



March Board Cycle

Milwaukee County Parks
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Wauwatosa, WI 53226
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Date: February 16, 2018
To: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors
From: Jim Sullivan, Interim Parks Director
Subject: **Authorization to Execute Land Swap for Land Zoned as Parks in the City of Oak Creek between Milwaukee County and Capstone Quadrangle (ACTION)**

Policy

Parks requests authorization to execute a land swap that will include the disposition of a portion of Tax Key 9059994001 and the acquisition of 59 new acres for park land.

Background

In January 2018, Parks staff provided an informational report (File 18-96) related to a proposed swap of land in the City of Oak Creek. The information contained in this prior report is consistent with the action that is being requested of the County Board. Since that January Parks Committee meeting, staff have collected feedback related to the proposed land swap which is addressed in this report.

In the area of South 13th St and Ryan Road in the City of Oak Creek, the proposed land swap involves the following parcels. These parcels are described on the map attached to this report.

- Land swapped from the County to Capstone Quadrangle - Milwaukee County is currently the owner of Tax Key #9059994001 (9600 S. 13th St.) which is currently a leased agricultural field without public access. The proposed land swap involves Parks' disposition of approximately 27 acres of this 32-acre parcel. Parks would swap the agricultural portion of this parcel and retain ownership of the Oak Creek waterway on both the north and south sides of the river.
- Land swapped from Capstone Quadrangle to Milwaukee County – a 41.9-acre parcel (the "Main Offsite Parcel") that is adjacent to existing Park owned parcels on the east side of the Canadian Pacific Rail property. The conveyance of the parcel will consist of both the wetland and upland portions of this parcel in a simultaneous closing. This parcel allows Parks to manage a high-quality wetland and its drainage and serves as a possible trail/bike path route due to connectivity to Howell Avenue. This creates a habitat link between two environmental corridors and wetland systems (Oak Creek and the



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Root River) to protect these ecosystems, enable wildlife species movement, as well as exploration and recreation by the general community.

- Land swapped from Capstone Quadrangle to Milwaukee County - 15.6 acres of a parcel (the "South Oak Wetlands") that is at the southeast corner of the proposed business park on the west side of the Canadian Pacific Rail property. The Main Offsite Parcel drains to this wetland, which drains to the Root River. This South Oak Wetlands is the location of a proposed Neighborhood Park, which will be leased to the City of Oak Creek pending acceptance and further approvals of the City.
- Land granted easement to Milwaukee County - 1.9 acres (the "Koehler Swath") includes the conveyance of an approximately 70-foot-wide portion of land along the south bank of the Oak Creek, from the existing County land on the west over to the CP Rail property on the east. This closes a gap in ownership between existing Parks' owned parcels.
- Land continued to be owned by Milwaukee County but improved by City of Oak Creek – a 13.8-acre parcel (Tax Key #9250089000) was acquired by the County through tax foreclosure in 2017. This parcel contains a stormwater management detention pond for the adjacent subdivision. Milwaukee County would allow the City of Oak Creek to improve this parcel to create a neighborhood park.

The parcels that Parks would acquire through this Land Swap will allow for:

1. Preservation of a secondary environmental corridor and wetlands that connect the Root River and Oak Creek watersheds.
2. Management of an existing natural area containing designated critical species habitat.
3. Addition of a neighborhood playground to be funded and maintained by the City of Oak Creek, subject to further approvals of the City.
4. Future trail connection on an easement to be potentially funded from grants and partnerships.

The portion of the parcel that Parks is disposing of as part of the Swap will not result in a loss of passive or active recreation or conservation, preservation, and protection of natural resources. Swapping the land will enable the adjacent landowner to develop a business park, thereby increasing tax base and jobs. The parcel that Parks is disposing of has been leased for agricultural purposes which has generated \$2,346 in revenue for Parks. This amount is not seen as significant to the overall Parks budget and it is anticipated that the growth in tax base on this site will generate greater revenue to the County overall.

Milwaukee County ordered an appraisal of fair market value of the property that it currently owns. Definition of market value is difficult for all the parcels in this land swap because the area has many unbuildable areas due to wetlands. Access to all parcels is a challenge which further limits the market value. Attached to this File is the appraisal report which assigned a market value of \$430,000 to the current County-owned parcel which assumes that only 11.5 of the 32.6 acres are "usable". This results in a per acre value of \$37,000. If this per acre value is applied to the land to be acquired by Milwaukee County, the County would be obtaining land with a value of \$2,200,000. This value is premised on a commercial use of the land and is not discounted for land



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that is un-usable due to wetlands, but the intended end use by the County is not for commercial but rather recreational and open space.

Parks acknowledges that the current backlog of deferred maintenance on existing facilities far outpaces the capacity to fund and conduct repairs. The Consolidated Facility Plan Steering Committee (CFPSC) is a County committed formed to assess the total lifecycle costs of County buildings and land that serves as an advisory effort on real estate decisions. Long term, their efforts aim to achieve sustainability in property management throughout the County. The CFPSC reviewed this proposed Land Swap at its meeting on February 1, 2018 and recommended approval pending further environmental due diligence of the parcels involved. This due diligence is a condition within the Term Sheet and will be conducted prior to the execution of the Land Swap.

The purpose of acquiring the additional land described above does not create any new maintenance obligations for Parks. The neighborhood park would be the obligation of the City of Oak Creek and the natural areas will not create additional costs or burdens of staff.

Recommendation

Authorize Parks to execute the land swap as described in the attached Term Sheet in order to expand park land, conserve ecologically significant areas, and increase programmed public park space in the City of Oak Creek.

Prepared By: Jill Organ, Chief of Planning & Development, Milwaukee County Parks

Approved By: Jim Sullivan, Interim Parks Director



Attachments:

- Attachment 1 – Fiscal Note
- Attachment 2 – Resolution
- Attachment 3 – Term Sheet
- Attachment 4 – Map
- Attachment 5 – Appraisal Report

Copy:

- Chris Abele, County Executive
- Raisa Koltun, Chief of Staff, County Executive's Office
- Jason Haas, Chairman, Parks, Energy & Environment Committee
- Marcelia Nicholson, Vice-Chair, Parks, Energy & Environment Committee



- Kelly Bablitch, Chief of Staff, County Board of Supervisors
- Steve Taylor, Supervisor District 9
- Allyson Smith, Committee Coordinator, Office of the County Clerk
- Jessica Janz-McKnight, Research & Policy Analyst, Office of the Comptroller
- Jeremy Lucas, Fiscal Mgt. Analyst, Admin & Fiscal Affairs/DAS
- Steve Keith, Sustainability and Environ Engineer, DAS - Facilities Management

