



## PLAN COMMISSION REPORT

Proposal: Zoning Text Amendment – Permitted and Conditional Use Table and Definitions

Description: Review a proposal for an amendment to Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts, and Subsection 17.1001 relating to definitions.

Applicant(s): N/A

Address(es): N/A

**Suggested Motion:** That the Plan Commission recommends to the Common Council approval of an Ordinance to amend Table 17.0304(c) pertaining to adult day care center use restrictions, and to amend Subsection 17.1001 pertaining to definitions of the Municipal Code.

Owner(s): N/A

Tax Key(s): N/A

Lot Size(s): N/A

Current Zoning District(s):

Overlay District(s): N/A

Wetlands:  Yes  No      Floodplain:  Yes  No

Comprehensive Plan: N/A

**Background:** The Applicant, Adult Day Services of Southeast Wisconsin (ADSSW), currently operates a facility-based adult day center at Wil-O-Way of Grant Park in South Milwaukee and is seeking to relocate to a site within the City of Oak Creek. Its proposed use—an adult day care center—is not listed in Table 17.0304(c), Permitted and Conditional Uses, Nonresidential Uses. The closest listed category is “day-care center,” which is defined as an establishment providing care and supervision for children under the age of seven (7) and licensed by the State of Wisconsin pursuant to § 48.65 of the Wisconsin Statutes. An adult day care center does not meet this definition, nor is it defined in Article X of Chapter 17 (Zoning) of the Municipal Code; therefore, the Applicant is requesting a zoning text amendment, seeking approval to add this type of use to the Permitted and Conditional Uses, Nonresidential Uses table.

The ADSSW center provides services that are typical in the adult day care industry—they are designed to help participants maintain or enhance their independence through structured daily activities and regular community engagement throughout the greater Milwaukee area. They serve roughly 30–40 participants daily. Staffing includes both full-time and part-time employees, maintaining a staff-to-participant ratio of 1:8. ADSSW provides structured, supervised care for up to six (6) hours per day during standard business hours. The program does not offer overnight services and utilizes two (2) vans to support community access. The center offers a safe, supportive, and enriching daytime environment that benefits both participants and their families. It also serves as an important resource for caregivers, enabling them to work and attend to their own well-being.

**Zoning Text Amendment:** To allow ADSSW to locate within the City of Oak Creek, the Applicant is requesting an amendment to Table 17.0304(c) of the Municipal Code (Permitted and Conditional Uses, Nonresidential Uses) to add “adult day care center” as a service use. Specifically, the proposal would permit adult day care centers as a Conditional Use—subject to approval through the Conditional Use Permit (CUP) process—in the following zoning districts:

- B-2 Community Business District
- B-3 Office and Professional Business District
- B-4 General Business District
- B-6 Interchange Regional Retail District
- I-1 Institutional District

The recommended zoning districts in which an adult day care center would be permitted as a conditional use are consistent with those in which child day care facilities are allowed as conditional uses.

A draft ordinance illustrating the proposed amendments to the City’s Table of Permitted and Conditional Uses is attached to this report. In the table:

- A “C” indicates that the use is conditional and requires review and approval through the CUP process by the Plan Commission and Common Council.
- A blank cell indicates that the use is not permitted in that zoning district.

In addition to the table amendment, ADSSW is requesting that a formal definition for “adult day care center” be added to Article X of Chapter 17 (Zoning). Specifically, this would amend Section 17.1001 of the Municipal Code. The proposed definition is derived from DHS 105.14(1)(b)5 of the Wisconsin Administrative Code, which governs nursing homes and care facilities, and reads as follows:

**ADULT DAY CARE CENTER**

*An entity that provides services for part of a day in a group setting to adults who need an enriched health, supportive or social experience, and who may need assistance with activities of daily living, supervision, or protection.*

A draft ordinance is included showing both the proposed revisions to Table 17.0304(c) and the addition of the new definition in Section 17.1001. Table 17.0304(c) reflects only the proposed changes; all other listed uses remain unchanged.

If the Plan Commission finds the proposed Zoning Code amendments appropriate, a motion recommending approval by the Common Council has been prepared for consideration. A public hearing could be scheduled as early as June 2, 2026.

**Options/Alternatives:** The Plan Commission has the discretion to recommend approval, denial or “as amended” of the proposed updates to Chapter 17. Approval would include recommendation of adoption by the Common Council at a public hearing. Disapproval would delay the consideration for adoption and require additional meetings to discuss revisions to address concerns.

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Respectfully submitted & approved by:



Kristi Laine  
Community Development Director

Prepared by:



Todd Roehl  
Senior Planner

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Attachments:

Narrative (2 pages)

Draft Ordinance (1 page)



## **Zoning Amendment Request**

**Business Name:** Adult Day Services of Southeast Wisconsin, LLC (ADSSW)

**Property Address:** 2031 E Rawson Ave, Oak Creek, WI 53154

**Current Zoning:** B4

**Requested Action:** Amendment to zoning code to provide definition of Adult Day Care.

ADSSW requests to add adult day care center as a service use to:

***Table 17.0304(c) of Municipal Code, and for adult day care centers to be permitted as a Conditional Use in the B-2 Community Business District, B-3 Office and Professional Business District, B-4 General Business District, B-6 Interchange Regional Retail District, and I-1 Institutional District.***

Additionally, we request that the following definition to the zoning code be added to Article X of Municipal Code:

***ADULT DAY CARE CENTER***

***An entity that provides services for part of a day in a group setting to adults who need enriched health, supportive or social experience, and who may need assistance with activities of daily living, supervision, or protection.***

This definition is taken from DHS 105.14(1)(b)5.

**Business Operations Narrative:**

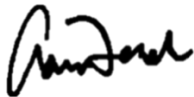
ADSSW, has been in business since 2014. ADSSW is an authorized provider in the Home and Community Based Services (HCBS) waiver program. We meet all state and federal regulations to operate. Our agency is seeking a suitable property to upgrade our Grant Center that currently operates at the Wil o Way Grant facility at 207 Lake Dr, South Milwaukee, WI 53172. Since 2015 our program has served between 30-40 participants daily with a maximum capacity of 50 participants. Currently staffing 7 full-time employees and 2 part-time employees. ADSSW adheres to a strict 1-8 participant to staff ratio. We are contracted to serve participants for six hours per day. This program is facility based and does not provide any overnight residential services. ADSSW does not generate the noise, traffic, or operational intensity associated with other commercial uses, and operates within regular business hours of 7:30-4:30P. Our operation does include 2 full sized vans to access the greater community.

Our service enables participants to maintain or increase independence, engage the community, and receive supervision and care during daytime hours. These services include enriching activities during the day at the center, coupled with community experiences providing participants with the opportunity to experience points of interest around the metro Milwaukee area daily. An adult day center serves as a critical resource for families and caregivers by offering a safe, enriching environment for participants while supporting caregiver employment and well-being.

Currently, the zoning code does not have a definition for adult day care, thus creating an exclusion from operating in Oak Creek. Approval of this request will provide an important community service, enhance accessibility to care for residents in the central business area, and contribute positively to the vitality and inclusiveness of the community. ADSSW is committed to operating the facility in a manner that respects the character of the neighborhood, adheres to all safety and accessibility requirements, and coordinates appropriately with city planning and public services.

For these reasons, we respectfully request that the zoning code be amended to explicitly permit adult day care in Oak Creek.

**Sincerely,**

A handwritten signature in black ink, appearing to read "Aaron Tesch".

Aaron Tesch  
Director of Operations  
[a.tesch@adulthoodsewi.com](mailto:a.tesch@adulthoodsewi.com)  
608-219-9199

ORDINANCE NO. XXXX

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

AN ORDINANCE TO AMEND TABLE 17.0304(c) PERTAINING TO ADULT DAY CARE CENTER USE RESTRICTIONS, AND TO AMEND SUBSECTION 17.1001 PERTAINING TO DEFINITIONS OF THE MUNICIPAL CODE.

The Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION I. Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts, of the Municipal Code is hereby amended to read, with all other listed uses remaining unaltered:

Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts											
Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	LM-1	M-1	I-1	P-1
<b>Service uses</b>											
Adult day care center				C	C	C	C			C	

SECTION II. Subsection 17.1001(l) of the Oak Creek Municipal Code is hereby created to read, with all subsequent remaining listed definitions being re-lettered:

- (l) **ADULT DAY CARE CENTER**  
An entity that provides services for part of a day in a group setting to adults who need an enriched health, supportive or social experience, and who may need assistance with activities of daily living, supervision, or protection.

SECTION III. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION IV. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION V. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST: \_\_\_\_\_  
Mayor

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

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