should coordinate with Milwaukee Area Technical College on any development proposal for the area surrounding the Oak Creek campus.



## Small-Scale Industrial

These areas consist of existing and potential areas for small-scale, light industrial uses, which are vital in providing small business opportunities, including Artisan Manufacturing. The City should work to promote reinvestment in established small-scale industrial areas and foster development of vacant and underutilized parcels.

## Large-Scale Industrial

These areas consist of existing and potential areas for large-scale logistics, freight, and warehousing uses. New large-scale industrial development should concentrate near existing industrial development and along major arterials. The City should work to ensure that new large-scale industrial development is adequately screened from any adjacent residential uses.

## Flex Overlay

### *College Avenue*

This area currently comprises vacant land, automobile-related uses, and single-family detached homes. This broad array of land uses does not take advantage of this area's location near the General Mitchell International Airport, I-94 interchange, or the Oak Creek campus of MATC. If these properties were to redevelop, the City should encourage the development of offices in a park-like setting. At the same time, the City should remain open to other uses that promote economic development, such as industrial or the expansion of MATC.

### *27th Street Mixed Use*

This area was purchased by Northwestern Mutual, a large employer located just to the east on South 27th Street, and is currently agricultural land. The area is adjacent to the new Forest Ridge Elementary School and Ikea. The City should encourage Northwestern Mutual to develop this area with a range of housing types and supporting commercial uses. In addition, office development would be desirable for this area.

## *27th Street Corridor Commercial*

This area currently includes a variety of automobile-related uses and a large amount of outdoor storage—uses that often contribute to stormwater runoff and pollution. The area is adjacent to the floodplain of the Oak Creek, and therefore has a greater potential to negatively impact water quality. In addition, the intersection of South 27th Street and West Drexel Avenue is a major gateway to Oak Creek and Drexel Town Square. It is recommended that the City encourages redevelopment of this area for more intense commercial uses that make more efficient use of the land and improve the appearance of the intersection. Simultaneously, landscaped buffers should be incorporated to protect the Oak Creek. The City should remain open to development proposals for uses other than commercial, such as mixed use, office, or multifamily development, provided that the proposed development contributes positively to corridor appearance and improves the Oak Creek watershed's health.

## *27th Street Business Park*

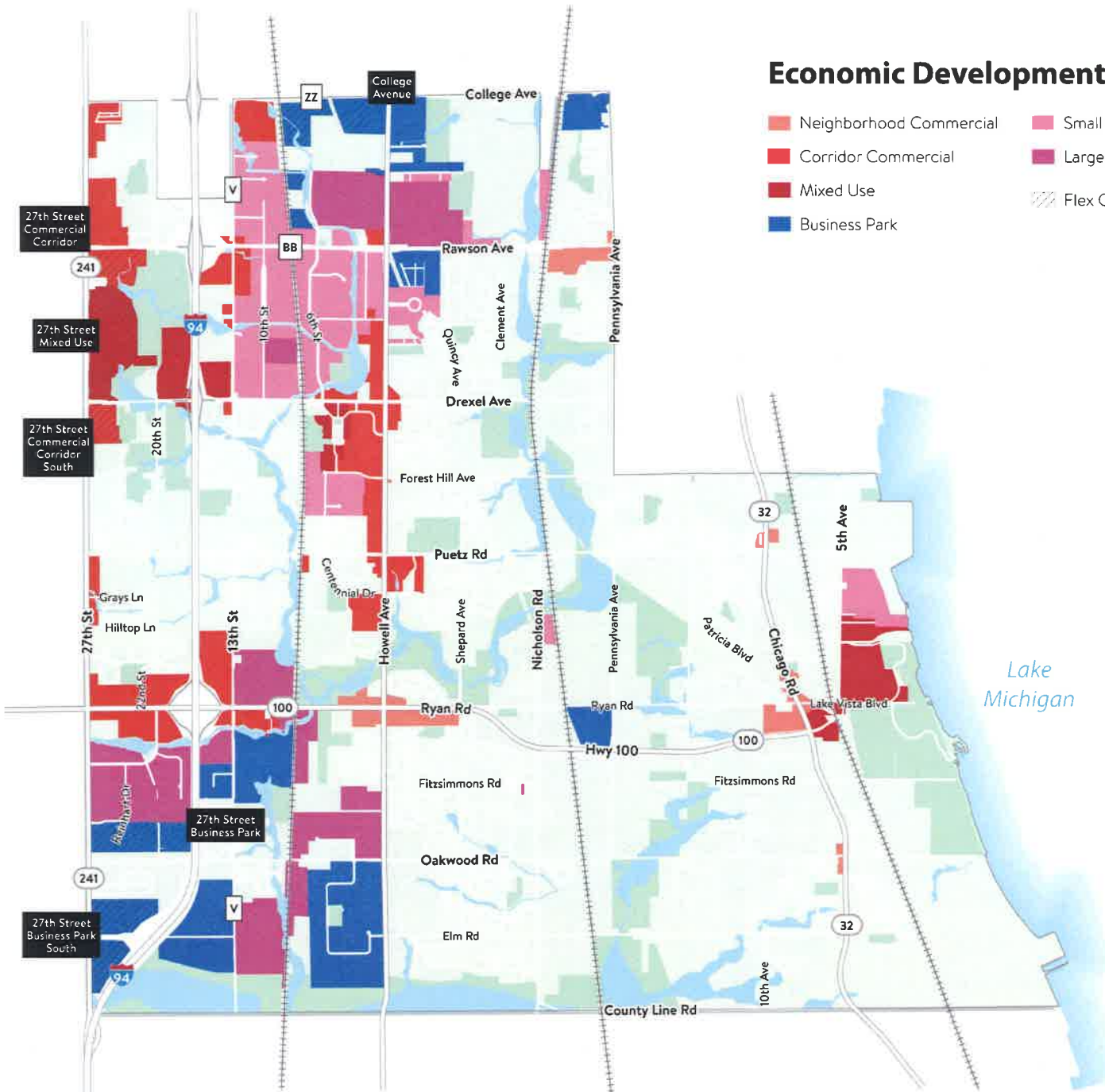
This area is currently single-family detached homes on large lots as well as agricultural land. If this area were to redevelop, the City should encourage the development of a business park to complement the adjacent Oak Creek South Branch Industrial Park. The southernmost portion of the area should act as a buffer from the single-family detached houses on the south side of Oakwood Road, and be developed as either single-family attached housing, or a business park with buffer yard treatments.

### *27th Street Business Park South*

This area is currently agricultural land, but will face redevelopment pressure due to the programmed Elm Road and I-94 interchange. The City should encourage this area to be redeveloped as a business park, but should also be open to other uses, such as light industrial or commercial. Regardless of how this area redevelops, it is essential that the City require adequate screening and buffering to minimize impacts to the established single-family detached subdivision to the north.

# Economic Development Framework

- Neighborhood Commercial
- Corridor Commercial
- Mixed Use
- Business Park
- Small Scale Industrial
- Large Scale Industrial
- Flex Overlay



**DRAFT**  
FOR REVIEW & DISCUSSION

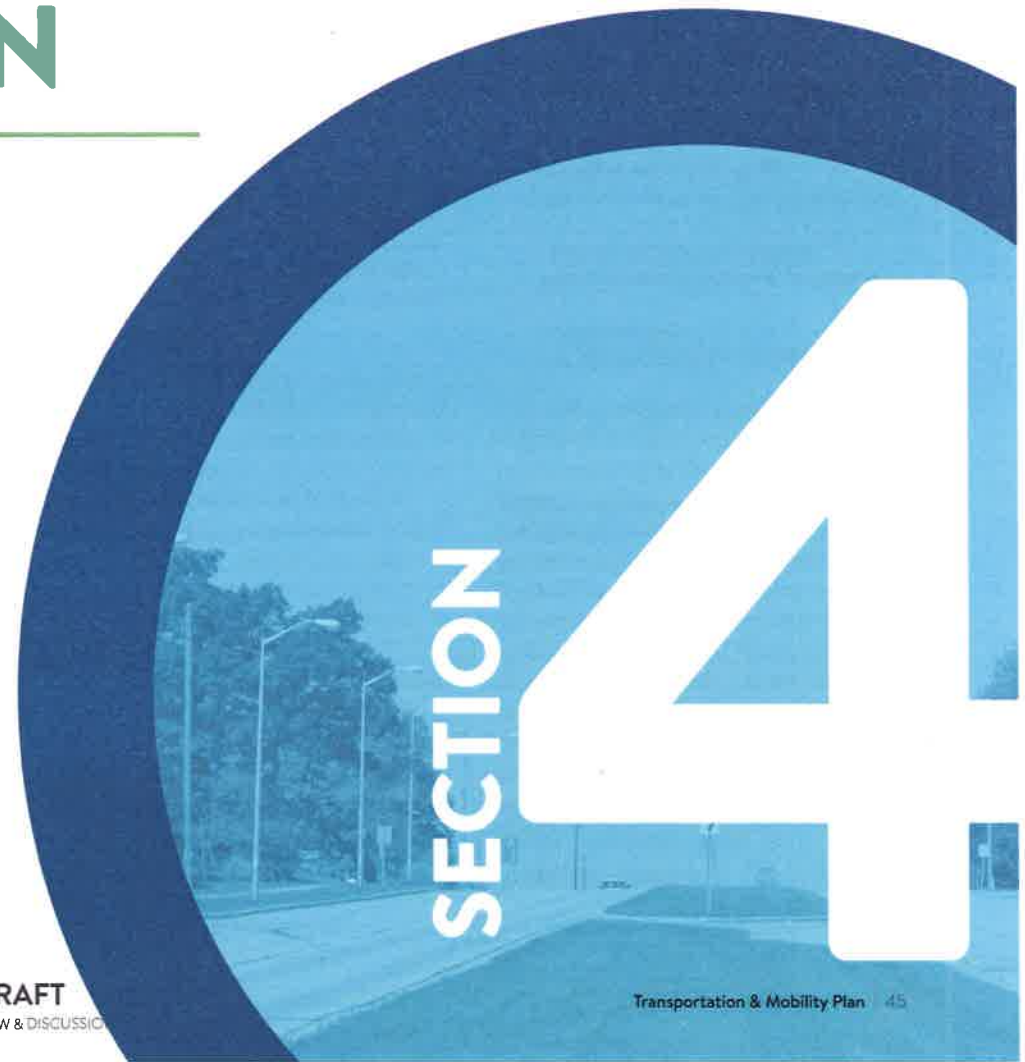
---

# TRANSPORTATION & MOBILITY PLAN

---

*An efficient transportation network is an essential factor in providing for a high quality of life and attracting new residents, businesses, and investors to the Oak Creek community. Transportation preferences are shifting, with a greater emphasis on walkability and biking. Advances in new technologies, such as ride sharing and autonomous vehicles, are broadening choices in mobility. In addition to changing how residents and visitors travel throughout the community, these changes also have implications for land use and the environment.*

*The Transportation and Mobility Plan will help to ensure that Oak Creek has the tools to resolve existing issues and be a forward looking community that is prepared to adapt to change. Through analyzing the existing state of Oak Creek's transportation facilities, travel options, and infrastructure, the Transportation and Mobility Plan establishes goals and identifies key areas for improvements to help the City plan and manage growth and development in the coming decades.*



## Transportation and Mobility Plan Vision Statement

In 2040, the City of Oak Creek has a safe, efficient, and complete transportation network for personal and commercial automobiles, cyclists, pedestrians, and other users with alternative mobility alike. The City has embraced smart city technologies and residents and commuters are able to easily travel through and within the community. Oak Creek has worked to effectively manage traffic volumes through supporting and encouraging alternative modes of transportation, such as public transit and cycling. The City has improved pedestrian connections to key areas of the community such as Drexel Town Square, schools, and parks, encouraging people of all ages and abilities to live more healthy lifestyles.

## Goal 1

*Enable safe and efficient mobility and access for personal and commercial automobiles.*

### Objective

1. **Coordinate with Regional Partners**
2. **Preserve the Street Hierarchy**
3. **Enhance East-West Connections**
4. **Review Conditions and Identify Priorities**
5. **Embrace New Technology**

## Roadway Network

Roadways within Oak Creek fall into four main categories: highways and freeways, principal arterials, minor arterials, and collectors. These categories are based on the intended services they provide as consistent with the Federal Highway Administration's Functional Classification Guidelines. In addition, this roadway hierarchy takes into account such factors as relative capacity, access restrictions, and destination points.

## Regional Land Use and Transportation Plan

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) plays an integral role in helping to ensure the long-term viability and operational efficiency of the larger traffic system shared by the surrounding region, including Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties. SEWRPC adopted the Vision 2050 plan in 2016, which provides guidance to municipalities and counties on long range transportation needs. The City should continue to support the recommendations of Vision 2050, including the three projects proposed for Oak Creek. These include:

- The extension of Wisconsin Highway 794 from its current terminus near Mitchell Airport in the north (where it is known as Lake Parkway) to E Puetz Road to the south along the railroad corridor; and
- Construction of a new Interstate 94 interchange at W Elm Road near 27th Street (to be completed in Spring 2020).
- Reserving right-of-way for future widening and increased capacity along key routes including Pennsylvania (between Rawson Avenue and Ryan Road), 13th Street (between Rawson Avenue and Puetz Road), and 27th Street (between Puetz Road and Elm Road), Chicago Road (south of Puetz Road) and Howell Avenue (south of Oakwood Road).

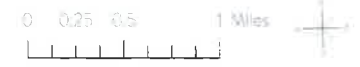
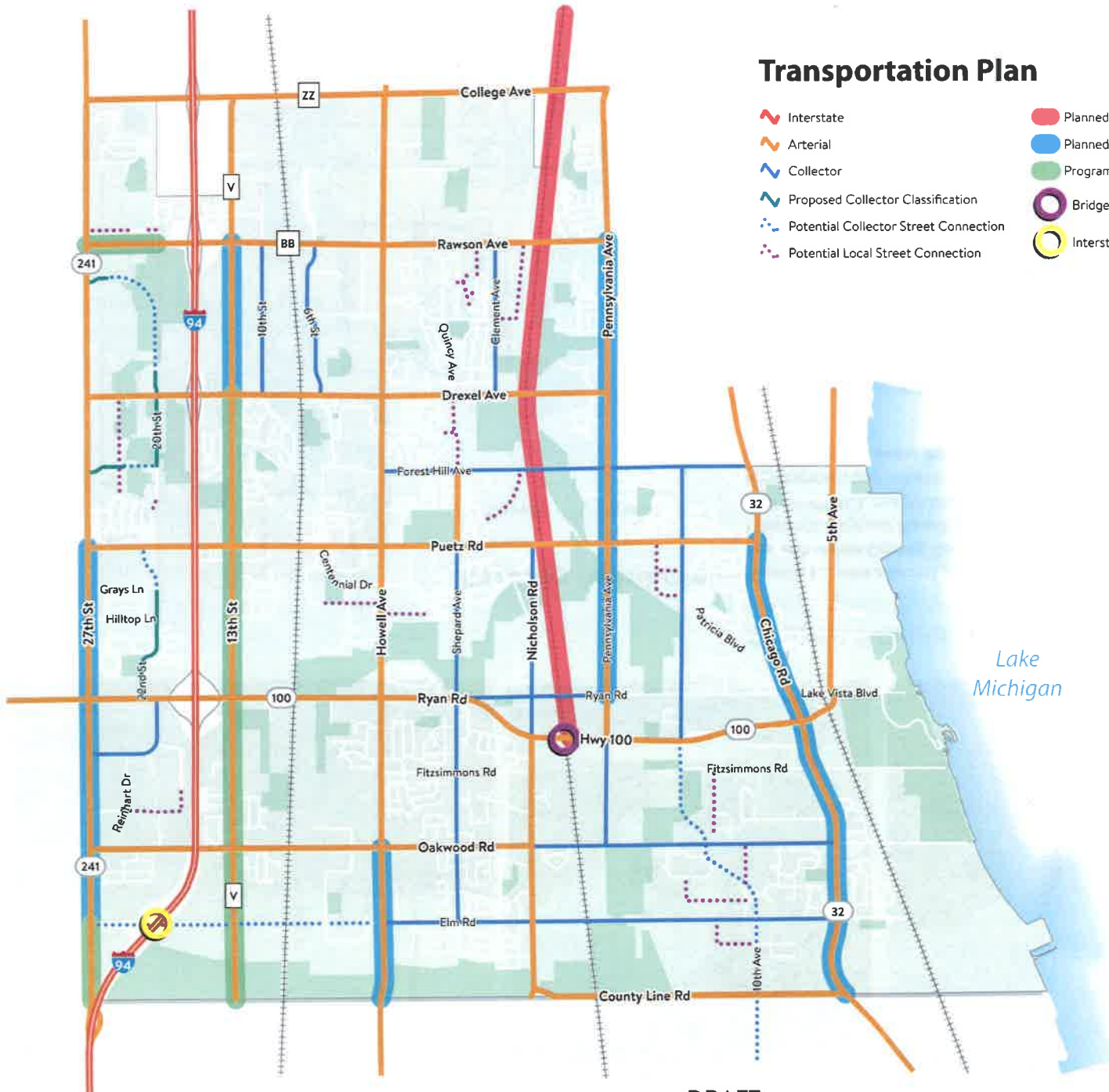
## Transportation Improvement Plan

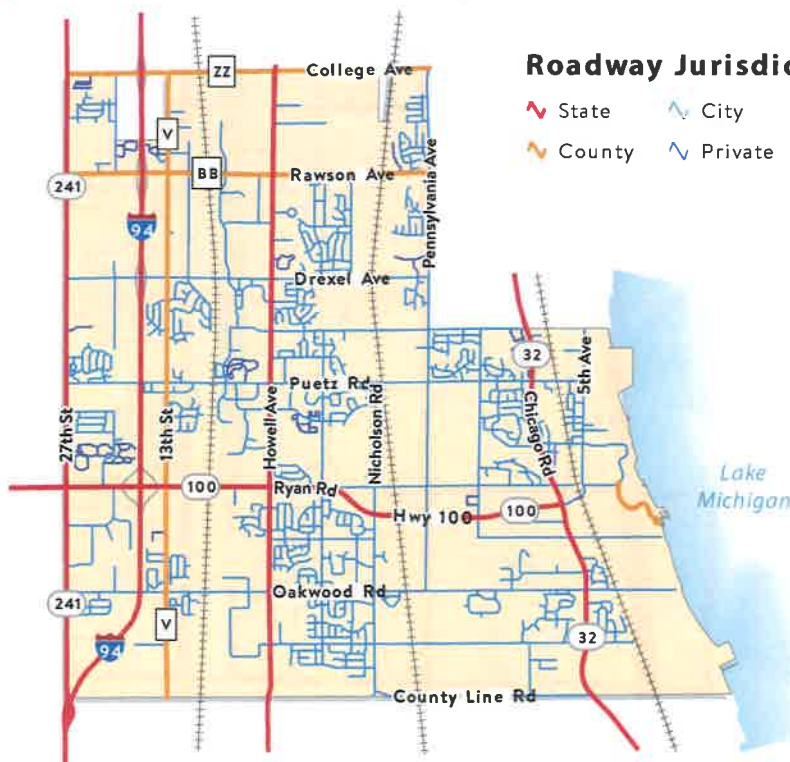
In addition to Vision 2050 and the fiscally constrained transportation plan, which plan for long-term transportation improvements, the Wisconsin Department of Transportation Transportation Improvement Plan (TIP) lists all arterial highway and public transit improvement projects proposed to be carried out by the State and local governments over the next four years (2019-2022). Several projects included in the TIP are planned to occur wholly or partially in Oak Creek, and the City should continue to support their implementation including:

- Rehabilitation of two bridges over Interstate 94;
- Replacement of the bridge deck on Ryan Road over the railroad;
- Reconstruction of 27th Street from 8 Mile Road to Elm Road;
- Reconstruction of West Rawson Avenue from 27th Street to 20th Street; and
- Reconstruction of 13th Street from South Milwaukee County line to Drexel Avenue.

# Transportation Plan

-  Interstate
-  Arterial
-  Collector
-  Proposed Collector Classification
-  Potential Collector Street Connection
-  Potential Local Street Connection
-  Planned Highway 794 Extension
-  Planned Road Widening
-  Programmed Street Reconstruction (2023)
-  Bridge Deck Replacement (SEWRPC Planned Project)
-  Interstate 94 Interchange





### Objective 1: Coordinate with Regional Partners

Coordinate with adjacent municipalities, Milwaukee County, Southeastern Wisconsin Regional Planning Commission (SEWRPC), and WisDOT to address improvement and enhancement projects on roadways not under the jurisdiction of the City.

Several of the key transportation corridors in Oak Creek are not under the jurisdiction of the City. The City should continue to work with adjacent municipalities, regional agencies, and WisDOT to ensure that key corridors are improved and enhanced in a manner that reflects the community's high standards.

To continue facilitating partnerships with these agencies, it is recommended that the City:

- Review the multiyear programming and planning of SEWRPC, Milwaukee County, and WisDOT to ensure that Oak Creek is up-to-date on planned projects and improvements. An annual review will also help to inform the City if any agency has made updates to their plans. Furthermore, City staff should review the Capital Improvement Plans of adjacent municipalities to get an understanding of the future improvements in those communities. After reviewing these documents, City staff should summarize them for the Common Council and present any partnerships that may be possible.
- Maintain that Oak Creek is a stakeholder on any future updates or new planning endeavors that are commissioned by SEWRPC, Milwaukee County, or WisDOT.



## Objective 2: Preserve the Street Hierarchy

**Preserve and enhance the existing street hierarchy to ensure that commercial and industrial areas are well served, and residential neighborhoods are protected from incompatible through traffic.**

Oak Creek's existing street hierarchy directs traffic away from residential areas, making neighborhoods safe for residents. As Oak Creek continues to grow its industrial and commercial base, increased truck traffic and congestion on main arterials may lead to increased traffic on local roads as motorists look to bypass congested areas. As new development occurs, it may be necessary to improve or widen roads to accommodate additional traffic and further protect residential areas.

For example, many of the small groups at the Visioning Workshop listed the expansion of key areas of Oakwood Road and Pennsylvania Avenue to four lanes as projects they would prioritize.

The City should continue working with its regional partners to study the feasibility of roadway widening projects. The City should also consider requiring that large-scale traffic-generating uses either build new roads or expand impacted roads to City specifications, then transfer them to the City once development is finished. An alternative is to exact impact fees to offset the cost of improvements.

## Objective 3: Enhance East-West Connections

**Explore the feasibility of enhancing east-west connections throughout the community to relieve traffic congestion and create better access.**

Oak Creek has limited capacity on east-west connections on local roads. This is the result of residential subdivisions with limited ingress and egress, roads that terminate in cul-de-sacs, and barriers such as the railroads and environmental constraints. Improving east-west connections will not only reduce congestion of arterial roads, but will also reduce vehicle miles traveled and improve air quality. To accomplish this, it is recommended that the City revises its subdivision ordinance to include a connectivity index minimum for new residential and nonresidential subdivision street networks.

A connectivity index is the ratio of the number of street segments to the number of intersections in the street network. A higher connectivity index reflects a greater number of street segments entering each intersection, and thus a higher level of connectivity for the network. Typical minimum standards for connectivity indexes fall into the range of 1.2 to 1.4.



### *Future Potential West Elm Road Extensions*

In addition to improving east-west connections in new subdivisions and increasing local connections between subdivisions, east-west connections should be considered for West Elm Road. West Elm Road is the location of a new planned interchange with I-94 that will better connect industrial and office land uses to the highway. The industrial and office uses in the Oak View Business Park, however, will not be better served by the interchange as the east and west portions of West Elm Road do not connect. A direct connection between East and West Elm Roads is not feasible or desirable as it would bisect West Oakview Parkway, and increase traffic in residential areas. Instead, West Elm Road should be extended to connect to West Oakview Parkway. The City should partner with SEWRPC to study the feasibility of creating this connection to better serve existing and future tenants of the business park. In addition to SEWRPC, the Union Pacific Railroad would need to be engaged to understand the viability of at-grade crossings.

### **Objective 4: Review Conditions and Identify Priorities**

**Continue to regularly review roadway conditions and identify priority projects to ensure the continued maintenance, efficiency, and safety of the roadway network.**

Despite the large number of roads not under Oak Creek's jurisdiction, several key roadways are. In 2017, more than 65 percent of local roadways fell under a pavement rating of Fair to Very Poor. The function of these roadways is critical to support the redevelopment and reinvestment in the community. This backlog of maintenance and rehabilitation of local roads is due to funding issues associated with the levy limits set by the state of Wisconsin. These limits only allow local levies to be increased by the amount of net new construction value added per year. To address funding issues, it is recommended the City continually monitor regional, state, and federal funding programs and grants. Further detail on these funding sources and grant programs is included in the Implementation Plan section of this document.

### **Objective 5: Embrace New Technology**

**Embrace new technology for autonomous vehicles by updating parking requirements and land use patterns to adapt to shifting transportation preferences.**

Autonomous Vehicles (AV's) embody a wide range of emerging technologies, including advance driver assistance systems, which improve safety by controlling certain driver functions; and fully autonomous vehicles which will eventually have the capacity to operate without human input. As these technologies continue to improve and become mainstream, opportunities will arise to fundamentally redesign the street system for narrower lanes with less right-of-way dedicated to travel lanes, turn lanes, and parking. This shift in roadway design will also mean that more space can be dedicated to bicycle and pedestrian facilities, active streetscapes, and green spaces.

Furthermore, it is estimated that AVs have the potential to reduce parking demand by 40 percent by the year 2050. This shift could possibly open a significant portion of land area currently dedicated to parking to more intense development.

It is recommended that as AVs become more mainstream the City develop a strategic plan to identify community priorities as to how reclaimed right-of-way and parking areas should be repurposed. A strategic plan set in place will help the City to act quickly on the goals that are set for the right-of-way space that is made available. In addition, to ensure that the City stays up-to-date on recommended parking minimums as AVs become more mainstream, Oak Creek should regularly check sources such as the Institute of Transportation Engineers (ITE) to ensure that requirements are relevant.

## Goal 2

Support alternative modes of transportation such as walking, biking, and public transit for all users regardless of age or ability.

### Objectives

1. **Enhance Commercial Connections**
2. **Share Bikes**
3. **Adjust and Expand Bus Accessibility**
4. **Support Rail Service**
5. **Implement Complete Streets**

### Active Transportation

Active transportation includes means of travel that focus on utilizing the body to reach a destination point. Common examples include walking, biking, skateboarding, or running. Such modes of active transportation have many benefits, including promoting a healthy lifestyle and lowering emissions through reductions in vehicle miles traveled.

### Park and Open Space Plan

The City's Park and Open Space Plan includes the following objectives for the improvement of the bikeway system:

- Allocate Capital Improvement funds for the construction of delineated bikeway facilities next to car lanes for any street scheduled to be constructed or reconstructed and is designated as a bikeway route in the previously used Parks and Open Space Plan;
- Designate on-road, undelineated bikeways along lesser traveled roads through the City.
- By 2018, install appropriate signage along all undelineated bikeways as designated in the adopted bikeway plan.
- Maximize connections between the City's and County parks, employment centers and other destinations in the City (schools, library/civic center, etc.).

- Require developers to include bikeways in new developments. Those developments not affected by a bikeway route should contribute a fee per new residential unit to an interest-bearing account used solely for the installation of designated bikeways.
- Encourage existing and new businesses to provide bicycle racks, especially those located along the trail system and bikeways.
- Explore the demand for cross country ski trails and consider amending the bikeway plans to accommodate these types of recreational uses.
- Collaborate with Milwaukee County in developing a bike trail segment from Puetz Road to Bender Park (to be completed in summer 2020).

### Oak Leaf Trail

The Oak Leaf Trail is a multi-use path with over 125 miles of trail for cycling, roller blading, walking, and running in Milwaukee County. The Oak Leaf Trail travels 12.5 miles in Oak Creek. It begins at the Root River Parkway, travels north along segments of the former North Shore Railroad right-of-way, then travels east along the Oak Creek Parkway, before it connects to the South Shore Line at Grant Park in South Milwaukee.

### Vision 2050 Bikeway Recommendations

In addition to bikeways proposed by the City, Vision 2050 also includes recommendations on the extension of off-street bicycle paths, arterial street or highway bicycle accommodations, and corridors for enhanced bicycle facilities within Oak Creek. Vision 2050 recommendations for projects within Oak Creek include:

- Installing an off-street bicycle path along a potential future greenway that stretches northeast from the Root River Parkway near I-94 to Oak Leaf Trail at Howell Avenue.
- Enhancing bicycle facilities along the 13th Street corridor from north City limit to Ryan Road/Route 100, along Ryan Road/Route 100 corridor between 13th Street and 15th Avenue, along Drexel Avenue between 13th Street and the westernmost segment of the Union Pacific railroad, along the entire 5th Avenue corridor, and along a small portion of County Line Road between Douglas Avenue and the easternmost segment of the Union Pacific Railroad.
- Installing an off-street bicycle path that travels north along the Union Pacific Railroad near the Oak Creek Power Plant and connects to C & NW Trans Co. right-of-way that then travels northwest from Ryan Road to connect to the Oak Leaf Trail at Drexel Avenue.



## Objective 1: Enhance Commercial Connections

### Enhance pedestrian and cyclist connections to commercial areas.

The ability to walk or bike to a boutique, restaurant, or doctor's office is increasingly in demand by people of all ages. To meet this demand, the City of Oak Creek should work to make its commercial areas more connected between internal pedestrian walkways and sidewalks. Although these improvements should be made in all commercial areas, special attention should be given to areas in close proximity to pedestrian activity generators like bus stops, residential neighborhoods, and schools. A good example of pedestrian connections between public sidewalks and businesses can be found on South Howell Avenue between East Drexel Avenue and East Forest Hill Avenue.

Businesses along the east side of the roadway have pedestrian walkways that link to the public sidewalk and connect to marked intersections in parking lots. This connected system helps pedestrians avoid walking through on-site vehicle circulation areas making walking and driving safer for all users. In addition to improving access between buildings and public sidewalks, the City should promote pedestrian access between adjacent developments. This will help to encourage patrons to walk between shops instead of drive which helps to lower emissions and parking demand. To ensure that pedestrian connections between buildings and sidewalks as well as between adjacent developments are included in redevelopment and development of commercial areas, the City should consider implementing the following strategies:

- Revise Section 14.104 of the City's subdivision ordinance to expand the requirements for sidewalks to include internal pedestrian walkways.
- Revise Section 17.0403 of the City's zoning ordinance to require internal pedestrian walkways to be built and connected to public sidewalks when any parking lot is built.
- Adopt retrofit standards as detailed further in *Section 3: Land Use Plan*, and include the construction of internal pedestrian walkways and their connection to public sidewalks as an option developers may choose from.

Drexel Town Square is a fully walkable area, with wide sidewalks on both sides of the road, ample open space, low speed limits, and high density. Although Drexel Town Square itself is walkable, the roads leading to the area are not, making it difficult for people who do not live in Drexel Town Square to access the area without a car.

## Objective 2: Share Bikes

### Consider the development of a bike share system to offer an active transportation option to key locations such as parks, schools, employment centers, and commercial corridors.

Participants of the visioning workshop discussed their desire to see a bike share system in Oak Creek, similar to the Bubl Bikes in Milwaukee. Bubl Bikes is a successful bike share model in the Milwaukee region, serving four communities with more than 100 stations and 750 bikes. Currently, a Bubl Bikes station is located in Zillman Park in Milwaukee. Zillman Park is along the Kinnickinnic Line of the Oak Leaf Trail which runs south into Oak Creek.



Additional stations could potentially be located along the South Shore Line and Oak Creek Line of the Oak Leaf Trail to extend ride options and increase access along this trail system. Potential locations for bike share stations have been identified in the Active Transportation Plan and were chosen based on their location within existing parks or along existing and proposed trails and bicycle routes. Oak Creek should undertake a study with South Milwaukee and Bublr Bikes to better understand how this system could be expanded into these areas and to document community support for such an initiative.

## Public Transit

The Milwaukee County Transportation System has four bus routes in Oak Creek: Routes 19, 80, and 219, and the Purple Line. Expanding public transit is a community priority to better connect residents to commercial areas and community assets, and better connect the area workforce to Oak Creek employers. As a part of Vision 2050, SEWRPC has proposed a bus or rail rapid transit line that would include a stop in the northwestern portion of Oak Creek.

## Objective 3: Adjust and Expand Bus Accessibility

**Coordinate with transit providers to adjust and potentially expand bus routes and bus frequency to better connect area residents to Oak Creek employment and commercial areas.**

Business owners and operators, as a part of key person interviews, discussed the difficulty they face in attracting and retaining their workforce due to the lack of public transportation between Milwaukee and Oak Creek, and within the City. These stakeholders spoke about the need to expand bus routes and bus frequencies to ensure that employees are able to conveniently ride public transportation regardless of the shift they work. The City should coordinate with transit providers to adjust and potentially expand bus routes and bus frequency to better connect area residents to Oak Creek employment and commercial areas.

The City should work with Milwaukee County Transit to study the feasibility of expanding Route 80. Currently, this route travels in Oak Creek primarily along South Howell Avenue with stops at the MATC South Campus, Drexel Town Square, and Centennial Park. This route could potentially be extended south of Centennial Park on South Howell Avenue to West Oakwood Road where riders could then walk to the Oak View Business Park. Similarly, Route 19, which currently runs south on South 13th Street to West Zellman Court, could potentially be extended further south to West Ryan Road to better connect riders to the employment uses in this portion of the City, such as the ALDI Distribution Center and the Northbranch Industrial Park.

## Objective 4: Support Rail Service

### Support the extension of regional rail service and the location of a station in Oak Creek.

Oak Creek is connected to Chicago, Milwaukee, and the greater United States through the Union Pacific and Canadian Pacific Railroads. In addition to freight rail, Oak Creek is connected to rail through nearby stations in Sturtevant, Kenosha, and at the Milwaukee Mitchell International Airport, which provide residents access to Amtrak and Metra trains.

In 2016, the Vision 2050 plan included a recommendation on the expansion of the Kenosha-Racine-Milwaukee commuter train with a station in Oak Creek. Since the Plan was adopted, the political will and funding for the station has diminished. Although the development of a new train station in Oak Creek is unlikely in the near term, the City should advocate for the extension of service to the area. Additionally, Oak Creek should support plans to increase the number of Milwaukee-Chicago round trips on the Amtrak Hiawatha line from seven to 10 in the next five years.

## Future Potential Commuter Rail

In July 2019, \$10 million in bonding and \$25 million in segregated funding were included in the 2019-2021 state budget to expand rail service between Milwaukee and Chicago on the Amtrak Hiawatha line.

During community outreach, several participants discussed a desire to have a train station in Oak Creek to better connect residents to the region. As a part of Vision 2050, SEWRPC has proposed a potential extension of the KRM Service commuter rail network, which connects Chicago to Milwaukee with a stop in Oak Creek near the intersection of State Trunk Highways 100 and 32, also known as Chicago Road. This station was incorporated into the Lakefront Redevelopment Action Plan as an anchor to a mixed use center at 5th Avenue.

## Objective 5: Implement Complete Streets

### Implement Complete Streets policies as part of roadway and infrastructure improvements to enhance and complement the existing trails system in the City.












Oak Creek currently has a robust off-street biking and walking trails network, but is lacking in key on-street connections. To address this, the City should consider adopting a Complete Streets ordinance to expand its network of multimodal transportation routes throughout the community. The ordinance would work to encourage healthy lifestyle choices, and to alleviate traffic congestion and demands on parking facilities. Complete Streets policies require streets to be planned, designed, operated, and maintained to enable safe, convenient, and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation.

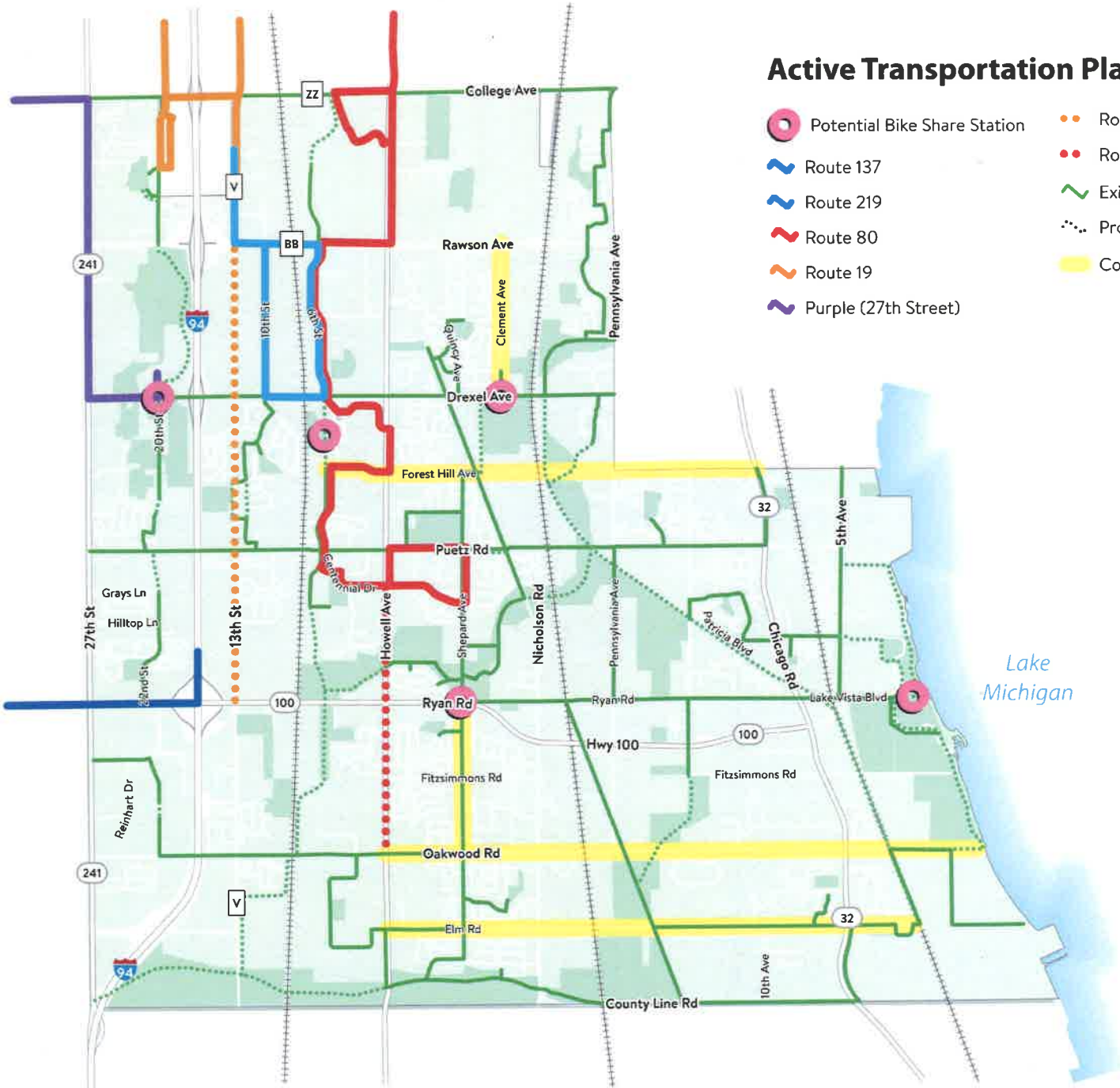
Complete Streets policies should be targeted filling gaps in the existing and proposed bicycle and trail network in areas surrounding schools and on collector roads such as East Forest Hill Avenue, South Clement Avenue, East Oakwood Road, and East Elm Road as is identified in the Alternative Transportation and Mobility Plan. Where possible, bicycle facilities should be Class 1 or Class 2 to improve safety and encourage use. Implementation of complete streets in these priority areas should be closely aligned with the City's Capital Improvement Plan to ensure that pedestrian and bicycle facilities are considered for all planned road improvements.



*I would really like to see sidewalks and bike paths extended. Many, many people utilize our roads for running, dog walking, walking and biking, and many areas are very unsafe at this moment for these pedestrians.*

# Active Transportation Plan

-  Potential Bike Share Station
-  Route 19 Extension
-  Route 137
-  Route 219
-  Route 80
-  Route 19
-  Purple (27th Street)
-  Route 80 Extension
-  Existing Bikeway
-  Proposed Bikeway
-  Complete Streets Consideration



**DRAFT**  
FOR REVIEW & DISCUSSION

---

# PARKS, OPEN SPACE, AND ENVIRONMENTAL FEATURES PLAN

---

*Parks, open spaces, and environmental features are key components of quality of life within a community, providing spaces for residents to spend leisure time, gather with friends and neighbors, get active, and enjoy the outdoors. These include both passive and active recreational spaces, as well as environmental features, which can contribute to natural beauty and sense of place. In Oak Creek, parks, open spaces, and environmental features increasingly contribute to the character of the City and the community's identity. The Parks, Open Spaces, and Environmental Features Plan identifies how these elements should be preserved and protected, better connected to one another, and better integrated within the community.*





## Parks, Open Spaces, and Environmental Features Plan Vision Statement

In 2040, the City of Oak Creek has grown and developed around its expansive system of parks, open spaces, and environmental features. These amenities contribute greatly to high quality of life enjoyed by residents and significantly impact the image, character, and desirability of Oak Creek. Using an integrated network of sidewalks and trails, residents, employees, and visitors throughout Oak Creek can easily access and enjoy our parks and greenways. This includes extensive natural areas anchored by the Root River and Oak Creek riverine corridors. The City has coordinated with Milwaukee County and the State to improve and protect the quality of the watersheds in the community and have reduced the impacts of flooding and stormwater.

## Goal

*Continue to maintain and enhance the City's parks system while preserving environmental features and open space throughout the community.*

## Objectives

1. **Enhance Parkland**
2. **Create Accessible and Inclusive Playgrounds**
3. **Assess Needs of Recreation Department**
4. **Utilize Open Space**
5. **Protect Environmental Resources**
6. **Improve Water Quality**

## Parks

The City of Oak Creek manages 26 parks comprising more than 377 acres of parkland. This represents a total of 10.4 acres per 1,000 residents based on Oak Creek's 2017 population of 36,354. By NRPA National Recreation Standards, which offer guidance on park use based on size, number, and spatial distribution, Oak Creek is generally well served by its existing park system. However, some isolated areas remain in need of additional parkland.



*I'd like to see Oak Creek continue to become an awesome place for families to live with more parks with activities for families, of all ages.*

## Objective 1: Enhance Parkland

**Continue to identify opportunities for parkland enhancement to better serve the community.**

Despite the significant amount of parkland in the City, several existing neighborhoods and areas identified for new residential development are not well served by either neighborhood or community parks according to NRPA standards.

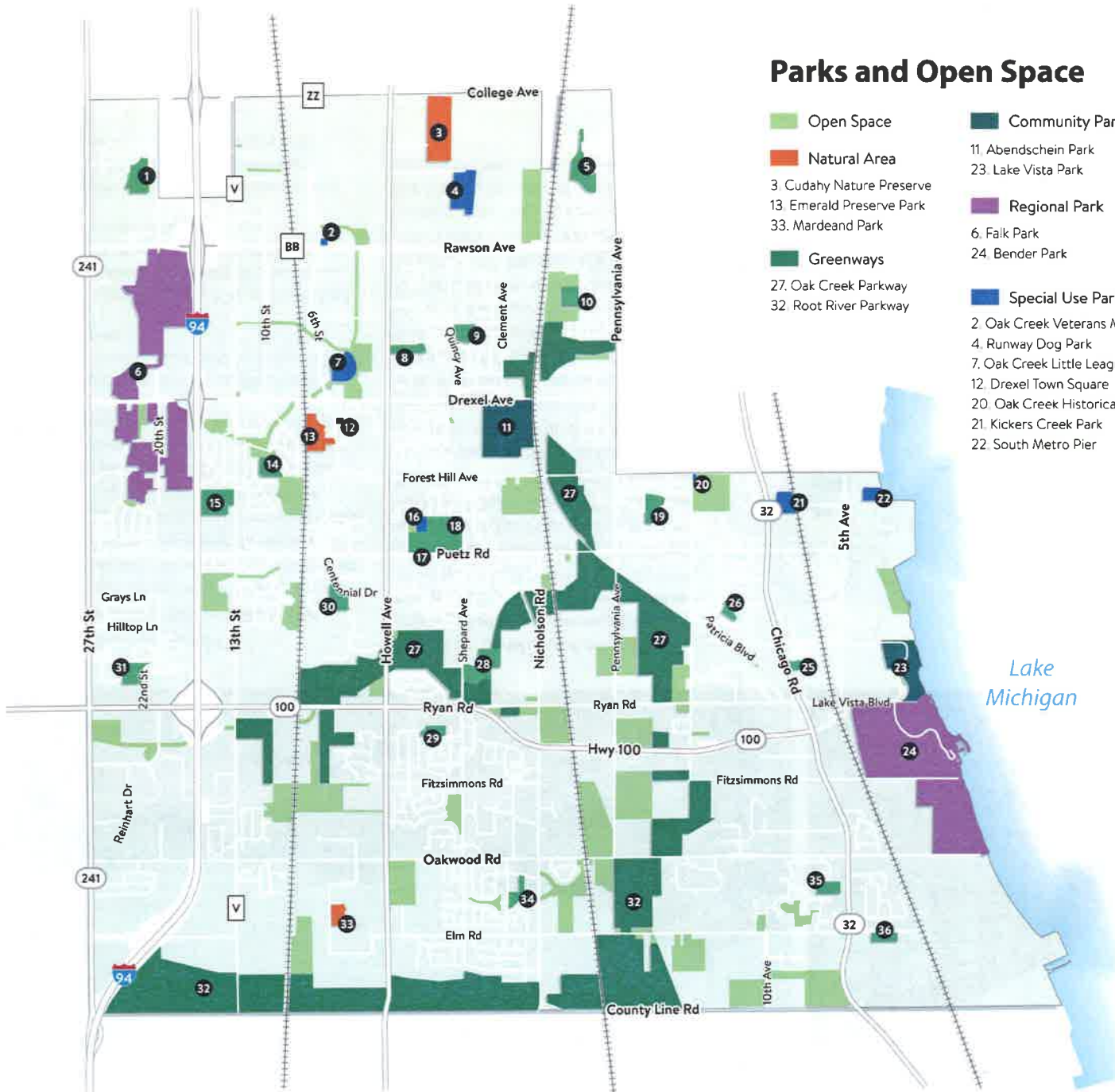
### Neighborhood Parks

The City is well-supplied by neighborhood parks and school-park sites, which are smaller in size (10 to 20 acres) and intended to serve residents within a neighborhood area. The service area standard for neighborhood parks is typically 0.5 miles, representing an average walk time of 10 minutes.

### Community Parks

Oak Creek has a small deficit in community park space which serves the overall needs of Oak Creek residents by providing recreation opportunities beyond those supplied by neighborhood parks. Community parks also accommodate large group activities and organized sports play. They are typically between 30 and 100 acres in size and serve an area in a two-mile radius.

# Parks and Open Space



- Open Space
- Natural Area
  - 3 Cudahy Nature Preserve
  - 13 Emerald Preserve Park
  - 33. Mardeand Park
- Greenways
  - 27. Oak Creek Parkway
  - 32 Root River Parkway
- Community Park
  - 11 Abendschein Park
  - 23 Lake Vista Park
- Regional Park
  - 6. Falk Park
  - 24. Bender Park
- Special Use Park
  - 2 Oak Creek Veterans Memorial
  - 4 Runway Dog Park
  - 7 Oak Creek Little League Complex
  - 12 Drexel Town Square
  - 20 Oak Creek Historical Society
  - 21 Kickers Creek Park
  - 22 South Metro Pier
- Neighborhood Park
  - 1 Cedar Hills School/Johnstone Park
  - 5 Chapel Hill Park
  - 8 Greeniawn Park
  - 9 Manor Marquette Park
  - 10 Camelot Park
  - 14 Willow Heights Park
  - 15 West Middle School
  - 16 Henry Miller Park
  - 17 Oak Creek Senior High School
  - 18 Edgewood School
  - 19 Riverton Meadows Park
  - 25 Otjen Park
  - 26 Carrollton Park
  - 28 East Middle School
  - 29 Shepard Hills School
  - 30 Oak Leaf Park
  - 31 South Hills Park
  - 34 Meadowview School
  - 35 Deerfield Park
  - 36 Haas Park





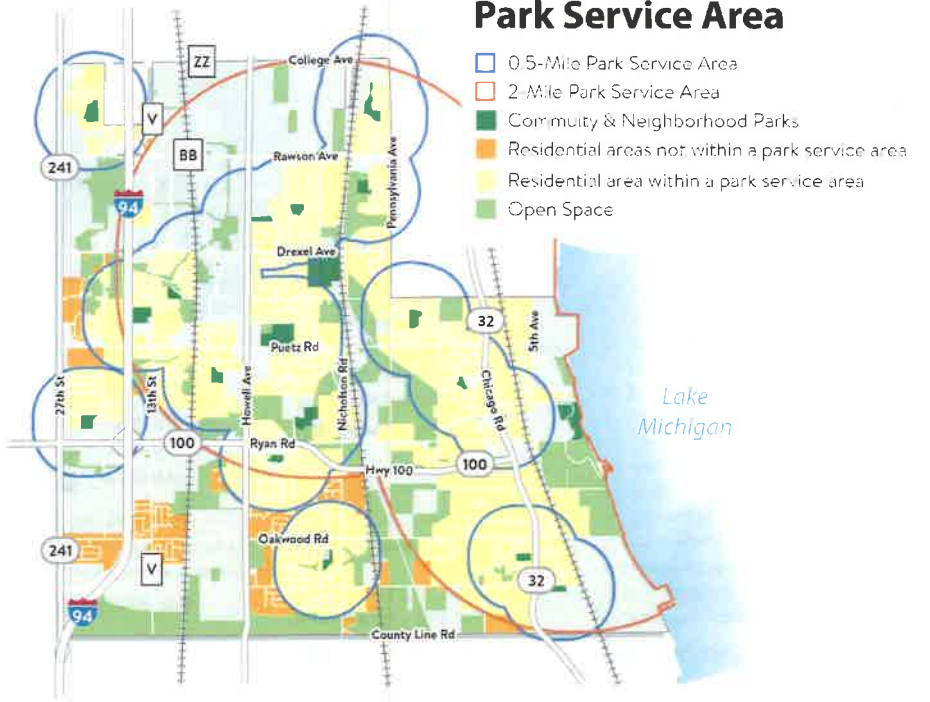
### Underserved Areas

As shown on the following Parks and Open Space map there are several areas in the City that are currently underserved or are likely to become underserved by both neighborhood and community parks, based on projected population growth and the planned location of new neighborhoods (in accordance with the Land Use Plan). These areas are concentrated:

- Northeast of I-94, south of West Oakwood Road, and west South 27th Street;
- South of Highway 100, north of East Oakwood Road, east of the railroad right of way, and west of South Chicago Road; and
- North of West Drexel Avenue, east of I-94, south of West Rawson Avenue, and east of South 27th Street.

To address underserved areas, the City should prioritize the development of new parks in portions of the City where development potential is severely limited due to the presence of floodplains and wetlands. These areas are classified as Parks and Open Space in the Land Use Plan. The three areas mentioned are adjacent to areas classified as Parks and Open Space. To ensure that new neighborhoods have adequate access to parks, the City should periodically review its impact fees to ensure that they are compliant with State statutes and meet the needs and vision of the community. Additionally, the City should work with Milwaukee County to better activate open spaces under their jurisdiction such as Falk Park. Further detail on how the City can partner with the County for open space activation is detailed further in this section.

### Park Service Area





## Objective 2: Create Accessible and Inclusive Playgrounds

Of the City's 26 parks, 14 feature playgrounds. Currently, the play components included in the playgrounds are not fully accessible for and inclusive of all users including individuals with physical or cognitive disabilities. It is recommended that accessibility and inclusivity be prime considerations as the City updates and replaces existing playgrounds and builds new ones. Play components should feature accessible routes, accessible ground surfaces, ramps to elevated play components, transfer systems, play tables, and more.

## Objective 3: Assess Needs of Recreation Department

**Assess the community's recreation programming needs and explore collaboration with the OCFJSD to satisfy recreation programming for all ages.**

The City's Recreation Department administration office is located in the Civic Center, but also leases space for programmed recreational activities in the former St. John's Lutheran School building located on the southern edge of the City. The facility is over 30 years old and in need of renovations. In addition, its location is far from most existing and planned residential areas and may be limiting access to programming.

The City also utilizes School District and public library rooms for recreational programming; however, this creates conflicts with scheduling, concerns about noise, and limits on the time of day during which programming can occur.



In addition to the recreation programs and space the City provides, the School District also has a robust community recreation program platform focused on school-aged children. Over the past several years, the School District and City, in some instances, have offered very similar programs. This has led to confusion in the community over which entity is sponsoring the program, and which entity is charged with administering a certain program. This identity issue is intensified by the fact that many of the City-sponsored programs take place in School District gymnasiums and multi-purpose rooms.

Issues concerning access and the availability of quality space for programming will likely be exacerbated as Oak Creek continues to grow and demand for recreation services increases. Similarly, to promote an efficient public recreation program that meets the needs of all ages within the community, the recreation programming provided by the City and

School District should be complementary and not duplicative or competitive. It is recommended that the City take a two-fold approach:

- Utilize an outside consultant to determine options that exist for a joint community recreation entity made up of representation from both the City and School District. The study should identify a formal structure that ensures the entire community age spectrum has access to recreation programming, and should also identify options for how the two entities could jointly finance the program.
- Perform a facility needs assessment to ensure that the community's recreation programming has the facilities to accommodate existing needs and potential increased demand for these services. This should occur only after a direction regarding collaborative community recreation programming is determined among the City and School District.



“The effort put into projects like Lake Vista Park position Oak Creek for rapid and ongoing growth.”

## Open Space

Open space includes unprogrammed natural areas which contribute to the natural beauty of Oak Creek but are not intended for recreation. Open spaces often result from topographic or hydrologic features which make development challenging, the preservation of scenic or important natural areas desirable, and can impact the design and layout of residential subdivisions.

## Objective 4: Utilize Open Space

**Work with Milwaukee County to explore opportunities to better utilize open spaces.**

Milwaukee County owns significant areas of open space within the City such as the Cudahy Woods and Root River Parkway. Both of these spaces are passive parks and do not offer visitors amenities or recreational programming.

The City should work with Milwaukee County to explore opportunities to better activate these spaces while ensuring their quality is not diminished so that the regional open space network can better meet local open space needs.

Compatible recreation opportunities that the City should closely study the feasibility of with Milwaukee County include:

- Develop picnic areas with recreational rental options;
- Add and clearly identify trailheads;
- Consider adding bike rentals;
- Consider adding boat launches and rental and tour opportunities;
- Offer cross country skiing and snowshoe rental;
- Develop nature education and play areas; and
- Increase interpretive signage.



## Environmental Features

The character of Oak Creek is greatly influenced by its namesake, the Oak Creek waterway, as well as the City's location along Lake Michigan. These environmental features contribute significantly to the landscape of Oak Creek, shaping community identity as well as areas capable of supporting growth and development. A considerable portion of the Oak Creek community is located in a floodplain, representing more than 11 percent (1,180 out of 10,440 parcels) of all parcels in the City.

Oak Creek regulates development in the floodway and flood hazard areas through the floodway zoning district to minimize flood impacts and to ensure that there is no increase in upstream flood elevations. The Oak Creek, the Root River, and Lake Michigan form the underlying landscape for floodways in the City of Oak Creek.

## Wetlands

Wetlands are lands covered by shallow water and include marshes, swamps, bogs, and fens. Wetland ecosystems have many benefits including providing a variety of food sources to support the food chain, naturally improving water quality, promoting diversity of life, and protecting against flood damage. The City of Oak Creek has 1,064 delineated wetlands. These wetlands comprise more than 2,300 acres with an average size of 2.19 acres.

Oak Creek's wetlands include emergent, wet meadow, forested, aquatic bed, open water, and scrub/shrub wetlands among others. Of the 1,064 wetlands in the community, 57 have been filled or drained. The City should work to integrate preserve existing wetlands and integrate them into proposed developments of all types as common parks and greenspace. Additional detail on how the City can encourage and incentivize this type of conservation development are included in *Section 3: Land Use Plan*.

## Objective 5: Protect Environmental Resources

**Continue to protect environmental resources in Oak Creek.**

Oak Creek is crisscrossed by many environmental features including floodplains, floodways, and wetlands. The preservation and enhancement of these resources is essential to improving water quality and stormwater runoff absorption as the City continues to grow. The Land Use Plan map identifies the majority of these areas as parks and open space. However, many parcels are only partially located within these areas and are therefore not identified as parks and open space. Currently, development in these areas is controlled by the Floodway, Flood Fringe, and General Floodplain zoning overlay districts. It is recommended that the City review and update the development standards for these districts to ensure that they are in keeping with modern best practices.

## Objective 7: Improve Water Quality

**Continue to work with the Wisconsin Department of Natural Resources to improve the water quality of the Oak Creek and Root River.**

The Wisconsin Department of Natural Resources (WisDNR) considers both the Oak Creek and the Root River impaired due to the presence of varying pollutants including phosphorous and chloride. The WisDNR is currently working on developing a restoration plan for the Oak Creek and completed the plan for the Root River in 2014. Many of the recommendations included in the Root River Restoration Plan pertain to reducing pollution from stormwater runoff. Oak Creek has taken proactive measures to integrate green infrastructure (an approach to water management that protects, restores, or mimics the natural water cycle) into community facilities such as the porous pavers utilized in the City Hall parking lot.

The City should continue to utilize green infrastructure throughout the community including:

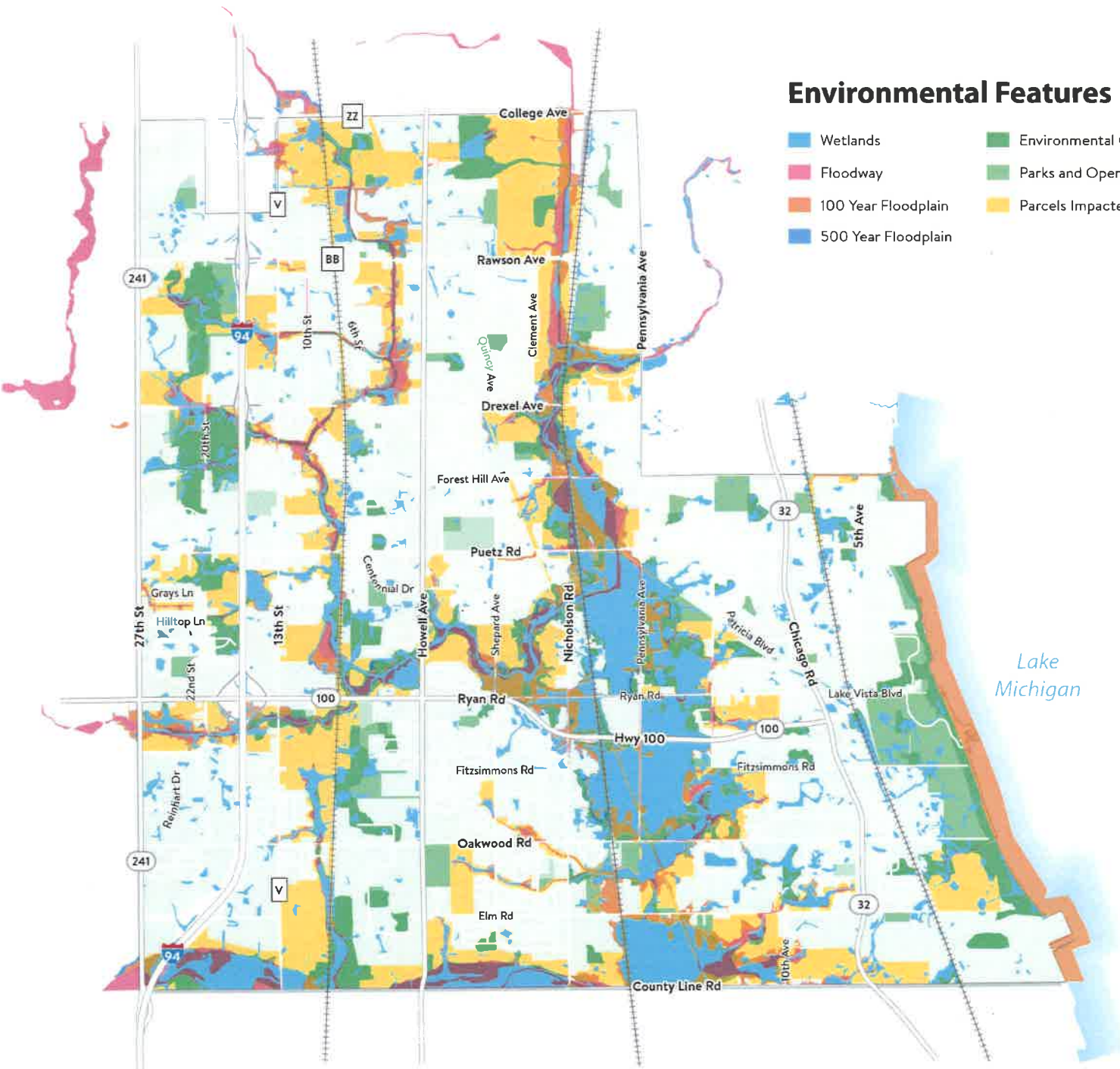
- Native landscaping,
- Grassed swales,
- Infiltration basins,
- Bioretention facilities,
- Rain gardens,
- Green roofs,
- Soil amendments,
- Fertilizer application control, and
- Non-chloride (road salt) snow and ice controls.

The responsibility of improving water quality should not only fall on the City of Oak Creek but on private developers as well. To encourage private development to utilize green infrastructure strategies such as those listed above, the City should consider establishing incentives. Further detail on the types of incentives that should be examined are detailed in the economic development portion of *Section 3: Land Use Plan*.



# Environmental Features

- Wetlands
- Floodway
- 100 Year Floodplain
- 500 Year Floodplain
- Environmental Corridor
- Parks and Open Space
- Parcels Impacted by Floodway





**DRAFT**  
FOR REVIEW & DISCUSSION

---

# COMMUNITY FACILITIES AND UTILITIES PLAN

---

*Community facilities and infrastructure for utilities and public services contribute significantly to a high quality of life enjoyed by residents of Oak Creek. The City is a key service provider, but several partner organizations also play a role in servicing Oak Creek's neighborhoods, commercial districts, and employment areas. As Oak Creek continues to grow and develop, the City must continue to modernize and reinvest in local government facilities and services to match the evolving needs of the community to ensure a high quality of life for local residents well into the future.*

*The Community Facilities and Utilities Plan emphasizes coordination between the City and partner service providers. It is not meant to supersede the goals and policies of other agencies, or substitute for the need to conduct more detailed, technical analysis as part of the implementation processes. The following recommendations emphasize the need to leverage shared assets to more efficiently and effectively meet the facility and utility demands of the Oak Creek community for the coming decades.*





## Community Facilities and Utilities Plan Vision Statement

In 2040, Oak Creek’s high-quality schools, municipal services, public safety, libraries, and other service providers continue to significantly contribute to the quality of life enjoyed by residents. Oak Creek has fostered a collaborative environment that supports cooperation with local taxing bodies, regional partners, adjacent municipalities, and other organizations responsible for providing necessary and often critical services to residents of the community. Through open communication with these service providers, the City has enhanced coordination and potential partnerships to tackle issues such as water quality as well as regional and local flood events. The City has distinguished Oak Creek from other communities in the region through the high quality and innovative facilities and services it offers.

## Goal 1

*Continue to distinguish Oak Creek from other communities in the region through the high quality and innovative nature of the community facilities and services available to residents, businesses, and visitors.*

## Objectives

1. *Achieve Green Goals*
2. *Celebrate Cultural Diversity*
3. *Work with the School District*
4. *Coordinate New Development with School Capacity*
5. *Support MATC*

## City Governance

The Oak Creek governing structure consists of six Alderpersons, an elected Mayor, City Administrator, and Assistant City Administrator. Quasi-judicial governance is provided by the Plan Commission and the Board of Housing and Zoning Appeals. Staff are primarily located in City Hall. The City of Oak Creek moved to the recently constructed Civic Center, located in Drexel Town Square, in 2015. The state-of-the-art facility has seamlessly integrated technology and sustainability best practices. City facilities are generally in a state of good repair with limited need for near term investment. To ensure that all City facilities serve the municipality for years to come Oak Creek should continue to review and assess their adequacy. Additionally, Oak Creek should continually assess the staffing needs of all City departments as the community grows and demand for services increase.

## Objective 1: Achieve Green Goals

**Implement strategies identified throughout the Plan to make the community more sustainable.**

Sustainability, resiliency, and hazard mitigation are key themes that run throughout the Comprehensive Plan and should continue to be a priority of the City over the next 20 years. Objectives that touch on these topics include:

- Housing and Neighborhoods Framework, Objective 5: Encourage Conservation-Oriented Development
- Housing and Neighborhoods Framework, Objective 6: Encourage Increased Density
- Economic Development Framework, Goal 1, Objective 5: Improve Appearance and Stormwater Function



- Economic Development Framework, Goal 2, Objective 1: Ensure Quality Site Design
- Parks, Open Space, and Environmental Features, Objective 5: Protect Natural Resources
- Parks Open Space, and Environmental Features, Objective 6: Improve Water Quality

To ensure that these objectives are accomplished the City should consider placing an existing staff position (or creating a new position) in charge of sustainability and resiliency implementation. It is also recommended that the City form a Sustainability and Resiliency Advisory Board to work with the appointed staff person in the development of a Sustainability and, Resiliency, and Hazard Mitigation Master Plan with the goal of meeting the standards of the U.S. Green Building Council's LEED for Cities and Communities program. This program provides a comprehensive framework for evaluating local sustainability, encompassing economic, environmental, and social performance measures. Oak Creek should utilize this program to assess the City's current level of sustainability, set targets for moving ahead, and measure progress along the way.

## Objective 2: Celebrate Cultural Diversity

**Provide a supportive environment for people of all ages, abilities, and backgrounds to meaningfully engage through diverse and connected venues and activities that appreciate the City's history, affirm its evolving present, and envision its future.**

As Oak Creek continues to grow in population, so to does it grow in diversity of ages, ethnicities, races, and incomes. As communities evolve it is common for some groups to feel left out or left behind, creating divisions and diminishing sense of community, partnership, and pride.

To help foster neighborliness and community throughout Oak Creek it is recommended that the City consider the following strategies:

- **Translate City Services.** Oak Creek has a small, but growing segment of its population that does not speak English at home. To welcome these residents to the community and to encourage them to get involved in City events and programming, it is recommended that Oak Creek provide non-English versions of City permits, event notifications, surveys, and more.
- **Support Block Parties.** Block parties are a time tested way for neighbors to gather, get to know one another and build community. Currently, block parties are allowed in Oak Creek with a special event permit under the condition that the organizers pick-up and drop-off barricades in a specified time period. This could potentially create barriers for some groups, and the City

should consider offering to drop-off and pick-up barricades in certain circumstances. The City should also expand the time period during which residents can pick-up and drop-off barricades to better accommodate varying schedules.

- **Expand Holiday Events.** When people do not see their values and culture represented in events and programming it can make them feel unwelcome and unrepresented in a community. To ensure that all people in Oak Creek feel like valued members of the community, it is recommended that the City host additional events for holidays such as Holi, Diwali, Chinese New Year, or Ramadan. Additionally, the City should consider expanding the existing holiday events it hosts to showcase how other cultures celebrate the holiday. Existing events that could be expanded include: The Tree Lighting Festival to highlight the Central American tradition of La Posada; or the Fall Festival to include Day of the Dead celebrations.

- **Celebrate Diversity.** Many communities that are experiencing growth in diversity, do not experience it consistently throughout the community. This can lead to misunderstanding amongst residents who do not often interact with one another. To ensure that diversity is celebrated throughout Oak Creek, it is recommended that the City include a Resident Showcase in the Acorn Newsletter and Current magazine. The showcase would feature a story, poem, interview, art, or other media by a different resident with the aim of highlighting residents of different ages, backgrounds, cultures, races, and ethnicities.

## Education

### K-12 Education

Public education within Oak Creek is provided by the Oak Creek–Franklin Joint School District, which operates 10 schools and serves more than 6,500 students. The Wisconsin Department of Public Instruction publishes yearly report cards for all public-school districts and public schools within the State. The District consistently performs better than average in every indicator, including student achievement, district growth, closing gaps, and on-track and postsecondary readiness. When compared to school districts in the surrounding region, the District also has far superior ratings. As new jobs are added to the region through large developments, such as Foxconn in Mount Pleasant, residents may be more likely to locate in Oak Creek to access the better school system.

### Private Schools

In addition to public schools, three private schools operate in Oak Creek, serving approximately 310 students. Together, these schools offer religious-based education to students from prekindergarten through high school.

### Objective 3: Work with the School District

**Continue to work with the Oak Creek–Franklin Joint School District as it implements the planned improvements funded by the November 2018 referendum.**

In November 2018, Oak Creek and Franklin residents reaffirmed their commitment to maintaining and enhancing the Oak Creek–Franklin Joint School District when they voted to approve a referendum to fund over \$60 million dollars of improvements to schools in the district. The improvements will address education adequacy and equity; mechanical, electrical, technology, heating, and cooling systems; deferred maintenance needs; energy and water conservation and operations savings opportunities; safety and security; and arts and athletic facilities, including fields and other outdoor spaces.

Specific projects include:

- Improving entrance security and ADA access at a majority of schools;
- Adding gymnasiums;
- Renewing interior spaces and making ADA required updates at five elementary schools;
- Updating and expanding the Career and Technical Education areas and adding collaboration space for project based activities;
- Upgrading athletic fields;
- Building a performing arts education center at the high school; and
- Addressing significant parking, traffic flow, and other safety issues at multiple schools.

This significant investment to the school district will ensure that education in Oak Creek continues to be among the best in the region. As the district works to implement the various projects through 2021, it is recommended that the City continues to work to ensure the process is efficient and does not adversely impact surrounding residential areas, traffic, or other concerns. The City should prioritize the recommendation and approval processes of School District projects as they appear before the Plan Commission and Common Council. It should also coordinate with the School District to notify the community of road/lane closures and other impacts associated with the construction of planned projects.

#### Objective 4: Coordinate New Development with School Capacity

**Cooperate with the Oak Creek-Franklin Joint School District to ensure school capacity as new residential development occurs and the community continues to grow.**

As Oak Creek continues to grow in population, demands on school facilities will increase. It is recommended that the City prioritizes cooperation with the Oak Creek-Franklin Joint School District for the consideration of significant residential development projects to ensure that school capacity is a central component of decision making.

To make the feedback process between the City and the School District more effective and efficient, it is recommended that Oak Creek considers the following strategies:

- Revise the City's Planned Unit Development (PUD) Ordinance process to ensure that the School District have an opportunity to meet with City staff after the pre-application conference and prior to referral to the Plan Commission. This will ensure that school leadership is informed of development proposals at the beginning of the PUD process.



*Our schools, especially the high school, will not be large enough if the community continues to grow rapidly.*

- As is discussed in the Housing and Neighborhoods Framework section of the Plan, it is recommended that the City require larger scale multi-family developments to be permitted as a conditional use. Development seeking a conditional use permit requires a Plan Commission public hearing. This hearing gives residents and other stakeholders the opportunity to express their support or concerns with the proposed development to the Commission before they make their recommendation to the Common Council. The City requires that public hearings be noticed by both publication in a newspaper of general circulation and by mail to parties-in-interest.

### Milwaukee Area Technical College

The MATC is the only higher education institution in Oak Creek and is located at 6665 South Howell Avenue. The college offers technical training in business, health sciences, liberal arts and sciences, media and creative arts, pre-college education, and technology and applied sciences. Students can receive 19 different associate degrees, 34 technical diplomas, or 12 certificates, in areas ranging from truck driving to fashion and retail marketing. The Oak Creek campus is the second largest of MATC's four campuses, with approximately 10,000 students.

The MATC Oak Creek campus comprises two buildings: the main building and the aviation center. In 2007, the main building was expanded to include the Center for Energy Conservation and Advanced Manufacturing (ECAM).

### Objective 5: Support MATC Support the Oak Creek campus of the Milwaukee Area Technical College as they continue to grow and expand their facilities.

In 2013, MATC completed a facility master plan to determine necessary improvements and expansions of their Oak Creek campus. The plan identified a need for 3,600 square feet of additional space to accommodate a projected increase in their enrollment of 10 percent.

In addition to supporting MATC as they expand their Oak Creek campus, it is recommended that the City considers the following strategies to continually improve coordination and partnerships with the college:

- Co-sponsor events around areas of common interest such as economic development, job placement, and business development; and
- Improve joint planning efforts such as attracting and retaining businesses and linking Emergency Management Plans.

## Goal 2

Maintain Oak Creek’s high standards of living and quality business environment through continual coordination with utility providers.

### Objective

1. **Coordinate and Cooperate with Utility Providers**
2. **Expand Broadband Access**

### Objective 1: Coordinate and Cooperate with Utility Providers

**Continue to coordinate and cooperate with utility providers in the City to ensure that the community continues to be well served as Oak Creek grows and demand for services increases and changes.**

#### *Oak Creek Power Plant*

We Energies (Wisconsin Electric Power Co. and Wisconsin Gas LLC) operates two power plants at its Oak Creek facility, located on approximately 1,000 acres along the Lake Michigan coast near County Line Road. The Oak Creek Power Plant and the Elm Road Generating Station are both coal-based and typically operate 24-hours a day. The Oak Creek Power Plant began service in 1959 and currently has a generating capacity of 1,135 megawatts (MW). Construction on the Elm Road Generation Station began in 2005 and the plant came online in 2010 and 2011 with a generating capacity of 1,268 MW. The City should coordinate with We Energies on all future expansions to ensure that any proposed development in close proximity to existing or potential residential areas is properly buffered.

#### *Milwaukee Metropolitan Sewerage District*

The City of Oak Creek is served by the Milwaukee Metropolitan Sewerage District (MMSD). MMSD operates two wastewater treatment facilities including the South Shore Wastewater Treatment Plant (SSWWTP) located in the City of Oak Creek on the east side of 5th Avenue at Puetz Road. Although these services currently have capacity to accommodate additional population growth, the City of Oak Creek should coordinate with MMSD to ensure that the community continues to be well served as the population grows in the future.

#### *Oak Creek Water and Sewer Utility*

The City of Oak Creek Water and Sewer Utility (OCWS) serves more than 60,000 residents and over 83 square miles in both the City of Oak Creek, City of Franklin, and the Caledonia Utility District. After 2024, the City of Franklin will likely purchase their drinking water from the City of Milwaukee, allowing OCWS to focus on Oak Creek customers’ needs.

According to the OCWS Water Quality Improvement Project Engineering Report (2017), the Oak Creek Water Treatment Plan produces some of the highest quality drinking water in the nation, meeting or exceeding all federal and state drinking water health standards. In 2018, the Oak Creek Water and Sewer Utility received three national awards for water quality performance improvements to the plant and pipe distribution system. However, there is no finished water storage at the water plant, which is atypical for a treatment plan of this size. The lack of storage reduces water service reliability and increases operational complexity.

OCWS is currently undertaking a comprehensive water system master plan that will provide a forecast for future needs in the water system over the next 20 years. When this master plan is complete, it is recommended that the City review the Land Use Plan and priority areas for additional development to ensure that they align with the recommendations made in the document.



## Planned Upgrades

The City should continue to coordinate with utility providers as they upgrade and enhance their facilities. Planned upgrades include:

- **Oak Creek Water and Sewer Utility:** Water Main installations to improve network looping, which will increase water circulation, improve water quality, and enhance fire protection capabilities as well. These projects throughout the City represent a \$1.9 million investment. In addition, several underperforming water mains were replaced in 2019 to ensure reliability to customers. This investment was \$1.4 million.
- **Milwaukee Metropolitan Sewerage District:** The MMSD 2020 Facilities Plan determined that treatment capacity at SSWWTP must be increased from the existing capacity of 300 MGD to 450 MGD to adequately control sanitary sewer overflows during wet weather. Prior to undertaking upgrades, it was recommended that the MMSD undertake a capacity analysis to verify the maximum capacity of the existing facility.

## Objective 2: Expand Broadband Access

**Increase and bolster broadband capacity in Oak Creek through detailed analysis, strategic partnerships, and applicable resources.**

In this modern age, the internet is an increasingly integral part of nearly every aspect of life, however there are portions of Oak Creek that have limited access to high speed internet creating barriers to investment. This is especially true in the area surrounding the Lake Front, where the City is encouraging new residential, mixed use, and public development.

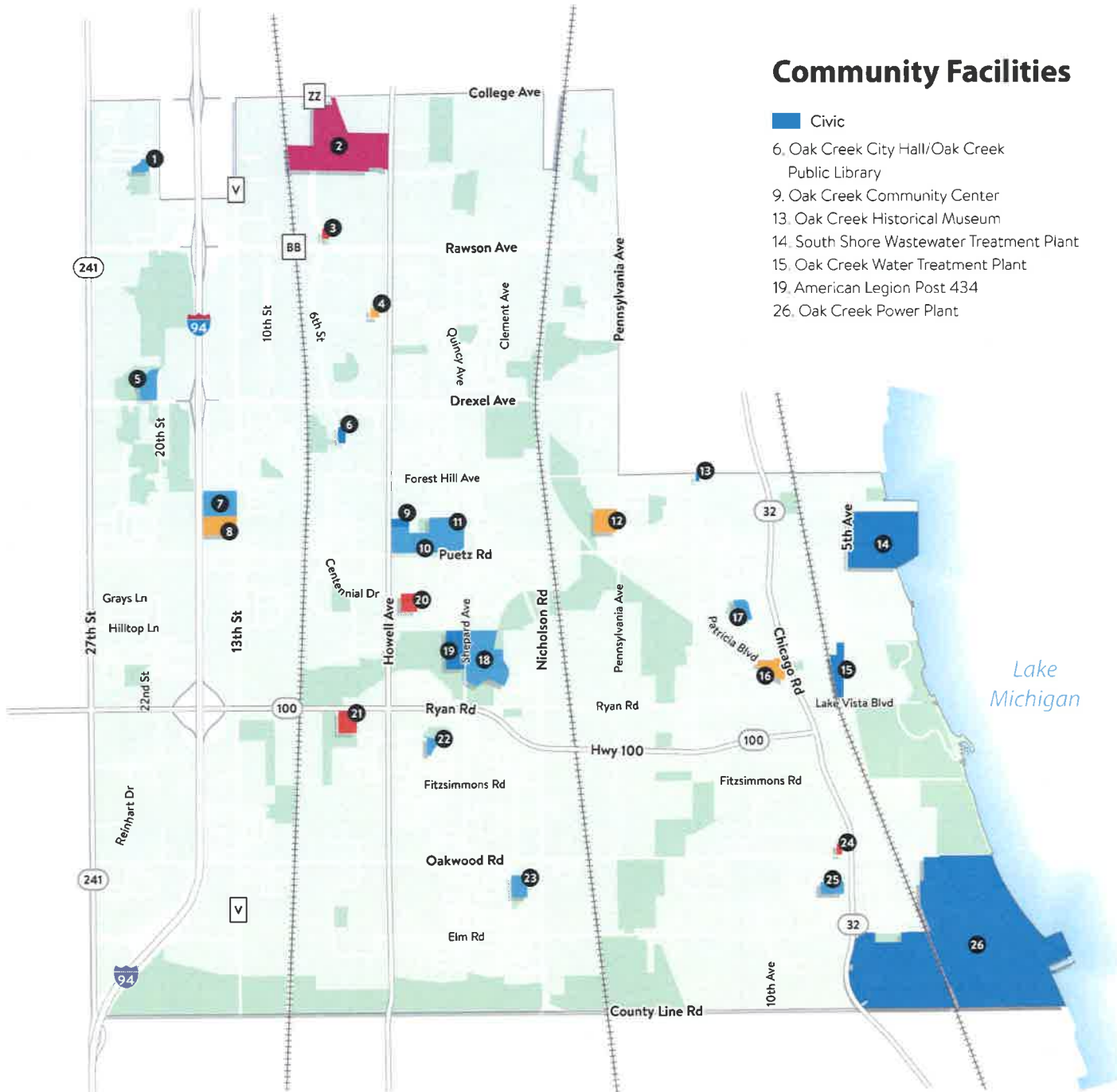
Per the State of Wisconsin's Broadband Plan, "reliable access to broadband Internet service is crucial for many aspects of today's society, including connecting businesses and schools to the world, linking job seekers with employment opportunities and for the delivery of modern health care." To forward the goals of the Plan, the Public Service Commission of Wisconsin (PSC), began the Broadband Forward! initiative, which certifies local communities to signal that they have taken steps to reduce obstacles to broadband infrastructure investment. It is recommended that the City pursue Broadband Forward! certification in order to ensure that Oak Creek businesses and residents have access to appropriate and scalable high-speed broadband and internet services.

In addition to certification, it is recommended that the City:

- Establish a broadband entity or committee to oversee the implementation of the Broadband Forward! ordinance.
- Conduct a comprehensive City-wide analysis of existing conditions to establish a basis for improvements and develop a plan of implementation to increase bandwidth.
- Focus on mixed use, business park, small scale industrial areas, and small businesses and co-working locations will require a minimum bandwidth as well as appropriate access.

To help fund these initiatives, the City should explore the PSC's Broadband Expansion Grant program as detailed in Section 7: Implementation Plan.

# Community Facilities



- Civic
- 6. Oak Creek City Hall/Oak Creek Public Library
- 9. Oak Creek Community Center
- 13. Oak Creek Historical Museum
- 14. South Shore Wastewater Treatment Plant
- 15. Oak Creek Water Treatment Plant
- 19. American Legion Post 434
- 26. Oak Creek Power Plant

- Private School
- 4. Learning Edge Childcare & Preschool
- 8. Badger Baptist School
- 12. Grace Lutheran School
- 16. St. Matthew's Catholic School

- Public School
- 1. Cedar Hill Elementary School
- 5. Forest Ridge Elementary School
- 7. Oak Creek West Middle School
- 10. Oak Creek High School
- 11. Edgewood Elementary School
- 17. Carrollton Elementary School
- 18. Oak Creek East Middle School
- 22. Shepard Hills Elementary School
- 23. Meadowview Elementary School
- 25. Deerfield Elementary School

- Higher Education
- 2. Milwaukee Area Technical College

- Public Safety
- 3. Oak Creek Fire Station #3
- 20. Oak Creek Fire Station #1
- 21. Oak Creek Police Department
- 24. Oak Creek Fire Station #2



**DRAFT**  
FOR REVIEW & DISCUSSION

---

# IMPLEMENTATION

---

*With the planning process complete, the City enters into a longer process of implementing the Comprehensive Plan and facilitating change and growth over the next 20 years. This will require a cooperative and dedicated effort from all of Oak Creek's stakeholders including residents, elected and appointed officials, City staff, public agencies, the local business community, property owners, and developers. This chapter details implementation strategies the City should utilize to realize the vision and accomplish the goals of the Comprehensive Plan.*



## Active Use

The Comprehensive Plan is the official policy guide for land use, growth, and reinvestment as the City undergoes future development and improvement. Like the comprehensive plan before it, the Plan should be regularly consulted by City staff, the Common Council, and the Plan Commission. The Plan should also guide community facilities and service providers as new facilities, infrastructure, and programming are developed.

Oak Creek should ensure that City staff, key stakeholders, department heads, and newly elected and appointed officials understand the purpose and benefits of the Comprehensive Plan through a 'plan orientation' to familiarize individuals with the vision, goals, and recommendations of the document. Further, City staff should assist the Common Council and other boards and commissions in the administration, interpretation, and application of the Plan. The community at large will also have a direct impact on implementation of the Plan, making it essential that they understand the central themes of the document. Copies of the Plan should be made available to download from the City's website and in hard copy at the Civic Center.

## Jurisdiction Cooperation and Participation

While plan recommendations require an active role by the City, successful implementation will require coordination with numerous partner agencies and organizations having an influence on quality of life in Oak Creek. For the Comprehensive Plan to be successful, the City of Oak Creek should assume a leadership role in facilitating the cooperation and participation of its local and regional agencies, organizations, and various jurisdictions. Establishing partnerships and maintaining open, clear communication will contribute to a more efficient implementation process.

Partners in plan implementation include, but are not limited to:

- Oak Creek-Franklin Joint School District
- Milwaukee Area Technical College
- Southeast Wisconsin Regional Plan Commission
- Wisconsin Department of Transportation
- City of South Milwaukee
- City of Franklin
- City of Milwaukee
- Racine County
- Milwaukee County
- General Mitchell International Airport
- South Suburban Chamber of Commerce
- Business Community
- Private Property Owners and Developers

## Maintain Public Communication

The foundation of the Comprehensive Plan was input, ideas, and feedback from residents, business owners, and other key stakeholders in the community. This extensive community outreach not only engaged the public and informed the Plan, but also kept residents up to date on the planning process through workshops, the project website, interactive outreach tools, newsletters, social media, and more. Outreach is essential to educating a community about the relevance of planning and the City's role in defining its future. Capitalizing on efforts completed through the planning process, the City should work to convey the major recommendations and overall vision of the Plan to the entire community. This can be done through regular updates, coverage of major milestones and projects, and by providing further opportunities for residents to voice their opinions.

## Amending Development Regulations

The Comprehensive Plan establishes a vision for the community to be attained over the next two decades. As the City's official policy document, the Plan will serve as the basis for zoning entitlements and amendments completed as the next phase of this project. A holistic update to these development regulations will ensure that every section of the codes consistently and efficiently achieves the vision and goals set forth in the Plan. The Comprehensive Plan contains many specific recommendations, which are highlighted in yellow in the implementation matrix, that the City should complete as it updates its zoning and subdivision codes.

## Update

The Comprehensive Plan should not be static document but should instead evolve over time to meet changing conditions. The City should consider maintaining a list of possible amendments or issues which may be subject to change, addition, or deletion from the Plan. Although a proposal to amend the Plan can be brought forth by petition at any time, the City should consider initiating a review of the Plan at least every three to five years to ensure that it is in line with potential demographic shifts, new issues, or community interests. This review should coincide with the preparation of the City's budget and Capital Improvement Plans as well as the preparation of an annual action agenda. This allows recommendations or changes relating to capital improvements or other programs to be considered as part of the City's commitments for the upcoming fiscal year. The City should also consider reviewing the plan following the completion of major projects or after significant events that may directly impact the community.

## Potential Funding Sources

The following is a description of potential funding mechanisms and sources currently available to the City and its partners for Plan implementation. As the funding sources and streams are subject to change over time, it is important to continue to research and monitor grants, funding agencies, and programs to identify new opportunities as they become available.

## General Economic Development Funding Sources

### *Tax Increment Financing (TIF)*

The purpose of TIF funding is to incentivize and attract desired development within key commercial areas. TIF dollars can typically be used for infrastructure, streetscaping, public improvements, land assemblage, and offsetting the cost of development.

TIF utilizes future property tax revenues generated within a designated area or district, to pay for improvements and further incentivize continued reinvestment. As the Equalized Assessed Value (EAV) of properties within a TIF District increases, the incremental growth in property tax over the base year that the TIF was established, is reinvested into that area. Local officials may then issue bonds or undertake other financial obligation based on the growth in new revenue.

Over the life of a TIF district, existing taxing bodies receive the same level of tax revenue as in the base year. Provisions exist for schools to receive additional revenue. The maximum life of a TIF district in the State of Wisconsin is 20-27 years, although a district can be extended beyond that horizon through authorization from the State Legislature.

### ***Special Service Area (SSA)***

SSAs, also known as Business Improvement Districts, can be used to fund improvements and programs within a designated service area. An SSA is essentially added to the property tax of the properties within the identified service area and the revenue received is channeled back into projects and programs benefiting those properties. An SSA can be rejected if 51 percent of the property owners and electors within a designated area object.

SSA funds can be used for purposes such as streetscape improvements, district marketing, and special events. This tool could also be helpful in supporting improvements to the subareas identified in the Plan.

### ***Business Improvement District (BID)***

Wisconsin Act 184, signed into law in 1984, gives Wisconsin municipalities the power to establish one or more Business Improvement Districts within their community and an assessment methodology that allows properties within that geographic area to contribute to programs aimed at promotion, management, maintenance, and development of that district. Assessments are restricted to commercial and industrial properties within a municipality that are subject to real estate tax. Tax-exempt properties (i.e., religious, public utility or government properties) or those used exclusively as residences cannot be included in the assessment district.

### ***Business Development Tax Credits***

Businesses seeking to locate or expand in the City may be eligible for Business Development Tax Credits through the Wisconsin Economic Development Corporation. Eligible businesses must demonstrate an increase in net employment in the state each year for which the business claims tax credits. Ineligible businesses include payday loan and title loan companies, telemarketing operations, other than inbound call centers, pawn shops, media outlets, retail establishments, farms, primary care medical facilities, financial institutions, and businesses in the hospitality industry.

### ***Enterprise Zone Tax Credits***

Enterprise Zone Tax Credits are available through the Wisconsin Economic Development Corporation to assist Wisconsin businesses that have major expansion projects or are relocating major business operations from other states to Wisconsin. Refundable tax credits can be earned through job creation, job retention, capital investment, employee training, and supply chain purchases from Wisconsin vendors. Ineligible businesses include payday loan and title loan companies, telemarketing operations, pawn shops, media outlets such as newspapers and radio (unless the job creation is significant), businesses in the tourism industry (unless the job creation is significant), retail establishments, farms, primary care medical facilities, and financial institutions.

### Neighborhood Business Revitalization Guarantee

The Wisconsin Housing and Economic Development Authority (WHEDA) provides financial assistance to small businesses. The organization's Neighborhood Business Revitalization Guarantee (NBRG) gives access to financing that allows qualified small businesses to develop or rehabilitate commercial real estate in urban areas.

### Affordable Housing Programming

The Wisconsin Housing and Economic Development Authority (WHEDA) provides several financing tools for housing developers and property managers to construct and maintain affordable housing. Options include tax-exempt bond financing, stand-alone bond financing, and flex financing.

### Special project Loan Fund

The Special Project Loan Fund is administered through the Wisconsin Economic Development Corporation. Loan amounts range from \$50,000 to \$250,000, and can be used by businesses for working capital, equipment purchases, brownfield remediation, or new product development. Loans require at least a 50 percent match by the recipient, and loan guarantees require a 20 percent match.

### Transportation and Mobility Funding Sources

#### Safe Routes to School (SRTS)

The SRTS program has provided funding for the planning, design, and construction of infrastructure related projects that will substantially improve the ability of students to walk and bike to school, including:

- Sidewalk improvements;
- Traffic calming and speed reduction improvements;
- Pedestrian and bicycle-crossing improvements;
- On-street bicycle facilities
- Off-street bicycle and pedestrian facilities;
- Secure bicycle parking system; and,
- Traffic diversion improvements in the vicinity of schools.

### Implementation Action Matrix

The Implementation Action Matrix offers a comprehensive list of all implementation strategies, policies, and recommendations contained within the Plan. The matrix provides staff with a tool to prioritize implementation activities and projects over the life of the plan. In addition, the matrix allows the City to approve specific, actionable items on an annual basis and evaluate progress based upon completed implementation strategies. The Implementation Action Matrix offers a brief description of each project and indicates the following:

### Priority Level

Priority is assigned to each recommendation of the Plan based on cost, ease of implementation, and importance. Each item in the Implementation Action Matrix is indicated as one of the following:

- **Priority One:** Near-term, critical
- **Priority Two:** Mid-term, essential
- **Priority Three:** Long-term, desirable

### Ease of Implementation

The ease of implementation is indicated by a traditional grade scale from A to F, with A being easiest to implement and F being most difficult to implement. This category is a collective indicator of the anticipated level of effort by responsible parties, estimated cost, budget opportunities, and general stakeholder interest.

### Potential Partnerships

Potential partnerships identifies government bodies, civic organizations, private entities, and other associations which may be able to provide assistance with the identified strategy through coordination and cooperation.



Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
<b>Housing and Neighborhoods Framework</b>				
Promote reinvestment in established neighborhoods	Encourage private property owners to continually invest and maintain their properties	Ongoing	C	Private Property Owners
Support property maintenance	Consider waiving the costs that the City generates to place a dumpster or receive a license or permit for a limited time period every year to encourage homeowners to reinvest in their properties	2	B	Public Works Department
Strategic code enforcement	Adopt technology to maximize the amount of time inspectors are in the field, speed the flow of information between concerned parties, foster accountability, and track results	2	C	Community Development Department
	Put systems in place to establish a fast and seamless process by which cases move through the enforcement process by coordinating code enforcement activities with the activities of other City departments			
	Identify which property maintenance issues should be prioritized and focus resources to these categories			
	Continue to foster strong working relationships with Oak Creek residents, neighborhood associations, and homeowners' associations to capitalize on their "eyes on the ground"			
	Build an information system on the City's website to better communicate the code enforcement process with the Oak Creek community			
Target areas for new residential development	Proactively rezone properties identified in the Land Use Plan for all forms of housing	1	B	Private Property Owners, Plan Commission, Common Council
	Establish standards of review for zoning text and map amendments including standards for both the City Plan Commission and the Common Council	1	A	
Encourage the development of attainable housing products	Work to capture the portion of the local workforce who live outside the City through the development of attainable housing in conjunction with new residential development	3	C	Development Community
Promote the development of affordable senior housing near retail, transit, and open space	Promote the development of affordable senior housing which incorporates universal design	2	C	Development Community
Revise the City's subdivision ordinance to encourage conservation designed development and other sustainable practices to accommodate residential growth adjacent to sensitive natural areas	Update the subdivision ordinance to include provisions for the allowance of conservation-oriented subdivision development, also known as cluster development.	1	B	Private Property Owners
	Incorporate sustainable practices in the development process to help protect the quality of natural resources	1	B	Wisconsin Department of Natural Resources

Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
Encourage increased density in select areas of the City, including the Lakefront and along key corridors	Update the list of Permitted and Conditional Uses in the Rm-1 zoning district	1	A	Community Development Department
	Permit accessory dwelling units (ADU) as a conditional use in the Rs-4 and Rd-1 Districts	1	A	
Encourage new residential development that supports healthy lifestyles and positively impacts key well-being indicators	Revising Section 14.104 of the City's Subdivision Ordinance to require sidewalks to be installed in all new residential developments	1	B	Community Development Department
	Incentivize the development of residential neighborhoods that incorporate elements of universal design, further detail on universal design can be found on page 32	3	C	Development Community
	Promote development within walking distance of commercial areas	2	B	
	Promote incorporation of public gathering spaces into the design of new neighborhoods to provide opportunities for social interaction. Evaluate subdivision infrastructure standards and determine whether a modified rural cross section meets neighborhood development goals	3	B	
<b>Economic Development Framework</b>				
Promote additional commercial, entertainment, and mixed use development	Proactively rezone properties identified in the Land Use Plan for commercial and mixed use development	1	B	Private Property Owners
	Expand the list of permitted uses in key zoning districts	1	A	Community Development Department
	Consider alternative funding sources for improvements that foster a sense of place	2	C	Elected Officials
Ensure that commercial and multifamily development and redevelopment reflect the high standards of the community	Consider updating and expanding the 27th Street Overlay District design guidelines to apply to other commercial and multifamily areas in the City	1	A	Community Development Department
Promote neighborhood-serving commercial uses in proximity to residential neighborhoods	Consider establishing specific use provisions for new commercial uses near residential zoning districts	1	A	Community Development Department
Continue to implement the Lakefront Redevelopment Concept TID #13	Activate recreation areas along the lakefront	2	C	Development Community, Milwaukee County
	Increase residential opportunities	2	C	
	Increase commercial and mixed-use options	2	C	

Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
Revise the City's development standards to ensure quality site design that reflects the high standards of the community and the preservation of quality open space	Consider revising the maximum building area requirement to a maximum lot coverage requirement	1	A	Development Community
	Enhance buffer yard requirements to include a variety of buffer types that feature varying depths, landscape materials, and heights based on adjoining land uses	1	A	SEWRPC
Improve the appearance and stormwater function of commercial, industrial, and multifamily developments in the City	Strengthen the City's landscaping standards to ensure that they are consistently applied across development types, and enhanced to require a varying amount of screening based on adjacent uses	1	A	SEWRPC
	Consider developing incentives for the use of green infrastructure, such as native plantings, bioswales, and permeable pavers to improve onsite stormwater absorption	1	A	
	Consider establishing required parking maximums in addition to minimums	1	A	Community Development Department
Continue to require appropriate private investment in infrastructure to offset the City's burden related to the development or expansion of industrial land uses	Continue to require appropriate private investment in infrastructure to offset the increased burden related to the development	Ongoing	A	Development Community
Consider allowing live/work spaces in appropriate locations in the City for Artisan Manufacturing	Allow Artisan Manufacturing in small lot industrial areas in close proximity to commercial areas	1	A	Arts Community, Development Community
	Permit multiunit live/work housing and limited retail within Artisan Manufacturing	1	A	
Consider the development of retrofit standards to ensure appropriate reinvestment in existing industrial and commercial properties as ownership or uses change	Establish a zoning compliance certification process which would require all new users to certify with the Department of Community Development that they comply with all zoning ordinance requirements	1	A	Community Development Department
	Establish a menu of retrofit options to allow developers to choose the most effective and financially feasible option for the development	1	A	
<b>Transportation and Mobility Plan</b>				
Coordinate with adjacent municipalities, Milwaukee County, Southeastern Wisconsin Regional Planning Commission (SEWRPC), and WisDOT to address improvement and enhancement projects on roadways not under the jurisdiction of the City	Review the multiyear programming and planning of SEWRPC, Milwaukee County, and WisDOT to ensure that Oak Creek is up-to-date on planned projects and improvements	Ongoing	A	SEWRPC, WisDOT
	Maintain that Oak Creek is a stakeholder on any future updates or new planning endeavors that are commissioned by SEWRPC, Milwaukee County, or WisDOT	Ongoing	A	

Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
Explore the feasibility of enhancing east-west connections throughout the community to relieve traffic congestion and create better access	Revise the subdivision ordinance to include a connectivity index minimum of new residential and nonresidential subdivision street networks	1	B	Community Development Department
Preserve and enhance the existing street hierarchy to ensure that commercial and industrial areas are well served, and residential neighborhoods are protected from incompatible through traffic	Continue working with regional partners to study the feasibility of roadway widening projects	Ongoing	B	WisDOT
	Consider requiring that large-scale traffic-generating uses either build new roads or expand impacted roads to City specifications, then transfer them to the City once development is finished	2	C	Development Community
	Consider exacting impact fees to offset the cost of improvements	2	C	
Continue to regularly review roadway conditions and identify priority projects to ensure the continued maintenance, efficiency, and safety of the roadway network	Continually monitor regional, state, and federal funding programs and grants	Ongoing	A	Community Development Department
Embrace new technology for autonomous vehicles by updating parking requirements and land use patterns to adapt to shifting transportation preferences	Develop a strategic plan to identify community priorities as to how reclaimed right-of-way and parking areas should be repurposed	3	C	Public Works Department
	Regularly check sources such as the Institute of Transportation Engineers (ITE) to ensure that requirements are relevant	Ongoing	A	
Enhance pedestrian and cyclist connections to commercial areas	Revise Section 14.104 of the City's subdivision ordinance to expand the requirements for sidewalks to include internal pedestrian walkways	1	B	Community Development Department
	Revise Section 17.0403 of the City's zoning ordinance to require internal pedestrian walkways to be built and connected to public sidewalks when any parking lot is built	1	A	
	Adopt retrofit standards and include the construction of internal pedestrian walkways and their connection to public sidewalks as an option developers may choose from	1	A	
Consider the development of a bike share system to offer an active transportation option to key locations such as parks, schools, employment centers, and commercial corridors	Conduct a study with South Milwaukee and Bublr Bikes to better understand how this system could implemented in Oak Creek and to document community support for such an initiative	2	C	South Milwaukee, Bublr Bikes

Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
Coordinate with transit providers to adjust and potentially expand bus routes and bus frequency to better connect area residents to Oak Creek employment and commercial areas	Work with Milwaukee County Transit to study the feasibility of expanding Route 80	2	D	Milwaukee County Transit
Support regional rail transportation and the location of a station in Oak Creek	Support plans to increase the number of Milwaukee-Chicago round trips on the Amtrak Hiawatha line from seven to 10 in the next five years	Ongoing	A	Amtrak, State of Wisconsin
Consider implementing Complete Streets policies as part of roadway and infrastructure improvements to enhance and complement the existing trails system in the City	Consider passing a Complete Streets ordinance to expand its network of multimodal transportation routes throughout the community and develop a plan to fill in sidewalk gaps.	1	C	Elected Officials
<b>Parks, Open Spaces, and Environmental Features Plan</b>				
Continue to identify opportunities for parkland enhancement to better serve the community	Prioritize the development of new parks in portions of the City where development potential is severely limited due to the presence of floodplains and wetlands.	2	D	Recreation Department
Create accessible and inclusive playgrounds.	Make accessibility and inclusivity be prime considerations as the City updates and replaces existing playgrounds and builds new ones.	3	B	Recreation Department
Perform a facilities needs assessment for the Recreation Department to ensure easy and continued access to their programming.	Perform a facilities needs assessment to ensure that the Recreation Department has the facilities to accommodate existing needs and potential increased demand for these services.	2	B	Recreation Department
Undertake a feasibility study to determine the demand for the development of a recreation center.	Undertake a feasibility study to determine the demand for the development of a recreation center both as a part of the Lakefront redevelopment and in other highly accessible locations in the community, such as Abendschein Park or the Oak Creek Parkway Park.	2	B	Recreation Department
Work with Milwaukee County to explore opportunities to better utilize open spaces.	Work with Milwaukee County to explore opportunities to better activate County owned open space while ensuring their quality is not diminished so that the regional open space network can better meet local open space needs.	3	C	Milwaukee County
Continue to protect environmental resources in Oak Creek.	Review and update the development standards for the Floodway, Flood Fringe, and General Floodplain zoning overlay districts to ensure that they are in keeping with modern best practices.	1	A	Community Development Department

Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
Continue to work with the Wisconsin Department of Natural Resources to improve the water quality of the Oak Creek and Root River.	Continue to utilize green infrastructure throughout the community.	ongoing	B	Wisconsin Department of Natural Resources

Community Facilities and Utilities Plan				
Implement strategies identified throughout the Plan to make the community more sustainable.	Consider placing an existing staff position (or creating a new position) in charge of sustainability and resiliency implementation.	2	C	Elected Officials
	Form a Sustainability and Resiliency Advisory Board to work with the appointed staff person in the development of a Sustainability and, Resiliency, and Hazard Mitigation Master Plan with the goal of meeting the standards of the U.S. Green Building Council's LEED for Cities and Communities program.	2	D	
Provide a supportive environment for people of all ages, abilities, and backgrounds to meaningfully engage through diverse and connected venues and activities that appreciate the City's history, affirm its evolving present, and envision its future.	Provide non-English versions of City permits, event notifications, surveys, and more.	3	D	City Administrator's Office
	Consider offering to drop-off and pick-up barricades needed for block parties under certain circumstances and expand the hours during which residents can pick-up and drop-off barricades.	3	B	Public Works Department
	Host additional events for holidays such as Holi, Diwali, Chinese New Year, or Ramadan and consider expanding the existing holiday events it hosts to showcase how other cultures celebrate the holiday.	3	B	Recreation Department
	Include a Resident Showcase in the Acorn Newsletter.	3	A	City Administrator's Office
Continue to work with the Oak Creek-Franklin Joint School District as it implements the planned improvements funded by the November 2018 referendum.	Prioritize the recommendation and approval processes of School District projects as they appear before the Plan Commission and Common Council.	Ongoing	B	Oak Creek-Franklin Joint School District
	Coordinate with the School District to notify the community of road/lane closures and other impacts associated with the construction of planned projects.	Ongoing	B	
Cooperate with the Oak Creek-Franklin Joint School District to ensure school capacity as new residential development occurs and the community continues to grow.	Provide opportunities for input by the Oak Creek - Franklin School District on comprehensive plan amendment and major development projects.	1	A	Community Development Department
	Require larger scale multifamily developments to be permitted as a conditional use.	1	A	

Objective	Recommended Action	Priority	Ease of Implementation	Potential Partners
Support the Oak Creek campus of the Milwaukee Area Technical College as they continue to grow and expand their facilities.	Co-sponsor events around areas of common interest such as economic development, job placement, and business development.	3	B	Milwaukee Area Technical College - Oak Creek Campus
	Improve joint planning efforts such as attracting and retaining businesses and linking Emergency Management Plans.	3	B	
Continue to coordinate and cooperate with utility providers in the City to ensure that the community continues to be well served as Oak Creek grows and demand for services increases and changes.	Coordinate with We Energies on all future expansions to ensure that any proposed development in close proximity to existing or potential residential areas is properly buffered.	Ongoing	B	We Energies
	Coordinate with MMSD to ensure that the community continues to be well served as the population grows in the future.	Ongoing	B	Milwaukee Metropolitan Sewer District
	Review the Land Use Plan and priority areas for additional development to ensure that they align with the recommendations made in the Comprehensive Water System Master Plan once it is adopted.	2	A	Community Development Department
	Continue to coordinate with utility providers as they upgrade and enhance their facilities.	Ongoing	B	Utility Providers
Increase and bolster broadband capacity in Oak Creek through detailed analysis, strategic partnerships, and applicable resources.	Establish a broadband entity or committee to oversee the implementation of the Broadband Forward! ordinance.	1	C	Information Technology Department
	Conduct a comprehensive City-wide analysis of existing conditions to establish a basis for improvements and develop a plan of implementation to increase bandwidth.	1	D	









## COMMON COUNCIL REPORT

**Item:** \$5,075,000 Taxable General Obligation Refunding Bonds, Series 2020C (Estimated)

**Recommendation:** Motion to approve the Plan of Finance for \$5,075,000 of refunding bonds per the approved TID#11 City/Emerald Row Phase II and III Development Agreement.

**Fiscal Impact:** The refunding bonds will be paid from tax increment revenue in TID 11 from the values generated by the Emerald Row Phase II and III construction projects.

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

**Background:** The Plan of Finance covers refinancing of the short term bonds for the developer grant as outlined in the approved City/Emerald Row Phase II and III Development Agreement. This debt will be supported by the tax increment (taxes) generated from the current construction projects. The City negotiated a minimum assessed value of \$26,620,000 as of 1/1/2020 for Emerald Row Phase II and a minimum assessed value of \$9,000,000 as of 1/1/2024 for Emerald Row Phase III. Based on the remaining life of the district this long term bond is only 13 years.

On March 17th, the Common Council will review the award resolution finalizing the terms and interest rates for the estimated \$5,075,000 borrowing. Justin Fischer from Baird will be present at the Council meeting to discuss the Plans of Finance, and address any questions Council may have.

**Options/Alternatives:** The Council is obligated to these costs per the terms of the City/Emerald Row Phase II and III Development Agreement.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Baird Plan of Finance

BAIRD

100  
YEARS

# City of Oak Creek

Council Meeting

March 3, 2020

Justin A. Fischer, Director

[jfischer@rwbaird.com](mailto:jfischer@rwbaird.com)  
777 East Wisconsin Avenue  
Milwaukee, WI 53202  
Phone 414.765.3827  
Fax 414.298.7354

# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## Timeline

- Baird and City discuss plan of finance ..... January 16, 2020
  - Preparations are made for issuance
    - ✓ Official Statement
    - ✓ Bond Rating
    - ✓ Marketing
- City Council considers Plan of Finance ..... March 3, 2020
- City Council considers Award Resolutions (finalizes terms and interest rates) ..... March 17, 2020
- Closing/2017A (TID #11) paid off ..... April 1, 2020
- 2019 Note (TID #16) paid off ..... April 20, 2020

## Borrowing/Structure/Purpose

<b>Estimated Size:</b>	<b>\$5,170,000</b>	<b>\$835,000</b>	<b>\$5,075,000</b>
<b>Issue:</b>	Taxable G.O. Promissory Notes	Taxable G.O. Promissory Notes	Taxable G.O. Refunding Bonds
<b>Purpose:</b>	TID #16 – Amazon Development TID #12 – Stand Rock Development	TID #11 – Zund FDA Development	TID #11 – Emerald Row Phase II Development
<b>Structure:</b>	April 1, 2021-2023	October 1, 2021-2029	October 1, 2021-2032
<b>First Interest:</b>	April 1, 2021	April 1, 2021	April 1, 2021
<b>Callable:</b>	April 1, 2022	TBD	TBD
<b>Estimated Interest Rate:</b>	2.73%	3.09%	3.24%

# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## TIF #11 Financing Illustration – Emerald Row Phase II Development

		<b>\$4,900,000</b> Taxable G.O. Prom Notes - FINAL Dated July 6, 2017		<b>\$5,075,000</b> Taxable G.O. Refunding Bonds - POS Dated April 1, 2020				
<b>Revenues</b>		<b>Expenditures</b>					<b>Net Revenues</b>	
<b>(a)</b> Projected TID #11 Revenues		<b>(b)</b>	<b>(c)</b>	<b>(d)</b>	<b>(e)</b>	<b>(f)</b> Available After Debt Service Payments		
Year		Interest (4/1 & 10/1) RATE= 3.00%	Principal (10/1)	Interest (4/1 & 10/1) TIC= 3.24%	Debt Service		Year	
2020	\$0	\$73,500				\$0	2020	
2021	\$808,619		\$295,000	\$222,026	\$517,026	\$291,593	2021	
2022	\$825,591		\$380,000	\$140,938	\$520,938	\$304,653	2022	
2023	\$843,043		\$390,000	\$131,628	\$521,628	\$321,416	2023	
2024	\$861,024		\$395,000	\$121,683	\$516,683	\$344,342	2024	
2025	\$879,605		\$410,000	\$111,215	\$521,215	\$358,390	2025	
2026	\$898,703		\$420,000	\$99,940	\$519,940	\$378,763	2026	
2027	\$918,392		\$430,000	\$87,970	\$517,970	\$400,422	2027	
2028	\$938,697		\$445,000	\$75,500	\$520,500	\$418,197	2028	
2029	\$959,587		\$455,000	\$62,150	\$517,150	\$442,437	2029	
2030	\$981,135		\$470,000	\$48,045	\$518,045	\$463,090	2030	
2031	\$1,003,320		\$485,000	\$33,005	\$518,005	\$485,315	2031	
2032	\$1,026,164		\$500,000	\$17,000	\$517,000	\$509,164	2032	
	<b>\$10,943,880</b>		<b>\$5,075,000</b>	<b>\$1,151,099</b>	<b>\$6,226,099</b>	<b>\$4,717,782</b>		

Assumes Principal & Interest  
refinanced 4/1/2020.

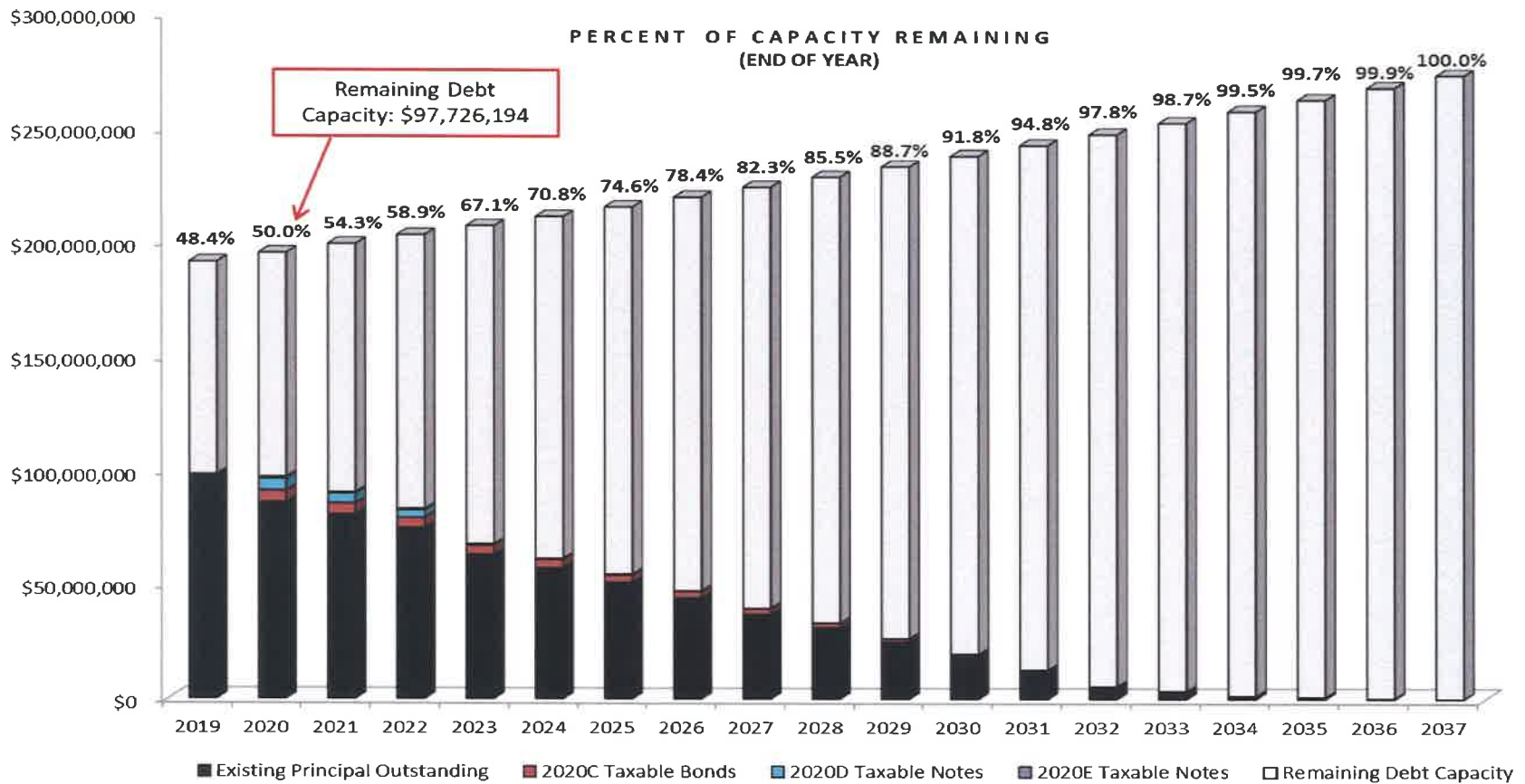
# City of Oak Creek

2020 Financing Discussion

March 3, 2020



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



Note: Future capacity based on 2019 Equalized Valuation (TID-IN) of \$3,831,003,800 with annual growth of 2.00%.

**COMMON COUNCIL REPORT**

**Item:** \$5,170,000 Taxable General Obligation Promissory Notes, Series 2020D (Estimated)

**Recommendation:** Motion to approve the Plan of Finance for \$2,905,000 of TID #16 project costs related to Ryan Business Park.

**Fiscal Impact:** The promissory notes will be paid from tax increment revenue in TID #16 from the values generated by the Amazon project.

**Critical Success Factor(s):**

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

---

**Background:** The Plan of Finance covers the TID #16 project costs ("Park Remainder Site Work Costs") for the Ryan Business Park per the approved City/Ryan Business Park, LLC. Development Agreement. This debt will be supported by the tax increment (taxes) generated from the Amazon project. Based on projected increment, the proposal shows a short, three year note to save on interest costs over the long term.

This piece of proposed debt has been combined with another project for a total proposed issuance of \$5,170,000. On March 17th, the Common Council will review the award resolution finalizing the terms and interest rates for the estimated \$5,170,000 borrowing. Justin Fischer from Baird will be present at the Council meeting to discuss the Plans of Finance and address any questions Council may have.

**Options/Alternatives:** The Council is obligated to these costs per the terms of the City/Ryan Business Park, LLC. Development Agreement.

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

---

Attachments: Baird Plan of Finance

BAIRD

100  
YEARS

# City of Oak Creek

Council Meeting

March 3, 2020

Justin A. Fischer, Director

[jfischer@rwbaird.com](mailto:jfischer@rwbaird.com)  
777 East Wisconsin Avenue  
Milwaukee, WI 53202  
Phone 414.765.3827  
Fax 414.298.7354



# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## Timeline

- Baird and City discuss plan of finance ..... January 16, 2020
  - Preparations are made for issuance
    - ✓ Official Statement
    - ✓ Bond Rating
    - ✓ Marketing
- City Council considers Plan of Finance ..... March 3, 2020
- City Council considers Award Resolutions (finalizes terms and interest rates) ..... March 17, 2020
- Closing/2017A (TID #11) paid off ..... April 1, 2020
- 2019 Note (TID #16) paid off ..... April 20, 2020

## Borrowing/Structure/Purpose

<b>Estimated Size:</b>	<b>\$5,170,000</b>	<b>\$835,000</b>	<b>\$5,075,000</b>
<b>Issue:</b>	Taxable G.O. Promissory Notes	Taxable G.O. Promissory Notes	Taxable G.O. Refunding Bonds
<b>Purpose:</b>	TID #16 – Amazon Development TID #12 – Stand Rock Development	TID #11 – Zund FDA Development	TID #11 – Emerald Row Phase II Development
<b>Structure:</b>	April 1, 2021-2023	October 1, 2021-2029	October 1, 2021-2032
<b>First Interest:</b>	April 1, 2021	April 1, 2021	April 1, 2021
<b>Callable:</b>	April 1, 2022	TBD	TBD
<b>Estimated Interest Rate:</b>	2.73%	3.09%	3.24%

# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## TIF #16 Financing Illustration – Amazon Development

		<b>\$2,850,000</b>		<b>\$2,905,000</b>					
		<b>Taxable G.O. Prom Note - FINAL</b>		<b>Taxable G.O. Promissory Notes - POS</b>					
		<b>Dated June 27, 2019</b>		<b>Dated April 1, 2020</b>					
<b>Revenues</b>		<b>Expenditures</b>					<b>Net Revenues</b>		
<b>(a)</b>		<b>(b)</b>		<b>(c)</b>	<b>(d)</b>	<b>(e)</b>	<b>(f)</b>	<b>(g)</b>	
Projected TID #16 Revenues		Interest		Principal	Interest	Debt Service	Less: Administrative Costs	Available After Debt Service & Admin Costs	
Year		(6/1) RATE= 2.89%		(4/1)	(4/1 & 10/1) TIC= 2.81%			Year	
2019									2019
2020	\$105,600		\$67,036				\$25,000	\$13,564	2020
2021	\$1,478,400			\$925,000	\$84,330	\$1,009,330	\$25,000	\$444,070	2021
2022	\$1,493,184			\$980,000	\$32,735	\$1,012,735	\$25,000	\$455,449	2022
2023	\$1,508,116			\$1,000,000	\$11,100	\$1,011,100	\$25,000	\$472,016	2023
2024	\$1,523,197						\$25,000	\$1,498,197	2024
2025	\$1,538,429						\$25,000	\$1,513,429	2025
2026	\$1,553,813						\$25,000	\$1,528,813	2026
2027	\$1,569,351						\$25,000	\$1,544,351	2027
2028	\$1,585,045						\$25,000	\$1,560,045	2028
2029	\$1,600,895						\$25,000	\$1,575,895	2029
2030	\$1,616,904						\$25,000	\$1,591,904	2030
2031	\$1,633,073						\$25,000	\$1,608,073	2031
2032	\$1,649,404						\$25,000	\$1,624,404	2032
2033	\$1,665,898						\$25,000	\$1,640,898	2033
2034	\$1,682,557						\$25,000	\$1,657,557	2034
2035	\$1,699,383						\$25,000	\$1,674,383	2035
2036	\$1,716,377						\$25,000	\$1,691,377	2036
2037	\$1,733,540						\$25,000	\$1,708,540	2037
2038	\$1,750,876						\$25,000	\$1,725,876	2038
2039	\$1,768,384						\$25,000	\$1,768,384	2039
	<b>\$30,872,427</b>		<b>\$67,036</b>	<b>\$2,905,000</b>	<b>\$128,165</b>	<b>\$3,033,165</b>	<b>\$475,000</b>	<b>\$27,297,226</b>	

Assumes Principal refinanced 4/20/2020. Interest paid with tax increment revenue.

**COMMON COUNCIL REPORT**

**Item:** \$5,170,000 Taxable General Obligation Promissory Notes, Series 2020D (Estimated)

**Recommendation:** Motion to approve the Plan of Finance for \$2,265,000 of project costs related to the TID #12 Stand Rock Hospitality development.

**Fiscal Impact:** The promissory notes will be paid from tax increment revenue in TID 12 from the values generated by the phase I hotel and conference/event center project.

**Critical Success Factor(s):**

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

---

**Background:** The Plan of Finance is covering the up-front grant amount of \$2,121,600 for the property acquisition outlined in the City/Oak Creek Hotel Ventures, LLC. Development Agreement. This debt will be supported by the tax increment (taxes) generated from the phase 1 construction project. As is customary for the City, this is a short term issuance that will be refunded into long term in 2022 once the project is completed and creating increment. The City has negotiated a phase I minimum assessed value of \$14,900,000 by 1/1/2022.

This piece of proposed debt has been combined with another project for a total proposed issuance of \$5,170,000. On March 17th, the Common Council will review the award resolution finalizing the terms and interest rates for the estimated \$5,170,000 borrowing. Justin Fischer from Baird will be present at the Council meeting to discuss the Plans of Finance, and address any questions Council may have.

**Options/Alternatives:** The Council is obligated to these costs per the City/Oak Creek Hotel Ventures, LLC. Development Agreement.

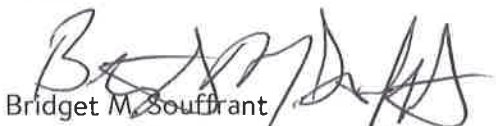
---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

---

Attachments: Baird Plan of Finance



City of Oak Creek  
Council Meeting

March 3, 2020

Justin A. Fischer, Director

[jfischer@rwbaird.com](mailto:jfischer@rwbaird.com)  
777 East Wisconsin Avenue  
Milwaukee, WI 53202  
Phone 414.765.3827  
Fax 414.298.7354

# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## Timeline

- Baird and City discuss plan of finance ..... January 16, 2020
  - Preparations are made for issuance
    - ✓ Official Statement
    - ✓ Bond Rating
    - ✓ Marketing
- City Council considers Plan of Finance ..... March 3, 2020
- City Council considers Award Resolutions (finalizes terms and interest rates) ..... March 17, 2020
- Closing/2017A (TID #11) paid off ..... April 1, 2020
- 2019 Note (TID #16) paid off ..... April 20, 2020

## Borrowing/Structure/Purpose

<b>Estimated Size:</b>	<b>\$5,170,000</b>	<b>\$835,000</b>	<b>\$5,075,000</b>
<b>Issue:</b>	Taxable G.O. Promissory Notes	Taxable G.O. Promissory Notes	Taxable G.O. Refunding Bonds
<b>Purpose:</b>	TID #16 – Amazon Development TID #12 – Stand Rock Development	TID #11 – Zund FDA Development	TID #11 – Emerald Row Phase II Development
<b>Structure:</b>	April 1, 2021-2023	October 1, 2021-2029	October 1, 2021-2032
<b>First Interest:</b>	April 1, 2021	April 1, 2021	April 1, 2021
<b>Callable:</b>	April 1, 2022	TBD	TBD
<b>Estimated Interest Rate:</b>	2.73%	3.09%	3.24%

# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## TIF #12 Financing Illustration – Stand Rock Development

		<b>\$2,265,000</b> Taxable G.O. Promissory Notes - POS Dated April 1, 2020				<b>\$2,300,000</b> Taxable G.O. Refunding Bonds Dated April 1, 2022			<b>Net</b>	
<b>Revenues</b>		<b>Expenditures</b>							<b>Revenues</b>	
<b>(a)</b> Projected TID #12 Revenues		<b>(b)</b> Principal	<b>(c)</b> Interest	<b>(d)</b> Capitalized Interest	<b>(e)</b> Debt Service	<b>(f)</b> Principal	<b>(g)</b> Interest	<b>(h)</b> Debt Service	<b>(i)</b> Available After Debt Service	Year
Year		(4/1)	(4/1 & 10/1) TIC= 2.65%			(4/1)	(4/1 & 10/1) TIC= 4.00%			Year
2020									\$0	2020
2021	\$0		\$75,425	(\$75,425)	\$0				\$0	2021
2022	\$0	\$2,265,000	\$25,142	(\$25,142)	\$2,265,000				\$0	2022
2023	\$314,688					\$80,000	\$136,400	\$216,400	\$98,288	2023
2024	\$317,835					\$130,000	\$86,200	\$216,200	\$101,635	2024
2025	\$321,013					\$140,000	\$80,800	\$220,800	\$100,213	2025
2026	\$503,743	Assumes Principal refinanced with Taxable Bonds on 4/1/2022 call date.				\$145,000	\$75,100	\$220,100	\$283,643	2026
2027	\$508,781					\$150,000	\$69,200	\$219,200	\$289,581	2027
2028	\$513,869	Assumes Interest paid with capitalized interest.				\$155,000	\$63,100	\$218,100	\$295,769	2028
2029	\$519,007					\$160,000	\$56,800	\$216,800	\$302,207	2029
2030	\$524,197					\$170,000	\$50,200	\$220,200	\$303,997	2030
2031	\$529,439					\$175,000	\$43,300	\$218,300	\$311,139	2031
2032	\$534,734					\$185,000	\$36,100	\$221,100	\$313,634	2032
2033	\$540,081					\$190,000	\$28,600	\$218,600	\$321,481	2033
2034	\$545,482					\$200,000	\$20,800	\$220,800	\$324,682	2034
2035	\$550,937					\$205,000	\$12,700	\$217,700	\$333,237	2035
2036	\$556,446					\$215,000	\$4,300	\$219,300	\$337,146	2036
2037	\$562,011								\$562,011	2037
<b>\$7,342,263</b>						<b>\$2,300,000</b>	<b>\$763,600</b>	<b>\$3,063,600</b>	<b>\$4,278,663</b>	



## COMMON COUNCIL REPORT

**Item:** \$835,000 Taxable General Obligation Promissory Notes, Series 2020E (Estimated)

**Recommendation:** Motion to approve the Plan of Finance for \$835,000 G.O. promissory notes for Zund per the approved TID #11 City/Zund Development Agreement.

**Fiscal Impact:** The refunding bonds will be paid from tax increment revenue in TID #11 from the values generated by the Zund construction project.

**Critical Success Factor(s):**

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

**Background:** The Plan of Finance covers a developer incentive related to two separate cost items in the approved City/Zund Development Agreement. The two cost items relate to: 1) the parking lot build out and shared parking agreement between parties; and, 2) project costs related to extraordinary soil handling/disposal requirements on the site. This debt will be supported by the tax increment (taxes) generated from the Zund construction project. The City negotiated a minimum assessed value of \$8,000,000 as of 1/1/2020 for the project. Based on the remaining life of the district, this long term bond is only 10 years.

On March 17th, the Common Council will review the award resolution finalizing the terms and interest rates for the estimated \$835,000 borrowing. Justin Fischer from Baird will be present at the Council meeting to discuss the Plans of Finance, and address any questions Council may have.

**Options/Alternatives:** The Council is obligated to these costs per the terms of the City/Zund Development Agreement.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Baird Plan of Finance



# City of Oak Creek

Council Meeting

March 3, 2020

Justin A. Fischer, Director

[jfischer@rwbaird.com](mailto:jfischer@rwbaird.com)  
777 East Wisconsin Avenue  
Milwaukee, WI 53202  
Phone 414.765.3827  
Fax 414.298.7354



# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## Timeline

- Baird and City discuss plan of finance ..... January 16, 2020
  - Preparations are made for issuance
    - ✓ Official Statement
    - ✓ Bond Rating
    - ✓ Marketing
- City Council considers Plan of Finance ..... March 3, 2020
- City Council considers Award Resolutions (finalizes terms and interest rates) ..... March 17, 2020
- Closing/2017A (TID #11) paid off ..... April 1, 2020
- 2019 Note (TID #16) paid off ..... April 20, 2020

## Borrowing/Structure/Purpose

<b>Estimated Size:</b>	<b>\$5,170,000</b>	<b>\$835,000</b>	<b>\$5,075,000</b>
<b>Issue:</b>	Taxable G.O. Promissory Notes	Taxable G.O. Promissory Notes	Taxable G.O. Refunding Bonds
<b>Purpose:</b>	TID #16 – Amazon Development TID #12 – Stand Rock Development	TID #11 – Zund FDA Development	TID #11 – Emerald Row Phase II Development
<b>Structure:</b>	April 1, 2021-2023	October 1, 2021-2029	October 1, 2021-2032
<b>First Interest:</b>	April 1, 2021	April 1, 2021	April 1, 2021
<b>Callable:</b>	April 1, 2022	TBD	TBD
<b>Estimated Interest Rate:</b>	2.73%	3.09%	3.24%

# City of Oak Creek

2020 Financing Discussion

March 3, 2020



## TIF #11 Financing Illustration – Zund FDA Development

		\$835,000 Taxable G.O. Promissory Notes Dated April 1, 2020						
		Revenues	Expenditures			Net Revenues		
		(a)	(b)	(c)	(d)	(e)		
		Projected TID #11 Revenues	Principal (10/1)	Interest (4/1 & 10/1)	Debt Service	Available After Debt Service Payments		
Year				TIC= 3.09%			Year	
2020		\$14,381				\$14,381	2020	
2021		\$169,104	\$75,000	\$34,556	\$109,556	\$59,548	2021	
2022		\$171,389	\$85,000	\$21,238	\$106,238	\$65,151	2022	
2023		\$173,747	\$90,000	\$19,155	\$109,155	\$64,592	2023	
2024		\$176,116	\$90,000	\$16,860	\$106,860	\$69,256	2024	
2025		\$178,550	\$95,000	\$14,475	\$109,475	\$69,075	2025	
2026		\$180,999	\$95,000	\$11,863	\$106,863	\$74,136	2026	
2027		\$183,516	\$100,000	\$9,155	\$109,155	\$74,361	2027	
2028		\$186,053	\$100,000	\$6,255	\$106,255	\$79,798	2028	
2029		\$188,662	\$105,000	\$3,255	\$108,255	\$80,407	2029	
2030		\$191,296				\$191,296	2030	
2031		\$195,057				\$195,057	2031	
2032		\$198,874				\$198,874	2032	
		\$2,207,743	\$835,000	\$136,811	\$971,811	\$1,235,932		



## COMMON COUNCIL REPORT

Informational: Treasurer Report on Investment and Banking for the City of Oak Creek accounts, month ending January 31, 2020.

Fiscal Impact: Presenting the monthly condition of the City treasury at an open meeting of the Common Council will provide additional financial data to decision makers while enhancing transparency to the public.

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

Background: The Treasurer Report on Investment and Banking displays the City's month end balances, to provide the Common Council and the public with the current condition of the City's treasury. Please note that some funds are allocated for specific purposes such as debt service, Tax Incremental Districts, capital improvement projects and distribution of tax collection to other taxing districts and is not available for general purpose spending. This monthly report is prepared, along with a more comprehensive report for Finance Committee, to assist with investment decisions and financial strategies. Below is a brief summary:

Beginning Balance	Ending Balance	Interest Earned	Increase/(Decrease)
\$73,786,815.05	\$69,416,946.62	\$98,864.59	(\$4,369,868.43)

Activity: Tax Collection \$23,193,233.64 or 26.59%, City Share \$8,306,929.30; December Tax Settlement in January \$28.9M

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Barbara Guckenberger, CMTW  
City Treasurer

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Treasurer Report on Investment and Banking

**City of Oak Creek  
Treasurer Report on Investment and Banking**

Name of Account	Beginning Balance	Additions	Subtractions	Account Ending Balance	Actual Interest Earned	Interest Rate	Percentage of Total Invested
<b>Tri City National Bank</b>	<b>6,889,452.83</b>	<b>71,924,444.71</b>	<b>(68,544,592.21)</b>	<b>10,269,305.33</b>	<b>6,300.28</b>	<b>1.55%</b>	<b>14.79%</b>
General Fund	4,221,817.43	47,395,586.41	(46,749,664.78)	4,867,739.06			
Title 125	58,199.86	37,268.94	(26,641.77)	68,827.03			
Police Credit Card	47,138.94	30,419.35	(20,616.19)	56,942.10			
Parks & Rec Counter Credit Card	5,297.81	6,324.63	(3,111.27)	8,511.17			
Tax Payment Account #2	485,448.12	16,768,075.04	(13,491,239.34)	3,762,283.82			
Parks & Rec Online Credit Card	7,416.43	4,339.94	(302.69)	11,453.68			
Health Insurance	61,594.38	630,973.23	(627,421.94)	65,145.67			
Tax Payment Account	1,786,882.38	6,930,336.04	(7,513,938.10)	1,203,280.32			
EMS	215,657.48	121,121.13	(111,656.13)	225,122.48			
<b>DANA Investment Advisors</b>	<b>5,752,549.83</b>	<b>15,482.16</b>	<b>(4,405.71)</b>	<b>5,763,626.28</b>	<b>15,482.16</b>	<b>2.29%</b>	<b>8.30%</b>
<b>BMO Global Asset Management</b>	<b>4,652,686.82</b>	<b>28,753.73</b>	<b>(3,849.11)</b>	<b>4,677,591.44</b>	<b>11,753.12</b>	<b>2.27%</b>	<b>6.74%</b>
<b>American Deposit Management (ADM)</b>	<b>4,350,795.06</b>	<b>5,827.73</b>	<b>(854.95)</b>	<b>4,355,767.84</b>	<b>5,827.73</b>	<b>1.63%</b>	<b>6.27%</b>
*ADM General Account Balance	0.00			0.00			
<b>Local Government Investment Pool (LGIP)</b>	<b>46,081,097.46</b>	<b>18,188,037.97</b>	<b>(26,000,854.95)</b>	<b>38,268,280.48</b>	<b>52,614.48</b>	<b>1.61%</b>	<b>55.13%</b>
*LGIP General Account Balance	44,256,206.33	12,726,339.22	(26,000,854.95)	30,981,690.60	43,874.76		
<b>**Ehlers Investment</b>	<b>6,060,233.05</b>	<b>22,142.20</b>	<b>(948.14)</b>	<b>6,082,375.25</b>	<b>6,886.82</b>	<b>2.0500%</b>	<b>8.76%</b>
	6,060,233.05	22,142.20	(948.14)	6,081,427.11			
<b>Total Balance</b>	<b>73,786,815.05</b>	<b>90,184,688.50</b>	<b>(94,554,556.93)</b>	<b>69,416,946.62</b>	<b>98,864.59</b>		

\*\*Ehlers balance is first shown gross of fees to balance to their monthly report; below that is shown net of fees for comparison purposes. Also, due to multiple CD's in the account, interest/dividends may not be earned monthly;  
\*General Account Balance shown separately and is also part of the total account listed above; although it is used for cash flow purposes, a portion may be allocated for specific uses and may not be available for general purpose spending

Excludes Police Forfeiture Account;

Tri City Interest is an analyzed credit from previous month earnings;

Additions and subtractions on investment accounts may include market adjustments for realized and unrealized gains(losses) or change in accrued income, as well as interest, management fees, deposits, transfers, returned payments or withdrawals; rates may reflect weighted average yield

Tax Collection Deposits		Distribution to other Taxing Jurisdictions	
<b>Tax Payment Account #2</b>		<b>Settlement 2/20/2020</b>	
City Deposit (Counter, Drop Box, Mail)	14,458,405.64	STATE	\$ -
Gov Tech	1,197,864.05	COUNTY	\$ 4,455,763.43
Credit Card	620,566.01	MMSD	\$ 1,532,300.22
<b>Total Tax Payment Account #2</b>	<b>16,276,835.70</b>	SCHOOL	\$ 8,250,833.50
<b>Tax Payment Account</b>		MATC	\$ 1,101,651.87
Tri City Payments (At Bank, Lockbox)	6,916,397.94	UTILITY	\$ 90,872.59
		<b>TOTAL DIST</b>	<b>\$15,431,421.61</b>
<b>Total Tax Collection Deposits</b>	<b>23,193,233.64</b>	TAX REFUNDS	\$ 48,718.19
Please note the City uses two bank accounts for tax collection; one for payments processed by the City (account #2) and the other for payments processed by our bank			
		CITY	\$ 7,712,293.74
		SPECIAL ASSESSMENTS	56,570.84
		SPECIAL CHARGES	538,064.72
		<b>TOTAL COLLECTION</b>	<b>\$23,787,069.10</b>
Prepared for Common Council; cc Finance Committee		*Uncollected Personal Property Tax Settled	(600,490.82)
Barbara Guckenberger, CMTW		NonCash/other adj	6,655.36
City Treasurer		<b>TOTAL COLLECTED</b>	<b>\$23,193,233.64</b>

## COMMON COUNCIL REPORT

Item: Board of Review date and time for 2020

Recommendation: That the Common Council adopts Resolution No. 12143-030320, a resolution setting the date and time for the 2020 Board of Review.

Fiscal Impact: None.

Critical Success Factor(s):

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

---

Background: Pursuant to Section 2.61(c)(1) of the Municipal Code, the first statutory meeting of the Board of Review for 2020 will be held on Monday, May 18, 2020 beginning at 5:15 p.m. At this meeting, the Board will determine 2020 meeting dates to review the 2019 Assessment Roll and hear properly filed objection cases. As the 2019 Assessment Roll is not expected to be completed on this date, the first regular meeting of the 2020 Board of Review will be held during the month of June 2020.

Options/Alternatives: None.

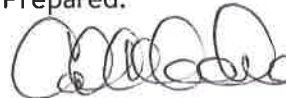
---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Catherine A. Roeske, CMC/WCMC  
City Clerk

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

---

Attachments: Resolution 12143-030320

RESOLUTION NO. 12143-030320

RESOLUTION ESTABLISHING THE DATE AND TIME OF THE  
2020 BOARD OF REVIEW

BE IT RESOLVED pursuant to Section 2.61(c)(1) of the Municipal Code, that the first statutory meeting of the Board of Review for 2020 shall be held on May 18, 2020 beginning at 5:30 p.m. This meeting will be convened to comply with Wisconsin State Statutes Section 70.47(1).

BE IF FURTHER RESOLVED pursuant to Section 70.47(3) that since the 2019 Assessment Roll is not expected to be completed by May 18, 2020, the first regular meeting of the 2020 Board of Review will be held during the month of June, 2020.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd day of March, 2020.

Passed and adopted this 3rd day of March, 2020.

\_\_\_\_\_  
President, Common Council

Approved this 5<sup>th</sup> day of March, 2019.

\_\_\_\_\_  
Mayor, Dan Bukiewicz

ATTEST:

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_



### COMMON COUNCIL REPORT

**Item:** Approval of a 30' public sanitary easement at 6508 S Howell Avenue.

**Recommendation:** The the Common Council adopts Resolution No. 12134-030320, a resolution approving a sanitary easement at 6508 S Howell Avenue (Tax Key No. 719-9985-000)(1<sup>st</sup> Aldermanic District) Project No. 17106.

**Fiscal Impact:** Utility to purchase the permanent easement for \$28,350.

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

**Background:** The easement is required for the proposed Jewell Sanitary Sewer project that will eliminate the Jewell Street lift station and install a gravity sewer to College Avenue. This will provide the permanent easement for the sewer and temporary construction easement for the installation. The Utility has worked with the property owner to come to an agreement on the easement.

**Options/Alternatives:** If the easement is not approved the proposed sanitary sewer will not be able to be constructed on the private property.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Brian L. Johnston, PE  
Utility Engineer

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Resolution 12134-030320, Easement

**RESOLUTION NO. 12134-030320**

**BY: \_\_\_\_\_**

**RESOLUTION FOR APPROVAL OF A SANITARY  
SEWER EASEMENT AT 6508 S HOWELL AVENUE**

**(TAX KEY NO. 719-9985-000)**

**(1<sup>ST</sup> ALDERMANIC DISTRICT)**

WHEREAS, the Oak Creek Water and Sewer Utility is requesting a new 30' public sanitary sewer easement for the extension of a gravity sewer from E. Jewell Street to E. College Avenue and;

WHEREAS, the easement document also includes the 50' temporary easement along the permanent easement for use during construction of the sewer and;

WHEREAS, the existing lift station on Jewell Street will be abandoned and replaced with a gravity sewer line to College Avenue and;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the sanitary easement be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to record the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of March, 2020.

Passed and adopted this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
President, Common Council

Approved this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_



Document Number	Sanitary Sewer Easement	Document Title
EASEMENT NO	_____	
PROJECT NO.	17106	
RESOLUTION NO.	_____	
ADDRESS NO.	6508 S Howell Avenue	Recording Area
GRANTOR(S)	Stramowski 6508 S Howell, LLC	
M/A	6508 S Howell Avenue Oak Creek, WI 53154	Brian Johnston Oak Creek Water & Sewer Utility 170 W Drexel Avenue Oak Creek, WI 53154 Name and Return Address

719-9985-000  
 Parcel Identification Number (PIN)

**30' PERMANENT SANITARY SEWER EASEMENT**

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between, Stramowski 6508 S Howell, LLC, party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

**WITNESSETH:**

Grantors do hereby grant to the Grantee a permanent sanitary easement to construct, maintain, operate and reconstruct where necessary sanitary sewer main and appurtenances in, under, over and across the real property of Grantors as shown in "Exhibit A" and being a part of the Northwest ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin bounded and described as follows:

Commencing at the Northwest corner of Lot 1 of Block 2 of Harmony Homesites Subdivision; thence North 89° 12' 58" East 3.21 feet to the point of beginning of lands to be described; thence South 89° 12' 58" West 30.24 feet to a point; thence North 06° 24' 46" East 48.12 feet to a point; thence North 00° 44' 25" West 219.39 feet to a point; thence

North 89° 10' 57" East 30.00 feet to a point; thence South 00° 44' 25" East 221.31 feet to a point; thence South 06° 24' 46" West 46.21 feet to the point of beginning.

Said land contains 8,025 square feet.

The City shall compensate the Grantors for the permanent easement as follows:

Payment by the City to the Grantor of the sum of \$28,350 for 8,025 square feet of land within 30 days of the date that this easement is approved by the Common Council of the City of Oak Creek.

TO HAVE AND TO HOLD said easement unto the Grantee, and unto its successors and assigns forever.

The Grantee shall have the right to enter upon and to pass and repass over and along the aforesaid land whenever and wherever necessary for the purpose of installation, maintenance, operation and repair of the aforesaid sanitary sewer and appurtenances thereto.

The Grantee agrees to restore or cause to have restored the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. However, the Grantee's obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots which may interfere with the Grantee's use of the aforesaid easement.

The Grantee shall have the right to trim or remove any trees, bushes, branches or roots so as not to interfere with the grantees use of the aforesaid easement.

Structures, which are defined as anything constructed or erected, the use of which requires more or less permanent location on ground or attached to something having permanent location on the ground and fences, shall not be located over Grantee's facilities or in, upon or over the property within aforesaid easement.

The aforesaid sanitary sewer and appurtenances shall be maintained and kept in good order and condition at the expense of the Grantee.

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

If the premises herein are discontinued or abandoned for the purpose granted, the easement herein conveyed shall, without notice, demand or re-entry, revert to the Grantor, its heirs, personal representatives, successors and assigns. In such event, the City agrees to reconvey by quit claim deed to Grantor, its heirs, personal representatives, successors and assigns, the premises described herein.

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

#### 50' TEMPORARY SANITARY SEWER EASEMENT

Grantors do hereby grant to the Grantee a temporary construction easement to install the sanitary sewer main and appurtenances in, under, over and across the real property of Grantors as shown in "Exhibit A" and being a part of the Northwest ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin bounded and described as follows:

#### 50' Temporary Sanitary Sewer Easement

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

Commencing at the Northwest corner of Lot 1 of Block 2 of Harmony Homesites Subdivision; thence North 89° 12' 58" East 3.21 feet to the point of beginning of lands to be described; thence North 06° 24' 46" East 46.21 feet to a point; thence North 00° 44' 25" West 221.31 feet to a point; thence North 89° 10' 57" East 50.00 feet to a point; thence South 00° 44' 25" East 224.50 feet to a point; thence South 06° 24' 46" West 43.02 feet to a point; thence South 89° 12' 58" West 50.40 feet to the point of beginning.

Said land contains 13,376 square feet.

TO HAVE AND TO HOLD said temporary easement unto the Grantee, and unto its successors and assigns for the duration of construction of said sanitary sewer.

The Grantee shall have the right to enter upon and to pass and repass over and along the aforesaid land whenever and wherever necessary for the purpose of construction of the aforesaid sanitary sewer and appurtenances thereto.

The Grantee agrees to restore or cause to have restored the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. However, the Grantee's obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots which may interfere with the Grantee's use of the aforesaid easement.

The City shall and does hereby agree to indemnify and save harmless the Grantor, its heirs, personal representatives, successors and assigns, from any and all loss of damage to property or injury to or death of any and all persons, or from any suits, claims,

liability or demand in connection therewith however caused, resulting directly or indirectly by reason of the installation, operation, maintenance, removal, use or existence of the aforesaid sanitary sewer and appurtenances thereto.

The said temporary easements shall terminate when the project final payment is approved by the Utility Commission.

*[Signatures to appear on following pages]*

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

Grantor:

6508 S Howell, LLC

  
Jay N. Stramowski

STATE OF WISCONSIN)  
                                  )SS.  
MILWAUKEE COUNTY)

Personally came before me this 14<sup>th</sup> day of February, 2020, the above-named, Jay N. Stramowski, to me known to be the person who executed the foregoing instrument and acknowledged the same.

  
Notary Public, Milwaukee County, WI

My commission expires: 02/20/2020



**CITY OF OAK CREEK**

By: \_\_\_\_\_  
DANIEL J. BUKIEWICZ, Mayor

By: \_\_\_\_\_  
CATHERINE A. ROESKE, City Clerk

STATE OF WISCONSIN )  
  )SS.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument, as such officers, as the deed of said municipal corporation, by its authority, pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public, Milwaukee County, WI

My commission expires: \_\_\_\_\_

This instrument was drafted by Brian Johnston of the Oak Creek Water and Sewer

Approved as to form by:

\_\_\_\_\_  
Melissa L. Karls, City Attorney  
Notary Public  
My commission is permanent.



**EXHIBIT A**

# SANITARY SEWER EASEMENT

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

## 30' Permanent Sanitary Sewer Easement

Commencing at the Northwest corner of Lot 1 of Block 2 of Harmony Homesites Subdivision; thence North 89° 12' 58" East 3.21 feet to the point of beginning of lands to be described; thence South 89° 12' 58" West 30.24 feet to a point; thence North 06° 24' 46" East 48.12 feet to a point; thence North 00° 44' 25" West 219.39 feet to a point; thence North 89° 10' 57" East 30.00 feet to a point; thence South 00° 44' 25" East 221.31 feet to a point; thence South 06° 24' 46" West 46.21 feet to the point of beginning.

Said land contains 8,025 square feet.

## 50' Temporary Sanitary Sewer Easement

Commencing at the Northwest corner of Lot 1 of Block 2 of Harmony Homesites Subdivision; thence North 89° 12' 58" East 3.21 feet to the point of beginning of lands to be described; thence North 06° 24' 46" East 46.21 feet to a point; thence North 00° 44' 25" West 221.31 feet to a point; thence North 89° 10' 57" East 50.00 feet to a point; thence South 00° 44' 25" East 224.50 feet to a point; thence South 06° 24' 46" West 43.02 feet to a point; thence South 89° 12' 58" West 50.40 feet to the point of beginning.

Said land contains 13,376 square feet.

February 11, 2020

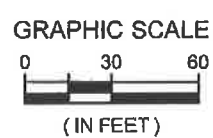
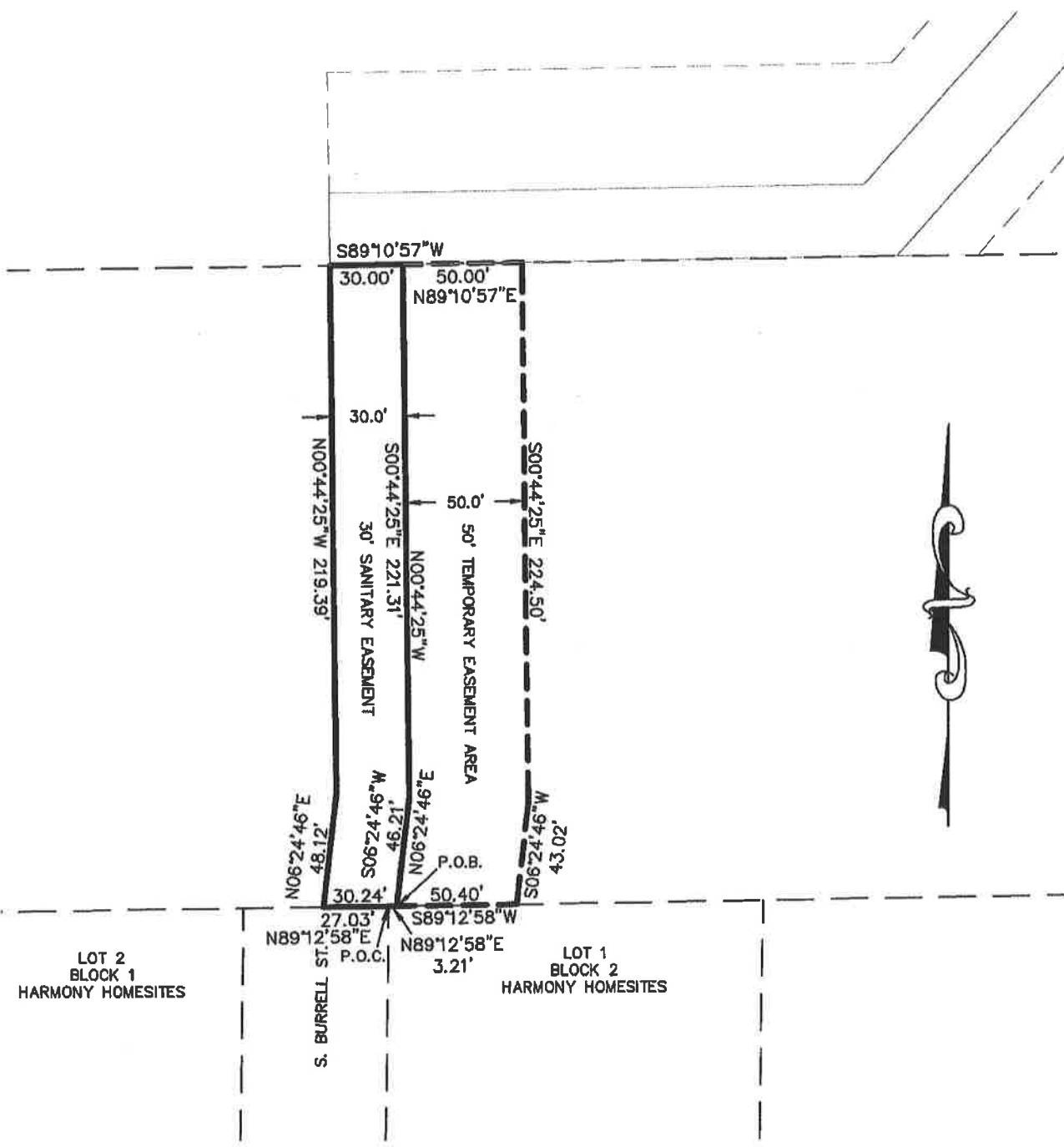
Drawing No. 167922-RMK

**raSmith**  
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road  
Brookfield, WI 53005-5938  
(262) 781-1000  
rasmith.com



# SANITARY SEWER EASEMENT



**raSmith**  
 CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road  
 Brookfield, WI 53005 5938  
 (262) 781-1000  
 rasmith.com



Meeting Date: March 3, 2020


Item No. 18


### COMMON COUNCIL REPORT

- Item:** Approval of a 25' public water easement at 150 E Oakwood Road.
- Recommendation:** The the Common Council adopts Resolution No. 12135-030320 a resolution approving a water main easement at 150 E. Oakwood Road (Tax Key No. 823-9996-004)(5<sup>th</sup> Aldermanic District) Project No. 17103.
- Fiscal Impact:** None
- Critical Success Factor(s):**
  - Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

**Background:** The easement is required for the proposed Quail Run water looping project that will eliminate the dead end on the existing water main. This connection will provide a secondary water connection to 78 homes. The new connection will improve water quality and fire protection for the subdivision. This will provide the permanent easement for the water main. The Utility has worked with the property owner to come to an agreement on the easement.

**Options/Alternatives:** If the easement is not approved the proposed water main will not be able to be constructed on the private property.

Respectfully submitted:  
  
Andrew J. Vickers, MPA  
City Administrator

Prepared:  
  
Brian L. Johnson, PE  
Utility Engineer

Fiscal Review:  
  
Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Resolution 12135-030320, Easement

**RESOLUTION NO. 12135-030320**

**BY:** \_\_\_\_\_

**RESOLUTION FOR APPROVAL OF A WATER  
MAIN EASEMENT AT 150 E. OAKWOOD ROAD**

**(TAX KEY NO. 923-9996-004)**

**(5<sup>TH</sup> ALDERMANIC DISTRICT)**

WHEREAS, the Oak Creek Water and Sewer Utility is requesting a new 25' public water main easement for the extension of the water main from E. Quail Run to E. Oakwood Road and;

WHEREAS, the Oak Creek Water and Sewer Utility is also requesting a temporary construction easement for the extension of the water main from E. Quail Run to E. Oakwood Road and;

WHEREAS, the proposed water main connection will provide a secondary service to the subdivision with increased water quality and fire protection and;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the water easement be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to record the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of March, 2020.

Passed and adopted this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
President, Common Council

Approved this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Document Number	Document Title
EASEMENT NO	_____
PROJECT NO.	_____
RESOLUTION NO.	_____
ADDRESS NO.	
GRANTOR(S)	
M/A	
	Recording Area
	Brian Johnston Oak Creek Water & Sewer Utility 170 W Drexel Avenue Oak Creek, WI 53185 Name and Return Address

923-9996-004  
 Parcel Identification Number (PIN)

25' WATER MAIN EASEMENT

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between, MICJENSAR REALTY WI LTD PARTNERSHIP, party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

Subject to the terms and conditions of this Indenture, Grantor does hereby grant to the Grantee a non-exclusive easement for the sole purpose of constructing, maintaining, operating and reconstructing a water main and related appurtenances in and under the real property of Grantors in the City of Oak Creek, County of Milwaukee and State of Wisconsin, in the location shown on Exhibit "A", and legally described as follows:

That part of the Southwest ¼ of the Southwest ¼ of Section 28, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Section 28; North 89° 24' 10" East, 1,302.89 feet along the south line of said Southwest 1/4; Thence North 0° 01' 58" West, 33.00 feet to the northerly right-of-way line of Oakwood Road and the point of beginning;

Thence North 0° 01' 58" West, 393.80 feet; Thence North 89° 58' 02" East, 24.89 feet to the west line of the Quail Run Plat; Thence South 0° 03' 05" East, 393.55 feet to the northerly right-of-way line of Oakwood Road; Thence South 89° 24' 10" West, 25.01 feet along said northerly right-of-way line to the point of beginning.

Containing 0.23 acres, more or less.

TO HAVE AND TO HOLD said easement unto the Grantee, and unto its successors and assigns forever, subject and subordinate to matters of record.

Subject to the terms and conditions of this Indenture, the Grantee shall have the right to enter upon and to pass and repass over and along the Easement Area whenever and wherever necessary for the purpose of installation, maintenance, operation and repair of the aforesaid water main and appurtenances thereto.

The Grantee agrees to restore or cause to have restored the Grantor's property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. However, the Grantee's obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots located within the Easement Area which may interfere with the Grantees use of the aforesaid easement.

Grantee shall have the right to trim or remove any trees, bushes, branches or roots located within the Easement Area so as not to interfere with the grantees use of the aforesaid easement.

Grantor has constructed certain improvements within a public easement. The Grantor is fully aware that any of the utility easement holders have the right, without notice to the Grantor to remove any and all physical impediments in order to install, maintain, and/or repair any utility infrastructure within the easement area.

The Grantor acknowledges that the Grantee and any of the utility easement holder(s) are not financially or physically responsible for any damages caused to the subject area or its replacement within this easement and the zone of influence.

The aforesaid water main and appurtenances shall be maintained and kept in good order and condition at the expense of the Grantee.

The Grantor reserves the right, to themselves and to their heirs, personal representatives, successors and assigns, to have the full use and enjoyment of the Easement Area, subject to the rights herein granted.

If the utilities located within the Easement Area are discontinued or abandoned, the easement herein conveyed shall, without notice, demand or re-entry, terminate. In such event, the City agrees to reconvey by quit claim deed to Grantors, their heirs, personal representatives, successors and assigns, the Easement Area described herein.

Notwithstanding anything to the contrary in this Indenture, the Grantee shall and does hereby agree to indemnify and save harmless the Grantors, their heirs, personal representatives, successors and assigns, from any and all loss or damage to property or injury to or death of any and all persons, or from any suits, claims, liability or demand, caused, directly or indirectly, by reason of the installation, operation, maintenance, removal, use or existence of the aforesaid water main and appurtenances thereto.

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

Grantor:  
MICJENSAR REALTY WI LTD PARTNERSHIP

Michael Polaski  
Michael Polaski

STATE OF WISCONSIN)  
)SS.  
MILWAUKEE COUNTY)

Personally came before me this 24 day of February, 201~~9~~<sup>20</sup>, the above-named, Michael Polaski, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Kathleen J. Baker  
Notary Public, Milwaukee County, WI

My commission expires: 4/26/22



**CITY OF OAK CREEK**

By: \_\_\_\_\_  
DANIEL J. BUKIEWICZ, Mayor

By: \_\_\_\_\_  
CATHERINE A. ROESKE, City Clerk

STATE OF WISCONSIN )  
  )SS.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument, as such officers, as the deed of said municipal corporation, by its authority, pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public, Milwaukee County, WI

My commission expires: \_\_\_\_\_

This instrument was drafted by Brian Johnston.

Approved as to form by:

\_\_\_\_\_  
Melissa L. Karls, City Attorney  
Notary Public  
My commission is permanent.

EXHIBIT A

Depiction of Easement Area and Improvements

(attached)



## LEGAL DESCRIPTION

A **Permanent Limited Easement** for the right to construct and maintain water main, including for such purpose the right to operate necessary equipment thereon, the right of ingress and egress as long as required for such public purpose including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable to prevent erosion of the soil, but without prejudice to the owner's right to make or construct improvements on said lands, or to flatten the slopes, providing said activities would not impair or otherwise adversely affect drainage or the water main facilities within the easement.

Said easement consists of the owner's interest in land contained within the following described tract being part of the Southwest 1/4 of the Southwest 1/4 of Section 28, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southwest corner of said Section 28;  
North 89° 24' 10" East, 1,302.89 feet along the south line of said Southwest 1/4;  
Thence North 0° 01' 58" West, 33.00 feet to the northerly right-of-way line of Oakwood Road and the point of beginning;

Thence North 0° 01' 58" West, 393.80 feet;  
Thence North 89° 58' 02" East, 24.89 feet to the west line of the Quail Run Plat;  
Thence South 0° 03' 05" East, 393.55 feet to the northerly right-of-way line of Oakwood Road;  
Thence South 89° 24' 10" West, 25.01 feet along said northerly right-of-way line to the point of beginning.

Containing 0.23 acres, more or less.

Also,

A **Temporary Limited Easement** for the right to construct slopes, including for such purpose the right to operate and store necessary equipment and materials thereon, the right of ingress and egress as long as required for such public purpose including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable. **This easement shall terminate upon completion of the construction project for which this instrument is given.**

Said easement consists of the owner's interest in land contained within the following described tract being part of the Southwest 1/4 of the Southwest 1/4 of Section 28, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southwest corner of said Section 28;  
Thence North 89° 24' 10" East, 1,302.89 feet along the south line of said Southwest 1/4;  
Thence North 0° 01' 58" West, 33.00 feet to the northerly right-of-way line of Oakwood Road and the point of beginning;

Thence South 89° 24' 10" West, 60.03 feet along said northerly right-of-way line;;  
Thence North 0° 00' 00" West, 42.96 feet;

9/5/2019

Thence North 89° 58' 02" East, 60.00 feet to the westerly line of previously described Permanent Limited Easement;  
Thence South 0° 01' 58" East, 42.37 feet along said westerly line to the point of beginning.

Containing 0.06 acres, more or less.

Also,

**A Temporary Limited Easement** for the right to construct slopes, including for such purpose the right to operate and store necessary equipment and materials thereon, the right of ingress and egress as long as required for such public purpose including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable. **This easement shall terminate upon completion of the construction project for which this instrument is given.**

Said easement consists of the owner's interest in land contained within the following described tract being part of the Southwest 1/4 of the Southwest 1/4 of Section 28, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southwest corner of said Section 28;  
Thence North 89° 24' 10" East, 1,302.89 feet along the south line of said Southwest 1/4;  
Thence North 0° 01' 58" West, 33.00 feet to the northerly right-of-way line of Oakwood Road;  
Thence North 0° 01' 58" West, 393.80 feet to the point of beginning;

Thence South 0° 01' 58" East, 28.64 feet along the westerly line of previously described Permanent Limited Easement;  
Thence South 89° 33' 08" West, 25.35 feet;  
Thence North 0° 08' 02" East, 123.77 feet;  
Thence North 89° 38' 41" East, 49.84 feet to the west line of Lot 28 of the Quail Run Plat ;  
Thence South 0° 03' 05" East, 95.23 feet along the west line of said Quail Run Plat to the northerly line of previously described Permanent Limited Easement;  
Thence South 89° 58' 02" West, 24.89 feet to the point of beginning.

Containing 0.13 acres, more or less

Subject to all other easements and restrictions, recorded and unrecorded.

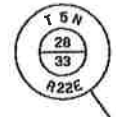
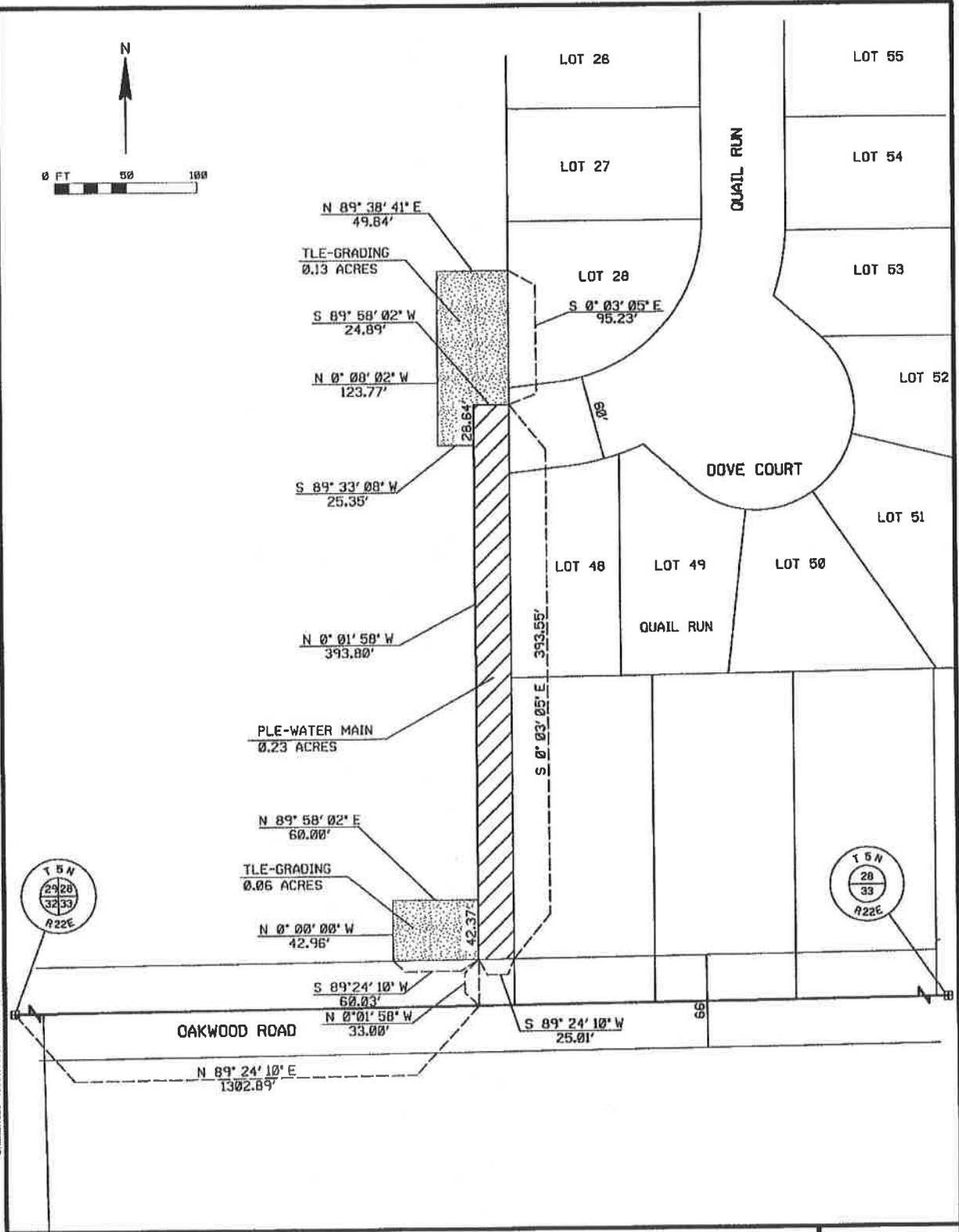
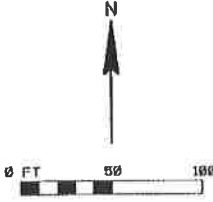
9/5/2019

1:28:26 PM

18/25/2019

user: houthab

S:\MILW500-186018600-Milwaukee\MICJENSAR GRAPHIC.dgn



**PERMANENT & TEMPORARY EASEMENTS**  
**MICJENSAR REALTY**  
**CITY OF OAK CREEK**  
**MILWAUKEE COUNTY, WISCONSIN**



**FIGURE NO. 1**  
 JOB # 1860.014



### COMMON COUNCIL REPORT

**Item:** Vacation and Approval of a 30' public sanitary easement at 6448 S Howell Avenue.

**Recommendation:** The the Common Council adopts Resolution No. 12136-030320, a resolution vacating the existing sanitary easement and approving a sanitary easement at 6448 S Howell Avenue (Tax Key No. 719-9087-002)(1<sup>st</sup> Aldermanic District) Project No. 17106.

**Fiscal Impact:** Utility to purchase the permanent easement for \$6,000.

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

**Background:** The easement is required for the proposed Jewell Sanitary Sewer project that will eliminate the Jewell Street lift station and install a gravity sewer to College Avenue. The Council approved the existing sanitary easement with resolution 12115-120319. The existing easement needs to be vacated and replaced with the new sanitary easement to accommodate the revised design of the sanitary sewer. This will provide the permanent easement for the sewer and temporary construction easement for the installation. The Utility has worked with the property owner to come to an agreement on the easement.

**Options/Alternatives:** If the easement is not approved the proposed sanitary sewer will not be able to be constructed on the private property.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Brian L. Johnson, PE  
Utility Engineer

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Resolution 12136-030320, Easement

**RESOLUTION NO. 12136-030320**

**BY:** \_\_\_\_\_

**RESOLUTION FOR VACATING AND APPROVAL OF A SANITARY  
SEWER EASEMENT AT 6448 S HOWELL AVENUE**

**(TAX KEY NO. 719-9087-002)**

**(1<sup>ST</sup> ALDERMANIC DISTRICT)**

WHEREAS, the Oak Creek Water and Sewer Utility is vacating an existing 30' public sanitary sewer easement approved with resolution 12115-120319 and;

WHEREAS, the Oak Creek Water and Sewer Utility is requesting a new 30' public sanitary sewer easement for the extension of a gravity sewer from E. Jewell Street to E. College Avenue and;

WHEREAS, the easement document also includes the temporary easement along the permanent easement for use during construction of the sewer and;

WHEREAS, the existing lift station on Jewell Street will be abandoned and replaced with a gravity sewer line to College Avenue and;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the sanitary easement be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to record the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of March, 2020.

Passed and adopted this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
President, Common Council

Approved this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Document Number	Sanitary Sewer Easement Document Title	Recording Area
EASEMENT NO.	_____	
PROJECT NO.	17106	
RESOLUTION NO.	_____	
ADDRESS NO.	6448 S Howell Avenue	
GRANTOR(S)	Morton Community Bank	Brian Johnston Oak Creek Water & Sewer Utility 170 W Drexel Avenue Oak Creek, WI 53154 Name and Return Address
M/A	721 W Jackson Morton, IL 61550	

719-9087-002  
Parcel Identification Number (PIN)

30' PERMANENT SANITARY SEWER EASEMENT

THIS INDENTURE, made this 18<sup>th</sup> day of FEBRUARY, 2020, by and between, Morton Community Bank, an Illinois limited liability company, party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

Grantors do hereby grant to the Grantee a permanent sanitary easement to construct, maintain, operate and reconstruct where necessary sanitary sewer main and appurtenances in, under, over and across the real property of Grantors as shown in "Exhibit A" and being a part of the Northwest ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin bounded and described as follows:

Commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5458; thence North 89° 07' 17" East along the South line of said Parcel 25.01 feet to the point of beginning of lands to be described; thence continuing North 89° 07' 17" East along said South line 30.01 feet to a point; thence South 00° 41' 50" West 73.86 feet to a point;

thence South 41° 44' 18" West 339.85 feet to a point; thence South 89° 10' 57" West 235.91 feet to a point; thence North 00° 44' 25" West 30.00 feet to a point; thence North 89° 10' 57" East 222.69 feet to a point; thence North 41° 44' 18" East 315.44 feet to a point; thence North 00° 41' 50" East 61.81 feet to the point of beginning.

Said land contains 18,743 square feet.

The City shall compensate the Grantors for the permanent easement as follows:

Payment by the City to the Grantor of the sum of \$6,000 for 18,743 square feet of land within 30 days of the date that this easement is approved by the Common Council of the City of Oak Creek.

TO HAVE AND TO HOLD said easement unto the Grantee, and unto its successors and assigns forever.

The Grantee shall have the right to enter upon and to pass and repass over and along the aforesaid land whenever and wherever necessary for the purpose of installation, maintenance, operation and repair of the aforesaid sanitary sewer and appurtenances thereto.

The Grantee agrees to restore or cause to have restored the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. However, the Grantee's obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots which may interfere with the Grantee's use of the aforesaid easement.

The Grantee shall have the right to trim or remove any trees, bushes, branches or roots so as not to interfere with the grantees use of the aforesaid easement.

Structures, which are defined as anything constructed or erected, the use of which requires more or less permanent location on ground or attached to something having permanent location on the ground and fences, shall not be located over Grantee's facilities or in, upon or over the property within aforesaid easement.

The aforesaid sanitary sewer and appurtenances shall be maintained and kept in good order and condition at the expense of the Grantee.

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

If the premises herein are discontinued or abandoned for the purpose granted, the easement herein conveyed shall, without notice, demand or re-entry, revert to the Grantor, its heirs, personal representatives, successors and assigns. In such event, the City agrees to reconvey by quit claim deed to Grantor, its heirs, personal representatives,

successors and assigns, the premises described herein.

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

25' TEMPORARY SANITARY SEWER EASEMENT "A" AND "B"

Grantors do hereby grant to the Grantee a temporary construction easement to install the sanitary sewer main and appurtenances in, under, over and across the real property of Grantors as shown in "Exhibit A" and being a part of the Northwest ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin bounded and described as follows:

Temporary Sanitary Sewer Easement A

Beginning at the Southwest corner of Parcel 1 of Certified Survey Map No. 5458; thence North 89° 07' 17" East along the South line of said Parcel 25.01 feet to a point; thence South 00° 41' 50" West 61.81 feet to a point; thence South 41° 44' 18" West 315.44 feet to a point; thence South 89° 10' 57" West 222.69 feet to a point; thence North 00° 44' 25" West 50.00 feet to a point; thence North 89° 10' 57" East 234.59 feet to a point; thence North 41° 44' 18" East 261.15 feet to a point; thence North 00° 41' 50" East 51.76 feet to the point of beginning.

Said land contains 20,059 square feet.

Temporary Sanitary Sewer Easement B

Commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5458; thence North 89° 07' 17" East along the South line of said Parcel 55.02 feet to the point of beginning of lands to be described; thence North 89° 07' 17" East along said South line 25.01 feet to a point; thence South 00° 41' 50" West 83.91 feet to a point; thence South 41° 44' 18" West 326.25 feet to a point; thence South 89° 10' 57" West 33.94 feet to a point; thence North 41° 44' 18" East 339.85 feet to a point; thence North 00° 41' 50" East 73.86 feet to the point of beginning.

Said land contains 10,298 square feet.

TO HAVE AND TO HOLD said temporary easements "A" and "B" unto the Grantee, and unto its successors and assigns for the duration of construction of said sanitary sewer.

The Grantee shall have the right to enter upon and to pass and repass over and



along the aforesaid land whenever and wherever necessary for the purpose of construction of the aforesaid sanitary sewer and appurtenances thereto.

The Grantee agrees to restore or cause to have restored the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. However, the Grantee's obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots which may interfere with the Grantee's use of the aforesaid easement.

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

The said temporary easements shall terminate when the project final payment is approved by the Utility Commission.

*[Signatures to appear on following pages]*

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

Grantor:

Morton Community Bank



Robert Dittmer, Executive Vice President

STATE OF ILLINOIS)

)SS.

Tazewell COUNTY)

Personally came before me this 18<sup>th</sup> day of February, 2020, the above-named, Robert Dittmer, Executive Vice President, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Notary Public, Tazewell County, IL

My commission expires: 11/27/2021



**CITY OF OAK CREEK**

By: \_\_\_\_\_  
DANIEL J. BUKIEWICZ, Mayor

By: \_\_\_\_\_  
CATHERINE A. ROESKE, City Clerk

STATE OF WISCONSIN )  
                                  )SS.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument, as such officers, as the deed of said municipal corporation, by its authority, pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public, Milwaukee County, WI

My commission expires: \_\_\_\_\_

This instrument was drafted by Brian Johnston of the Oak Creek Water and Sewer Utility.

Approved as to form by:

\_\_\_\_\_  
Melissa L. Karls, City Attorney  
Notary Public  
My commission is permanent.

**EXHIBIT A**

# SANITARY SEWER EASEMENT

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

## 30' Permanent Sanitary Sewer Easement

Commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5458; thence North 89° 07' 17" East along the South line of said Parcel 25.01 feet to the point of beginning of lands to be described; thence continuing North 89° 07' 17" East along said South line 30.01 feet to a point; thence South 00° 41' 50" West 73.86 feet to a point; thence South 41° 44' 18" West 339.85 feet to a point; thence South 89° 10' 57" West 235.91 feet to a point; thence North 00° 44' 25" West 30.00 feet to a point; thence North 89° 10' 57" East 222.69 feet to a point; thence North 41° 44' 18" East 315.44 feet to a point; thence North 00° 41' 50" East 61.81 feet to the point of beginning.

Said land contains 18,743 square feet.

## Temporary Sanitary Sewer Easement A

Beginning at the Southwest corner of Parcel 1 of Certified Survey Map No. 5458; thence North 89° 07' 17" East along the South line of said Parcel 25.01 feet to a point; thence South 00° 41' 50" West 61.81 feet to a point; thence South 41° 44' 18" West 315.44 feet to a point; thence South 89° 10' 57" West 222.69 feet to a point; thence North 00° 44' 25" West 50.00 feet to a point; thence North 89° 10' 57" East 234.59 feet to a point; thence North 41° 44' 18" East 261.15 feet to a point; thence North 00° 41' 50" East 51.76 feet to the point of beginning.

Said land contains 20,059 square feet.

## Temporary Sanitary Sewer Easement B

Commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5458; thence North 89° 07' 17" East along the South line of said Parcel 55.02 feet to the point of beginning of lands to be described; thence North 89° 07' 17" East along said South line 25.01 feet to a point; thence South 00° 41' 50" West 83.91 feet to a point; thence South 41° 44' 18" West 326.25 feet to a point; thence South 89° 10' 57" West 33.94 feet to a point; thence North 41° 44' 18" East 339.85 feet to a point; thence North 00° 41' 50" East 73.86 feet to the point of beginning.

Said land contains 10,298 square feet.

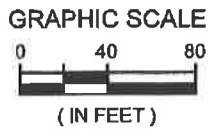
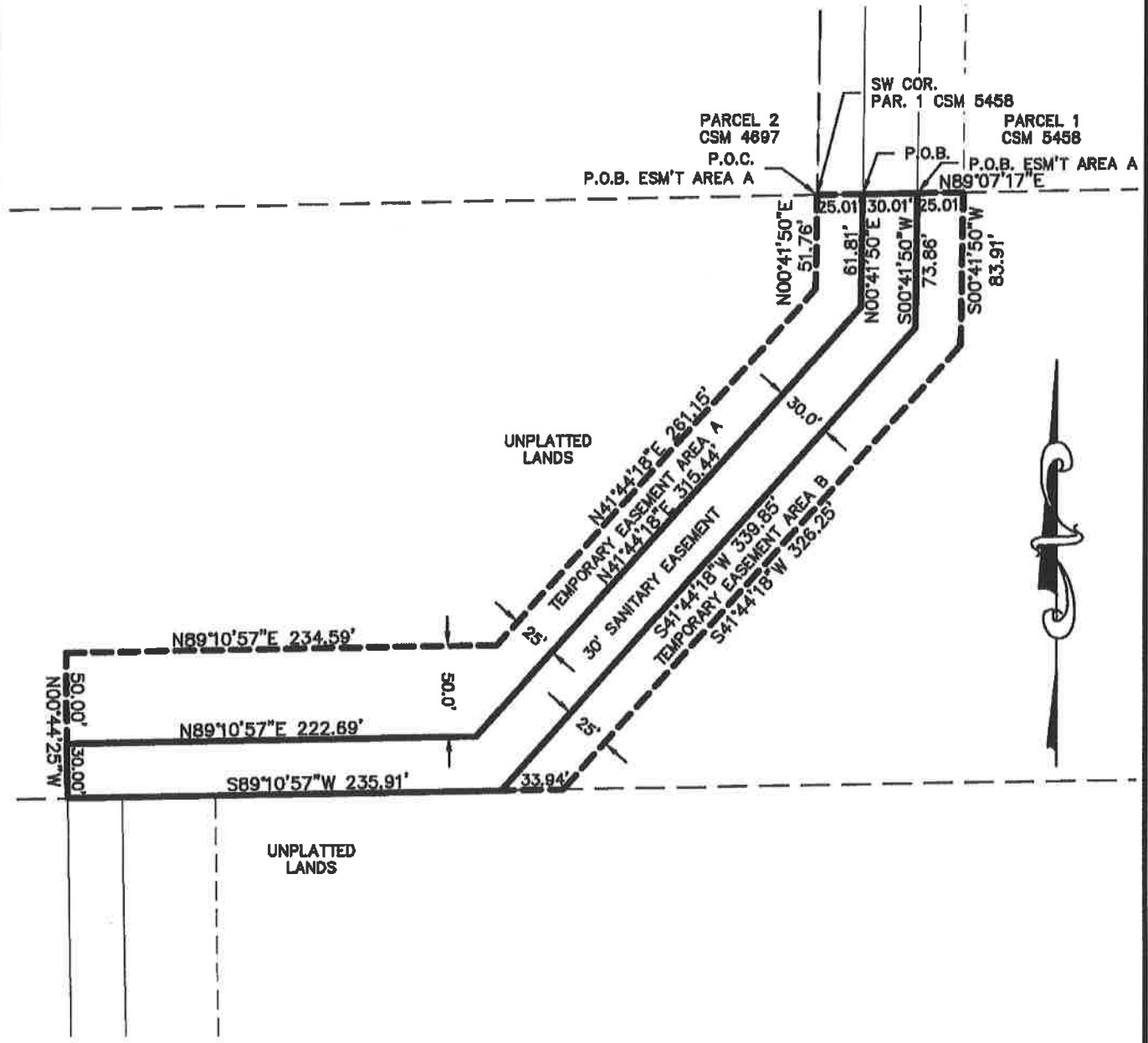
February 11, 2020

Drawing No. 167922-RMK

**raSmith**  
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road  
Brookfield, WI 53005-5938  
(262) 781-1000  
rasmith.com

# SANITARY SEWER EASEMENT



**raSmith**  
 CREATIVITY BEYOND ENGINEERING

16745 W. Bluenaund Road  
 Braokfield, WI 53005-5938  
 (262) 781-1000  
 rasmith.com



### COMMON COUNCIL REPORT

Item: Request the Milwaukee Metropolitan Sewerage District Install an Interceptor Sewer in 27<sup>th</sup> Street from Oakwood Road to the County Line.

Recommendation: That the Common Council adopt Resolution 12137-030320, requesting the Milwaukee Metropolitan Sewerage District program and install a regional interceptor sewer in 27<sup>th</sup> Street from Oakwood Road to the County Line.

Fiscal Impact: None

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

Background: The purpose of this resolution is to request the Milwaukee Metropolitan Sewerage District (MMSD) install a metropolitan interceptor sewer (MIS) in 27<sup>th</sup> Street to serve the communities of Oak Creek, Franklin, Caledonia, and Raymond. MMSD's regional sewer is needed for Oak Creek to serve lands south of Oakwood Road on the east side of 27<sup>th</sup> Street with sanitary sewer. The development potential of this land is increasing due to the addition of the Elm Road interchange. This request has been coordinated with the other communities to demonstrate unified support to MMSD for the installation of this MIS. The cost of the MIS installation would be funded through MMSD's internal funding mechanisms as a cost of owning and operating the regional sewer system and treatment facilities for 28 Milwaukee metropolitan communities.

An existing MIS terminates in 27<sup>th</sup> Street at Oakwood Road and is planned to be extended south under the Root River to serve adjoining communities. In addition, the WisDOT is planning 27<sup>th</sup> Street road construction in the future. The potential for cost savings to MMSD and ultimately Oak Creek exists if MMSD moves forward with this MIS and can coordinate with WisDOT.

Options/Alternatives: The Common Council could decide not to show support for the sewer installation giving MMSD cause to invest elsewhere in their service area.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Michael J. Sullivan, PE  
General Manager

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

**RESOLUTION NO. 12137-030320**

**BY:** \_\_\_\_\_

**RESOLUTION REQUESTING THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT PROGRAM AND INSTALL A REGIONAL INTERCEPTOR SEWER IN 27<sup>TH</sup> STREET FROM OAKWOOD ROAD TO THE COUNTY LINE**

WHEREAS, the Milwaukee Metropolitan Sewerage District (MMSD) owns and maintains a system of metropolitan interceptor sewers (MIS) to receive and convey sanitary sewage from communities, including the Cities of Oak Creek and Franklin and the Village of Caledonia; and

WHEREAS, the Village of Raymond has expressed an interest in joining the 28 existing communities, which is contingent on the installation of a MIS in 27<sup>th</sup> Street to serve their community; and

WHEREAS, the City of Oak Creek has recently been unable to facilitate development in the southwest portion of the City due to the lack of sewer service that this MIS would provide; and

WHEREAS, the addition of this MIS would open lands for development in the Cities of Oak Creek, Franklin and the Villages of Caledonia and Raymond, which would add to the tax base sharing MMSD's costs; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) has programmed, in 2025, significant road improvements to 27<sup>th</sup> Street which would allow for interagency cooperation to potentially reduce the overall cost of the MIS; and

WHEREAS, the installation of this MIS supports Oak Creek's mission "providing high-quality services that positively IMPACT Oak Creek residents, businesses, and visitors"; and

WHEREAS, the installation of this MIS supports MMSD's mission protecting "public health and the environment through world-class, cost-effective water resource management, leadership, and partnership"; and

WHEREAS, the installation of this MIS will have a positive impact, be an example of leadership and partnership, and will demonstrate real regional cooperation.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek that MMSD is requested and urged to install a MIS in 27<sup>th</sup> Street from Oakwood Road to the County Line; and



BE IT FURTHER RESOLVED, that this resolution be transmitted to MMSD as evidence of the City's request.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd day of March 2020.

\_\_\_\_\_  
President, Common Council

Passed and adopted this 3rd day of March 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_



## COMMON COUNCIL REPORT

**Item:** Certified Survey Map - 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. & 7700 S. Ikea Way

**Recommendation:** That the Council adopts Resolution No. 12144-030320, a resolution approving a Certified Survey Map submitted by Walden OC, LLC, for the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. & 7700 S. Ikea Way.

**Fiscal Impact:** Approval of the CSM will allow for the the division of the overall land for immediate development of Lot 2 with a hotel and conference center within the approved Creekside Crossing Marketplace Planned Unit Development. Immediate and future developments will yield positive fiscal impacts in terms of assessed value, permit fees, review fees, and impact fees. This property and all of the proposed lots are located within TID 12.

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

**Background:** The Applicant is requesting approval of a Certified Survey Map for the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. & 7700 S. Ikea Way. As proposed, four (4) lots would be created:

- Lot 1 = 0.6404 acres
- Lot 2 = 3.8991 acres
- Lot 3 = 17.3958 acres
- Lot 4 = 3.7737 acres

Wetlands have been delineated and are shown on Lots 2 & 3. Cross-access is required for all lots within the PUD, and a reference to that requirement or declaration for such was included in the Plan Commission's recommendation of approval. "No vehicular access" restrictions appear on the west property line for Lot 1 (along Ikea Way) and for the first 145 feet on the east side of the access off of Drexel on Lot 3.

Staff initially requested an additional temporary cul-de-sac and easement with snow storage at the end of Creekside Crossing Circle. However, upon further discussions with the Applicant and their consultants, staff provided a mutually-agreed-upon solution that plans for an alternative terminus of Creekside Crossing Circle and right of entry with snow storage on Lot 3 would be provided to the City.

The Plan Commission reviewed the Certified Survey Map proposal at their meeting on February 25, 2020, and recommend approval with the following conditions:

- 
1. That the CSM is revised to include a reference to generalized cross-access or the declaration for such on all lots within the development prior to recording.
  2. That a revised plan for the terminus of Creekside Crossing Circle and right of entry with snow storage agreement are provided to the Engineering Department.
  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.

**Options/Alternatives:** Council has the discretion to modify conditions of approval, or deny the request. Disapproval would have the potential for conflicts with pending redevelopment plans.

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



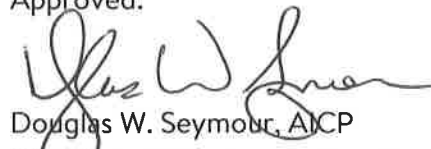
Kari Papelbon, CFM, AICP  
Planner

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP  
Director of Community Development

---

Attachments:

Resolution 12144-030320

Location Map

CSM

RESOLUTION NO. 12144-030320

BY: \_\_\_\_\_

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR WALDEN OC, LLC

1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave.  
& 7700 S. Ikea Way

(2<sup>nd</sup> Aldermanic District)

WHEREAS, WALDEN OC, LLC, hereinafter referred to as the subdivider, has submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved, subject to the following conditions:

1. That the CSM is revised to include a reference to generalized cross-access or the declaration for such on all lots within the development prior to recording.
2. That a revised plan for the terminus of Creekside Crossing Circle and right of entry with snow storage agreement are provided to the Engineering Department.
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.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the following conditions:

1. That the CSM is revised to include a reference to generalized cross-access or the declaration for such on all lots within the development prior to recording.
2. That a revised plan for the terminus of Creekside Crossing Circle and right of entry with snow storage agreement are provided to the Engineering Department.
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.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of March, 2020.

Passed and adopted this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
President, Common Council

Approved this 3<sup>rd</sup> day of March, 2020.

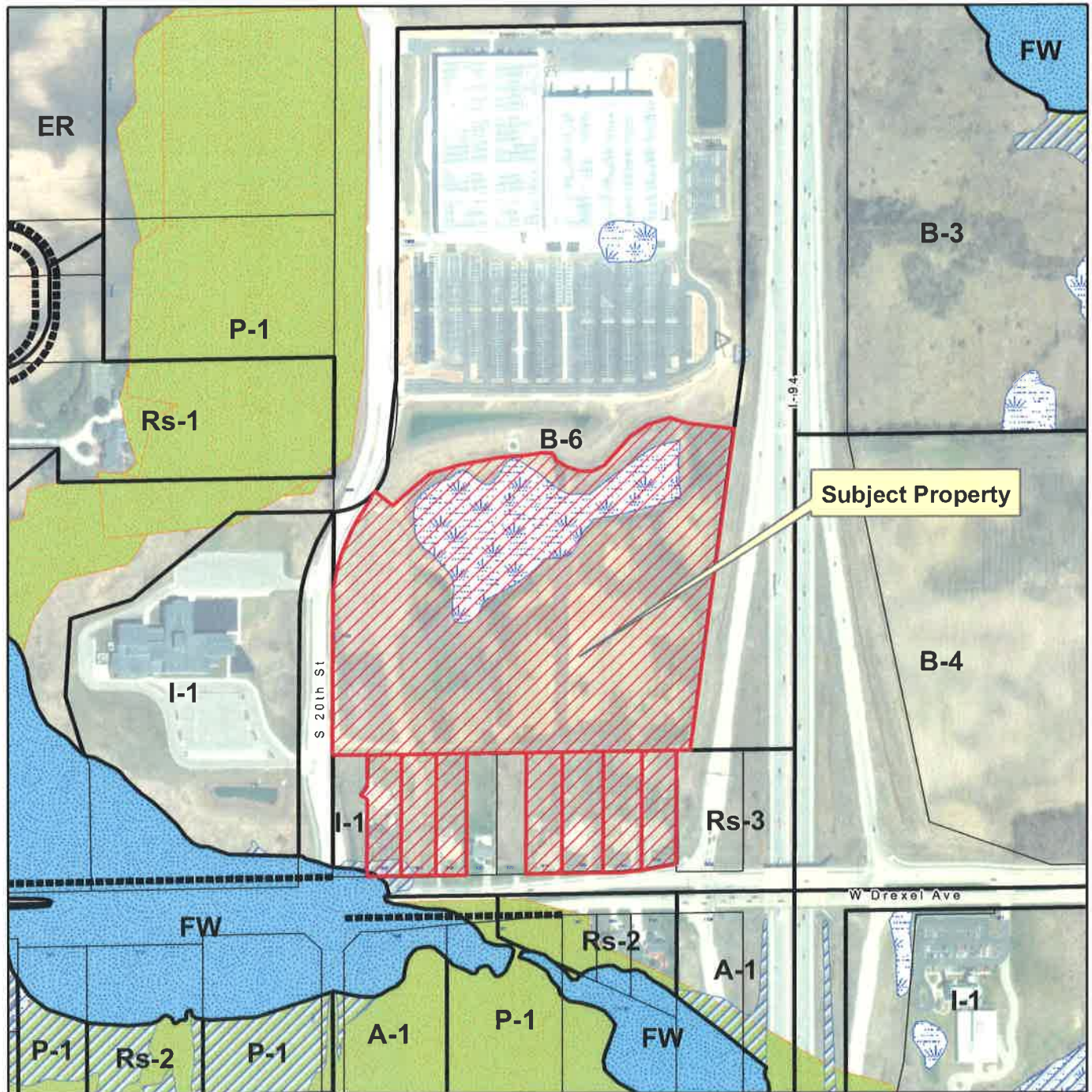
\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE:      Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Location Map  
 7700 S Ikea Way,  
 1900, 1850, 1848, 1800, 1750, 1816 W Drexel Ave



Subject Property

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

**Legend**

-  Parcel selection
-  Officially Mapped Streets
-  Floodway (2008)
-  Flood Plain (2008)
-  Environmental Corridor
-  DNR Wetlands Inventory



Department of Community Development

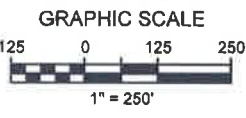
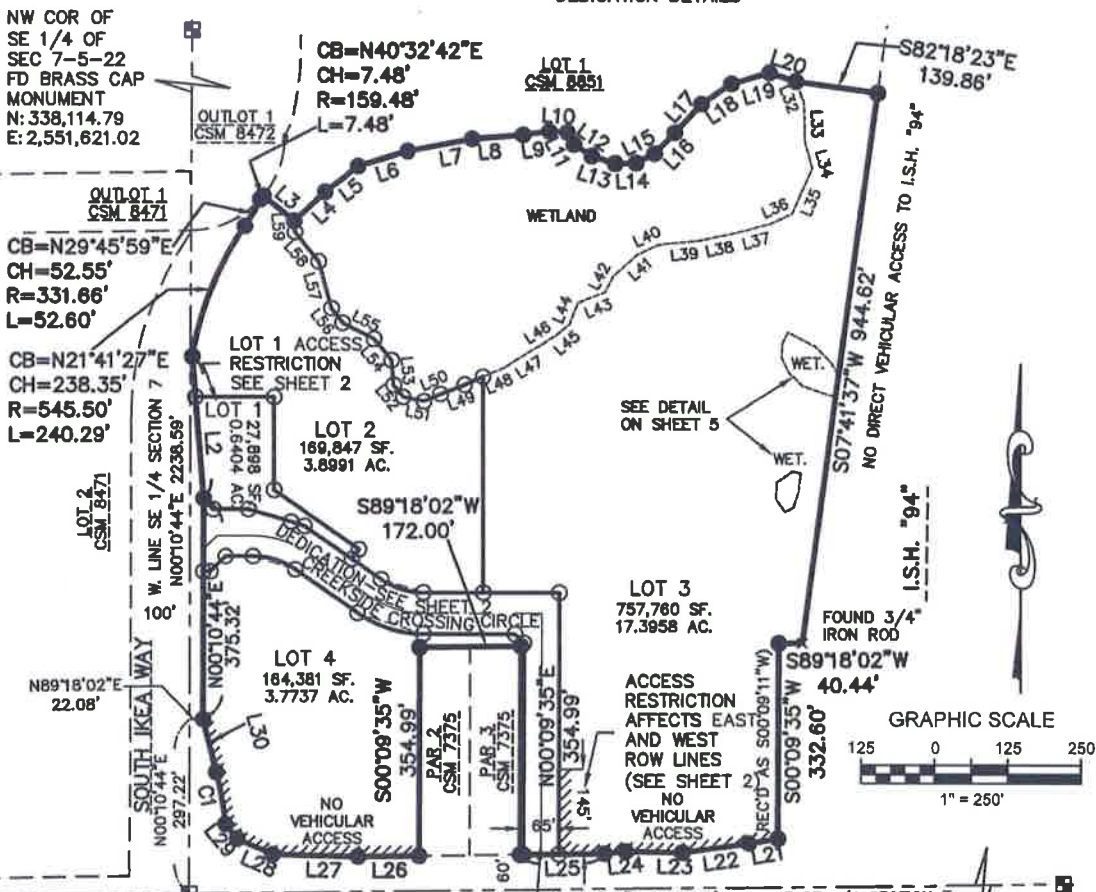
# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

A division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- WETLANDS DELINEATED BY HEY & ASSOCIATES SEPTEMBER 2015
- SEE SHEET 3 FOR LINE AND CURVE TABLES

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. ALL BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE SE 1/4 OF SECTION 7, T5N, R22E, WHICH BEARS N89°18'02"E. WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD27).

SEE SHEET 2 FOR STORM SEWER, INTERIOR LOT DIMS & DEDICATION DETAILS



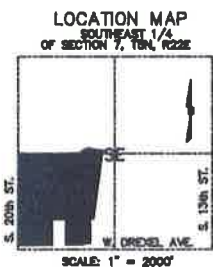
SW COR OF SE 1/4 OF SEC 7-5-22  
FD BRASS CAP MONUMENT  
N: 335,461.39  
E: 2,551,612.73



*John P. Casucci*

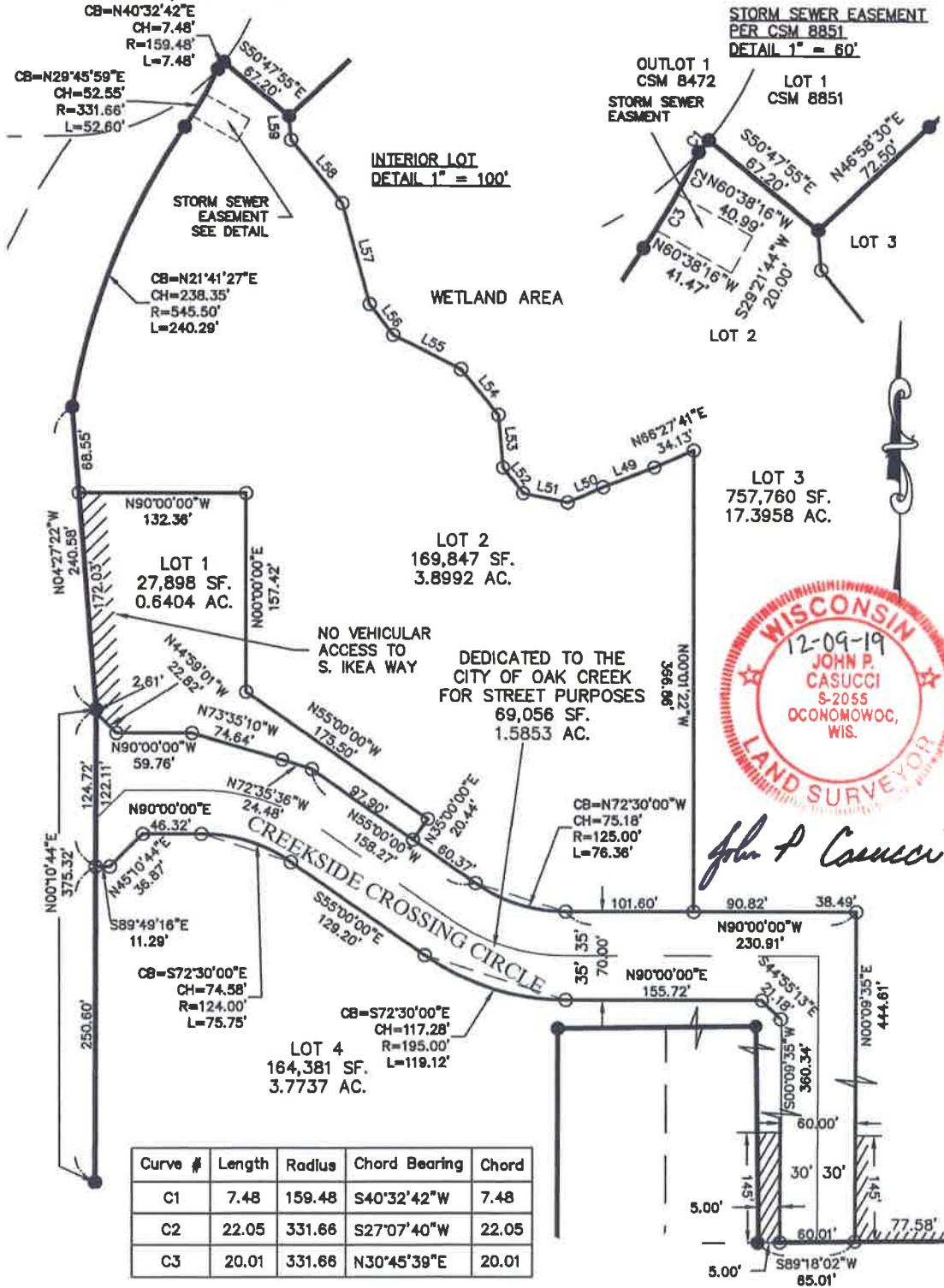
**raSmith**  
10745 W. Bluemound Road  
Brookfield, WI 53005-5918  
(262) 781-1000  
rasmith.com

S:\5168026\dwg\CS22\L.dwg \ SHEET 1  
SHEET 1 OF 6 SHEETS



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

A division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.





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

A division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

**BOUNDARY LINE TABLE**

Line Table		
Line #	Direction	Length
L2	N4°27'22"W	240.58
L3	S50°47'55"E	67.20
L4	S46°58'30"W	72.50
L5	S51°44'32"W	70.43
L6	N72°59'23"E	88.02
L7	S79°13'30"W	111.26
L8	S85°23'38"W	86.90
L9	N82°11'13"E	44.43
L10	N87°35'31"W	30.93
L11	N27°19'30"W	23.77
L12	N57°38'45"W	35.90
L13	N72°20'25"W	41.69
L14	S88°10'25"W	35.47
L15	S62°58'12"W	35.49
L16	S43°51'41"W	49.17
L17	N41°56'30"E	66.78
L18	S55°55'26"W	61.54
L19	S73°37'33"W	67.23
L20	N72°03'08"W	47.46
L21	S80°12'18"W	50.12
L22	S82°13'24"W	113.92
L23	N88°59'55"W	95.75
L24	S84°10'50"W	36.65
L25	S89°18'02"W	142.59
L26	S89°18'02"W	103.72
L27	N88°34'12"W	145.37
L28	N65°30'21"W	64.86
L29	N38°43'50"W	31.80
L30	N14°01'11"W	92.42

**WETLAND AND INTERIOR LOTS LINE TABLE**

Line Table		
Line #	Direction	Length
L32	N21°10'59"W	38.58
L33	N1°17'48"W	66.19
L34	N15°56'15"W	46.87
L35	N23°30'25"E	85.31
L36	N65°31'53"E	42.39
L37	N75°07'56"E	68.65
L38	N78°48'05"E	56.49
L39	N84°17'52"E	66.17
L40	N64°08'22"E	40.91
L41	N48°11'42"E	53.10
L42	N27°57'32"E	31.47
L43	N67°50'56"E	49.11
L44	N21°02'20"E	38.53
L45	N50°18'36"E	31.48
L46	N58°08'05"E	40.51
L47	N58°14'12"E	62.13
L48	N66°27'41"E	72.99
L49	N68°47'56"E	43.52
L50	N66°13'31"E	30.71
L51	S78°27'45"E	36.21
L52	S38°12'35"E	25.87
L53	S05°03'10"E	42.27
L54	S39°38'55"E	46.72
L55	S63°02'32"E	59.98
L56	S37°34'09"E	31.08
L57	S15°18'46"E	82.41
L58	S39°06'45"E	64.21
L59	S4°40'38"E	18.87



*John P. Casucci*

**BOUNDARY CURVE TABLE**

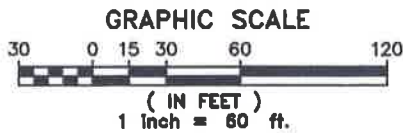
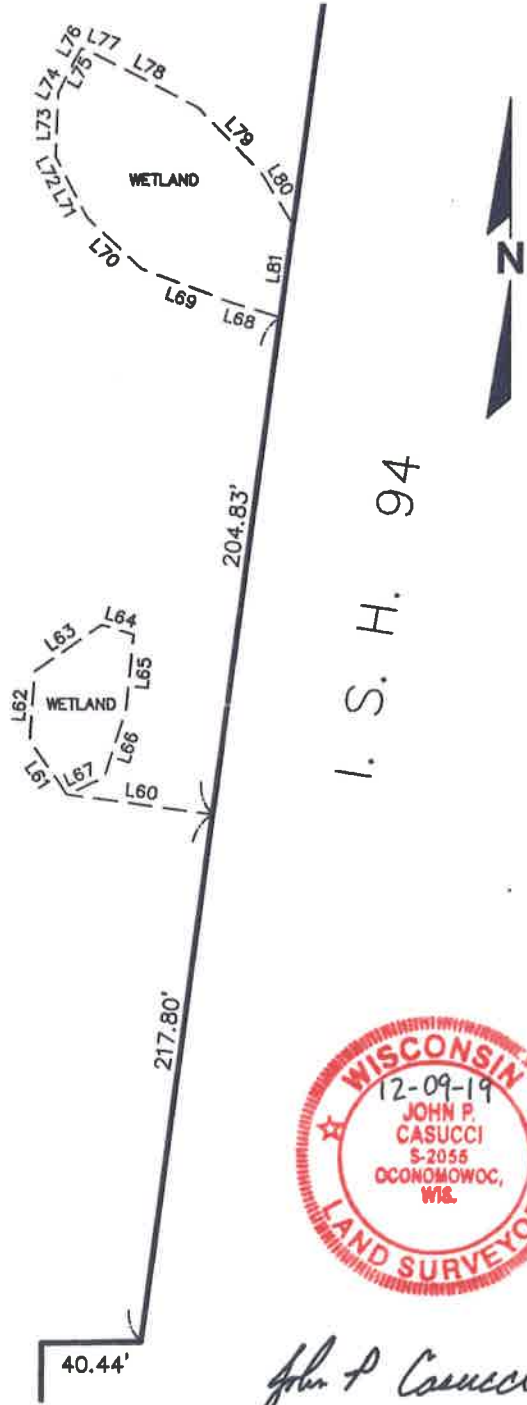
Curve Table				
Curve #	Length	Radius	Chord Bearing	Chord
C1	90.45	645.00	N10°00'09"W	90.38

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

A division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

**WETLAND LINE TABLE**

Line Table		
Line #	Direction	Length
L60	S82°18'23"E	59.72
L61	N34°17'18"W	28.63
L62	N4°05'06"E	28.07
L63	N54°51'59"E	33.02
L64	S72°53'51"E	13.60
L65	S5°42'37"W	30.15
L66	S17°49'10"W	29.41
L67	S64°59'00"W	16.55
L68	N73°44'30"W	21.46
L69	N70°08'45"W	38.28
L70	N46°20'03"W	30.41
L71	N27°28'34"W	19.25
L72	N27°28'34"W	8.93
L73	N2°12'08"E	26.02
L74	N27°45'33"E	12.61
L75	N27°45'34"E	4.09
L76	N27°45'26"E	3.48
L77	S70°17'17"E	3.25
L78	S62°55'45"E	50.02
L79	S43°55'17"E	37.48
L80	S31°36'33"E	24.16
L81	S7°41'37"W	37.77



*John P. Casucci*

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

A division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN        }  
  :SS  
WAUKESHA COUNTY        }

I, JOHN P. CASUCCI, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Said land contains 1,188,942 square feet or 27.2944 acres.

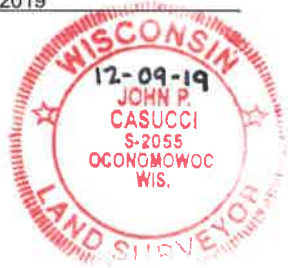
SURVEYOR'S CERTIFICATE (continued)

THAT I have made the survey, land division and map by the direction of WALDEN OC, LLC owners.

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

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code in surveying, dedicating, dividing and mapping the same.

December 9, 2019  
DATE



*John P. Casucci* (SEAL)  
JOHN P. CASUCCI  
PROFESSIONAL LAND SURVEYOR S-2055

PLANNING COMMISSION OF APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
MAYOR DANIEL BUKIEWICZ, CHAIRMAN

\_\_\_\_\_  
DOUGLAS SEYMOUR, SECRETARY

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

A division of Lot 1 of Certified Survey Map No 9152, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

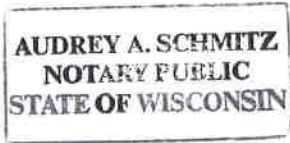
OWNER'S CERTIFICATE

As owners, WALDEN OC, LLC, hereby certify that we have caused the land described on this map, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code

WALDEN OC, LLC, as owners, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

STATE OF WISCONSIN }  
                                  }SS  
MILWAUKEE COUNTY }

PERSONALLY came before me this 6<sup>th</sup> day of February, 20 20, the above named Kevin C. Kennedy, to me known to be the persons who executed the foregoing instrument.



Audrey A. Schmitz (SEAL)  
Notary Public, State of Wisconsin  
My commission expires November 1, 2021

COMMON COUNCIL APPROVAL & DEDICATION ACCEPTANCE

Certified Survey Map approved by the Common Council of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Resolution No. \_\_\_\_\_.



\_\_\_\_\_  
DANIEL BUKIEWICZ, MAYOR

\_\_\_\_\_  
CATHERINE ROESKE, CITY CLERK



## COMMON COUNCIL REPORT

**Item:** HUB13 Development Agreement

**Recommendation:** That the Common Council adopts Resolution No. 12142-030320, approving the HUB13 Development Agreement with Wingspan Development Group, LLC for the design and construction of public improvements for the development located at 7581 S. 13<sup>th</sup> Street. (Tax Key Nos. 784-9998-001) (Project Nos. 20052 and 20053) (1<sup>st</sup> District).

**Fiscal Impact:** Developer will be responsible for his established share of the costs related to the work covered under this Development Agreement.

**Critical Success Factor(s):**

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

**Background:** Wingspan Development Group, LLC has proposed developing lands at 7581 S. 13<sup>th</sup> Street. This Development Agreement establishes Wingspan's responsibilities and obligations for the installation of the public and private infrastructure and storm water management required for a functional site development. The public infrastructure includes water main and roadway improvements along the S. 13<sup>th</sup> Street. The agreement also includes private interceptor sanitary sewer as this requires all the strict specifications, approvals and inspection needs of public sanitary sewer. The agreement outlines that the design and construction of these facilities will be in accordance with all City and other applicable local and state codes, and that they will be inspected by the City during construction and funded by the developer.

**Options/Alternatives:** If the Development Agreement is not approved the public improvements would not be permitted to be installed and the site would remain in its current undeveloped state.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Matthew J. Sullivan, PE  
Assistant City Engineer

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator / Comptroller

Approved:



Michael C. Simmons, PE  
City Engineer

Approved:

Brian L. Johnston, PE  
Utility Engineer

---

**Attachments:** HUB13 Development Agreement, Resolution 12142-030320

**RESOLUTION NO. 12142-030320**

**BY: \_\_\_\_\_**

**RESOLUTION APPROVING THE  
HUB13 DEVELOPMENT AGREEMENT**

**TAX KEY NOS. 784-9998-001**

**(1st ALDERMANIC DISTRICT)**

WHEREAS Chapter 14 of the City of Oak Creek Municipal Code requires that a Development Agreement be entered into prior to the required public improvements being installed.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek that the Development Agreement, attached hereto and incorporated herein by reference, by and between WINGSPAN DEVELOPMENT GROUP, LLC and the CITY OF OAK CREEK, is hereby approved.

BE IT FURTHER RESOLVED that any necessary technical corrections to the Development Agreement that are approved by the City Engineer and City Attorney are hereby authorized.

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of March, 2020.

Passed and adopted this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Kenneth Gehl, Common Council President

Approved this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor

ATTEST:

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Document Number

HUB13  
DEVELOPMENT  
AGREEMENT  
Document Title

Recording Area  
Douglas W. Seymour, Director  
Dept. of Community  
development  
8040 S. 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Name and Return Address

784-9998-001  
Parcel Identification Number (Pin)

THIS AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, 2020, by and between HUB13, LLC, hereinafter referred to as the "Developer", and the City of Oak Creek, hereinafter referred to as the "City";

WITNESSETH:

WHEREAS, the Developer proposes to develop the following described lands situated in the City of Oak Creek, County of Milwaukee and State of Wisconsin, to-wit:

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

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

Said lands contain 1,465,302 square feet or 33.6387 acres, hereinafter called the "Property"; and

WHEREAS, the Developer has submitted a preliminary site plan for a multifamily residential development titled Hub13, Tax Key Nos. 784-9998-001 located at 7581 S. 13th Street, encompassing the Property in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the Municipal Code of the City for the purpose of developing a commercial development, hereinafter called the "Development "; and



WHEREAS, the proposed site plan was conditionally approved by the Plan Commission of the City as required by law, subject, however, to the Developer entering into an agreement with the City relative to certain undertakings and/or actions to be performed by the Developer prior to final approval by the City; and

WHEREAS, S.236.13(2)(a), Wis. Stats., and Chapter 14 of the Municipal Code of the City, provide that as a condition of approval, the Common Council of the City of Oak Creek may require that the Developer make and install any public improvements reasonably necessary for the Development; and

WHEREAS, Developer will submit to the City final engineering plans which, when approved by the City, shall set forth the final plans and specifications of the improvements necessary for the Development;

WHEREAS, the City's Capital Improvement plan and budget does not now include funds necessary to install improvements for the Development; and

WHEREAS, the City believes that the orderly, planned development of the Property will best promote the health, safety and general welfare of the community, and hence is willing to approve the Development providing that the Developer agrees to undertake and assume certain obligations and conditions as hereinafter described.

NOW, THEREFORE, in consideration of the payment of \$1.00, and in consideration of the mutual covenants listed below, the parties agree:

1. Final Engineering Plans. Any reference herein to "Final Engineering Plans" shall mean those certain engineering plans prepared by Ayres and Associates, with the latest revision date to be approved and signed by the City Engineer.
2. Existing Improvements - The Development is served and will benefit by existing sanitary sewer and water main in S. 13th Street and the Highgate, LLC development to the south.
3. Deferred Special Assessments – There are outstanding deferred special assessments for this project, payment will be transacted during the land sale.
4. Impact Fees - The impact fees established for the City under Ordinance 2562, effective as of the date hereof, and any amendments thereto, shall apply to the Development. The Developer agrees to pay said impact fees at the time a building permit is issued. All other applicable City codes and ordinances in effect as of the date of this Agreement, as may be amended, shall apply to the Development.
5. Conditions and Time Period to Install Improvements - The Developer, entirely at its expense, shall, upon receipt of the notice to proceed from \_\_\_\_the City, complete the public improvements, hereinafter called the "Improvements", in accordance with the requirements set forth in Exhibit A and as set forth in the Final Engineering Plans.
  - A. The Developer shall, without charge to the City and upon certification by the City Engineer, unconditionally grant and fully dedicate all public roadway Improvements along S. 13th Street to Milwaukee County, provided that the City acknowledges that no additional right of way is required for sidewalk improvements adjacent to S. 13<sup>th</sup> Street.

- B. In the event the Developer does not complete the installation of the Improvements in accordance with the Final Engineering Plans or the terms of Exhibit A, the City shall, upon written notice to the Developer and the expiration of a reasonable cure period (3 months from certified receipt of notice, to be reasonably extended due to force majeure or other factors beyond Developer's control), have the authority to complete same and take title to said Improvements. Upon the City's completion thereof, without notice of hearing, the City may impose a special assessment for the reasonable actual cost of said completion upon the Property, payable with the next succeeding tax roll.
  - C. In accordance with Section 3.06 of the Oak Creek Municipal Code and under Sections 66.60 and 66.62 of the Wisconsin Statutes and other Statutory provisions, the City may exercise its power to levy special assessments for the costs incurred by it in exercising the authority in this Paragraph (4). In connection with the foregoing, Developer agrees to execute that certain Waiver of Special Assessment Notice and Hearings attached as Exhibit B hereto.
6. Items Prior to Construction - Prior to the commencement of construction of required Improvements for a phase, the City Engineer shall:
- A. approve all plans required in Exhibit A and the Final Engineering Plans, as the case may be, which approval shall not be unreasonably withheld, delayed, or conditioned.
  - B. issue a notice to proceed for the applicable phase to the Developer.
  - C. arrange a preconstruction conference.
  - D. receive all pertinent approvals from the Milwaukee Metropolitan Sewerage District ("MMSD"), the State of Wisconsin Department of Natural Resources, Milwaukee County or other required jurisdictional agencies for the applicable phase. The review and approval of sanitary sewer plans by the City (and its utility), MMSD, and the Department of Safety and Professional Services occur independently. Approvals are based in part on each system's ability to handle the proposed additional sanitary sewer waste flows.
  - E. make arrangements for the City to inspect the proposed construction.
7. Building Occupancy Approval – If applicable, upon final certification by the City Engineer, which certification shall not be unreasonably withheld, delayed, or conditioned, that all of the Improvements are constructed, inspected and found to be in compliance with the Final Engineering Plans, Exhibit A and applicable City requirements and (i) proof of the public infrastructure costs associated with any streets, lights, signals and trees, have been filed with the City Finance Director and (ii) lien waivers shall be filed with the City Engineer as proof that all subcontractors have been paid, the building occupancy approval shall be applied for by Developer.
8. Reimbursement of Costs - The Developer shall, within thirty (30) days of receipt of an itemized invoice, reimburse the City for all reasonable and outstanding fees, expenses, costs, and disbursements which were incurred by the City for the design, review, construction, inspection, dedication, administration, enforcement, or acceptance of the Improvements. In addition, the Developer shall provide copies of lien waivers from all contractors, material suppliers, or consultants who performed work or supplied materials.

9. Workmanship Guarantee - Developer shall guarantee the public improvements described in Exhibit A, against defects due to faulty materials or workmanship, for a period of one year from the date of dedication of the public improvements. Pursuant to Paragraph 11(B), the Developer shall establish a security deposit in cash or certified check, in the amount of 10% of construction costs of the public water main improvements, to cover the guarantee period for each of the public improvements. The maintenance obligations regarding the private internal streets are the Developer's in perpetuity. Until that time, responsibility for the adjacent public streets (i.e. S. 13<sup>th</sup> Street) will be assigned as follows:
- A. Repair of project related damage to the pavement of S. 13<sup>th</sup> Street due to construction operations, and including street sweeping, shall be the Developer's responsibility until such time as set forth in subparagraph C below. Snow plowing along S. 13<sup>th</sup> Street will be Milwaukee County's responsibility.
  - B. If street repairs and/or street sweeping are not satisfactorily performed by the Developer; the City shall, after notice to Developer and time to cure (not less than 90 days for street repairs), perform such with its own forces and charge the Developer accordingly for actual manpower, equipment and materials, plus 10% administration and overhead.
  - C. Developer's responsibility as described in this Paragraph 9 with respect to S. 13<sup>th</sup> Street repairs shall terminate upon approval of the Development's first building occupancy. Developer's responsibility as described in this Paragraph 9 with respect to S. 13<sup>th</sup> Street sweeping shall terminate upon all construction completion and final site stabilization.
10. Hold Harmless - The Developer shall, for a period of one (1) year from the date of final City approval of the subject phase of the Improvements (on an Improvement by Improvement basis), indemnify and save harmless the City, and its officers, agents and employees (hereinafter "City Representatives"), from all liability claims, loss, damages, interest, actions, suits, judgments, costs, expenses, attorney's fees, and the like to whomsoever is owed, which may in any manner, except the negligence or misconduct of City or City Representatives, result from the (i) negligent construction or maintenance of the Improvements pursuant to the terms of this Agreement, (ii) violation of any law or ordinance, (iii) infringement of any patent, trademark, tradename or copyright, and (iv) the use of road improvements prior to their formal dedication to the City as provided in Paragraph 5(A) hereof.
11. Financial Guarantees and Billing
- A. No letter of credit or bond is required under this Agreement.
  - B. Security Deposit - Prior to and as a condition of Final Engineering Plan approval, the Developer shall deposit the sum of money in cash or certified check as required under Paragraph 9 with the City as the Security Deposit (hereinafter referred to as "Collateral"), to secure the prompt, full and faithful performance by Developer of each and every provision of this Agreement and all obligations of the Developer hereunder. The City is not required to hold the Collateral in any special or trust account, but may commingle the Collateral with other funds of the City. Interest shall be paid to the Developer on the Collateral. If the Developer fails to perform any of his obligations hereunder following the expiration of any applicable notice and cure period, the City may use, apply or retain the whole or any part of the Collateral together with interest therein, if any, for payment of: (a) Sums of money due from the Developer under this

Agreement; (b) Any sum expended by the City on the Developer's behalf in accordance with this Agreement; and/or (c) Any sum which the City may expend or be required to expend by reason of the Developer's default under this Agreement; and/or (d) Any sum which the City may expend or be required to expend by reason of the Developer's default under this Agreement.

The use, application or retention of the Collateral, or any portion thereof, by the City shall not prevent the City from exercising any other right or remedy provided by this Agreement or by law (it being intended that the City shall not first be required to proceed against the Collateral) and shall not operate as a limitation on any recovery to which the City may otherwise be entitled. If any portion of the Collateral is used, applied or retained by the City for the purposes set forth above, Developer agrees, within ten days after the written demand therefore is made by the City, to deposit cash with the City in an amount sufficient to restore the Collateral to its original amount.

Without limitation as to the obligations secured, the Collateral shall also secure the specific obligation of the Developer to make to the City a deposit of \$5,000 for anticipated in-house administrative and inspection fees.

The City will release to the Developer all funds from the Collateral, including interest, after the Developer fully and faithfully complies with all of the provisions of this Agreement and completes the above-listed items, all to the satisfaction of the City Engineer, which approval shall not be unreasonably withheld, delayed, or conditioned, less amounts, if any previously applied by the City for the obligations secured hereby. If the Developer's obligations hereunder to the City, including but not limited to, costs of the above- enumerated improvements, exceed the amount of the Collateral, the Developer is responsible for payment of the balance.

C. Billing - The City shall bill the Developer quarterly as costs are incurred by the City. In the event the Developer fails to make payment to the City within 30 days of billing, interest shall accrue on the unpaid balance at the rate of 15% per annum. If unsuccessful, the City shall, without notice of hearing, impose a special assessment for the amount of said costs upon the Property, payable with the next succeeding tax roll.

12. Inspection - The City or its agents shall, at the Developer's cost, provide full-time inspection of all the Improvements delineated in Section VII of Exhibit A to the Agreement.
13. Easements - The Developer shall dedicate to the City all public easements and right-of-way necessary to install and maintain Improvements required by this Agreement.
14. Changes to Plans and Specifications - The City Engineer may, after consultation and agreement with the Developer, make reasonable changes to the Final Engineering Plans which are reasonably necessary to (i) correct oversights, omissions, and errors, (ii) compensate for changing site conditions, or (iii) complete fully the work in accordance with sound engineering practice. The Developer shall perform the work as changed entirely at its expense without any claim for reimbursement.
15. Notices - If notice is required to City or Developer it may be given by reputable overnight delivery service, prepaid and addressed as follows:

If as to City:	City of Oak Creek Oak Creek City Hall 8040 S. 6th Street Oak Creek, Wisconsin 53154 Attention: City Engineer
With a copy to:	City of Oak Creek Oak Creek City Hall 8040 S. 6th Street Oak Creek, Wisconsin 53154 Attention: City Attorney
If as to Developer:	Hub13, LLC 1001 Feehanville Drive Mount Prospect, IL 60056 Attention: Jason Macklin

The persons to whom notice should be sent may be changed in writing from time to time by sending notice to the other party as provided herein.

16. Miscellaneous

- A. All construction required by this Agreement shall be carried out and performed in a sequence to be mutually agreed to by Developer and the City Engineer.
- B. Developer shall properly locate and install all survey or other monuments required by State Statute or City Ordinance.
- C. Recording of this Agreement shall be accepted by the City as adequate provision for the Improvements specified in Chapter 14 of the Municipal Code.
- D. This Agreement shall be binding upon the heirs, personal representatives, successors and assigns of the parties hereto.
- E. This Agreement shall be recorded by the City with the Register of Deeds of Milwaukee County.
- F. Upon Developer satisfying all of its obligations under this Agreement, the Common Council of the City of Oak Creek shall adopt a resolution releasing the Developer from the terms of this Agreement.
- G. Developer shall provide specifications in the latest Adobe pdf electronic format.
- H. Developer shall provide all construction plans in the latest Adobe pdf electronic format.
- I. In the event of any conflict between the terms of this Agreement (inclusive of Exhibit A) and the terms of applicable City codes and ordinances, the terms of this Agreement shall govern and control. In the event of any conflict between the terms of this Agreement (inclusive of Exhibit A), the terms of applicable City codes and ordinances

and the Final Engineering Plans, the City codes and ordinances shall govern and control.

- J. If any provision of this Agreement is found by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision shall be fully severable from this Agreement and this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement and the remaining provisions of this Agreement shall remain in fully enforceable in accordance with its remaining terms.
- K. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which when together shall constitute one and the same agreement by and among the Parties.
- L. This Agreement and all of the Parties' rights, obligations and liabilities under this Agreement are conditioned on Developer's acquisition of the Property within 120 days following the later to occur of (i) City approval of the Final Engineering Plans, and (ii) the City's delivery to Developer of an executed copy of this Agreement (the "Acquisition Period"). Following its acquisition of the Property, Developer shall give notice to the City of the date of such acquisition (the "Acquisition Notice"). If Developer has not delivered the Acquisition Notice by the expiration of the Acquisition Period, either Developer or the City may terminate this Agreement upon notice to the other party.



CITY OF OAK CREEK

\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor

Countersigned:

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

STATE OF WISCONSIN)  
  SS.)  
MILWAUKEE COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers, as the deed of said municipal corporation, by its authority, and pursuant to Resolution No. \_\_\_\_\_ adopted by its Common Council on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Melissa L. Karls, Notary Public  
Milwaukee County, Wisconsin  
My commission is permanent.

This instrument was drafted by Matthew J. Sullivan of the City of Oak Creek Engineering Department.

Approved as to form:

\_\_\_\_\_  
Melissa L. Karls, City Attorney



## EXHIBIT A

### CITY OF OAK CREEK CITY ENGINEER'S REPORT HUB13 DEVELOPMENT

#### I. INTRODUCTION

The detailed standards for the design and construction of all improvements required in this exhibit shall conform to the "City of Oak Creek Engineering Design Manual," adopted by the Common Council on July 18, 1995, and all incorporated amendments thereof, as provided on the Oak Creek Engineering website at the time of City's approval of the improvements.

The following are the general required improvements, plans, and conditions, all of which will be provided with greater specificity on the Final Engineering Plans, which are incorporated herein by reference:

#### II. GRADING AND DRAINAGE

##### A. Required Improvements

Design, install, and provide grading of land as necessary to establish a building pad, provide adequate drainage to prevent flooding, accept upstream runoff, and safely discharge runoff downstream to avoid property damage.

##### B. Plans and Specifications

1. A grading and drainage plan shall be prepared showing 1' contours for both existing and condition and proposed finished floor grades.
2. System plan showing all tributary areas to the proposed site drainage and downstream analysis. Included on the system plan shall be all proposed and existing drainage structures.
3. Storm water management plan that meets current City Ponding Ordinance requirements along with the MMSD Chapter 13 storm water requirements.
4. As-built grading plan certifying that all grading was performed in accordance with the approved grading and drainage plan. The certification shall be required on property corners, main ditches, and detention ponds. The plan shall be prepared by a consulting engineer, selected by and reimbursed by the Developer. The grade tolerances for approval are as follows:
  - a.  $\pm 0.1'$  grade tolerance of the approved proposed grade with topsoil or sod in place.
  - b.  $0.0'$  to  $-0.3'$  grade tolerance of the approved proposed grade without topsoil in place.

- C. For each phase of construction of the Improvements, prior to installation, Developer shall perform rough grading to within 6" of proposed subgrade, including planned pavement areas, building pad, and drainage swales.
- D. Establish permanent vegetative cover on all exposed soil by topsoiling, seeding, and secured mulching as soon as possible to minimize erosion.
- E. The Developer, at its expense, shall provide detailed soil analysis and compaction results by a competent soil engineer for all proposed structural areas requiring fill. The results shall be submitted to the City Engineer as soon as they are available. Soil borings may be required by the City Engineer to determine if the existing soil material on site is suitable for structural areas. The Developer shall be responsible to remove unsuitable material and replace with approved engineered fill.
- F. The Developer is responsible for restoring all damage to finished grades and vegetative cover caused, but not restored by, utility companies providing service to the Development.
- G. After site grading is completed, the Developer shall place a minimum of 3" of topsoil on all exposed soil. Developer may request to remove excess topsoil from the site with a written request detailing the removal methods to the City Engineer. No excess topsoil shall be removed without the written authorization from the City Engineer.

### **III. STORM DRAINAGE SYSTEM**

#### **A. Required Improvements**

Design, install, and provide a complete storm drainage system, including culverts, curb and gutter, storm sewer and/or open ditches as required to adequately convey surface water from and through the development. Storm sewer shall not be considered public infrastructure and shall be owned and maintained by the Developer or its assignee.

#### **B. Plans and Specifications**

1. Storm sewer plans.
2. Storm sewer calculations.
3. Storm sewer system plan update.

C. Additional considerations will be required on all ditch slopes exceeding five percent. All roadside ditches or areas within drainage easements shall have a minimum one percent slope. Ditch flow line slopes with less than one percent will require storm sewer.

D. All roof drains and sump pumps will discharge into a storm sewer or to other outlets approved by the City Engineer.

### **IV. EROSION AND RUN-OFF CONTROL**

#### **A. Required Improvements**

Installation and construction of Best Management Practices in the proposed Development that shall conform with the most current edition of the Department of Natural Resources Technical Standards.

B. Plans and Specifications

Control plan for land-disturbing activities showing existing contours onto adjacent lands to the extent that allows the determination of drainage patterns pre and post construction. This plan will show locations and dimensions of all construction site management measures to control erosion and sedimentation.

C. The Developer shall not commence land-disturbing activities until all erosion control measures are installed and approved by the City. An erosion control permit must be obtained, which requires the Developer to construct and maintain such measures in conformance with the City's erosion control ordinance.

D. Both during and after construction, the surface of exposed bare soils shall be protected in accordance with the City's Erosion Control Ordinance and all applicable State and Federal requirements. This does not apply to the immediate building site area which is subject to men and equipment working in and around the perimeter of a new structure.

V. **SANITARY SEWER – PRIVATE INTERCEPTOR**

A. Required Improvements

Design, install, and provide a complete private sanitary sewer system designed to meet the ultimate needs of this Development and all tributary areas, in accordance with the City's sanitary sewer system plan with rules, regulations and procedures of the City, MMSD, and the State of Wisconsin Department of Natural Resources.

B. Plans and Specifications

1. Sanitary sewer plans, specifications, and design calculations.
2. The City will furnish "as-built" plans of the entire system, including location and elevation of laterals to mains to meet MMSD requirements. All other "as-built" requirements are the responsibility of the Developer.
3. Sanitary sewer system plan update.
4. All reports required by MMSD, the State of Wisconsin, and South-eastern Wisconsin Regional Planning Commission.

C. Upon completion, furnish and provide to the City a complete summary of the actual construction costs for sanitary sewer.

VI. **WATER**

A. Required Improvements

Design, install, and provide a complete public water distribution system and install water main designed to meet the ultimate needs of this Development and all tributary areas, in accordance with the City's water main system plan and with the rules, regulations, and procedures of the City and the State of Wisconsin Department of Natural Resources.

B. Plans and Specifications

1. Water main plans, specifications, design calculations, and copies of all easements.
2. The City will create "as-built" plans of the entire system, including hydrant and valve locations, and the location and elevation of laterals, all for the use of the City of Oak Creek Water and Sewer Utility. All other "as-built" requirements are the responsibility of the Developer.
3. Separate water main easements for the site, where appropriate, shall be recorded.

C. Upon completion, furnish and provide to the City a complete summary of the actual construction costs for water distribution, itemized in sufficient detail to satisfy the requirements of the Public Service Commission of the State of Wisconsin in establishing or revising a rate base.

D. Provide hydrant marker flags for each installed public fire hydrant.

**VII. STREETS**

A. Required Improvements

Public road improvements (S. 13th Street) have been determined by the Traffic Impact Analysis for the project. The road design and related plans shall be as reviewed and approved by the City Engineer. Pavement section shall be based on an approved pavement design analysis. The road improvements will also need to be approved by Milwaukee County.

The public road pavement section will include a dowelled concrete pavement with 31" concrete curb & gutter section, crushed stone base, storm sewer, and sidewalk.

All pavement markings required for this development shall be approved by the County and City and meet the MUTCD and TIA requirements.

Note: The City agrees that this Section A shall be deleted in its entirety upon City receipt of notice from Milwaukee County affirming that with the exception of (i) sidewalk improvements, and (ii) left turn lane improvement, no other improvements are required to or adjacent to S. 13<sup>th</sup> Street.

- B. If additional right-of-way is needed for the construction of the S. 13th Street this shall be dedicated to the County prior to building occupancy.
- C. All improvements along S. 13th Street will require Milwaukee County permits and approvals.
- D. Cross-access easement with Highgate PUD to the south shall be provided.

- E. Public concrete sidewalk (5' width) shall be required along the property's S. 13th Street frontage.
- F. All roads within the site shall not be considered public infrastructure and shall be owned and maintained by the Developer or its assignee.

### **VIII. STREET LIGHTING**

No public street lighting improvements are included with this Development.

### **IX. MISCELLANEOUS**

#### **DEVELOPER SHALL:**

- A. be responsible to preserve existing trees, brush, or shrubs outside of construction limits as depicted on the Final Engineering Plans for removal. If unauthorized removal occurs, landscaping will be replaced at the Developer's expense.
- B. repair all damage to roads caused by construction operations.
- C. submit a landscape plan for any screen plantings, berms, and entrances. Installation of landscaping shall be in accordance with approved plan.
- D. submit a final plat of subdivision for the Development that shall show all sanitary, water main, drainage, and other public utility easements.
- E. design and install all required sidewalk.

### **X. SPECIFICATIONS**

The Improvements shall be constructed in accordance with the following specifications.

- A. City of Oak Creek Engineering Design Manual.
- B. Applicable Specifications and Regulations of MMSD.
- C. Standard Specifications for Sewer and Water Construction in Wisconsin, latest edition.
- D. State of Wisconsin, Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition.
- E. The Wisconsin Department of Natural Resources Erosion Control Technical Standards.

### **X. SPECIAL PROVISIONS**

The development process shall strictly conform to the conditions set forth in the Development Agreement. Request for building occupancy approval is subject to the City Engineer's certification (not to be unreasonably withheld or delayed) that all Improvements required to be installed are satisfactorily completed. The City will not accept deposits in lieu of completion of the Improvement prior to building occupancy approval.

Approved by:

---

Michael C. Simmons, P.E.  
City Engineer

---

Date

New

**EXHIBIT B**

**WAIVER OF SPECIAL ASSESSMENT  
NOTICES AND HEARINGS**

City of Oak Creek  
8040 S 6th Street  
Oak Creek, WI 53154

We, the undersigned being the Owners of the property that shall benefit by the following proposed public improvements:

water main and drainage facilities

all made in the City of Oak Creek, Milwaukee County, Wisconsin, in consideration of the construction of said improvements by the City of Oak Creek, Wisconsin, hereby admit that such public improvement will benefit our property and consent to the levying of special assessments against our premises under Section 66.62 of the Wisconsin Statutes and Section 3.06 of the Municipal Code of the City of Oak Creek for the cost of such improvement.

In accordance with Section 3.06 (14) of the Municipal Code of the City of Oak Creek, we hereby waive all special assessment notices and hearings required by Section 66.62 of the Wisconsin Statutes and Section 3.06 (9) of the Municipal Code of the City of Oak Creek, and we further agree and acknowledge the benefit to our properties from the construction of such improvement.

Description of premises that shall benefit:

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

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

Said lands contain 1,465,302 square feet or 33.6387 acres.

HUB13, LLC

By: \_\_\_\_\_  
Jason Macklin, Director of Development

\_\_\_\_\_  
Date



Meeting Date: March 3, 2020

Item No. 23

# COMMON COUNCIL REPORT

**Item:** License Committee Report

**Recommendation:** That the Common Council grant the various license requests as listed on the 3/3/20 License Committee Report.

**Fiscal Impact:** License fees in the amount of \$230.00 were collected.

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

**Background:**

The License Committee did not meet prior to the 3/3/20 council meeting. Tentative recommendations are as follows (favorable background reports received):

1. Grant an Operator's license to:
  - \* Robert C. Ellifson (Classic Lanes)
  - \* Thulasi R. Rao (Oak Creek Mobil)

**Options/Alternatives:** None

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Christa J. Miller, CMC/WCMC  
Deputy City Clerk

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: None





## COMMON COUNCIL REPORT

**Item:** Vendor Summary Report

**Recommendation:** That the Common Council approve the February 26, 2020 Vendor Summary Report in the total of \$884,880.69.

**Fiscal Impact:** Total claims paid of \$884,880.69. Of this grand total paid, \$699.30 will impact the 2019 fiscal year. The remaining amount, \$884,181.39, will impact the 2020 fiscal year.

**Critical Success Factor(s):**

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

**Background:** Of note are the following payments:

1. \$20,767.30 to 27th St Lube & Wash LLC (pg #1) for tax overpayment refund.
2. \$105,756.00 to Advanced Disposal (pg #1) for January recycling and trash pickup.
3. \$69,572.98 to Benistar (pg #2) for March Medicare supplement insurance.
4. \$9,472.50 to Buelow Vetter (pg #2) for legal services.
5. \$166,718.86 to Casper's Truck Equipment (pg #2) for Project #20017, DPW's infinity brine maker and poly tank.
6. \$52,579.84 to Compass Minerals Company (Pg #3) for salt inventory.
7. \$26,554.00 to DNR (pg #4) for Lake Vista's compensatory mitigation credits for impacted wetlands.
8. \$22,550.00 to DTS Mixed Use LLC (pg #4) for annual lease fee for Drexel Town Square bathroom (1/2 Tourism funded).
9. \$15,979.30 to E.H. Wolf & Sons, Inc. (pg #4) for fuel inventory.
10. \$5,378.52 to Filtration Concepts, Inc. (pgs #4-5) for PD's range filters.
11. \$5,452.42 to Gregson - Clark Spraying Equipment (pg #5) for DPW's de-icing sprayer.
12. \$11,902.12 to Hein Electric Supply Company (pg #6) for various City-wide projects, including DPW LED upgrade.
13. \$7,822.79 to Houseal Lavigne Associates (pg #6) for professional consulting services for Project #17001, zoning code update.
14. \$5,970.00 to Pieper Electric, Inc. ( pg #10) for brine system's data cabinet at DPW.

---

15. \$227,202.91 to Stella & Chewy's LLC (pg #11) for annual PAYGO developer incentive, per developer agreement (TID 8).

16. \$5,400.00 to Sussex Area Chamber of Commerce (pgs #11-12) for Disney Institute training for Department Directors/Managers.

17. \$60,429.54 to WE Energies (pgs #13-14) for street lighting, electricity & natural gas.

Options/Alternatives: None

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Jamie Strobl  
Assistant Comptroller

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Approved:

---

Attachments: 2/26/2020 Invoice GL Distribution Report