



## PLAN COMMISSION MEETING AGENDA

**TUESDAY, December 10, 2013  
AT 6:00 P.M.**

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- 1) ROLL CALL
- 2) Minutes of the November 26, 2013 meeting
- 3) Significant Common Council Actions
- 4) OLD BUSINESS
  - a) **CONDITIONS & RESTRICTIONS** - Review conditions and restrictions for a drive-through as a conditional use, submitted by Jerry Mortier, the Redmond Co., located at 8750 S. Howell Ave. (Tax Key No. 860-9996). Follow this item on Twitter **@OakCreekPC#OCPCDunkinCR**.
- 5) PUBLIC HEARING
  - a) **TIF NO. 11 PROJECT PLAN & BOUNDARY AMENDMENT** – Hold a public hearing on a proposed district boundary and Project Plan amendment for Tax Increment Financing District (TIF) No. 11.
- 6) NEW BUSINESS
  - a) **TIF NO. 11 PROJECT PLAN & BOUNDARY AMENDMENT** – Review and consider Plan Commission Resolution No. 2013-03 adopting the new boundaries and Project Plan amendment for Tax Increment Financing District (TIF) No. 11.
  - b) **CERTIFIED SURVEY MAP** - Review a Certified Survey Map submitted by 8870 Mayhew Dr., LLC for the property at 8870 S. Mayhew Dr. (Tax Key Nos. 860-1006 – multiple). Follow this item on Twitter **@OakCreekPC#OCPCMayhewCSM**.
  - c) **REZONE & CONDITIONAL USE**– Review a request by 8870 Mayhew Dr., LLC to rezone a portion of the property at 8870 Mayhew Dr. from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use for multiple-family dwellings in excess of four (4) dwelling units per structure (Tax Key Nos. 860-1006 – multiple). Follow this item on Twitter **@OakCreekPC#OCPCMayhewRezone1**.
  - d) **REZONE & CONDITIONAL USE**– Review a request by 8870 Mayhew Dr., LLC to rezone the property at 280 E. Centennial Dr. from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use for multiple-family dwellings in excess of four (4) dwelling units per structure (Tax Key No. 860-9033-002). Follow this item on Twitter **@OakCreekPC#OCPCMayhewRezone2**.

- e) **CONDITIONAL USE PERMIT** – Review a request submitted by Dave DeVries, SET Environmental, for a conditional use for an environmental contractor’s yard with outdoor storage on the property at 9730 S. 20<sup>th</sup> St. (Tax Key No. 903-0015). Follow this item on Twitter **@OakCreekPC#OCPCSET**.
- f) **CONDITIONAL USE PERMIT AMENDMENT** - Review a proposed amendment to the conditional use permit to allow for a 24-hour gas station for Woodman’s Food Market, Inc. located at 8151 S. Howell Ave. (Tax Key No. 813-9014-006). Follow this item on Twitter **@OakCreekPC#OCPCWoodmans**.
- g) **RIGHT-OF-WAY VACATION** - Review a right-of-way vacation request by Omar Barasneh for the Northwest ¼ of the Southeast ¼ Section 16 (lands between 931 and 1101 E. Forest Hill Avenue). Follow this agenda item on Twitter **@OakCreekPC#OCPCROW**.

7) **ADJOURN**

**PLEASE NOTE**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 South Howell Avenue, Oak Creek, Wisconsin 53154. There is the potential that a quorum of the Committee of the Whole will be present at this meeting. Copies of staff reports and other supporting documentation are available for review at the Department of Community Development, City Hall, 8640 South Howell Avenue during operating hours. (8am-5pm weekdays)

MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, November 26, 2013

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Alderman Bukiewicz, Mayor Scaffidi, Alderman Michalski, Commissioner Siefert, Commissioner Correll and Commissioner Chandler. Also present were Kari Papelbon, Planner, Pete Wagner, Zoning Administrator/Planner and Assistant Fire Chief Mike Kressuk.

Commissioner Dickmann moved to approve the minutes of the November 12, 2013 regular Plan Commission meeting. Commissioner Johnston seconds. There was a correction made to the minutes to include Commissioner Chandler who was present at the November 12, 2013 meeting. Roll call, all voted aye. Commissioner Correll abstains. Motion carries.

Ms. Papelbon read the summary of significant Common Council actions from December 3, 2013.

**Plan Review**

**Black Bear Bottling**

**9770 S. 20<sup>th</sup> Street**

**Tax Key No. 903-9003-001**

Ms. Papelbon explained that the applicant is proposing to add a 15,000 square foot addition on the southern end of the property. The plan meets all required setback requirements. Ten new parking stalls are proposed behind the new addition. The proposed addition will be constructed using pre-finished corrugated steel panels to match the existing building; as such this will require a  $\frac{3}{4}$  majority approval of the Plan Commission. The Fire Department has commented that the building addition will be required to be sprinklered. The Water Utility has commented that the easement on the west side of the property is not shown on the plans.

Commissioner Chandler asked if the applicant okayed the sprinklered system. Ms. Papelbon stated that she has been working with the applicant and as far as she knew there was no objection from the applicant.

Commissioner Johnston stated that there is a retaining wall that extends into the 40' setback area for the truck and loading dock. Although staff has no concerns he wanted to make the Commission aware.

Commissioner Bukiewicz asked why the easement was not shown on the plans. Ms. Papelbon stated that there was a CSM proposed for this property to join two parcels and it was noted for the CSM. Commissioner Siefert stated that the easement was just on the west side of the building on 20<sup>th</sup> Street and it would not interfere with the building.

Alderman Michalski moved that the Plan Commission approve the site, building and landscaping plan for the property at 9770 S. 20<sup>th</sup> Street with the following conditions:

1. That all mechanical equipment is screened from view.
2. That all building and fire codes are met.
3. That a revised plan showing the utility easement on the western side of the property is submitted for review and approval by the Department of Community Development and

Water Utility.

Alderman Bukiewicz seconds. All voted aye except Commission Siefert abstains. Motion carries.

**Plan Review**

**WE Energies**

**4801 E. Oakwood Road**

**Tax Key No. 964-9999-001**

WE Energies is proposing a 650 square-foot enclosure for an existing oil-water separator at 4801 E. Oakwood Road. A majority of the proposed addition will be constructed using corrugated steel panels for the walls, as such there needs to be a  $\frac{3}{4}$  majority approval of the Plan Commission.

Commissioner Chandler asked what the enclosure was for and where is it on the plan. Matthew Mehring, Anderson Ashton, stated that it will be within the Oak Creek Power Plant in the new section that was just completed. Within that area, next to the towers, there is a small piece of equipment (an oil water separator) that has a containment concrete edging that fills with water and freezes. This is mostly a safety fix, so there is an enclosure so there won't be any ice or potential safety concerns. There won't be any water or sewer requirement - they are just going over the top of a piece of equipment.

Commissioner Siefert asked about the plus or minus 650 square feet that was indicated on the staff report, and questioned if we are talking about plus 10 feet or minus 10 feet. He stated that when you throw around plus or minuses without a definition it gets a little scary. Ms. Papelbon stated that it was off maybe a foot in either direction. She stated that her calculation may not have matched the calculation on the application, but the enclosure was no larger than 650 square feet.

Alderman Bukiewicz asked Assistant Fire Chief Kressuk if there was anything the Fire Department needed to do. He responded saying that there is nothing we need to do, and by closing this, the Applicant is bringing the system into compliance and the collection bin will be doing what it is supposed to do. There are no requirements for a sprinkler system.

Commissioner Chandler asked if this was considered a confined space. Mr. Mehring stated no.

Commissioner Correll moved that the Plan Commission approve the site and building plan for the property at 4801 E. Oakwood Road with the condition that all technical corrections are made. Commission Siefert seconds. All voted aye. Motion carries.

**Conditions and Restrictions**

**Dunkin Donuts**

**8750 S. Howell Avenue**

**Tax Key No. 860-9996**

Ms. Papelbon stated that there is a revised plan based on comments from the last Plan Commission meeting where this item was discussed. She went through the conditions and restrictions highlighting the bolded items. There was a discussion on parking and turning within the area, and whether there was a safety issue. Commissioner Siefert asked to review the landscaping on the west side of the building along Howell Avenue, and asked whether the lights

might be a hazard. Ms. Papelbon stated if there are lighting concerns, then the electrical inspector would review the plans. Mayor Scaffidi reminded the Commission that we are only talking about the drive-through. He asked staff if there was adequate room, citing safety on that site to make that a viable business. Ms. Papelbon stated that this site was originally designed to accommodate a drive-through on this property. There is an 11-foot wide travel lane, and as was discussed at the previous meeting, there is no "bail-out" lane. Some of the other concerns staff had were for a clearance canopy; however the clearance canopy has been moved so that there is a warning sign to potential customers.

Commissioner Dickmann reminded the Commission that he was concerned about the space to the south for parking.

Mr. Jerry Mortier, Redmond Company, stated that they are extending the parking 10 feet further south. They will be taking out the monument sign and the concrete barrier. Commissioner Correll stated that this was discussed when it was first brought to Plan Commission in 2008: the drive-through was extremely difficult, with no bail-out, getting around the corner with the parked cars, and the ability to get in and out of the site. It doesn't lay out well for the drive-through. Alderman Bukiewicz stated that he agrees with Commissioner Dickmann. Commissioner Carrillo stated she is concerned about pedestrians walking with the cars coming and going.

Alderman Michalski asked if they considered a curb along the pickup window. The question was asked about such would be plowed.

Commissioner Chandler asked if it was possible to get rid of the spaces as regular parking. Mr. Mortier stated that they could designate those spaces as employee parking to help decrease the amount of ins and outs. Commissioner Chandler asked if those parking spaces were removed, would the applicant meet the required amount of spaces. Ms. Papelbon stated that request would be at the Plan Review meeting. Commissioner Chandler stated that what she is trying to do is eliminate traffic from being on that side and eliminate a lot of issues with individuals going into the store as well as those driving.

Commissioner Correll stated that if the parking spaces were not there, this would make this more tolerable. Mr. Mortier stated from the landlord's point-of-view, these parking spaces are very important and the landlord would designate all eight to employee parking. Commissioner Correll stated that the City would have no way to enforce that or to make that happen going forward.

Mayor Scaffidi summed up the drive-through discussion as being problematic with several safety hazards, and suggested that this item be held for further review with the Planning staff.

## **Plan Review**

### **2013 City of Oak Creek 5 Year Park and Open Space Plan**

Mr. Wagner stated that this is the seventh update to the Park and Open Space Plan for the City of Oak Creek. This Plan serves a good purpose in providing direction for policy makers as it pertains to parks and open space. Every five years there are changes and it is important to update the plan on a regular basis. The State requires the City to adopt a park and open space plan every five years, so that we qualify for State grants. One example would be the DNR Stewardship Grant which was used for phase two of Abendschein Park. Staff has worked with Parks, Recreation and Forestry Commission and on October 10, 2013 the Commission voted

unanimously in favor to recommend the update of the Park and Open Space Plan to the Plan Commission and Common Council recognizing that any funding decisions would be left up to the Common Council.

Janet Fluegel, Chairperson, stated that Mr. Wagner did a wonderful job and the Parks and Recreation Commission did go page by page of the Park and Open Space Plan.

Alderman Michalski asked if the City was still looking for a park in the 5<sup>th</sup> or 6<sup>th</sup> District south of Ryan Road and between 27<sup>th</sup> Street and the railroad tracks. Mr. Wagner stated on page 29, map 8 showing neighborhood parks and one of the gaps in our service area for neighborhood parks is in the southwest part of the City. We are looking at trying to find an affordable area in that portion of the City. Assuming funding is available, the City is looking at acquiring space for a park in 2015.

Commissioner Chandler asked if the grant has been approved and does it cover all the items on page 41. Mr. Wagner explained that a grant was applied for back to back years in 2010 and 2011, unfortunately the City did not receive the grant which was to be applied to half the cost of a property located on Judith Place.

Commissioner Dickmann referred to page 7 regarding the increase in people age 45 to 64 and the whether the plan addresses more of their needs. Mr. Wagner stated that this plan focuses on parkland acquisitions and open space and we use the national standards that are outlined in Chapter 3 that talks about what the trends are and what the basic development facilities you provide in a neighborhood park. He stated that the recreation department takes into account what the trends are for recreational facilities and needs. Commissioner Dickmann also referred to page 40, objective 1, Shift to a Canopy analysis style of management and asked for a definition. Mr. Wagner stated that it was a way to measure the diameter of trees. He stated that City Forester Rebecca Lane provided this information.

Commissioner Johnston asked if Mardeand Park would fill in the hole in the southwest corner. Mr. Wagner explained how Mardeand Park was a unique park in the City; there are restrictions to the park, basically it is a nature center or preserve. With the construction with the OakView Business, there will some limited access, it will not be an active recreational area, it will be more of a passive park, with walking trails. It will not fit the neighborhood park definition, where kids play baseball; there will not be those types of facilities at Mardeand Park.

Mayor Scaffidi stated that it will be a park and it was donated by a couple families in the area. He mentioned Lake Vista Park which will be constructed in the next few years on the lake front which will have public lake access for the first time in 85 years.

Commissioner Dickmann moved that the Plan Commission recommend to the Common Council that the 2013 Park and Open Space Plan be adopted as proposed. Commissioner Correll second. All voted aye, Motion carries.

Commissioner Carrillo moved for adjournment, Commissioner Correll second. All voted aye. Motion carries, meeting adjourned at 6:58 p.m.



## Significant Common Council Actions

ITEM: 3

DATE: December 10, 2013

### Summary of Significant Common Council Actions December 2, 2013

There were no significant Common Council Actions

A handwritten signature in cursive script that reads "Kari Papelbon".

Kari Papelbon, CFM, AICP  
Planner



# Plan Commission Report

ITEM: 4a

DATE: December 10, 2013

**PROJECT:** Conditions & Restrictions – Jerry Mortier, The Redmond Company (Dunkin' Donuts)

**ADDRESS:** 8750 S. Howell Ave.

**TAX KEY NO:** 860-9996

**STAFF RECOMMENDATION:** That Plan Commission recommends that the Common Council adopt the conditions and restrictions as part of the conditional use permit for restaurant with drive-through facilities located at 8750 S. Howell Ave. after a public hearing.

**Ownership:** Pranke Holding LLC, 241 N. Broadway, Milwaukee, WI 53202

**Size:** 0.960 acres

**Existing Zoning:** B-2, Community Business

**Adjacent Zoning:** North – B-3, Office and Professional Business  
East – B-4, Highway Business  
South – B-4, Highway Business  
West – B-4, Highway Business

**Comprehensive Plan:** Planned Mixed Use.

**Wetlands:** None.

**Floodplain:** None.

**Official Map:** N/A.

**Commentary:** This item was held at the November 26, 2013 meeting due to several concerns raised by the Commission for site circulation and safety. Updated plans have been submitted and are included in this packet. The Applicant proposes to add a stop sign and speed bump at the southeast corner of the building, and widen the eastern entrance to 24 feet. Widening the entrance will eliminate the parking stall immediately east of the trash enclosure and will allow for greater maneuverability in that area.

As was mentioned at the November 26<sup>th</sup> meeting, the southern parking stalls (8 total) are proposed to be moved 10 feet further south, leaving 24 feet between the end of the parking stall and the edge of the drive-through lane. Dunkin' Donuts has expressed their opinion that the eight southern parking stalls are essential and cannot be eliminated. Peak hours for Dunkin' Donuts are between 6:00 AM and 8:00 AM.

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## **November 26, 2013**

At the November 12, 2013 meeting, the Plan Commission recommended Common Council approval of a conditional use permit for a drive-through facility for a proposed Dunkin' Donuts at 8750 S. Howell Ave.

Revised plans were received by staff to include updates to signage details (to be reviewed at a subsequent meeting) and existing property conditions. Further revisions may be required and discussions with the applicant continue.



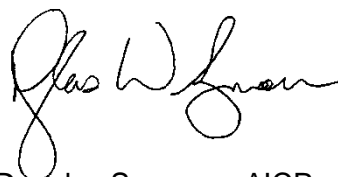
Staff has prepared conditions and restrictions for this conditional use permit for the Commission's review. If the Plan Commission is comfortable with the conditions and restrictions, the appropriate action would be to recommend that the Common Council adopt them as part of the conditional use permit.

Prepared by:



Kari Papelbon, CFM, AICP  
Planner

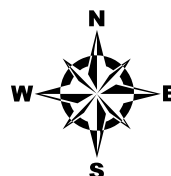
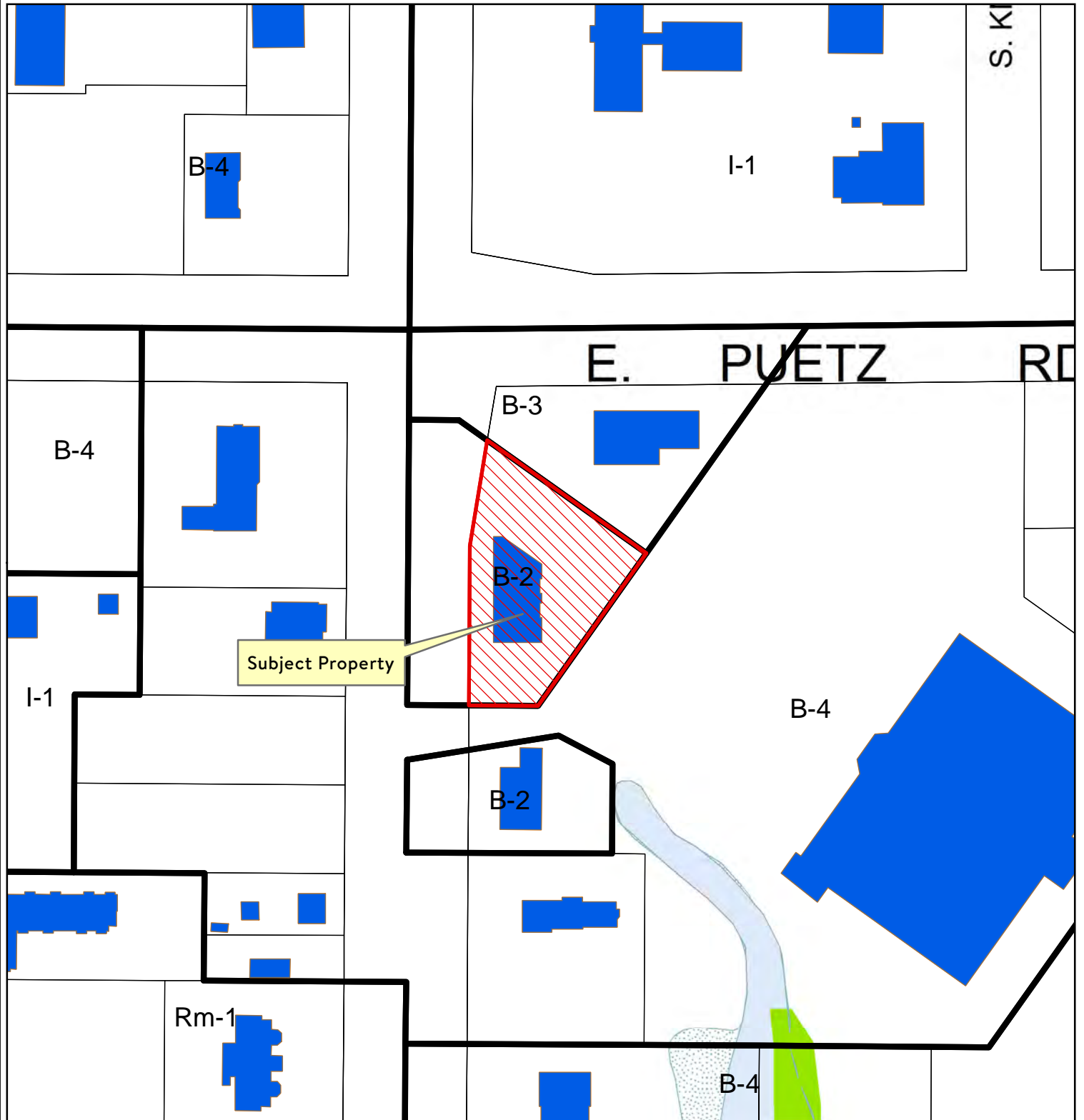
Respectfully Submitted by:



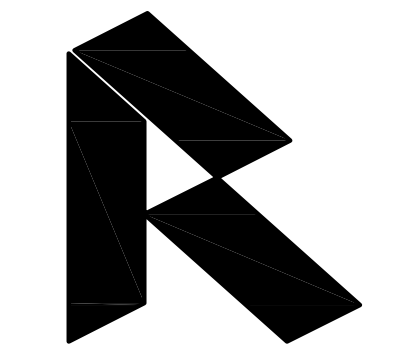
Douglas Seymour, AICP  
Director of Community Development

# Location Map

## 8750 S. Howell Ave.



Legend	
	8750 S. Howell Ave.
	Existing Street Pattern
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)



THE  
REDMOND  
COMPANY

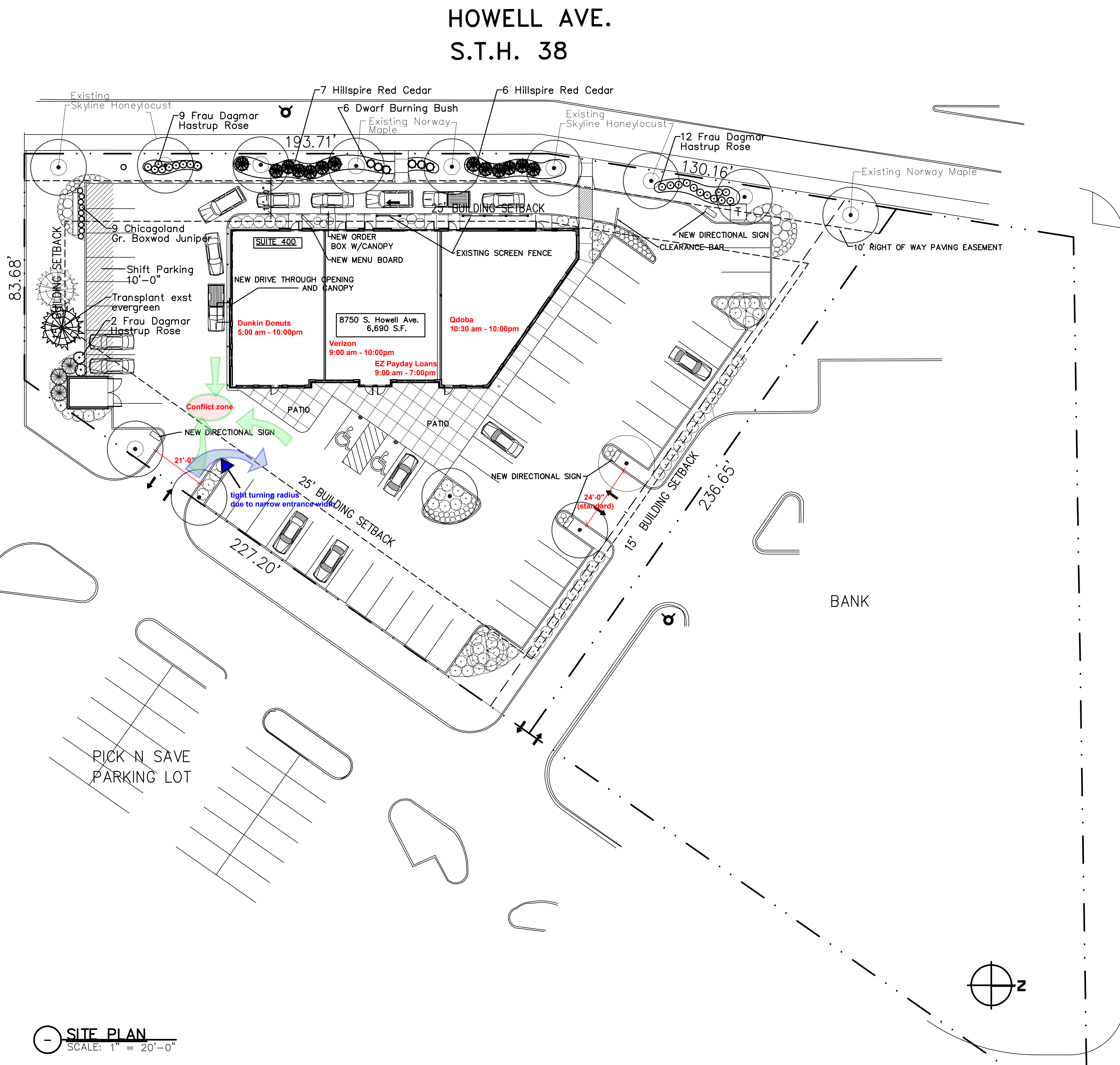
DESIGN  
CONSTRUCTION  
CONSULTING  
MANAGEMENT

(262) 549-9600 FAX: (262) 549-1314  
W228 N745 Westmound Drive  
Waukesha, Wisconsin 53186-1725

Dunkin Donuts - Oak Creek  
8750 S. HOWELL AVE  
OAK CREEK, WI

**SITE INFORMATION**

- TOTAL SITE AREA:  
- 42,407 S.F. (.97 ACRES)
- TOTAL LOT COVERAGE:  
- 29,857 S.F. (.682 ACRES) - 70.4%
- TOTAL OPEN SPACE:  
- 12,550 S.F. (.288 ACRES) - 29.6%
- BUILDING ZONING:  
- B-2
- BUILDING SETBACKS:  
- 25' FRONT YARD BUILDING SETBACK  
- 15' SIDE YARD BUILDING SETBACK  
- 25' REAR YARD BUILDING SETBACK
- MAX. BUILDING HEIGHT:  
- 50'-0"
- PAVING SETBACKS:  
- 10' RIGHT OF WAY PAVING SETBACK  
- 0' FRONT YARD PAVING SETBACK  
- 0' SIDE YARD PAVING SETBACK  
- 0' REAR YARD PAVING SETBACK
- PARKING REQUIREMENTS:  
- 1 PARKING SPACE FOR EVERY 150 S.F. (RETAIL/RESTAURANT)  
- 1 PER EMPLOYEE @ 11 EMPLOYEES  
- 56 SPACES REQUIRED  
- 54 PROVIDED



**SITE PLAN**  
SCALE: 1" = 20'-0"

BUILDING OWNER:  
MIKE PRANKE  
PRANKE HOLDING LLC  
241 N. BROADWAY SUITE 501  
MILWAUKEE WI 53202

ARCHITECT:  
JERRY MORTIER  
THE REDMOND CO  
W228 N745 WESTMOUND DR.  
WAUKESHA WI 53186  
262.897.8753

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**SHEET TITLE**  
Site Plan

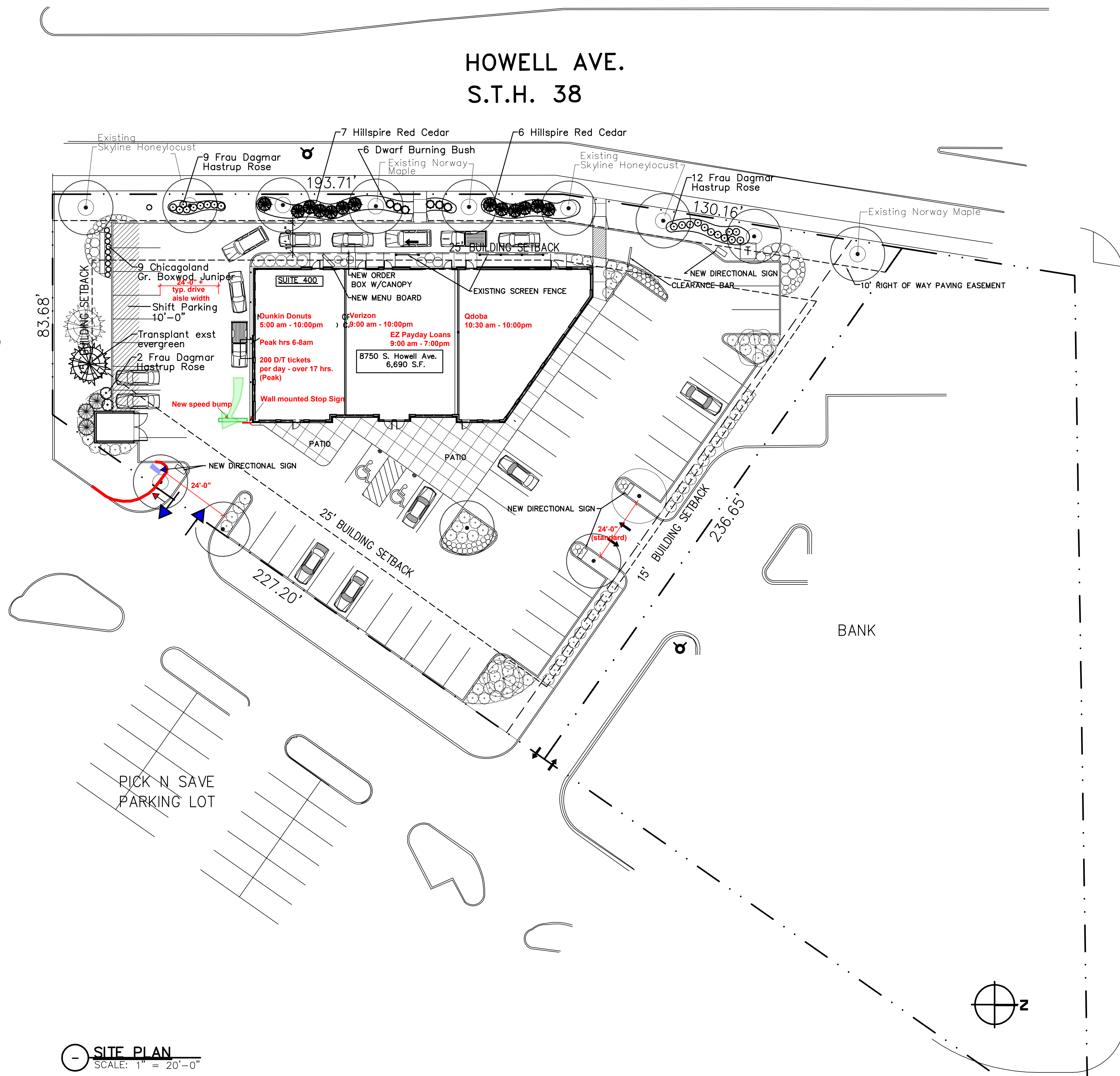
**REVISIONS**

**PROJECT DATA**  
Date: 11.21.13  
Job No.: 14047  
Drawn By: JM  
SHEET NO.

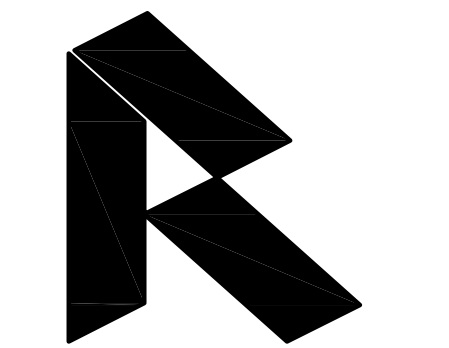
**SP1.1**

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- BUILDING SETBACKS:
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- 15' SIDE YARD BUILDING SETBACK
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- MAX. BUILDING HEIGHT:
- 50'-0"
- PAVING SETBACKS:
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- 1 PER EMPLOYEE @ 11 EMPLOYEES
- 56 SPACES REQUIRED
- 54 PROVIDED



HOWELL AVE.  
S.T.H. 38



**THE REDMOND COMPANY**

DESIGN  
CONSTRUCTION  
CONSULTING  
MANAGEMENT  
(262) 549-9600 FAX: (262) 549-1314  
W228 N745 Westmound Drive  
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**Dunkin' Donuts - Oak Creek**  
8750 S. HOWELL AVE  
OAK CREEK, WI

E. PUETZ RD.

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**SHEET TITLE**  
Site Plan

**REVISIONS**

**PROJECT DATA**  
Date: 11.21.13  
Job No.: 14047  
Drawn By: JM  
SHEET NO.

**SP1.1**

BUILDING OWNER:  
MIKE PRANKE  
PRANKE HOLDING LLC  
241 N. BROADWAY SUITE 501  
MILWAUKEE WI 53202

ARCHITECT:  
JERRY MORTIER  
THE REDMOND CO  
W228 N745 WESTMOUND DR.  
WAUKESHA WI 53186  
262.897.8753

**SITE PLAN**  
SCALE: 1" = 20'-0"

City of Oak Creek – Conditional Use Permit  
Conditions and Restrictions

Applicant: Jerry Mortier, The Redmond Co.  
Property Address: 8750 S. Howell Ave.  
Tax Key Number: 860-9996  
Conditional Use: Drive-through for Dunkin' Donuts restaurant.

Approved by Plan Commission: 12/10/2013  
Approved by Common Council: 12/17/2013  
(Ord. #TBD)

1. LEGAL DESCRIPTION

COM 109.07 FT S 0D53'30" W OF NW COR OF NW1/4 SEC. 21-5-22 TH S 89D06'30" E 60 FT S 54D06'30" E 279.94 FT S 35D53' 30" W 227.06 FT N 89D06'30" W 82.72 FT TO ELY LI OF AVE N 0D53'30" E 92.61 FT N 54D06'30" W 18.31 FT N 89D06'30" W 60 FT TO W1/4 SEC LI TH N 244 FT TO BEG. EXC MOST WLY PART FOR AVE. CONT.0.960A.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

A. A precise detailed site plan for the area affected by the conditional use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

1) **General Development Plan**

- a) detailed building locations with setbacks
- b) square footage of building
- c) areas for future expansion
- d) area to be paved
- e) access drives (width and location)
- f) sidewalk locations
- g) parking layout and traffic circulation
  - i) location
  - ii) number of employees
  - iii) number of spaces
  - iv) dimensions
  - v) setbacks
- h) location of loading berths
- i) location of sanitary sewer (existing and proposed)
- j) location of water (existing and proposed)
- k) location of storm sewer (existing and proposed)
  - i) including detention/retention basins if needed
- l) precise location of outdoor storage
- m) location of wetlands (field verified)
- n) location, square footage and height of signs
- o) a description of the vehicles, materials and equipment to be stored at the site

- b) number, initial size and type of plantings
- c) parking lot screening/berming

3) **Building Plan**

- a) architectural elevations
- b) building floor plans
- c) materials of construction

4) **Lighting Plan**

- a) types of fixtures
- b) mounting heights
- c) type of poles
- d) photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- a) contours (existing and proposed)
- b) location of storm sewer (existing and proposed)
- c) location of stormwater management structures and basins (if required)

6) **Fire Protection**

- a) location of existing and proposed fire hydrants (public and private)
- b) interior floor plan
- c) materials of construction

2) **Landscape Plan**

- a) screening plan for outdoor storage

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

C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.

- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

### 3. PARKING AND ACCESS

- A. **Parking requirements for this project shall be provided in accordance with Section 17.0403 of the Municipal Code and the plans approved by the Plan Commission on December 10, 2013.**
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.
- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.

### 4. LIGHTING

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

### 5. LANDSCAPING

- A. **The site containing this conditional use shall be maintained in accordance with the site, building, landscaping, and lighting plans dated May 27, 2005 and approved by the City of Oak Creek Plan**

**Commission on June 14, 2005. All plans for landscaping changes shall be submitted to the Plan Commission for their review and approval prior to the issuance of an occupancy permit.**

B. Parking Lot Screening. Those parking areas for five (5) or more vehicles if adjoining a residential zoning district line or public right-of-way shall be screened from casual view by an earth berm, a solid wall, fence, evergreen planting of equivalent visual density or other effective means approved by the City Plan Commission. Such fence or berm and landscaping together shall be an average of three (3) feet in height between the parking and the street right-of-way. All screening materials shall be placed and maintained at a minimum height of three (3) feet.

1. At least one ornamental deciduous tree, no less than 2.5" caliper, shall be incorporated into the design for every 35 linear feet of public street frontage.
2. At least 25% of the total green space area shall be landscaped utilizing plant materials, other than maintained turf, that contribute to ground coverage.
3. For purposes of determining the number of plants necessary to meet the minimum 25% ground coverage requirement, plant types are categorized by their general size and potential mature at-grade coverage area.

<u>Plant Type</u>	<u>Area of Coverage Provided</u>
Evergreen Tree (>8' Dia.)	75 sq. ft.
Large Shrub (6-8' Dia.)	38 sq. ft.
Medium Shrub (4-6' Dia.)	20 sq. ft.
Small Shrub (2-4' Dia.)	12 sq. ft.
Perennial (4.5" Pot)	6 sq. ft.

\* Note shade and ornamental trees are not considered a plant type contributing to "at grade" coverage.

4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.
- C. Interior Landscape Area. All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping.
- D. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.
- E. Landscaping Adjacent to Buildings. There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation of the building.
- F. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- G. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.

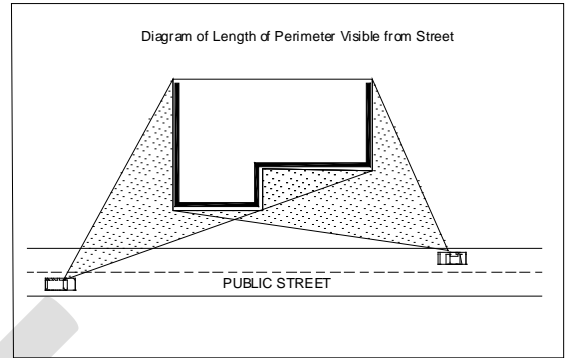
- H. Screening of Outdoor Storage – Outdoor storage shall not be located within the front yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- I. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.
- J. Screening of utility meters. New utility meters shall be screened with a mix of plantings and a screening fence or wall, which shall be approved by the Community Development Department prior to the issuance of building permits. Said screening shall be installed prior to final occupancy.**
- K. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, railroad ties, or concrete
- L. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- M. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205 (d) of the Municipal Code, and in accordance with the plans approved by the Plan Commission on May 23, 2000 and September 24, 2013.
- N. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
  - 1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
  - 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
  - 3. The location and percent of slope of all proposed berms using one (1) foot contours.
  - 4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
  - 5. Methods used in staking, mulching, wrapping or any other early tree care used.
  - 6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

## 6. ARCHITECTURAL STANDARDS

- A. The site and building containing this conditional use shall be constructed and maintained in accordance with the site, building, landscaping and lighting plans dated May 27, 2005 and approved by the City of Oak Creek Plan Commission on June 14, 2005. Any changes to these plans shall be submitted to the Plan Commission for their review and approval prior to the issuance of an occupancy permit.**



- B. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- C. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete masonry units (CMU's). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material.
- D. The facade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with glass, brick or decorative masonry material.
- E. Material and color samples shall be submitted to the Plan Commission for review and approval.
- F. The Plan Commission has the discretion to adjust this minimum for building additions.
- G. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- H. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- I. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- J. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- K. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.



7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	25'	25'	20'
Accessory Structure*	25'	5'	5'
Off-street Parking	10'	0'	0'

\* No accessory structures shall be permitted in the front yard.

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. **The fire department connection on the west elevation of the building shall not be blocked with any fencing, signage, or landscaping.**
- D. **The illuminated drive-through menu board shall be turned off during non-business hours.**

9. SIGNS

**All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code and the approved Master Sign Program for this property. The applicant shall submit a sign package with all proposed signs (menu board, wall signs, tenant panel on monument sign, and directional signs) to the Plan Commission for review.**

10. PERMITTED USES

- A. All permitted uses in the B-2, Community Business zoning district.
- B. **One (1) restaurant with drive-through.**
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

**The operator of the conditional use shall commence operations in accordance with these conditions and restrictions for the conditional use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit. This conditional use approval shall expire within twelve (12) months after the date of adoption of the ordinance if an occupancy permit has not been issued for this use. The applicant shall re-apply for a conditional use approval, prior to recommencing work or construction.**

12. OTHER REGULATIONS

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

13. VIOLATIONS & PENALTIES

Any violations of the terms of this conditional use permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances. If the owner, applicant or operator of the conditional use permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12 month period the city shall have the right to revoke this conditional use permit, subject to the provisions of paragraph 14 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this conditional use permit or to seek an injunction regarding any violation of this conditional use permit or any other city ordinances.

14. REVOCATION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code.

15. ACKNOWLEDGEMENT

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

\_\_\_\_\_  
Owner's authorized representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)

DRAFT



# Plan Commission Report

ITEM: 5a & 6a  
DATE: December 10, 2013

**PROJECT:** Project Plan and Territory Amendment No. 1 for TID 11

**STAFF RECOMMENDATION:** That Plan Commission adopts Resolution No. 2013-03 adding the territory of 400 W. Forest Hill Ave. and amending the Project Plan for Tax Increment Financing District (TID) No. 11.

**Background:** Tax Increment District No. 11 was created on April 3, 2012 following Plan Commission adoption of Resolution 2012-01, Common Council adoption of Resolution 11229-040312, and Joint Review Board adoption. This District encompasses the land for and lands abutting Drexel Town Square.

The purpose of tonight's review is to consider an Amendment to the territory as well as Amendments to the Project Plan for TID 11. Such Amendments include:

1. Map 3 - Conceptual Land Uses.
2. Map 4 - Proposed Improvements.
3. Section IV - Detailed List of Estimated Project Costs.
4. Section V - Economic Feasibility Study.

The territory to be added to the TID is the 4.4624-acre parcel behind the Woodman's store (Outlot 1, pond lot). Following the addition of this lot, the total District size will be approximately 120 acres.

The district and project plan are being amended to reflect a refinement in project costs as it relates to potential development incentives for projects within the district.

Copies of the Amendments are included with your packet. Should the Plan Commission adopt Resolution 2013-03, the proposed amendment will go before the Common Council for approval on December 17, 2013.

Prepared by:

Kari Papelbon, CFM, AICP  
Planner

Respectfully Submitted by:

Douglas Seymour, AICP  
Director of Community Development

# CITY OF OAK CREEK, WISCONSIN

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AMENDMENT NO. 1 TO

TAX INCREMENTAL DISTRICT NO. 11

PROJECT PLAN

PREPARED BY:

THE CITY OF OAK CREEK

&

HUTCHINSON, SHOCKEY, ERLEY & CO.

NOVEMBER 21, 2013

## INTRODUCTION

Tax Incremental District No. 11 (the "District") was created on April 3, 2012 as a mixed use tax increment district. It is comprised of approximately 116 acres of primarily vacant industrial property with a base value of \$11,835,700. The current total value for 2013 is \$12,858,400.

The District is an area to the west of South Howell Avenue (STH 38) between Drexel Avenue and West Forest Hill Avenue. The District will be an important gateway to the City of Oak Creek with the 2012 completion of a freeway interchange at Drexel Avenue with Interstate 94.

The development is now known as Drexel Town Square and will include city hall and the library, a large format retail store, retail shops, restaurants, apartments, a hotel and other appropriate uses. The purpose of this amendment is to update the cost of infrastructure and developer incentives. Since its creation in 2012 the planning effort has resulted in a better defined project in terms of cost and type of development.

City of Oak Creek Tax Incremental District No. 11 and the supporting project plan are hereby amended as follows:

1. Map 3 Conceptual Land Uses
2. Map 4 Proposed Improvements
3. Section IV Detailed List of Estimated Project Costs
4. Section V Economic Feasibility Study

All other sections of the original Project Plan remain in full force and effect.

## SECTION IV

### DETAILED LIST OF ESTIMATED PROJECT COSTS

The enclosed Drexel Town Square Infrastructure Budget is a detailed list of project costs and is intended as an update and clarification to the same section in the original Project Plan. Some of these projects will be funded with both taxable and tax exempt bonds but the exact dollar amounts will not be known until the project is completed. For example, mass grading will initially be funded with taxable debt because the grading will benefit private businesses. However, the grading for City Hall and the Library will be eligible for tax exempt financing.

In addition, it is anticipated that developer incentives will be needed to stimulate certain development within the District. The amount of current incentive requests reviewed and tentatively approved by the City is \$8,200,000. It is likely that additional requests for developer incentives will be forthcoming and it is currently the intent of the City to limit that future amount to \$5,300,000. (As part of Section V a debt schedule for \$5,300,000 is included). All developer incentives will be accompanied by the required development agreement and made available to the Joint Review Board and the public. It is also the intention of the City that, a) all incentives will be sized to be recoverable from tax increments projected to be generated by that particular development, and; b) that the development that receives the incentive also be projected to generate sufficient tax increment to contribute to the repayment of infrastructure within the District. As a result, future developer incentives may exceed \$5,300,000 as long as the projects are projected to meet the two stated requirements of paying for the incentive and contributing to the overall repayment of infrastructure costs.



# DREXEL TOWN SQUARE



## Infrastructure Budget

7/26/2013  
TOTAL

DESCRIPTION	TYPE	QTY	LABOR		MATERIAL		SUBCONTRACT		TOTAL
			Unit	Total	Unit	Total	Unit	Total	
<b>14 MONTH DURATION</b>	Mo	14							
	Wk	61							
Acres (disturbed)	Ac	85							
<b>JOB CONDITIONS</b>				\$206,285.08		\$2,123.32		\$20,000.00	\$228,408.40
Permits (ALLOWANCE)	Is	1		\$0.00		\$0.00	20000	\$20,000.00	\$20,000.00
Field Inspection Fees	Is	1		\$0.00		\$0.00		\$0.00	\$0.00
On-Site Management	Hr	2427	85	\$206,285.08		\$0.00		\$0.00	\$206,285.08
Mileage & Gas	wk	61		\$0.00	35	\$2,123.32		\$0.00	\$2,123.32
Printing, Extra Plans, Specs.	Is	1		\$0.00		\$0.00	3500	\$3,500.00	\$3,500.00
Signs, Posters & Warning Devices	Ls	1		\$0.00		\$0.00	3000	\$3,000.00	\$3,000.00
Site Maintenance	Ls	1		\$0.00		\$0.00	1500	\$1,500.00	\$1,500.00
Prevailing Wage Monitoring (Prism)	mo	18		\$0.00		\$0.00	950	\$15,200.00	\$15,200.00
<b>ENGINEERING - GRAEF</b>				\$0.00		\$0.00		\$711,000.00	\$711,000.00
Engineering Construction Docs & Permitting	Is	1		\$0.00		\$0.00	275000	\$275,000.00	\$275,000.00
Stormwater Management Areas	Is	1		\$0.00		\$0.00	105000	\$105,000.00	\$105,000.00
Wetland Enhancement, Pre-treatment & Bio-swales	Is	1		\$0.00		\$0.00	60000	\$60,000.00	\$60,000.00
Preliminary Transportation Engineering	Is	1		\$0.00		\$0.00	8000	\$8,000.00	\$8,000.00
Streetscapes & Frontages	Is	1		\$0.00		\$0.00	120000	\$120,000.00	\$120,000.00
Alley	Is	1		\$0.00		\$0.00	15000	\$15,000.00	\$15,000.00
Transportation Improvements	Is	1		\$0.00		\$0.00	60000	\$60,000.00	\$60,000.00
Town Square	Is	1		\$0.00		\$0.00	65000	\$65,000.00	\$65,000.00
Reimbursables	Is	1		\$0.00		\$0.00	5000	\$5,000.00	\$5,000.00
<b>SURVEYING - GRAEF</b>				\$0.00		\$0.00		\$154,250.00	\$154,250.00
Geotechnical & Topographic Surveying	Is	1		\$0.00		\$0.00	9750	\$9,750.00	\$9,750.00
Staking & Survey Infrastructure	Is	1		\$0.00		\$0.00	144500	\$144,500.00	\$144,500.00
<b>GEOTECHNICAL</b>				\$0.00		\$0.00		\$133,875.00	\$133,875.00
Additional Borings	ea	40		\$0.00		\$0.00	1100	\$44,000.00	\$44,000.00
Soil & Compaction Testing	Ac	85		\$0.00		\$0.00	775	\$85,875.00	\$85,875.00
Testing Services	Is	1		\$0.00		\$0.00	30000	\$30,000.00	\$30,000.00
<b>31000 EARTHWORK</b>				\$0.00		\$0.00		\$1,503,000.00	\$1,503,000.00
Grading (Excludes basins A & B)	cy	280000		\$0.00		\$0.00	4	\$1,120,000.00	\$1,120,000.00
Export	cy	11000		\$0.00		\$0.00	8	\$88,000.00	\$88,000.00
Topsoil Import	cy	9000		\$0.00		\$0.00	30	\$270,000.00	\$270,000.00
Street Frontage - Demolition	Is	1		\$0.00		\$0.00	75000	\$75,000.00	\$75,000.00
Unforeseen Buried Conditions (Contingency)	Is	1		\$0.00		\$0.00	50000	\$50,000.00	\$50,000.00
<b>32100 PAVEMENTS</b>				\$0.00		\$0.00		\$3,307,631.00	\$3,307,631.00
Asphalt-Crushed Agg.Base Course	tn	13100		\$0.00		\$0.00	18	\$235,800.00	\$235,800.00
6" Asphalt-Type E-1	tn	6000		\$0.00		\$0.00	55	\$330,000.00	\$330,000.00
8" Decorative Concrete Pavements	sv	7250		\$0.00		\$0.00	90	\$652,500.00	\$652,500.00
Concrete Curb&Gutter	lf	12000		\$0.00		\$0.00	20	\$240,000.00	\$240,000.00
Alley - Concrete Curb&Gutter	lf	1090		\$0.00		\$0.00	0	\$0.00	\$0.00
Pavement Markings	lf	12000		\$0.00		\$0.00	1	\$12,000.00	\$12,000.00
Porous Pavers	sy	3000		\$0.00		\$0.00	135	\$405,000.00	\$405,000.00
Alley - Porous Pavers	sy	500		\$0.00		\$0.00	0	\$0.00	\$0.00
Decorative Pavers	sv	2700		\$0.00		\$0.00	150	\$405,000.00	\$405,000.00
Drexel Sidewalk	sv	2400		\$0.00		\$0.00	30	\$72,000.00	\$72,000.00
Howell Sidewalk	sv	850		\$0.00		\$0.00	30	\$25,500.00	\$25,500.00
Streetscape Sidewalk	sv	9601		\$0.00		\$0.00	31	\$297,631.00	\$297,631.00
Street Frontage Detectable Warning Panel	sf	240		\$0.00		\$0.00	30	\$7,200.00	\$7,200.00
Streetscape Sidewalk Ramps w/Del. Wmg Panel	ea	48		\$0.00		\$0.00	2000	\$98,000.00	\$98,000.00
Streetscape Terrace Pavers	sv	3500		\$0.00		\$0.00	150	\$525,000.00	\$525,000.00
Alley - 8" Decorative Concrete Pavers	sv	2400		\$0.00		\$0.00	0	\$0.00	\$0.00
Alley - Crushed Agg.Base Course	tn	1300		\$0.00		\$0.00	0	\$0.00	\$0.00
<b>32200 SITE IMPROVEMENTS</b>				\$0.00		\$0.00		\$1,080,000.00	\$1,080,000.00
Monument Sign	ea	2		\$0.00		\$0.00	40000	\$80,000.00	\$80,000.00
Entrance Gateway Sign	Is	1		\$0.00		\$0.00	75000	\$75,000.00	\$75,000.00
Traffic Signage	Is	1		\$0.00		\$0.00	40000	\$40,000.00	\$40,000.00
Bench	ea	20		\$0.00		\$0.00	1500	\$30,000.00	\$30,000.00
Trash Receptacle	ea	20		\$0.00		\$0.00	1200	\$24,000.00	\$24,000.00
Bike Rack	ea	20		\$0.00		\$0.00	850	\$17,000.00	\$17,000.00
Raised Curb for Planters	lf	700		\$0.00		\$0.00	30	\$21,000.00	\$21,000.00
Street Lights (50' oc ea side, 20' std.)	ea	240		\$0.00		\$0.00	4500	\$1,080,000.00	\$1,080,000.00
<b>32700 WETLANDS</b>				\$0.00		\$0.00		\$350,700.00	\$350,700.00
East Bio-Swale	Is	1		\$0.00		\$0.00	350700	\$350,700.00	\$350,700.00
<b>Wetland Enhancement Area "A"</b>				\$2,315,350.00		\$0.00		\$0.00	\$2,315,350.00
Earthwork	Is	1		\$0.00		\$0.00	1781250	\$1,781,250.00	\$1,781,250.00
Utilities	Is	1		\$0.00		\$0.00	45000	\$45,000.00	\$45,000.00
12'x3" Asphalt Path	Is	1		\$0.00		\$0.00	82600	\$82,600.00	\$82,600.00
Amenities	Is	1		\$0.00		\$0.00	100000	\$100,000.00	\$100,000.00
Plantings	Is	1		\$0.00		\$0.00	296500	\$296,500.00	\$296,500.00
Pre-Treatment Pond "B" (Woodman's Expanded)	Is	1		\$0.00		\$0.00	580250	\$580,250.00	\$580,250.00
Pre-Treatment Pond "C" (North)	Is	1		\$0.00		\$0.00	437750	\$437,750.00	\$437,750.00



2200 PLANTINGS				\$0.00	\$0.00	\$21,450.00	\$21,450.00
Drexel Street Trees (50' oc)	ea	64	\$0.00	\$0.00	400	\$21,600.00	\$21,600.00
Howell Street Trees (50' oc)	ea	20	\$0.00	\$0.00	400	\$8,000.00	\$8,000.00
Streetscape Trees (50' oc)	ea	240	\$0.00	\$0.00	400	\$96,000.00	\$96,000.00
Soil Amendments	cy	500	\$0.00	\$0.00	30	\$15,000.00	\$15,000.00
Streetscape - CU Soil	cy	3000	\$0.00	\$0.00	50	\$150,000.00	\$150,000.00
Street Frontage Terrace - Grass & Sod	sy	2500	\$0.00	\$0.00	9	\$22,500.00	\$22,500.00
Streetscape Terrace - Grass & Sod	sy	4900	\$0.00	\$0.00	9	\$44,100.00	\$44,100.00
Public Infrastructure - Plantings	sf	4000	\$0.00	\$0.00	7.5	\$30,000.00	\$30,000.00
Street Frontage - Plantings	sf	4000	\$0.00	\$0.00	7.5	\$30,000.00	\$30,000.00
Streetscape - Plantings	sf	7500	\$0.00	\$0.00	7.5	\$56,250.00	\$56,250.00
33100 WATER				\$0.00	\$0.00	\$3,780,000.00	\$3,780,000.00
Water Main	lf	7065	\$0.00	\$0.00	114	\$805,410.00	\$805,410.00
Water Laterals	lf	505	\$0.00	\$0.00	74	\$37,370.00	\$37,370.00
Hydrants	ea	14	\$0.00	\$0.00	2000	\$28,000.00	\$28,000.00
Gate valves	ea	32	\$0.00	\$0.00	1000	\$32,000.00	\$32,000.00
Hose Bid Irrigation connections	ls	1	\$0.00	\$0.00	30000	\$30,000.00	\$30,000.00
33300 SANITARY				\$0.00	\$0.00	\$80,000.00	\$80,000.00
Sanitary mains	lf	5360	\$0.00	\$0.00	68.25	\$365,820.00	\$365,820.00
Sanitary manholes	ea	20	\$0.00	\$0.00	4000	\$80,000.00	\$80,000.00
33400 STORM				\$0.00	\$0.00	\$1,387,000.00	\$1,387,000.00
12"-36" Storm Mains	lf	6900	\$0.00	\$0.00	88.75	\$812,375.00	\$812,375.00
42"-54" Storm Mains	lf	3074	\$0.00	\$0.00	203	\$824,022.00	\$824,022.00
Storm Manhole	ea	58	\$0.00	\$0.00	3500	\$203,000.00	\$203,000.00
Storm Catch Basin	ea	82	\$0.00	\$0.00	1500	\$138,000.00	\$138,000.00
6" Drain Tile	lf	3000	\$0.00	\$0.00	22	\$86,000.00	\$86,000.00
Alley - 6" Drain Tile	lf	750	\$0.00	\$0.00	0	\$0.00	\$0.00
Alley - Misc. Storm Sewer	lf	850	\$0.00	\$0.00	0	\$0.00	\$0.00
33500 FUEL DISTRIBUTION UTILITIES				\$0.00	\$0.00	\$50,000.00	\$50,000.00
Natural Gas	ls	1	\$0.00	\$0.00	50000	\$50,000.00	\$50,000.00
Above WE Energies Budget Quote 7-16-2013			\$0.00	\$0.00		\$0.00	\$0.00
33700 ELECTRICAL UTILITIES				\$0.00	\$0.00	\$1,350,000.00	\$1,350,000.00
Electric Transmission & Distribution	ls	1	\$0.00	\$0.00	525650	\$525,650.00	\$525,650.00
Bury West Overhead Lines	ls	1	\$0.00	\$0.00	483600	\$483,800.00	\$483,800.00
Bury Drexel Overhead Lines	ls	1	\$0.00	\$0.00	145900	\$145,900.00	\$145,900.00
Above WE Energies Budget Quote 7-16-2013	lf		\$0.00	\$0.00		\$0.00	\$0.00
33800 COMMUNICATION UTILITIES				\$0.00	\$0.00	\$88,000.00	\$88,000.00
Communication & Cable Distribution	lf	4800	\$0.00	\$0.00	20	\$88,000.00	\$88,000.00
34000 TRANSPORTATION				\$0.00	\$0.00	\$2,200,000.00	\$2,200,000.00
Howell Access ROW & Signal	ls	1	\$0.00	\$0.00	645000	\$545,000.00	\$545,000.00
Other Howell ROW Improvements	ls	1	\$0.00	\$0.00	780000	\$780,000.00	\$780,000.00
Drexel/ 6th Street & Signal	ls	1	\$0.00	\$0.00	381000	\$381,000.00	\$381,000.00
Drexel/ Main Street	ls	1	\$0.00	\$0.00	163800	\$163,800.00	\$163,800.00
Drexel Rt Turn Lanes to DTS	ls	1	\$0.00	\$0.00	180000	\$190,000.00	\$190,000.00
Drexel/ East Drive & Signal	ls	1	\$0.00	\$0.00	379500	\$379,500.00	\$379,500.00
Drexel Median Changes	ls	1	\$0.00	\$0.00	288500	\$298,500.00	\$298,500.00
OFFSITE North Drexel ROW Improvements	ls	1	\$0.00	\$0.00	50000	\$50,000.00	\$50,000.00
SPECIAL				\$0.00	\$0.00	\$1,500,000.00	\$1,500,000.00
Town Square Development	lf	1	\$0.00	\$0.00	1500000	\$1,500,000.00	\$1,500,000.00
<b>SUBTOTAL</b>				<b>\$2,05,265.05</b>	<b>\$2,123,32</b>	<b>\$20,938,403.00</b>	<b>\$20,246,791.40</b>
General Construction Liability Insurance (.05%)							\$91,272.21
Construction Management Fee (3.25%)							\$596,235.69
Contingency (10%)							\$2,024,679.14
<b>TOTAL BUDGET of Probable Costs</b>							<b>\$22,959,978.44</b>

**Exclusions:**

- 1 City of Oak Creek Inspections.
- 2 Architectural Site Design Fees
- 3 Soft Costs
- 4 Alley Costs (\$394,400.00)

**Clarifications:**

- 1 An Allowance of \$20,000.00 for Permits is included above.
- 2 An Allowance of \$50,000.00 for any additional subsurface removals.
- 3 An Allowance of \$88,000.00 for Tele-Communication distribution.

## SECTION V

### ECONOMIC FEASIBILITY

The estimated total tax increments are \$64,667,655. It is the intention of the City to maintain the annual tax increment at 1.25x annual debt service. This will assure that on an annual basis there is sufficient tax increment and will allow for fluctuations in value or tax rate to ensure that the District is self sufficient. It is estimated that total debt service will be \$55,628,113 after the City maintains the annual tax increment at 1.25x annual debt service.

The unallocated tax increments total \$9,039,542 which is sufficient to cover the estimated additional incentive cost of \$5,300,000, if it occurs.

CITY OF OAK CREEK  
DREXEL TOWN SQUARE  
TAX INCREMENT PROJECTION

<u>YEAR</u>	<u>INCREMENTAL VALUE</u>	<u>TAX RATE</u>	<u>TAX INCREMENT</u>
2015	\$ 46,931,800	\$23.14	-0-
2016	89,159,100	23.14	\$1,086,001
2017	112,130,800	23.14	2,063,141
2018	159,410,000	23.14	2,594,706
2019	162,598,200	23.14	3,688,747
2020	165,850,100	23.14	3,762,522
2021	169,167,100	23.14	3,833,771
2022	172,550,500	23.14	3,914,526
2023	176,001,500	23.14	3,992,818
2024	179,521,500	23.14	4,072,674
2025	183,111,900	23.14	4,154,127
2026	186,774,200	23.14	4,237,209
2027	190,509,700	23.14	4,321,954
2028	194,319,900	23.14	4,408,394
2029	198,206,300	23.14	4,496,562
2030	202,170,400	23.14	4,586,493
2031	206,213,800	23.14	4,678,223
2032	210,338,100	23.14	<u>4,771,787</u>
<b>TOTAL</b>			<b>\$64,667,655</b>

**CITY OF OAK CREEK**  
**DREXEL TOWN SQUARE**  
**\$22,300,000 TAXABLE NOTES**

**Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+i	Fiscal Total
11/19/2013	-	-	-	-	-
05/01/2014	-	-	163,068.75	163,068.75	-
11/01/2014	-	-	181,187.50	181,187.50	344,256.25
05/01/2015	-	-	181,187.50	181,187.50	-
11/01/2015	22,300,000.00	1.625%	181,187.50	22,481,187.50	22,662,375.00
<b>Total</b>	<b>\$22,300,000.00</b>	-	<b>\$706,631.25</b>	<b>\$23,006,631.25</b>	-

**Yield Statistics**

Bond Year Dollars	\$43,485.00
Average Life	1.950 Years
Average Coupon	1.6250000%
Net Interest Cost (NIC)	1.6707871%
True Interest Cost (TIC)	1.6718869%
Bond Yield for Arbitrage Purposes	0.7504583%
All Inclusive Cost (AIC)	1.6718869%

**IRS Form 8038**

Net Interest Cost	0.9671822%
Weighted Average Maturity	1.950 Years

DREXEL TWN SQ. \$20.8 SHOR | SINGLE PURPOSE | 10/ 1/2013 | 2:20 PM

**CITY OF OAK CREEK**  
**DREXEL TOWN SQUARE**  
**\$13,375,000 TAX EXEMPT BONDS**

**Debt Service Schedule**

Part 1 of 2

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
10/01/2015	-	-	-	-	-
04/01/2016	-	-	209,187.50	209,187.50	-
10/01/2016	-	-	209,187.50	209,187.50	418,375.00
04/01/2017	-	-	209,187.50	209,187.50	-
10/01/2017	250,000.00	1.000%	209,187.50	459,187.50	668,375.00
04/01/2018	-	-	207,937.50	207,937.50	-
10/01/2018	300,000.00	1.000%	207,937.50	507,937.50	715,875.00
04/01/2019	-	-	206,437.50	206,437.50	-
10/01/2019	350,000.00	1.250%	206,437.50	556,437.50	762,875.00
04/01/2020	-	-	204,250.00	204,250.00	-
10/01/2020	450,000.00	1.500%	204,250.00	654,250.00	858,500.00
04/01/2021	-	-	200,875.00	200,875.00	-
10/01/2021	500,000.00	1.750%	200,875.00	700,875.00	901,750.00
04/01/2022	-	-	196,500.00	196,500.00	-
10/01/2022	550,000.00	2.000%	196,500.00	746,500.00	943,000.00
04/01/2023	-	-	191,000.00	191,000.00	-
10/01/2023	700,000.00	2.500%	191,000.00	891,000.00	1,082,000.00
04/01/2024	-	-	182,250.00	182,250.00	-
10/01/2024	800,000.00	2.750%	182,250.00	982,250.00	1,164,500.00
04/01/2025	-	-	171,250.00	171,250.00	-
10/01/2025	850,000.00	3.000%	171,250.00	1,021,250.00	1,192,500.00
04/01/2026	-	-	158,500.00	158,500.00	-
10/01/2026	900,000.00	3.000%	158,500.00	1,058,500.00	1,217,000.00
04/01/2027	-	-	145,000.00	145,000.00	-
10/01/2027	950,000.00	3.250%	145,000.00	1,095,000.00	1,240,000.00
04/01/2028	-	-	129,562.50	129,562.50	-
10/01/2028	1,175,000.00	3.500%	129,562.50	1,304,562.50	1,434,125.00
04/01/2029	-	-	109,000.00	109,000.00	-
10/01/2029	1,275,000.00	3.500%	109,000.00	1,384,000.00	1,493,000.00
04/01/2030	-	-	86,687.50	86,687.50	-
10/01/2030	1,375,000.00	3.750%	86,687.50	1,461,687.50	1,548,375.00
04/01/2031	-	-	60,906.25	60,906.25	-
10/01/2031	1,425,000.00	4.000%	60,906.25	1,485,906.25	1,546,812.50
04/01/2032	-	-	32,406.25	32,406.25	-
10/01/2032	1,525,000.00	4.250%	32,406.25	1,557,406.25	1,589,812.50
<b>Total</b>	<b>\$13,375,000.00</b>	<b>-</b>	<b>\$5,401,875.00</b>	<b>\$18,776,875.00</b>	<b>-</b>

**CITY OF OAK CREEK**

DREXEL TOWN SQUARE

\$13,375,000 TAX EXEMPT BONDS

**Debt Service Schedule**

Part 2 of 2

**Yield Statistics**

Bond Year Dollars	\$156,975.00
Average Life	11.736 Years
Average Coupon	3.4412327%
Net Interest Cost (NIC)	3.4412327%
True Interest Cost (TIC)	3.4028732%
Bond Yield for Arbitrage Purposes	3.1700296%
All Inclusive Cost (AIC)	3.4028732%

**IRS Form 8038**

Net Interest Cost	3.1723962%
Weighted Average Maturity	11.758 Years

**CITY OF OAK CREEK**  
**DREXEL TOWN SQUARE**  
**\$8,925,000 TAXABLE BONDS**

**Debt Service Schedule**

Part 1 of 2

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
10/01/2015	-	-	-	-	-
04/01/2016	-	-	185,375.00	185,375.00	-
10/01/2016	-	-	185,375.00	185,375.00	370,750.00
04/01/2017	-	-	185,375.00	185,375.00	-
10/01/2017	175,000.00	1.000%	185,375.00	360,375.00	545,750.00
04/01/2018	-	-	184,500.00	184,500.00	-
10/01/2018	225,000.00	1.250%	184,500.00	409,500.00	594,000.00
04/01/2019	-	-	183,093.75	183,093.75	-
10/01/2019	275,000.00	1.750%	183,093.75	458,093.75	641,187.50
04/01/2020	-	-	180,687.50	180,687.50	-
10/01/2020	325,000.00	2.250%	180,687.50	505,687.50	686,375.00
04/01/2021	-	-	177,031.25	177,031.25	-
10/01/2021	375,000.00	2.750%	177,031.25	552,031.25	729,062.50
04/01/2022	-	-	171,875.00	171,875.00	-
10/01/2022	425,000.00	3.250%	171,875.00	596,875.00	768,750.00
04/01/2023	-	-	164,968.75	164,968.75	-
10/01/2023	475,000.00	3.500%	164,968.75	639,968.75	804,937.50
04/01/2024	-	-	156,656.25	156,656.25	-
10/01/2024	550,000.00	4.000%	156,656.25	706,656.25	863,312.50
04/01/2025	-	-	145,656.25	145,656.25	-
10/01/2025	600,000.00	4.000%	145,656.25	745,656.25	891,312.50
04/01/2026	-	-	133,656.25	133,656.25	-
10/01/2026	650,000.00	4.250%	133,656.25	783,656.25	917,312.50
04/01/2027	-	-	119,843.75	119,843.75	-
10/01/2027	700,000.00	4.500%	119,843.75	819,843.75	939,687.50
04/01/2028	-	-	104,093.75	104,093.75	-
10/01/2028	750,000.00	4.750%	104,093.75	854,093.75	958,187.50
04/01/2029	-	-	86,281.25	86,281.25	-
10/01/2029	775,000.00	4.750%	86,281.25	861,281.25	947,562.50
04/01/2030	-	-	67,875.00	67,875.00	-
10/01/2030	825,000.00	5.000%	67,875.00	892,875.00	960,750.00
04/01/2031	-	-	47,250.00	47,250.00	-
10/01/2031	875,000.00	5.250%	47,250.00	922,250.00	969,500.00
04/01/2032	-	-	24,281.25	24,281.25	-
10/01/2032	925,000.00	5.250%	24,281.25	949,281.25	973,562.50
<b>Total</b>	<b>\$8,925,000.00</b>	<b>-</b>	<b>\$4,637,000.00</b>	<b>\$13,562,000.00</b>	<b>-</b>

**CITY OF OAK CREEK**  
**DREXEL TOWN SQUARE**  
**\$8,925,000 TAXABLE BONDS**

**Debt Service Schedule**

Part 2 of 2

**Yield Statistics**

Bond Year Dollars	\$101,975.00
Average Life	11.426 Years
Average Coupon	4.5471929%
Net Interest Cost (NIC)	4.5471929%
True Interest Cost (TIC)	4.4894766%
Bond Yield for Arbitrage Purposes	4.2685613%
All Inclusive Cost (AIC)	4.4894766%
<b>IRS Form 8038</b>	
Net Interest Cost	4.2897488%
Weighted Average Maturity	11.433 Years



**CITY OF OAK CREEK**  
**DREXEL TOWN SQUARE**  
**DEVELOPER INCENTIVES**

**Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
04/01/2014	-	-	-	-	-
10/01/2014	-	-	82,000.00	82,000.00	82,000.00
04/01/2015	-	-	82,000.00	82,000.00	-
10/01/2015	-	-	82,000.00	82,000.00	164,000.00
04/01/2016	-	-	82,000.00	82,000.00	-
10/01/2016	8,200,000.00	2.000%	82,000.00	8,282,000.00	8,364,000.00
<b>Total</b>	<b>\$8,280,000.00</b>	<b>-</b>	<b>\$410,000.00</b>	<b>\$8,610,000.00</b>	<b>-</b>

**Yield Statistics**

Bond Year Dollars	\$20,500.00
Average Life	2.500 Years
Average Coupon	2.0000000%
Net Interest Cost (NIC)	2.0000000%
True Interest Cost (TIC)	2.0000000%
Bond Yield for Arbitrage Purposes	2.0000000%
All Inclusive Cost (AIC)	2.0000000%
<b>IRS Form 8038</b>	
Net Interest Cost	2.0000000%
Weighted Average Maturity	2.500 Years

**CITY OF OAK CREEK**

DREXEL TOWN SQUARE

DEVELOPER INCENTIVES LONG TERM BOND

**Debt Service Schedule**

Part 2 of 2

**Yield Statistics**

Bond Year Dollars	\$86,200.00
Average Life	10.512 Years
Average Coupon	4.5981729%
Net Interest Cost (NIC)	4.5981729%
True Interest Cost (TIC)	4.5451425%
Bond Yield for Arbitrage Purposes	4.5451425%
All Inclusive Cost (AIC)	4.5451425%

**IRS Form 8038**

Net Interest Cost	4.5981729%
Weighted Average Maturity	10.512 Years

**CITY OF OAK CREEK****DREXEL TOWN SQUARE****DEVELOPER INCENTIVES LONG TERM BOND****Debt Service Schedule**

Part 1 of 2

<b>Date</b>	<b>Principal</b>	<b>Coupon</b>	<b>Interest</b>	<b>Total P+I</b>	<b>Fiscal Total</b>
09/01/2016	-	-	-	-	-
03/01/2017	-	-	171,125.00	171,125.00	-
09/01/2017	150,000.00	1.000%	171,125.00	321,125.00	492,250.00
03/01/2018	-	-	170,375.00	170,375.00	-
09/01/2018	200,000.00	1.250%	170,375.00	370,375.00	540,750.00
03/01/2019	-	-	169,125.00	169,125.00	-
09/01/2019	250,000.00	1.750%	169,125.00	419,125.00	588,250.00
03/01/2020	-	-	166,937.50	166,937.50	-
09/01/2020	300,000.00	2.250%	166,937.50	466,937.50	633,875.00
03/01/2021	-	-	163,562.50	163,562.50	-
09/01/2021	350,000.00	2.750%	163,562.50	513,562.50	677,125.00
03/01/2022	-	-	158,750.00	158,750.00	-
09/01/2022	375,000.00	3.250%	158,750.00	533,750.00	692,500.00
03/01/2023	-	-	152,656.25	152,656.25	-
09/01/2023	425,000.00	3.500%	152,656.25	577,656.25	730,312.50
03/01/2024	-	-	145,218.75	145,218.75	-
09/01/2024	475,000.00	4.000%	145,218.75	620,218.75	765,437.50
03/01/2025	-	-	135,718.75	135,718.75	-
09/01/2025	525,000.00	4.000%	135,718.75	660,718.75	796,437.50
03/01/2026	-	-	125,218.75	125,218.75	-
09/01/2026	600,000.00	4.250%	125,218.75	725,218.75	850,437.50
03/01/2027	-	-	112,468.75	112,468.75	-
09/01/2027	650,000.00	4.500%	112,468.75	762,468.75	874,937.50
03/01/2028	-	-	97,843.75	97,843.75	-
09/01/2028	700,000.00	4.750%	97,843.75	797,843.75	895,687.50
03/01/2029	-	-	81,218.75	81,218.75	-
09/01/2029	725,000.00	4.750%	81,218.75	806,218.75	887,437.50
03/01/2030	-	-	64,000.00	64,000.00	-
09/01/2030	775,000.00	5.000%	64,000.00	839,000.00	903,000.00
03/01/2031	-	-	44,625.00	44,625.00	-
09/01/2031	825,000.00	5.250%	44,625.00	869,625.00	914,250.00
03/01/2032	-	-	22,968.75	22,968.75	-
09/01/2032	875,000.00	5.250%	22,968.75	897,968.75	920,937.50
<b>Total</b>	<b>\$8,200,000.00</b>	<b>-</b>	<b>\$3,963,625.00</b>	<b>\$12,163,625.00</b>	<b>-</b>

DREXEL TWN SQ. DEVELOPER | SINGLE PURPOSE | 10/1/2013 | 2:43 PM

**CITY OF OAK CREEK****DREXEL TOWN SQUARE****\$5,300,000 ADDITIONAL INCENTIVES****Debt Service Schedule**

Part 1 of 2

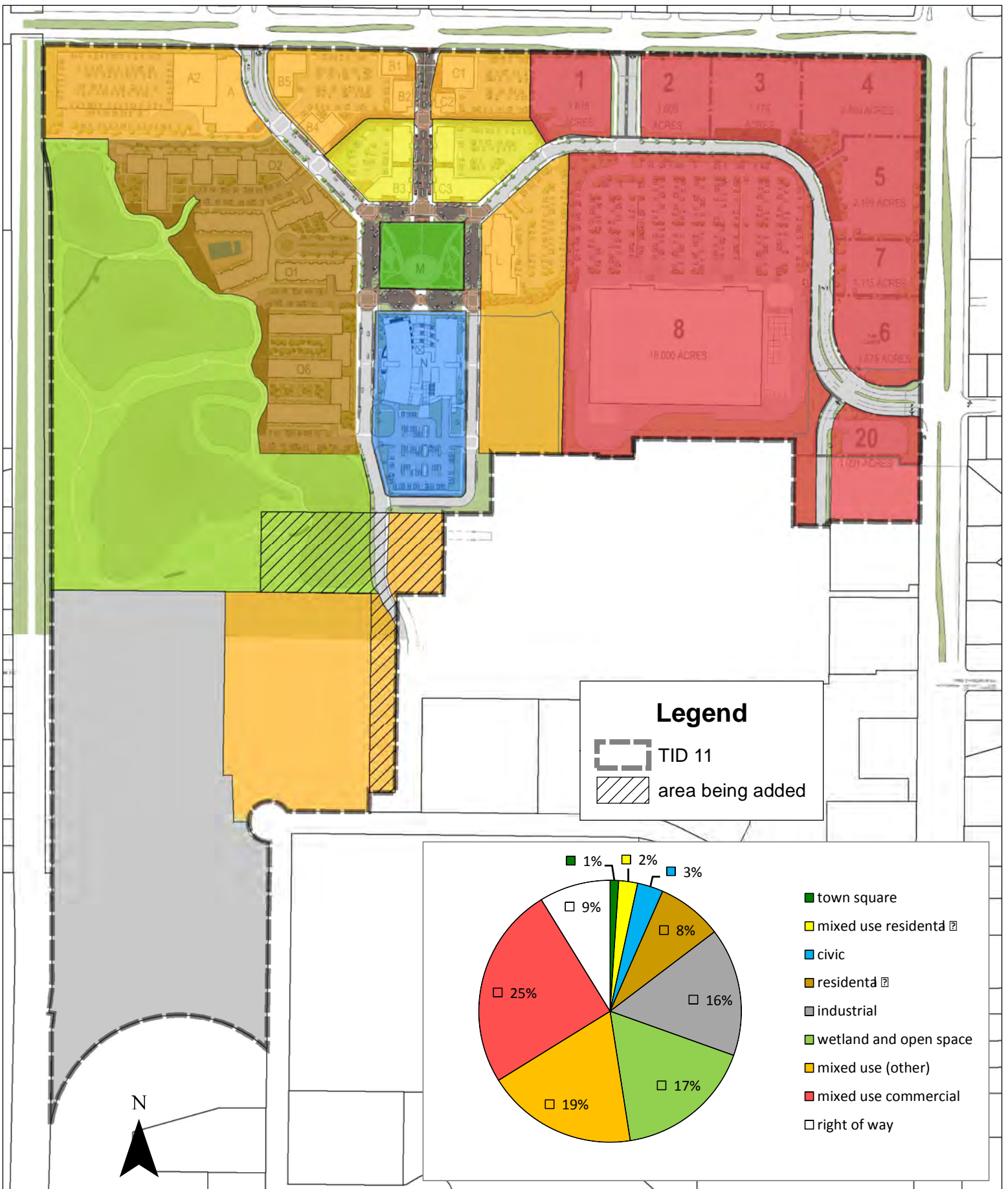
<b>Date</b>	<b>Principal</b>	<b>Coupon</b>	<b>Interest</b>	<b>Total P+I</b>	<b>Fiscal Total</b>
10/01/2016	-	-	-	-	-
04/01/2017	-	-	105,937.50	105,937.50	-
10/01/2017	200,000.00	1.000%	105,937.50	305,937.50	411,875.00
04/01/2018	-	-	104,937.50	104,937.50	-
10/01/2018	200,000.00	1.250%	104,937.50	304,937.50	409,875.00
04/01/2019	-	-	103,687.50	103,687.50	-
10/01/2019	225,000.00	1.750%	103,687.50	328,687.50	432,375.00
04/01/2020	-	-	101,718.75	101,718.75	-
10/01/2020	225,000.00	2.250%	101,718.75	326,718.75	428,437.50
04/01/2021	-	-	99,187.50	99,187.50	-
10/01/2021	225,000.00	2.750%	99,187.50	324,187.50	423,375.00
04/01/2022	-	-	96,093.75	96,093.75	-
10/01/2022	250,000.00	3.250%	96,093.75	346,093.75	442,187.50
04/01/2023	-	-	92,031.25	92,031.25	-
10/01/2023	275,000.00	3.500%	92,031.25	367,031.25	459,062.50
04/01/2024	-	-	87,218.75	87,218.75	-
10/01/2024	325,000.00	4.000%	87,218.75	412,218.75	499,437.50
04/01/2025	-	-	80,718.75	80,718.75	-
10/01/2025	325,000.00	4.000%	80,718.75	405,718.75	486,437.50
04/01/2026	-	-	74,218.75	74,218.75	-
10/01/2026	350,000.00	4.250%	74,218.75	424,218.75	498,437.50
04/01/2027	-	-	66,781.25	66,781.25	-
10/01/2027	375,000.00	4.500%	66,781.25	441,781.25	508,562.50
04/01/2028	-	-	58,343.75	58,343.75	-
10/01/2028	425,000.00	4.750%	58,343.75	483,343.75	541,687.50
04/01/2029	-	-	48,250.00	48,250.00	-
10/01/2029	425,000.00	4.750%	48,250.00	473,250.00	521,500.00
04/01/2030	-	-	38,156.25	38,156.25	-
10/01/2030	450,000.00	5.000%	38,156.25	488,156.25	526,312.50
04/01/2031	-	-	26,906.25	26,906.25	-
10/01/2031	500,000.00	5.250%	26,906.25	526,906.25	553,812.50
04/01/2032	-	-	13,781.25	13,781.25	-
10/01/2032	525,000.00	5.250%	13,781.25	538,781.25	552,562.50
<b>Total</b>	<b>\$5,300,000.00</b>	<b>-</b>	<b>\$2,395,937.50</b>	<b>\$7,695,937.50</b>	<b>-</b>

CITY OF OAK CREEK  
DREXEL TOWN SQUARE

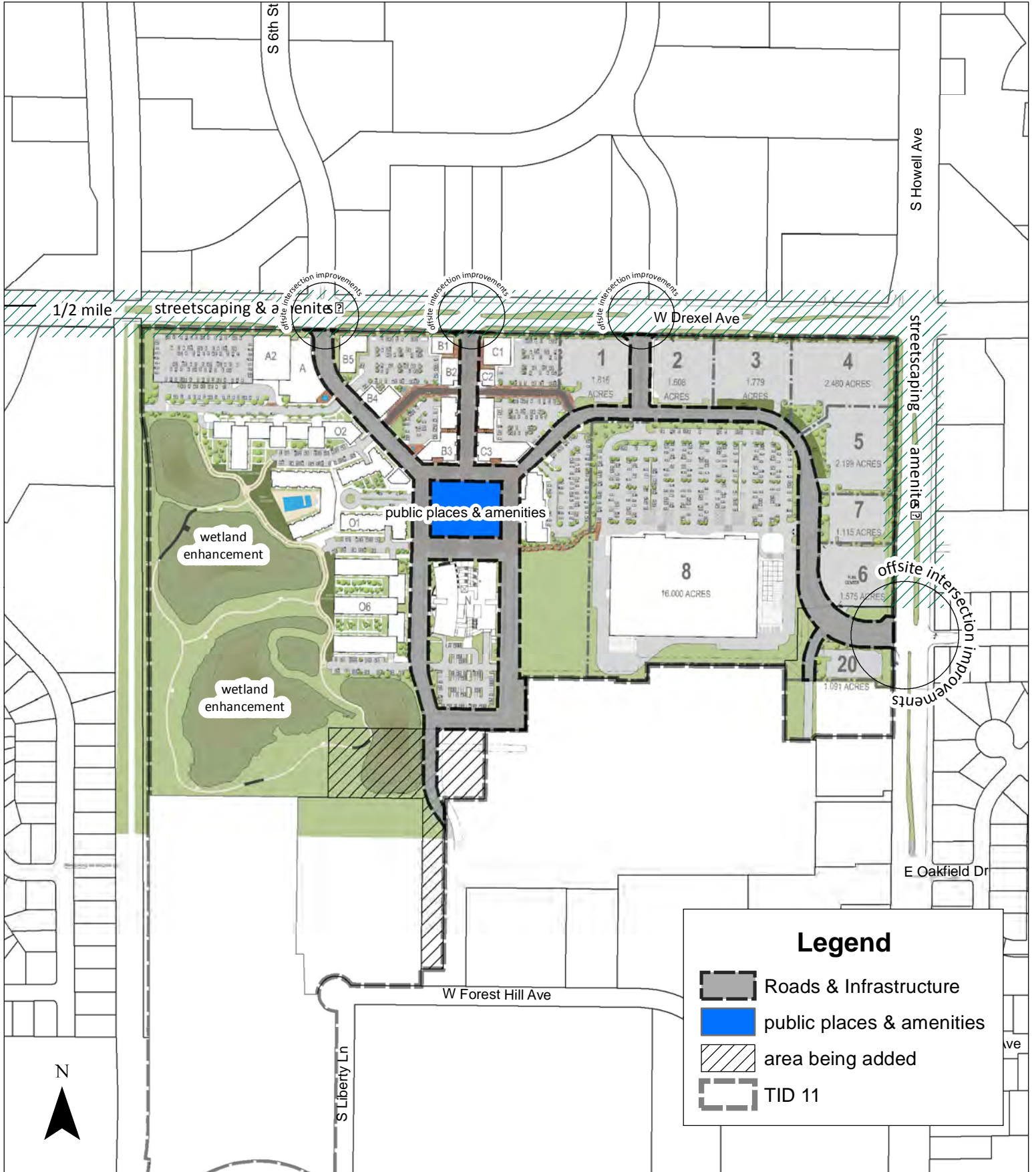
YEAR	TAX EXEMPT	TAXABLE	DEVELOP INCTV	TOTAL	X 1.25
2016	418,375	370,750		789,125	986406.25
2017	668,375	545,750	492,250	1,706,375	2132968.8
2018	715,875	594,000	540,750	1,850,625	2313281.3
2019	762,875	641,187	588,250	1,992,312	2490390
2020	858,500	686,375	633,875	2,178,750	2723437.5
2021	901,750	729,062	677,125	2,307,937	2884921.3
2022	943,000	768,750	692,500	2,404,250	3005312.5
2023	1,082,000	804,937	730,312	2,617,249	3271561.3
2024	1,164,500	863,312	765,437	2,793,249	3491561.3
2025	1,192,500	891,312	796,437	2,880,249	3600311.3
2026	1,217,000	917,312	850,437	2,984,749	3730936.3
2027	1,240,000	939,687	874,937	3,054,624	3818280
2028	1,434,125	958,187	895,687	3,287,999	4109998.8
2029	1,493,000	947,562	887,437	3,327,999	4159998.8
2030	1,548,375	960,750	903,000	3,412,125	4265156.3
2031	1,546,812	969,500	914,250	3,430,562	4288202.5
2032	1,589,812	973,562	920,937	3,484,311	4355388.8
					55,628,113

**LEGAL OPINION**

# Map 3 TIF #11 - Conceptual Land Uses



# Map 4 TIF #11 - Proposed Improvements







# Plan Commission Report

ITEM: 6b

DATE: December 10, 2013

**PROJECT:** Certified Survey Map – 8870 Mayhew Drive, LLC

**ADDRESS:** 8870 S. Mayhew Drive

**TAX KEY NOS:** 860-1006 (multiple)

**STAFF RECOMMENDATION:** That the Plan Commission recommends to the Common Council that the certified survey map submitted by 8870 Mayhew Drive, LLC for the property at 8870 S. Mayhew Dr. be approved with the condition that all technical corrections are made prior to recording.

**Ownership:** 8870 Mayhew Drive, LLC

**Size:** Lot 1 = 2.571 acres, Lot 2 = 3.109 acres

**Existing Zoning:** B-4, Highway Business

**Adjacent Zoning:** North – B-3, Office and Professional Business  
East – Rm-1 (PUD), Multifamily Residential  
South – B-4, Highway Business; B-4 (PUD), Highway Business; Rm-1 (PUD), Multifamily Residential  
West – B-4 (PUD), Highway Business; B-4, Highway Business

**Comprehensive Plan:** Planned Mixed Use.

**Wetlands:** N/A.

**Floodplain:** N/A.

**Official Map:** N/A.

**Commentary:** The Applicant is requesting approval to divide the existing 5.68-acre parcel at 8870 S. Mayhew Dr. into two lots. Lot 2 will retain the existing professional office condo building. No changes to the existing building are proposed, and the building will maintain or exceed required setbacks to the proposed property lines. An application is also on the agenda for this evening to rezone the part of the property that will be Lot 1 from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use in anticipation of constructing a proposed apartment building on the property. The Plan Commission will review this request in item 6c.

Staff has reviewed the request, and several concerns were raised with regard to easements (the existing access and parking, stormwater management, etc.) as well as water and sewer infrastructure. These comments are provided in your packet and relate to the application for rezoning the property.

Prepared by:

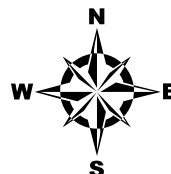
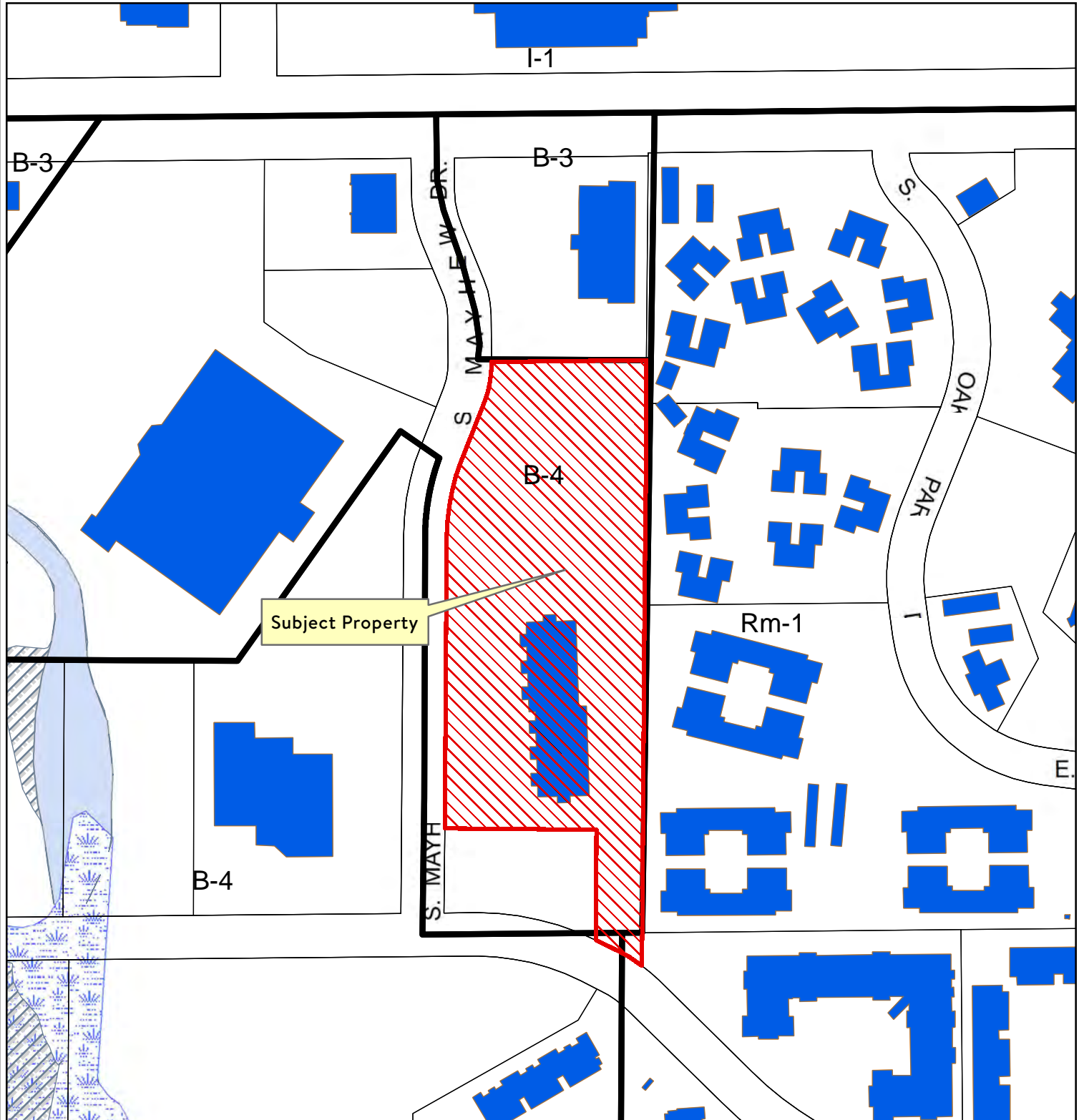
Kari Papelbon, CFM, AICP  
Planner







Respectfully Submitted by:

Douglas Seymour, AICP  
Director of Community Development

# Location Map

## 8870 S. Mayhew Dr.



Legend	
	8870 S. Mayhew Dr.
	Existing Street Pattern
	Floodfringe
	Wetland
	Floodway
	Floodway

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

FOR  
8870 MAYHEW DRIVE, LLC

A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8121, DOCUMENT NO. 9681598, BEING A PART OF THE SE 1/4, SW 1/4, NE 1/4 & NW 1/4 OF THE NW 1/4, SECTION 21, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

### LEGEND

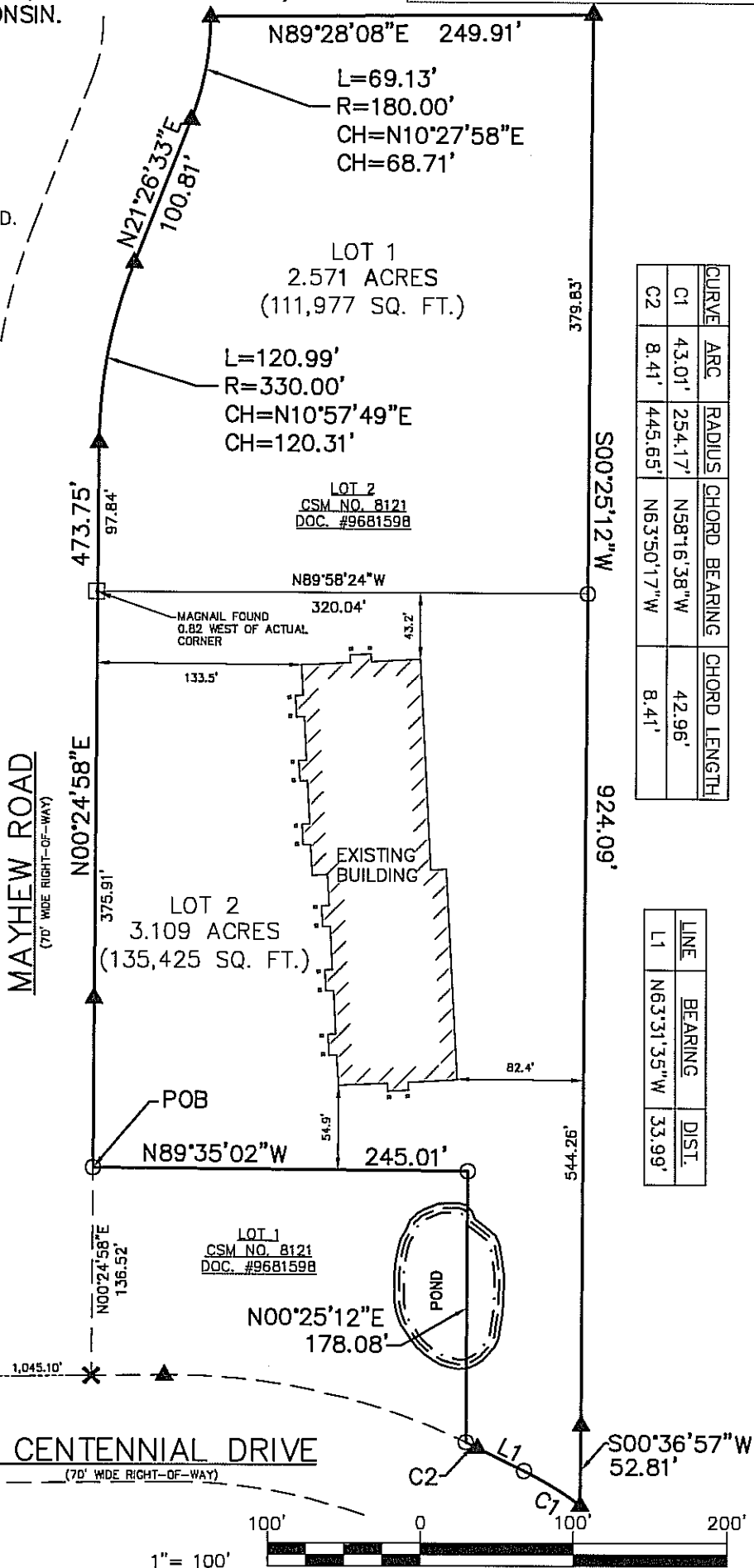
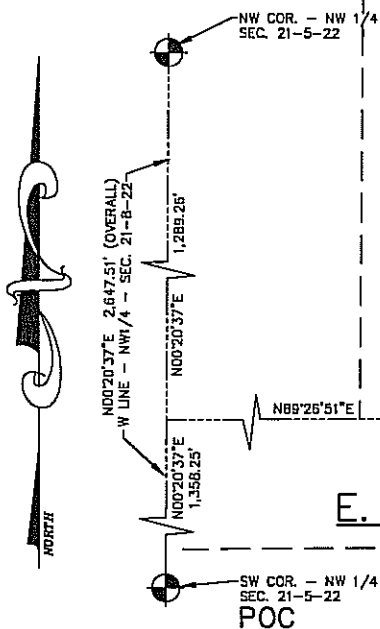
- ✕ - CUT CROSS FOUND
- - 3/4" REBAR FOUND
- - MAG NAIL FOUND
- ▲ - 1" IRON PIPE FOUND.
- ⊙ - BRASS CAPPED MON. FOUND.

OWNER/SUBDIVIDER:  
8870 MAYHEW DRIVE, LLC  
230 OHIO STREET  
SUITE 200  
OSHKOSH, WI 54902

SURVEYOR:  
EXCEL ENGINEERING, INC  
RYAN WILGREEN, S-2647  
100 CAMELOT DRIVE  
FOND DU LAC, WI 54935

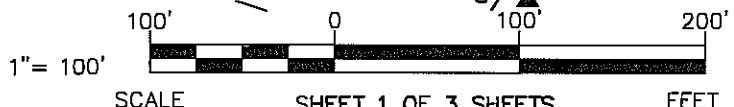
NORTH POINT REFERENCED TO THE WISCONSIN COORDINATE GRID SYSTEM, SOUTH ZONE. THE WEST LINE OF THE NORTHWEST QUARTER HAS A RECORDED BEARING OF N 00°20'37" E.

TOTAL AREA  
247,402 SQ. FT.  
5.680 ACRES



CURVE	ARC	RADIUS	CHORD BEARING	CHORD LENGTH
C1	43.01'	254.17'	N58°16'38"W	42.96'
C2	8.41'	445.65'	N63°50'17"W	8.41'

LINE	BEARING	DIST.
L1	N63°31'35"W	33.99'





# Plan Commission Report

ITEM: 6c

DATE: December 10, 2013

**PROJECT:** Rezone and Conditional Use – 8870 Mayhew Drive, LLC

**ADDRESS:** 8870 S. Mayhew Dr.

**TAX KEY NOS:** 860-1006 (multiple)

**STAFF RECOMMENDATION:** That the Plan Commission recommends to the Common Council that the property at 8870 S. Mayhew Dr. be rezoned from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use for multiple-family dwellings in excess of four (4) dwelling units per structure. after a public hearing.

**Ownership:** 8870 Mayhew Drive, LLC, 230 Ohio St., Oshkosh, WI 54902

**Size:** 0.82 acres

**Existing Zoning:** B-4, Highway Business

**Adjacent Zoning:** North – B-3, Office and Professional Business  
East – Rm-1 (PUD), Multifamily Residential  
South – \*B-4, Highway Business; B-4 (PUD), Highway Business; Rm-1 (PUD), Multifamily Residential  
West – B-4 (PUD), Highway Business; B-4, Highway Business

*\*Note: a request submitted for a rezone is part of tonight's agenda, and, if approved, would change this from B-4, Highway Business to Rm-1, Multifamily Residential.*

**Comprehensive Plan:** Planned Mixed Use.

**Wetlands:** N/A.

**Floodplain:** N/A.

**Official Map:** N/A.

**Commentary:** The Applicant is requesting that the proposed Lot 1 at 8870 S. Mayhew Dr., following the CSM dividing the property into two lots, be rezoned from B-4, Highway Business to Rm-1, Multifamily Residential in anticipation of constructing a proposed 3-story apartment building with underground parking on the property. It is anticipated that the proposed apartment building will have 24 units. Site, building, landscaping, and related plans will be reviewed at a later date should the rezone be approved.

Originally, the approved plan for this property included two professional office buildings to be constructed in phases, but only Phase 1 was completed. Since the existing professional office condo building was constructed this area has seen little business development.

According to the Comprehensive Plan, this area has been identified for Planned Mixed Use. An apartment building near existing businesses would achieve this goal. Further, an apartment complex exists to the immediate east, enhancing the argument in favor of additional multifamily units. A daycare currently occupies space in the adjacent professional office building and would certainly be a positive for locating multifamily units on the property. The proximity to a grocery store, several banks, a post office, a medical clinic, restaurants, and other service and retail establishments are needed for a successful mixed-use neighborhood, and are all within walking distance to the proposed property to be rezoned.

There have been several concerns raised for water and sewer infrastructure for these lots. While these issues do not necessarily directly impact this rezoning and conditional use request, they must be resolved prior to submission of an application for site, building, and landscaping plans. Staff recommends that the Applicant continue to work with the Water Utility on infrastructure plans.

Prepared by:



Kari Papelbon, CFM, AICP  
Planner

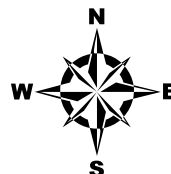
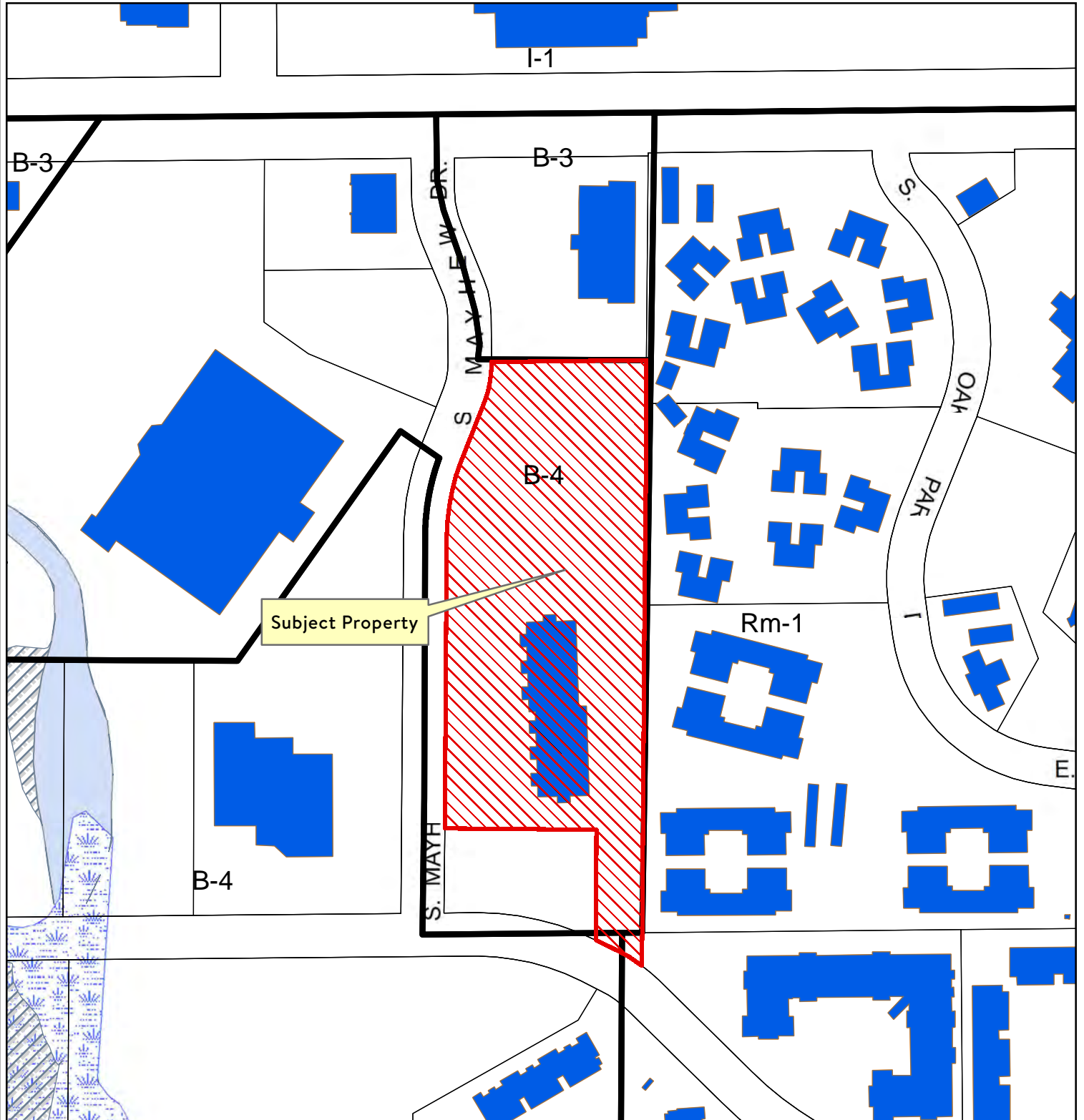
Respectfully Submitted by:








Douglas Seymour, AICP  
Director of Community Development

# Location Map

## 8870 S. Mayhew Dr.



Legend	
	8870 S. Mayhew Dr.
	Existing Street Pattern
	Wetland
	Floodway
	Floodway

UNIT COUNTS	
1 BEDROOM UNITS	4 PROVIDED
2 BEDROOM UNITS	14 PROVIDED
3 BEDROOM UNITS	6 PROVIDED
<b>TOTAL</b>	<b>24 UNITS PROVIDED</b>
3 BEDROOM RATIO CHECK = $24 \times 0.24 = 5.76 = 6$ UNITS REQUIRED	

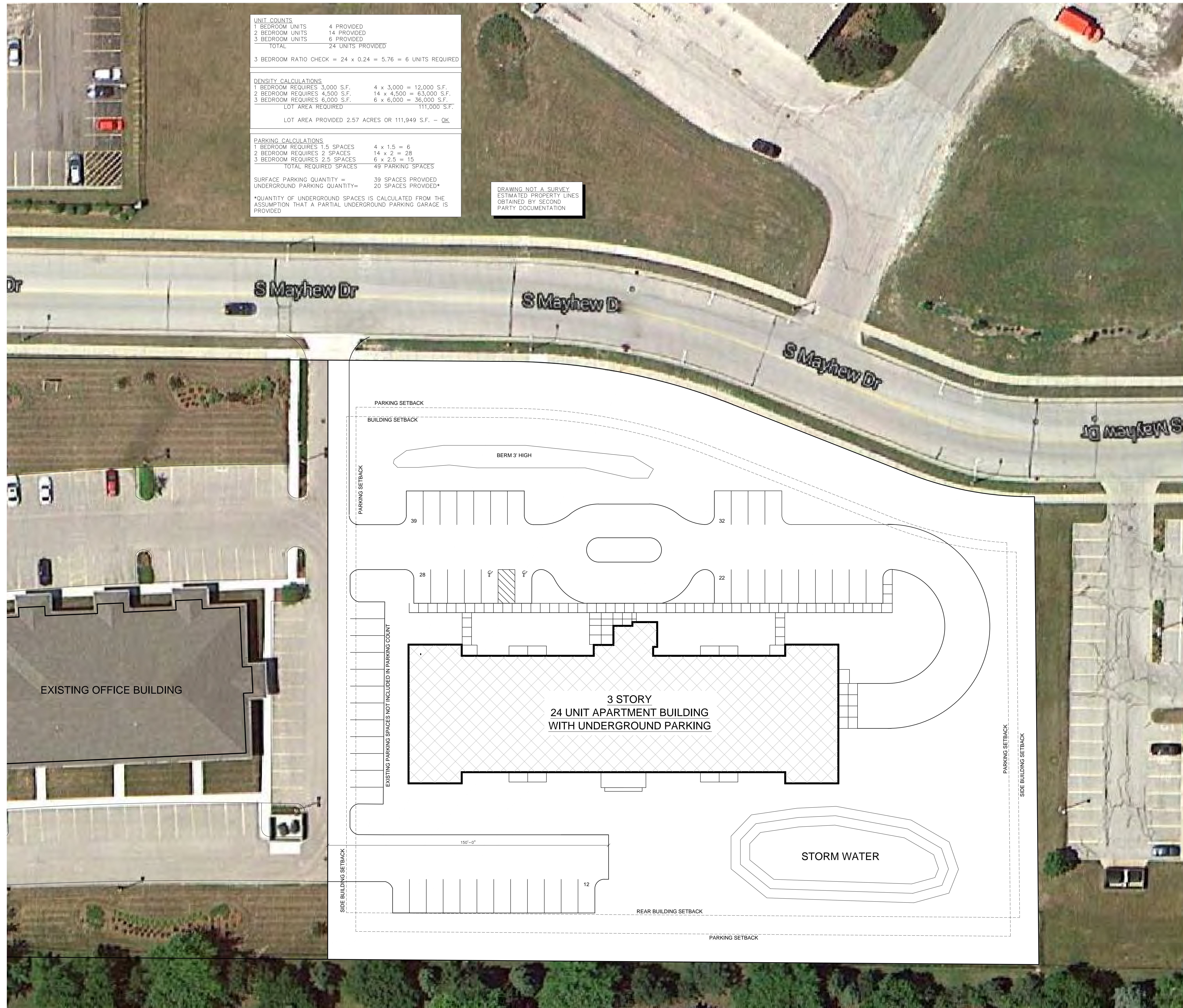
DENSITY CALCULATIONS	
1 BEDROOM REQUIRES 3,000 S.F.	$4 \times 3,000 = 12,000$ S.F.
2 BEDROOM REQUIRES 4,500 S.F.	$14 \times 4,500 = 63,000$ S.F.
3 BEDROOM REQUIRES 6,000 S.F.	$6 \times 6,000 = 36,000$ S.F.
<b>LOT AREA REQUIRED</b>	<b>111,000 S.F.</b>
LOT AREA PROVIDED 2.57 ACRES OR 111,949 S.F. - OK	

PARKING CALCULATIONS	
1 BEDROOM REQUIRES 1.5 SPACES	$4 \times 1.5 = 6$
2 BEDROOM REQUIRES 2 SPACES	$14 \times 2 = 28$
3 BEDROOM REQUIRES 2.5 SPACES	$6 \times 2.5 = 15$
<b>TOTAL REQUIRED SPACES</b>	<b>49 PARKING SPACES</b>
SURFACE PARKING QUANTITY =	39 SPACES PROVIDED
UNDERGROUND PARKING QUANTITY =	20 SPACES PROVIDED*

\*QUANTITY OF UNDERGROUND SPACES IS CALCULATED FROM THE ASSUMPTION THAT A PARTIAL UNDERGROUND PARKING GARAGE IS PROVIDED

DRAWING NOT A SURVEY  
ESTIMATED PROPERTY LINES  
OBTAINED BY SECOND  
PARTY DOCUMENTATION



OWNER:  
KEYSTONE DEVELOPMENT

PROJECT:  
MAYHEW DRIVE  
OAK CREEK, WISCONSIN

PRELIMINARY SHEET DATES:  
AUGUST 28, 2013  
OCTOBER 25, 2013

JOB NUMBER:  
1314350  
SHEET

C1

## December 10, 2013 Planning Commission Notes

### 4a) Notes & Technical Corrections to CSM for 8870 Mayhew Dr., LLC

The existing private sanitary sewer will cross the proposed lot line north of the existing building on LOT 2. This is not allowed because this private sanitary sewer main would now become public as it crosses the lot line. The Oak Creek Water and Sewer Utility does not have as built records of the main and we don't know if it fits under MMSD and Oak Creek Water and Sewer Utility requirements for public sanitary sewer.

In order for this main to become public, the following actions are required but not limited to:

- 1) The developer provide any and all as built data of the existing sanitary sewer including vintage, size, material.
- 2) The developer provide an internal pipe evaluation to the Oak Creek Water and Sewer Utility through CCTV.
- 3) The developer provide easements according to the following excerpt from the City of Oak Creek Design Manual:

"No storm water detention facilities may be located over any sanitary sewer existing or proposed without prior approval of the Oak Creek Water and Sewer Utility and the City Engineer. All sanitary sewers located outside the ROW must be centered in a 25' wide permanent sanitary sewer easement. If the sanitary sewer is located in the same easement as another utility then the easement shall be increased to 25' plus the distance between the utilities. All sewers located inside the ROW but less than 10' from the lot line must have a 10' easement along the lot line. To allow utility vehicles to reach sewers in these locations, a 10' wide access route capable of carrying 25 tons of vehicle weight shall be provided. No curvilinear sewers are allowed. ..."

- 4) After an evaluation of the pipe is completed, the developer must pay for any changes, spot repairs, relays, manhole installs, etc. needed to bring the sanitary sewer to public standards.
- 5) The sanitary sewer alignment must change so that the private sewer (future public) discharges into the manhole at Centennial Drive.
- 6) The existing connection east of the manhole must be abandoned according to Utility standards.
- 7) A new lateral from the property at 280 E. Centennial must intercept the sewer north of the northern ROW line of E. Centennial Drive.

**4b) Re-zone 8770 Mayhew Drive** - Water is available on Mayhew Drive. Where will the sanitary sewer run?



**4c) Rezone 280 E. Centennial Drive** - Water is available in both Mayhew Drive and Centennial Drive. Where will the sanitary sewer run?

**4d) Conditional Use, SET Environmental** - Will there be an odor emanating from the property when hazardous waste is stored outdoors?

**4e) Conditional Use, Woodman's** - No Comments

**4f) ROW Vacation between 931 and 1101 E. Forest Hill** - No Comments

**4g) Plan Review, Wisconsin Granite Depot Addition** – No Comments



# Plan Commission Report

ITEM: 6d  
DATE: December 10, 2013

**PROJECT:** Rezone and Conditional Use– 8870 Mayhew Drive, LLC

**ADDRESS:** 280 E. Centennial Dr.

**TAX KEY NOS:** 860-9033-002

**STAFF RECOMMENDATION:** That the Plan Commission **not** recommend to the Common Council that the property at 280 E. Centennial Dr. be rezoned from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use.

**Ownership:** 8870 Mayhew Drive, LLC, 230 Ohio St., Oshkosh, WI 54902

**Size:** 0.82 acres

**Existing Zoning:** B-4, Highway Business

**Adjacent Zoning:**  
North – B-3, Office and Professional Business; \*B-4, Highway Business  
East – Rm-1 (PUD), Multifamily Residential  
South – B-4, Highway Business; B-4 (PUD), Highway Business; Rm-1 (PUD), Multifamily Residential  
West – B-4 (PUD), Highway Business; B-4, Highway Business

*\*Note: a request submitted for a rezone is part of tonight's agenda, and, if approved, would change this from B-4, Highway Business to Rm-1, Multifamily Residential.*

**Comprehensive Plan:** Planned Mixed Use.

**Wetlands:** N/A.

**Floodplain:** N/A.

**Official Map:** N/A.

**Commentary:** The Applicant is requesting that the property at 280 E. Centennial, following the CSM dividing the property into two lots, be rezoned from B-4, Highway Business to Rm-1, Multifamily Residential in anticipation of constructing a proposed 2-story apartment building with underground parking on the property.

According to the Comprehensive Plan, this area has been identified for Planned Mixed Use. An apartment building near existing businesses would achieve this goal. Further, an apartment complex exists to the immediate east, enhancing the argument in favor of additional multifamily units.

Staff feels that developing this property for multifamily residential units will be difficult due to its small size, multiple easements and setback restrictions, the presence of a stormwater pond, and its location on the corner of E. Centennial Drive and S. Mayhew Drive. Additionally, to ensure density requirements and setbacks are met, a maximum of seven (7) 2-bedroom multifamily units could be constructed on this property.

The Water Utility also raised several concerns regarding existing and future water and sewer infrastructure to serve this lot as it relates to the infrastructure for the lots at 8870 S. Mayhew Dr. These comments are provided in your packet. This property may prove to be a better location for a small office/retail building, or reserved as future land for an expansion of stormwater infrastructure, parking, or additions to the existing professional office building.

Prepared by:

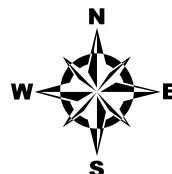
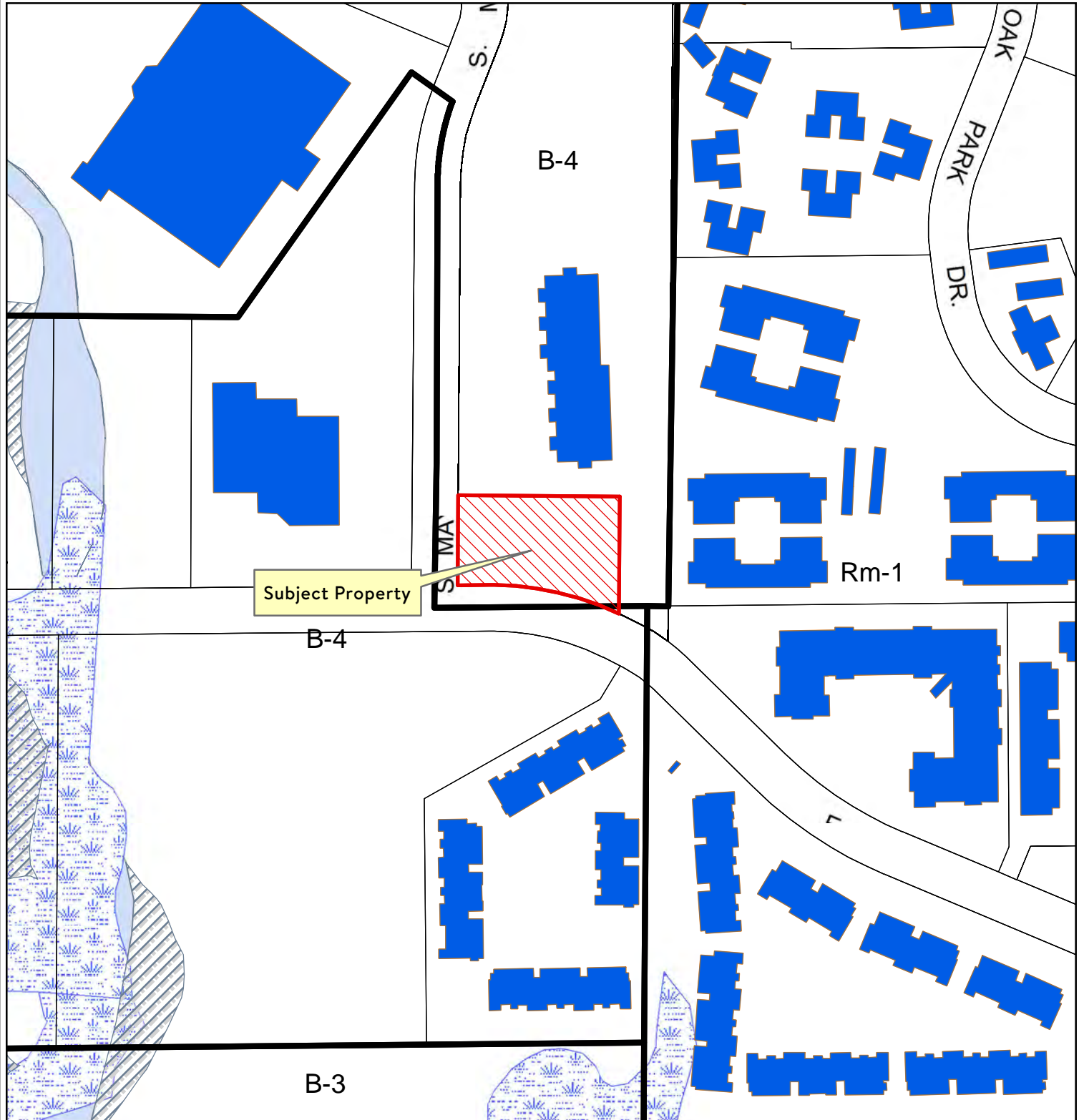
Kari Papelbon, CFM, AICP  
Planner






Respectfully Submitted by:

Douglas Seymour, AICP  
Director of Community Development

# Location Map

## 280 E. Centennial Dr.



Legend	
	280 E. Centennial Dr.
	Existing Street Pattern
	Floodfringe
	Wetland
	Floodway



UNIT COUNTS	
1 BEDROOM UNITS	0 PROVIDED
2 BEDROOM UNITS	7 PROVIDED
3 BEDROOM UNITS	0 PROVIDED
<b>TOTAL</b>	<b>7 UNITS PROVIDED</b>

3-BEDROOM RATIO CHECK NOTE: NO 3 BEDROOMS PROVIDED

DENSITY CALCULATIONS	
1 BEDROOM REQUIRES 3,000 S.F.	0 x 3,000 = 0 S.F.
2 BEDROOM REQUIRES 4,500 S.F.	7 x 4,500 = 36,000 S.F.
3 BEDROOM REQUIRES 6,000 S.F.	0 x 6,000 = 0 S.F.
<b>LOT AREA REQUIRED</b>	<b>36,000 S.F.</b>
<b>LOT AREA PROVIDED</b>	<b>0.82 ACRES OR 35,720 S.F. - OK</b>

PARKING CALCULATIONS	
1 BEDROOM REQUIRES 1.5 SPACES	0 x 1.5 = 0
2 BEDROOM REQUIRES 2 SPACES	7 x 2 = 14
3 BEDROOM REQUIRES 2.5 SPACES	0 x 2.5 = 0
<b>TOTAL REQUIRED SPACES</b>	<b>14 PARKING SPACES</b>

CARAGE PARKING QUANTITY =	7 SPACES PROVIDED
DRIVEWAY PARKING QUANTITY =	7 SPACES PROVIDED

**OWNER:**  
KEYSTONE DEVELOPMENT

**PROJECT:**  
MAYHEW DRIVE  
OAK CREEK, WISCONSIN

**PRELIMINARY SHEET DATES:**  
AUGUST 28, 2013  
OCTOBER 4, 2013

**JOB NUMBER:**  
1314350  
**SHEET**

**C2**

## December 10, 2013 Planning Commission Notes

### 4a) Notes & Technical Corrections to CSM for 8870 Mayhew Dr., LLC

The existing private sanitary sewer will cross the proposed lot line north of the existing building on LOT 2. This is not allowed because this private sanitary sewer main would now become public as it crosses the lot line. The Oak Creek Water and Sewer Utility does not have as built records of the main and we don't know if it fits under MMSD and Oak Creek Water and Sewer Utility requirements for public sanitary sewer.

In order for this main to become public, the following actions are required but not limited to:

- 1) The developer provide any and all as built data of the existing sanitary sewer including vintage, size, material.
- 2) The developer provide an internal pipe evaluation to the Oak Creek Water and Sewer Utility through CCTV.
- 3) The developer provide easements according to the following excerpt from the City of Oak Creek Design Manual:

"No storm water detention facilities may be located over any sanitary sewer existing or proposed without prior approval of the Oak Creek Water and Sewer Utility and the City Engineer. All sanitary sewers located outside the ROW must be centered in a 25' wide permanent sanitary sewer easement. If the sanitary sewer is located in the same easement as another utility then the easement shall be increased to 25' plus the distance between the utilities. All sewers located inside the ROW but less than 10' from the lot line must have a 10' easement along the lot line. To allow utility vehicles to reach sewers in these locations, a 10' wide access route capable of carrying 25 tons of vehicle weight shall be provided. No curvilinear sewers are allowed. ..."

- 4) After an evaluation of the pipe is completed, the developer must pay for any changes, spot repairs, relays, manhole installs, etc. needed to bring the sanitary sewer to public standards.
- 5) The sanitary sewer alignment must change so that the private sewer (future public) discharges into the manhole at Centennial Drive.
- 6) The existing connection east of the manhole must be abandoned according to Utility standards.
- 7) A new lateral from the property at 280 E. Centennial must intercept the sewer north of the northern ROW line of E. Centennial Drive.

**4b) Re-zone 8770 Mayhew Drive** - Water is available on Mayhew Drive. Where will the sanitary sewer run?

**4c) Rezone 280 E. Centennial Drive** - Water is available in both Mayhew Drive and Centennial Drive. Where will the sanitary sewer run?

**4d) Conditional Use, SET Environmental** - Will there be an odor emanating from the property when hazardous waste is stored outdoors?

**4e) Conditional Use, Woodman's** - No Comments

**4f) ROW Vacation between 931 and 1101 E. Forest Hill** - No Comments

**4g) Plan Review, Wisconsin Granite Depot Addition** – No Comments



# Plan Commission Report

ITEM: 6e

DATE: December 10, 2013

**PROJECT:** Conditional Use Permit – Dave DeVries, SET Environmental, Inc.

**ADDRESS:** 9730 S. 20<sup>th</sup> St.

**TAX KEY NO:** 903-0015

**STAFF RECOMMENDATION:** That Plan Commission recommends that the Common Council approve a conditional use permit allowing for an environmental contractor's yard located at 9730 S. 20<sup>th</sup> St. after a public hearing and subject to conditions and restrictions that will be prepared for the Commission at the next meeting (January 14, 2014).

**Ownership:** Jose L. & Blanca Ibarra, 9730 S. 20<sup>th</sup> St., Oak Creek, WI 53154

**Size:** 2.237 acres

**Existing Zoning:** M-1 (PUD), Manufacturing

**Adjacent Zoning:** North – M-1 (PUD), Manufacturing; FF, Flood Fringe  
East – M-1 (PUD), Manufacturing  
South – I-1, Institutional; M-1 (PUD), Manufacturing  
West – M-1 (PUD), Manufacturing; FF, Flood Fringe

**Comprehensive Plan:** Planned Industrial.

**Wetlands:** Yes, a small amount at the far eastern portion of the property.

**Floodplain:** None.

**Official Map:** N/A.

**Commentary:** The Applicant is requesting approval of a conditional use permit for an environmental contractor's yard at 9730 S. 20<sup>th</sup> St. SET Environmental will use the property as their Service Center for Wisconsin operations. Environmental abatement, remediation, measurement, and control work is conducted at specific job sites. All equipment and vehicles used for SET Environmental's operations will be stored at 9730 S. 20<sup>th</sup> St.

No laboratory or testing facilities are proposed as part of this request. Approximately 8 employees are anticipated initially, with 15 anticipated within one year of operation. No new building or sign plans have been submitted at this time.

There is the potential for waste material to be stored within van trailers, tankers, or roll-off boxes on the property until it can be disposed of properly. Per federal regulations, this material cannot be stored onsite for more than 10 days. No waste materials will be transferred onsite.

Currently the property is partially paved (up to the eastern corner of the building); however, a majority of the area proposed for parking of vehicles and storage of equipment is gravel. All areas to be used for vehicle access, movement, and parking as well as storage of equipment must be paved in accordance with the Engineering Design Manual and Municipal Code. No stormwater management plans are required at this time; however, staff recommends that all non-paved areas be re-established with grass.

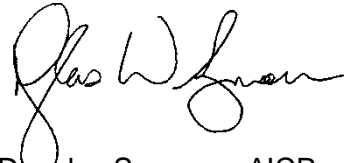
If the Plan Commission recommends Common Council approval of the Conditional Use Permit, staff will prepare conditions and restrictions for review at the January 14, 2014 meeting.

Prepared by:

A handwritten signature in black ink that reads "Kari Papelbon". The signature is written in a cursive style with a large, stylized 'K' and 'P'.

Kari Papelbon, CFM, AICP  
Planner

Respectfully Submitted by:

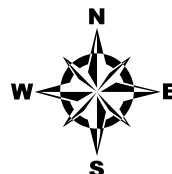
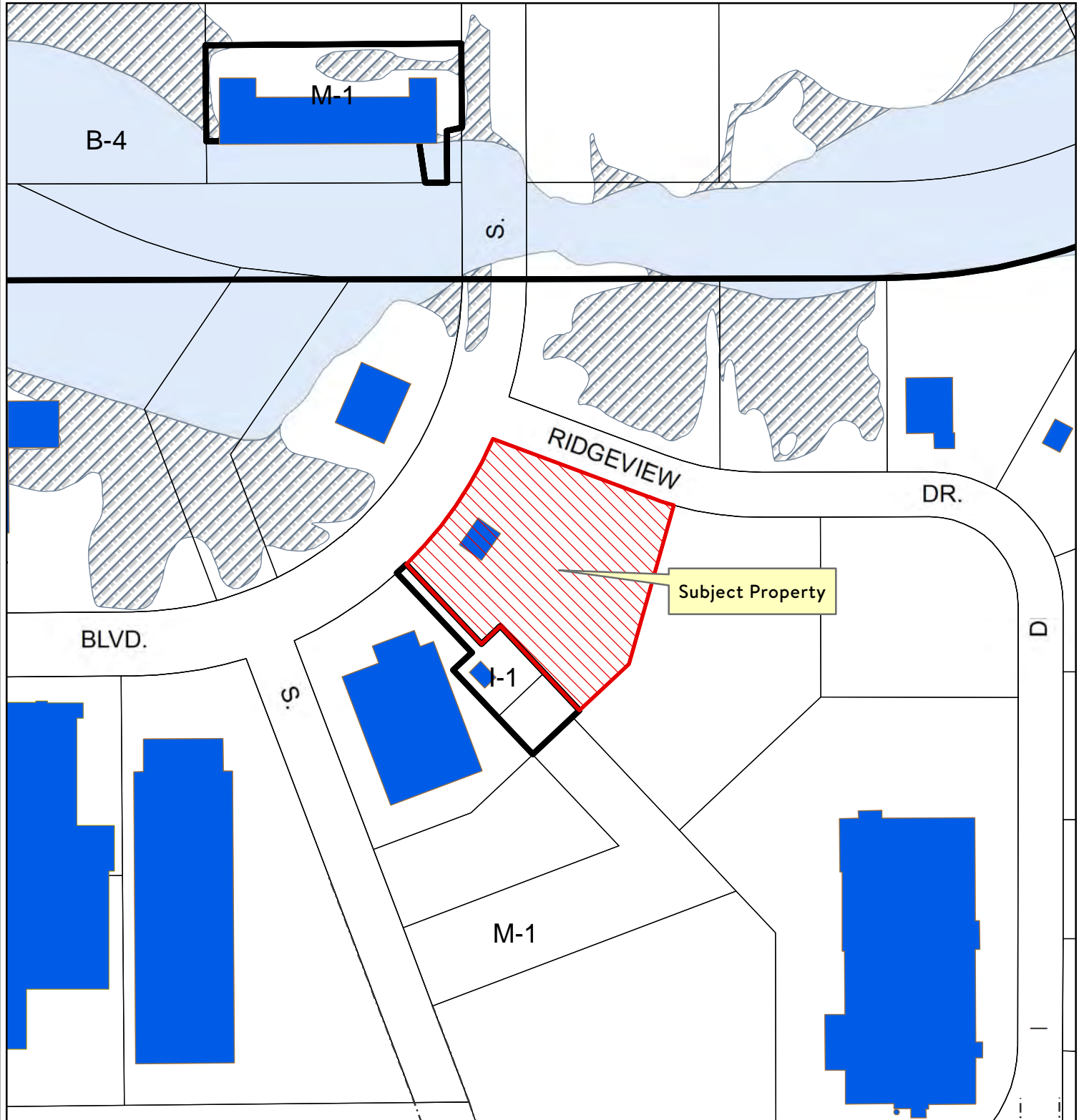
A handwritten signature in black ink that reads "Douglas Seymour". The signature is written in a cursive style with a large, stylized 'D' and 'S'.

Douglas Seymour, AICP  
Director of Community Development



# Location Map

## 9730 S. 20th St.



Legend	
	9730 S. 20th St.
	Existing Street Pattern
	Floodfringe
	Wetland
	Floodway

SET ENVIRONMENTAL, INC.  
PROPOSED USE OF  
9730 S. 20<sup>TH</sup> STREET OAK CREEK, WISCONSIN

SET ENVIRONMENTAL INC. ("SET") is a family owned company providing a variety of best-in-class environmental management services. Based in Wheeling, Illinois, SET currently operates 13 Service Centers throughout the central United States.

SET has entered into a contract for the purchase of 9730 S. 20<sup>th</sup> Street Oak Creek, Wisconsin (the "Property"). The Property is zoned M-1 PUD.

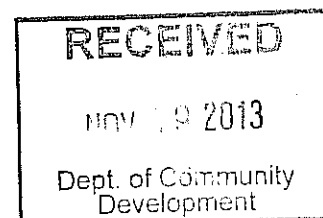
SET intends to use the Property as their Service Center for operations in Wisconsin. SET will initially employ a team of approximately 8 employees consisting of 3 managers, 4 laborers and 1 office assistant. SET expects to have 15 employees by the end of their first year of operations. Typical SET Service Centers employ between 30 - 40 people.

SET will send out teams of laborers and managers from the Property to environmental projects around the state. The equipment needed to service these projects will be stored at the Property. Supplies, used in completing this work, will be stored in the interior of the building. The equipment stored outside of the Property will include Wells Fargo trailers, pick-up trucks, bobcats and roll-off boxes. All work provided by SET is conducted on their customers property.

On occasion, SET will bring waste material back to the Property in van trailers, tankers or roll off boxes. All of this material will be packaged and managed in full compliance with appropriate regulations. The waste material will be held in the yard until it can be scheduled for proper disposal. This is normally completed within a few days but will not be held for more than ten days. The material will then be transported to approved facilities for disposal. No waste materials will be transferred in the yard.

SET will not have laboratories or other testing facilities for the evaluation of soil, air or water. SET will not employ any engineers at this site for the purposes of testing.

In summary the Property will act as a facility from which SET will go out to abate, reduce and aid in the prevention, measurement, control or monitoring of many different forms of waste some of which may be recognized environmental conditions.



RECEIVED

NOV 19 2013

Dept. of Community Development

AMERICAN SURVEYING COMPANY, INC.  
 12207 C.T.H. "K" FRANKSVILLE, WISCONSIN 53126  
 TEL (262) 935-4774 FAX (262) 935-1279  
 email: info@asciwi.com

DRAWN BY:	PLB	REVISIONS:	DATE
CHECKED BY:	PLB		
PLOT SCALE:	1" = 30'		
DATE:	10/22/2013		
JOB NO.:	2013107		
DWG. FILE:	FILE20130120ALTA	CLIENT I.D.:	03763

CITY OF OAK CREEK  
 PROJECT:  
**ALTA/ACSM BOUNDARY SURVEY**  
 PREPARED FOR: AMARILLO TOWING OF WIBC, LLC

Sheet  
 1  
 of  
 1

LEGAL DESCRIPTION  
 LOT 1, BLOCK 8 OF "SOUTHBRANCH INDUSTRIAL PARK" BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4, THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.  
 CONTAINS 98,488 SF OR 2.26124 ACRES.  
 ADDRESS: 8730 SOUTH 20TH STREET  
 TAX KEY NO. 903-0015

**ALTA/ACSM LAND TITLE SURVEY**

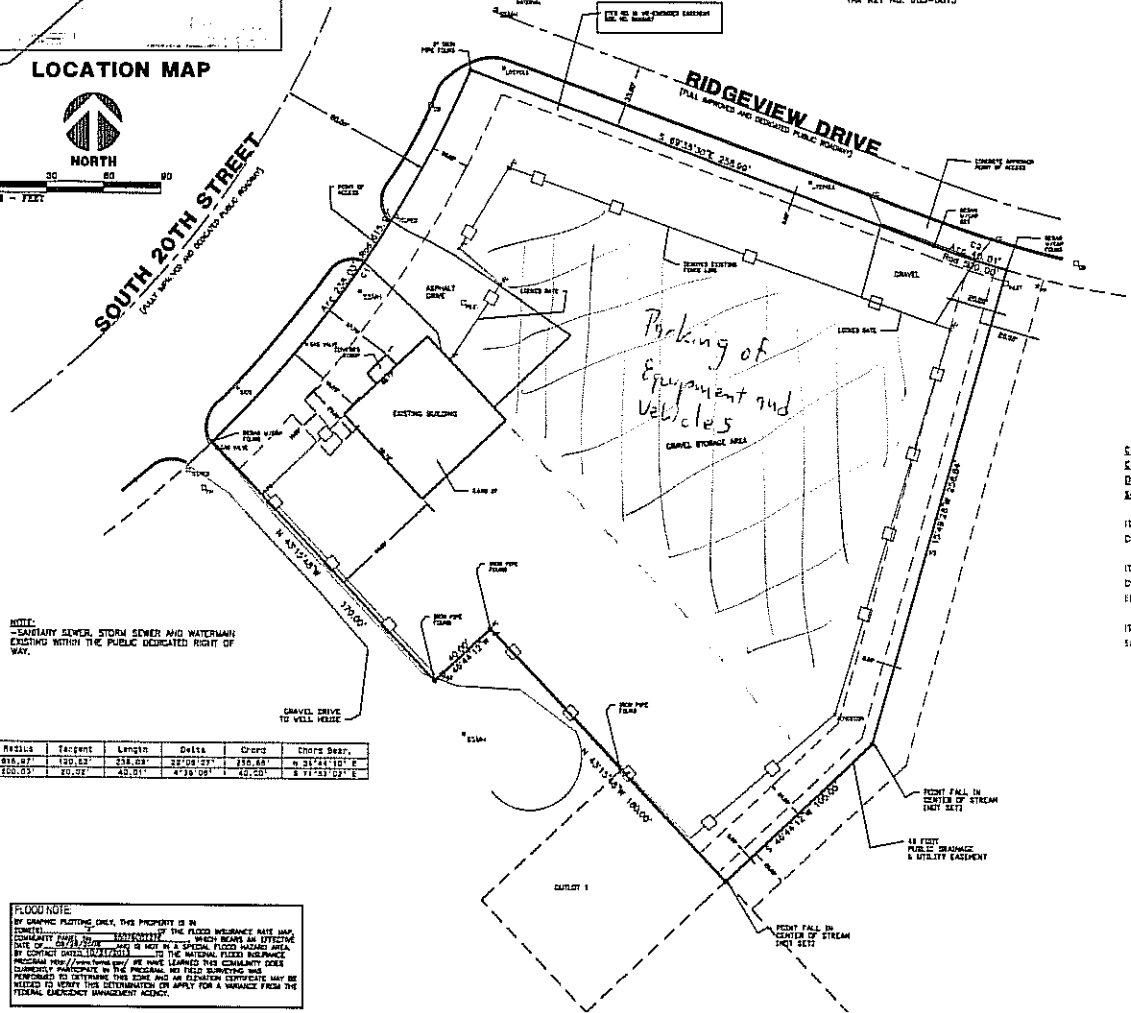
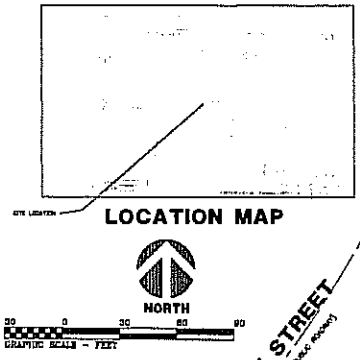
AMARILLO TOWING OF WISC, LLC  
 8730 SOUTH 20TH STREET, OAK CREEK, WI 53154

Surveyor's Certification  
 I, the undersigned, being duly sworn, depose and say that I am a duly Licensed Professional Surveyor in the State of Wisconsin, and that I am the duly Licensed Professional Surveyor who performed the survey herein.

PLB - 64127  
 Registered 1/24/14  
 State of Wisconsin  
 Date of Expiration: 12/31/2019  
 Date of Last Renewal: 11/18/2015

**COMMISSIONER OF LAND TITLE INSURANCE COMPANY**  
**COMMITMENT NUMBER: LST-5726**  
**DATED: AUGUST 22, 2013**  
**SCHEDULE B (P)**

- ITEM NO. 10. WISCONSIN ELECTRIC POWER COMPANY EASEMENT, aka WE-ENERGIES, Document No. 9826187, Shown on Plat of Survey.
- ITEM NO. 11. WISCONSIN ELECTRIC POWER COMPANY EASEMENT; See 1552, Image 1537, Document No. 9826187. This easement was replaced by Document No. 9826187, Not Illustrated on Plat of Survey.
- ITEM NO. 12. Covenants, conditions and restrictions as set forth in the recorded plat of Southbranch Industrial Park. No information to illustrate.



Curve	Radius	Tangent	Length	Delta	Chord	Chord Bear.
C1	818.27	109.62	218.03	29°08'17"	218.84	S 21°24'10" E
C2	120.00	1.82	43.01	4°29'02"	42.20	S 71°43'07" E

**FLOOD NOTE:**  
 BY CHANGING PLATING ONLY, THIS PROPERTY IS IN ZONING DISTRICT **MS-1**. THE FLOOD INSURANCE RATE MAP, EFFECTIVE **08/15/2012**, INDICATES THAT THIS PROPERTY IS IN A SPECIAL FLOOD HAZARD AREA. PROPERTY OWNERS SHOULD CONTACT THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) TO DETERMINE THE FLOOD INSURANCE PREMIUM RATE. PROPERTY OWNERS SHOULD CONTACT THE NFIP TO DETERMINE THE FLOOD INSURANCE PREMIUM RATE. PROPERTY OWNERS SHOULD CONTACT THE NFIP TO DETERMINE THE FLOOD INSURANCE PREMIUM RATE. PROPERTY OWNERS SHOULD CONTACT THE NFIP TO DETERMINE THE FLOOD INSURANCE PREMIUM RATE.



# Plan Commission Report

ITEM: 6f

DATE: December 10, 2013

**PROJECT:** Conditional Use Permit Amendment – Steve Kaukl, Woodman’s Food Market, Inc.

**ADDRESS:** 8151 S. Howell Ave.

**TAX KEY NO:** 813-9014-006

**STAFF RECOMMENDATION:** That Plan Commission recommends that the Common Council approve a conditional use permit amendment allowing the existing gas station located at 8151 S. Howell Ave. to be operated 24 hours a day after a public hearing and subject to conditions and restrictions.

**Ownership:** Woodman’s Food Market, Inc., 2631 Liberty Lane, Janesville, WI 53545

**Size:** 21.778 acres

**Existing Zoning:** B-4, Highway Business (CU)

**Adjacent Zoning:** North – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District  
East – B-4, Highway Business  
South – B-4, Highway Business; B-3, Office and Professional Business  
West – DTSMUPDD, Drexel Town Square Mixed Use Planned Development District

**Comprehensive Plan:** Planned Mixed Use.

**Wetlands:** None.

**Floodplain:** None.

**Official Map:** N/A.

**Commentary:** The Applicant is requesting approval to amend the existing conditional use permit pertaining to the gas station at 8151 S. Howell Ave. Currently, the Conditions and Restrictions limit the hours of operation to between 7:00 AM and 9:00 PM seven (7) days per week. The request is for the gas station to remain open 24 hours/day, 7 days/week. An attendant(s) would continue to staff the station between 7:00 AM and 7:00 PM. After 7:00 PM customers will be allowed to pay at the pump. The pumps are set up to accommodate 24-hour service and no other changes to the site are proposed with the request.

Prepared by:

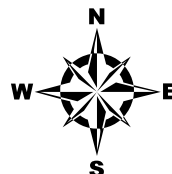
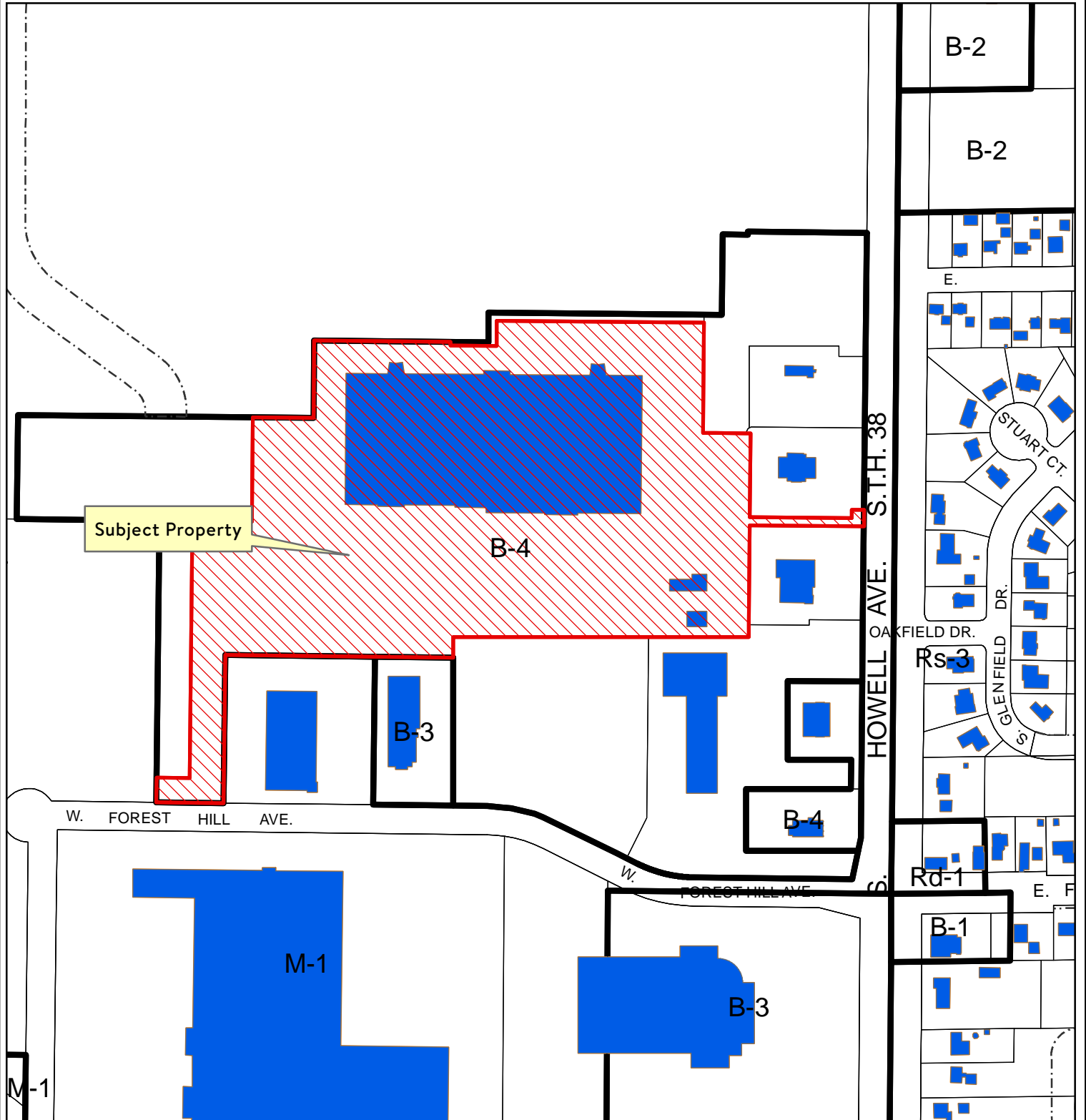
Kari Papelbon, CFM, AICP  
Planner

Respectfully Submitted by:

Douglas Seymour, AICP  
Director of Community Development

# Location Map

## 8151 S. Howell Ave.



Legend	
	8151 S. Howell Ave.
	Existing Street Pattern

City of Oak Creek – Conditional Use Permit  
Conditions and Restrictions

Applicant: Steve Kaukl, Woodman's Food Market, Inc.  
Property Address: 8151 S. Howell Ave.  
Tax Key Number: 813-9014-006  
Conditional Use: Gas service station – 24-hour operation.

Approved by Plan Commission: 12/10/2013  
Approved by Common Council: 12/17/13  
(Ord. #TBD)

A. LEGAL DESCRIPTION

CSM NO 7910 NE 1/4 SEC 17-5-22 LOT 1 & INCL PT OF CSM NO 803 8 LOT 1 COM 230.60 FT FROM SW COR OF SD LOT TO POB, THENCE N 20 FT, E 17 FT, S 20 FT, THENCE W 17 FT TO POB (21.778 ACS).

B. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

A. A precise detailed site plan for the area affected by the conditional use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

1) **General Development Plan**

- a) detailed building locations with setbacks
- b) square footage of building
- c) areas for future expansion
- d) area to be paved
- e) access drives (width and location)
- f) sidewalk locations
- g) parking layout and traffic circulation
  - i) location
  - ii) number of employees
  - iii) number of spaces
  - iv) dimensions
  - v) setbacks
- h) location of loading berths
- i) location of sanitary sewer (existing and proposed)
- j) location of water (existing and proposed)
- k) location of storm sewer (existing and proposed)
  - i) including detention/retention basins if needed
- l) precise location of outdoor storage
- m) location of wetlands (field verified)
- n) location, square footage and height of signs
- o) a description of the vehicles, materials and equipment to be stored at the site

2) **Landscape Plan**

- a) screening plan for outdoor storage

- b) number, initial size and type of plantings
- c) parking lot screening/berming

3) **Building Plan**

- a) architectural elevations
- b) building floor plans
- c) materials of construction

4) **Lighting Plan**

- a) types of fixtures
- b) mounting heights
- c) type of poles
- d) photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- a) contours (existing and proposed)
- b) location of storm sewer (existing and proposed)
- c) location of stormwater management structures and basins (if required)

6) **Fire Protection**

- a) location of existing and proposed fire hydrants (public and private)
- b) interior floor plan
- c) materials of construction

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

C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building

permits.

- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

### 3. PARKING AND ACCESS

- A. Parking requirements for this project shall be provided in accordance with Section 17.0403 of the Municipal Code.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.
- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.
- H. Parking lots must provide a minimum of 5% interior landscaped islands or peninsulas. Parking lots 50,000 square feet or larger must provide a minimum of 10% of interior landscaped islands or peninsulas.
- I. Cross-access shall be provided between all parcels within the boundaries of this conditional use permit.
- J. Sidewalks shall be provided along all sides of the lot that abut a public street, and a continuous internal pedestrian walkway must be provided from the perimeter public sidewalk to the principal customer entrance. The internal pedestrian walkways must be distinguished from driving surfaces through the use

of contrasting materials to enhance pedestrian safety. Examples of acceptable materials include, but are not limited to special pavers, bricks or scored concrete.

#### 4. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission. For each stage of the development, the plan shall show the location of all lights, type of fixture and poles, mounting height and photometrics of the fixture and shall be in accord with the following:
1. All designated parking areas, access drives and the approach aprons from the public right-of-way shall be illuminated during hours of operation when natural light value is reduced to one (1) candela.
  2. Illumination shall be maintained on the surface at an average of one (1.0) candela with a minimum uniformity ratio of 5 to 1 through the access drives and a minimum of 0.05 candela/square foot in the parking area.
  3. All luminaires shall be designed and mounted at a sufficient elevation above the surface to insure adequate control of glare, interreflected and reflective light to abutting property, the abutting public roadways, access drives and to maintain the minimum uniformity ratio, but in no case shall exceed 30 feet. A luminaire controlled cut-off of 72 degrees will effectively minimize glare which interferes with vision and causes eye discomfort.
  4. Plans shall be submitted for approval with the manufacturer's descriptive literature showing photometrics and design of proposed luminaire. Plans shall include location and height of poles, foundations, wire size, circuit protection, controller, equipment grounding and luminaire elevation above grade.

#### 5. BUILDING AND PARKING SETBACKS

A. Setback Requirements for Gasoline Service Station

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	200 ft.	25 ft.	15 ft.
Gas Pumps	200 ft.	25 ft.	25 ft.
Canopy	200 ft.	20 ft.	20 ft.
Accessory Structure	200 ft.	5 ft.	5 ft.
Off-street Parking	150 ft.	5 ft.	5 ft.

- B. All other buildings shall meet the setbacks in accordance with the Zoning Ordinance
- C. Parking lots must provide a minimum of 5% interior landscaped islands or peninsulas. Parking lots 50,000 square feet or larger must provide a minimum of 10% of interior landscaped islands or peninsulas.

#### 6. BUILDING HEIGHT, AREA, & OTHER STANDARDS

- A. Building height and area shall be in accordance with Section 17.0317 (e) of the Zoning Ordinance



- B. All buildings shall meet the architectural standards in accordance with Section 17.1009 of the Zoning Ordinance.
- C. Additional architectural standards for the gasoline service station
  - i. Any accessory structures, including canopies, car wash facilities, and dumpster enclosures shall be constructed of materials similar to those found on the principal structure. EIFS or pre-fabricated steel panels shall not be used as a primary material on any principal building or accessory structure.
  - ii. The gasoline service station and all accessory structures shall incorporate four (4) sided architecture.
  - iii. A minimum of 75 percent of the perimeter of the principal building must be glass, brick, or decorative masonry material.
  - iv. The principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
  - v. The principal structure and accessory structures shall incorporate architectural materials and design that is compatible with those found on surrounding developments.
- D. The front of any building within the boundaries of the conditional use permit must be parallel to W. Forest Hill Avenue. The Plan Commission shall not approve any building whose front does not parallel W. Forest Hill Avenue. In the event that this condition is not complied with, the zoning of this property shall revert to M-1, Manufacturing after due notice and a public hearing in compliance with State and Local ordinances.

## 6 MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan(s). Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. **The hours of operation for the gasoline service station may be operated 24 hours a day, seven (7) days a week.**
- D. This conditional use permit shall only allow one (1) gasoline service station, one (1) oil lube center, and one (1) car wash within the boundaries of the conditional use area.
- E. There shall be no outdoor storage or outdoor display of merchandise permitted as part of this conditional use.
- F. The gasoline service station shall be used for the retail dispensing and sales of vehicular fuels; and including as an accessory use, a car wash and the sale and installation of lubricants, tires, batteries, and similar accessories. Contemporary service stations may specialize in a singular service such as providing fast oil changes. Contemporary services may also be associated with another principal use such as a convenience food store. In such instance, the facility is to comply with both the service station and food store requirements of the zoning ordinance.

## 7. SIGNS

- A. Any freestanding sign shall be a monument style ground sign with materials to match those found on the building on that particular site. No pole signs shall be permitted.

- B. No off premise signs shall be permitted.
- C. All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code.

8. PERMITTED USES

- A. Gasoline service station with an oil lube center and a car wash.
- B. All permitted uses in the B-4, Highway Business District.
- C. Usual and customary accessory uses to the above listed permitted uses.

9. TIME OF COMPLIANCE

**The operator of the conditional use shall begin installing or constructing the elements required in these conditions and restrictions for the conditional use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit. This conditional use approval shall expire within two (24) months after commencing construction, if the structure(s) for which an approval has been issued is not substantially completed. The applicant shall re-apply for a conditional use approval, prior to recommencing work or construction.**

10. OTHER REGULATIONS

Compliance with all other applicable City, State and Federal regulations not heretofore stated or referenced, is mandatory.

11. REVOCATION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code.

12. ACKNOWLEDGEMENT

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

\_\_\_\_\_  
Owner's authorized representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)



# Plan Commission Report

ITEM: 6g  
DATE: December 10, 2013

**PROJECT:** Right-of-Way Vacation – Omar Barasneh

**LOCATION:** Between 931 and 1101 E. Forest Hill Ave.

**STAFF RECOMMENDATION:** That the Plan Commission recommends to the Common Council that the unimproved right-of-way of a portion of the Northwest ¼ of the Southeast ¼ of Section 16 (lands between 931 and 1101 E. Forest Hill Ave.) be vacated after a public hearing and with the condition that no new driveways are allowed within the vacated area.

**Ownership:** Omar and Aliceann Barasneh, 1101 E. Forest Hill Ave., Oak Creek, WI 53154

**Size:** ~0.4 acres (to be vacated)

**Existing Zoning:** Rs-3, Single Family Residential

**Adjacent Zoning:** North – Rs-3, Single Family Residential  
East – Rs-3, Single Family Residential  
South – Rs-3, Single Family Residential  
West – Rs-3, Single Family Residential

**Comprehensive Plan:** Single Family Residential

**Wetlands:** N/A

**Floodplain:** N/A

**Official Map:** N/A

**Commentary:** A request was made in 2012 by the owner of 1101 E. Forest Hill Avenue to vacate a portion of the unimproved right-of-way between his property and 931 E. Forest Hill Avenue. The owner would like to complete the vacation process at this time.

The area to be vacated is approximately 80 feet in width at its widest and tapers toward the east south of 1101 E. Forest Hill Avenue. Originally this right-of-way was intended to connect to Puetz Road; however, the lands are now part of the Oak Leaf Trail and were removed from the official map. An officially-mapped north-south street exists to the east of the Applicant's property that, once constructed, will connect E. Forest Hill Avenue to Puetz Road. Once vacated, the lands will be distributed to the property owners abutting each side of the right-of-way. No utilities exist within the right-of-way, so no additional easements will be needed.

Concerns were raised by staff for the location of a potential future driveway. Staff recommends that the Plan Commission include a condition that no new driveways would be allowed within the vacated area.

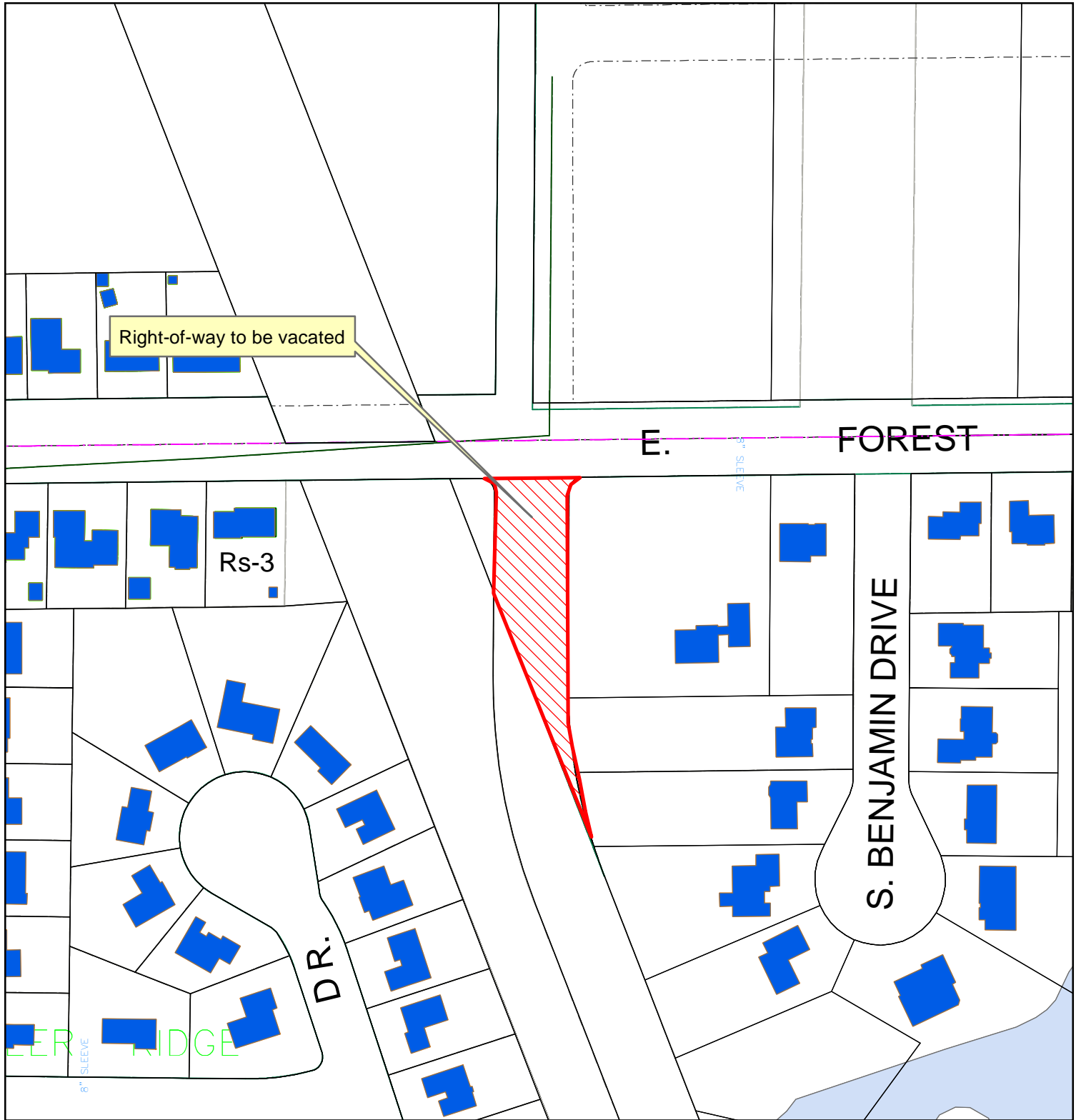
Prepared by:

Respectfully Submitted by:

Kari Papelbon, CFM, AICP  
Planner

Douglas Seymour, AICP  
Director of Community Development

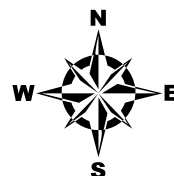
# Right-of-way vacation Lands between 931 & 1101 E. Forest Hill Location Map






**OAKCREEK**

— WISCONSIN —

Department of Community Development



### Legend

-  R-O-W to be Vacated
-  Parcels 2012
-  Existing Street Pattern
-  Floodway