



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

## COMMON COUNCIL MEETING AGENDA

APRIL 2, 2018  
7:00 P.M.

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

### The City's Vision

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 3/20/18

### Recognition

4. **Mayoral Proclamation:** National Library Week, April 8-14, 2018.

### Public Hearings (beginning at 7:00 p.m.)

*Citizen input, comments and suggestions are requested on the specific item(s) identified below. Action by the Council may occur at the same meeting if so included in the agenda.*

5. **Rezone:** Consider a request submitted by Dr. Jacob Odders, Lakeshore Veterinary Specialists, to rezone a portion of the property at 9472 S. 27<sup>th</sup> St. from Rs-3, Single-Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District) with a Conditional Use Permit for an animal hospital (6<sup>th</sup> District).
6. **Ordinance:** Consider Ordinance No. 2899, approving the rezoning of a portion of the property at 9472 S. 27<sup>th</sup> St. from Rs-3, Single Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District) with a Conditional Use Permit for an animal hospital (6<sup>th</sup> District).

### New Business

7. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending February 28, 2018.
8. **Motion:** Consider a motion to approve the March 27, 2018 Vendor Summary Report in the combined total amount of \$633,622.33 (by Committee of the Whole).

## **ENGINEERING**

9. **Resolution:** Consider Resolution No. 11926-040218, approving the Wall Cul-De-Sac Expansion Development Agreement for the design and installation of public improvements at 10100 S. 8<sup>th</sup> Ave. (Tax Key No. 918-9988-000) (Project No. 18052) (4<sup>th</sup> District).

## **COMMUNITY DEVELOPMENT**

10. **Resolution:** Consider Resolution No. 11925-040218, approving a Final Subdivision Plat for Carrollville Crossings Addition No. 1 (4<sup>th</sup> District).

## **LICENSE COMMITTEE**

11. **Motion:** Consider a motion to grant the various license requests as listed on the 4/2/18 License Committee Report (by Committee of the Whole).

## ***Adjournment.***

### **Public Notice**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice

**Mayoral Proclamation  
National Library Week 2018**

**WHEREAS**, the Oak Creek Public Library is not just about what they have for people, but what they do for and with people; and

**WHEREAS**, the Oak Creek Public Library has long served as trusted and treasured institution in our community, and library workers and librarians fuel efforts to better our community; and

**WHEREAS**, librarians are leaders in their institutions and organizations, in their communities, in the nation and in the world; and

**WHEREAS**, librarians continue to lead the way in leveling the playing field for all who seek information and access to technologies; and

**WHEREAS**, libraries and librarians look beyond their traditional roles and provide transformative opportunities for education, employment, entrepreneurship, empowerment and engagement, as well new services that connect closely with patrons' needs; and

**WHEREAS**, libraries and librarians lead their communities in innovation, providing programming, makerspaces and access and training for new technologies; and

**WHEREAS**, libraries are pioneers supporting democracy and effecting social change, with a commitment to providing equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and

**WHEREAS**, libraries lead in working with diverse communities, offering services and educational resources that transform communities, open minds and promote inclusion and diversity; and

**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE**, be it resolved that I, Daniel J. Bukiewicz, Mayor of the City of Oak Creek, proclaim April 8-14, 2018 as National Library Week. I encourage all residents to visit the library this week and explore what's new at your library, and engage with your librarian. Because of you and our library leaders, Libraries Transform.

Dated this 2<sup>nd</sup> day of April, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

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

TO BE PUBLISHED MARCH 14 & 21, 2018

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING  
BEFORE THE OAK CREEK COMMON COUNCIL**

**PURPOSE:** The purpose of this public hearing is to consider a request submitted by Dr. Jacob Odders, Lakeshore Veterinary Specialists, to rezone a portion of the property at 9472 S. 27<sup>th</sup> St. from Rs-3, Single-Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District) with a Conditional Use Permit for an animal hospital.

**Hearing Date:** Monday, April 2, 2018  
**Time:** 7:00 p.m.  
**Place:** Oak Creek City Hall  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers

**Applicant:** Dr. Jacob Odders, Lakeshore Veterinary Specialists  
**Property Owner:** AM Community Credit Union, C/O Trustone Financial Credit Union  
**Property Location(s):** 9472 S. 27<sup>th</sup> St.  
**Tax Key(s):** 878-9000-001

**Legal Description:**

Parcel 1 of Certified Survey Map No. 3916, recorded September 25, 1980, in Reel 1325, Images 10-12, as Document No. 5426904, being a part of the Southwest ¼ of Section 19, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, excepting therefrom that portion of land conveyed by Warranty Deed dated January 28, 2005 as Document No. 8947200, and by Quit Claim Deed dated August 28, 2013 as Document No. 10288080 to the State of Wisconsin Department of Transportation.

The Common Council has scheduled other public hearings for April 2, 2018 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: March 7, 2018  
CITY OF OAK CREEK COMMON COUNCIL  
By: Daniel J. Bukiewicz, Mayor

**PUBLIC NOTICE**

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 766-7000 or write to the ADA Coordinator at the Health Department, City Hall, 8040 S. 6<sup>th</sup> St., Oak Creek, WI 53154.



## COMMON COUNCIL REPORT

Item: Rezone & Conditional Use Permit - Dr. Jacob Odders, Lakeshore Veterinary Specialists - 9472 S. 27<sup>th</sup> St.

Recommendation: That the Council adopts Ordinance 2899, an ordinance to approve the rezoning of a portion of the property at 9472 S. 27<sup>th</sup> St. from Rs-3, Single Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District) with a Conditional Use Permit for an animal hospital.

Fiscal Impact: Approval will allow for the development of a 24-hour emergency veterinary care clinic on an existing vacant commercial property. Development of the lot will yield positive fiscal impacts in terms of assessed value, permit fees, and impact fees (estimated at \$9,450). This property is located within TID 7.

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

Background: The Applicant, Dr. Jacob Odders, Lakeshore Veterinary Specialists, is requesting that a portion of the property at 9472 S. 27<sup>th</sup> St. be rezoned from Rs-3, Single Family Residential to B-4, Highway Business in anticipation of constructing a new animal hospital on the property. Animal hospitals are Conditional Uses in the B-4, Highway Business district. Council should note that the NO, Mixed Use Neighborhood overlay district will not change as part of this request.

According to the Comprehensive Plan, this portion of 27<sup>th</sup> Street and Ryan Road has been identified for Planned Business. This area is also part of the 27<sup>th</sup> Street Corridor Plan completed in partnership with the City of Franklin in 2007, which has additional design guidelines and an overlay district (Mixed-Use Neighborhood) that apply to these properties. Animal hospitals require a conditional use permit under the requirements of this B-4, Highway Business District.

Per the attached narrative, Lakeshore Veterinary Specialists will be moving out of their current location in the adjacent multitenant building. However, there have been a few updates since the narrative was submitted. First, access to the site will be via the existing cross-access easement over the Pick 'n' Save property to the east. No additional access from Ryan Road or 27<sup>th</sup> Street are anticipated at this time. Second, the parcel to the north will not be a secondary access point at this time, and there will be no parking or truck circulation on the Applicant's parcel for the benefit of the parcel to the north. Finally, parking on the site plan has been designated for current and future phases of development.

As with the current location, the animal hospital will be a 24-hour/day, 7 days/week, year-round operation for referral specialty and emergency veterinary care. Pet relief areas will be designated, with staff

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members taking animals to the area on-leash for brief periods only. There will be no other outdoor areas, boarding, grooming, day care, training, retail sales of pet products, or on-site cremation services at the facility. Hazardous waste is handled in the same manner as a human hospital, and deceased pets are kept in a freezer at the rear of the facility for pick-up by private crematory services during non-routine business hours.

While staffing will fluctuate based on hospital needs, it is anticipated that 12 full- and part-time doctors and 48 staff members will be at the facility. Minimum parking requirements for animal hospitals are calculated at three (3) patron stalls per doctor, plus one (1) stall per employee at peak shift. Since the hospital will be staffed 24 hours/day, with staffing needs adjusted on an as-needed basis, there is no definitive peak shift. Therefore, a total of 84 parking stalls are required. Preliminary site plans show that 89 stalls are provided for the initial construction, with another 71 stalls designated as "future" parking areas should the planned future addition be constructed.

Included with this report is a preliminary rendering of the proposed building. While site, building, landscaping, lighting, and related approvals will occur at a later date, Council should be aware that the overlay district standards are over and above those required in the base zoning district. Examples of those standards include 4-sided architecture, specific building materials, site design, and increased landscaping elements. The Applicant is aware of these standards and requirements, and has indicated their desire and willingness to adhere to them.

The Plan Commission reviewed the proposed rezone and Conditional Use Permit request at their meeting on February 13, 2018, and has recommended approval subject to the attached Conditions and Restrictions (reviewed and recommended for approval at the February 27, 2018 Plan Commission meeting).

Options/Alternatives: Council has the discretion to approve the requests as presented with the recommended Conditions and Restrictions, modify the proposed Conditions and Restrictions as part of the approval of the Conditional Use Permit, or disapprove of one or both of the requests. Rezoning the residential portion to be in conformance with the commercial zoning of the majority of the property will allow for the functional and practical development of the parcel. Without approval of the rezone, the property may remain in its current vacant and underutilized condition indefinitely. Without approval of the Conditional Use Permit, the property may remain in its current vacant and underutilized condition for an extended period of time.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



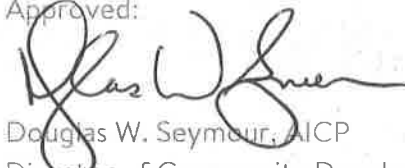
Kari Papelbon, CFM, AICP  
Planner

Fiscal Review:



Bridget M. Souffrant  
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP  
Director of Community Development

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Attachments:

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Ordinance 2899

Location Map

Hearing Notice

Applicant Narrative

Preliminary Site Plan & Building Graphics

Plan Commission minutes

Conditions and Restrictions

ORDINANCE NO. 2899

By: \_\_\_\_\_

AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY AT 9472 S. 27<sup>TH</sup> STREET FROM RS-3, SINGLE FAMILY RESIDENTIAL TO B-4, HIGHWAY BUSINESS (NO CHANGE TO THE NO, MIXED-USE NEIGHBORHOOD OVERLAY DISTRICT), WITH A CONDITIONAL USE FOR AN ANIMAL HOSPITAL

(6<sup>th</sup> Aldermanic District)

WHEREAS, DR. JACOB ODDERS, LAKESHORE VETERINARY SPECIALISTS, has applied for a rezoning of a portion of the property at 9472 S. 27th St. from Rs-3, Single-Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District), with a Conditional Use Permit for an animal hospital; and

WHEREAS, the property is more precisely described as follows:

Parcel 1 of Certified Survey Map No. 3916, recorded September 25, 1980, in Reel 1325, Images 10-12, as Document No. 5426904, being a part of the Southwest ¼ of Section 19, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, excepting therefrom that portion of land conveyed by Warranty Deed dated January 28, 2005 as Document No. 8947200, and by Quit Claim Deed dated August 28, 2013 as Document No. 10288080 to the State of Wisconsin Department of Transportation.

WHEREAS, the Plan Commission reviewed the request and recommended that the rezoning and Conditional Use be approved; and

WHEREAS, the Common Council held a public hearing on said request on April 2, 2018, at which time all interested parties appeared and were heard; and

WHEREAS, the Plan Commission had recommended that the application for a rezoning and Conditional Use be approved and authorized subject, however, to the imposition of certain conditions and restrictions upon the design, construction, location and operation of this Conditional Use and which conditions and restrictions are incorporated by reference into the amended Conditional Use Permit; and

WHEREAS, following said public hearing and upon recommendation of approval of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning and Conditional Use were approved and authorized for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Conditional Use.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are rezoned from Rs-3, Single-Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District), and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.



SECTION 2: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for an animal hospital to the property at 9472 S. 27<sup>th</sup> St., which shall include the aforementioned conditions and restrictions.

SECTION 3: The Conditional Use Permit is subject to the aforementioned conditions and restrictions on the design, construction, location, and operation of the Conditional Use for the animal hospital.

SECTION 4: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 5: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted this \_\_\_ day of \_\_\_\_\_, 2018.

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

Approved this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

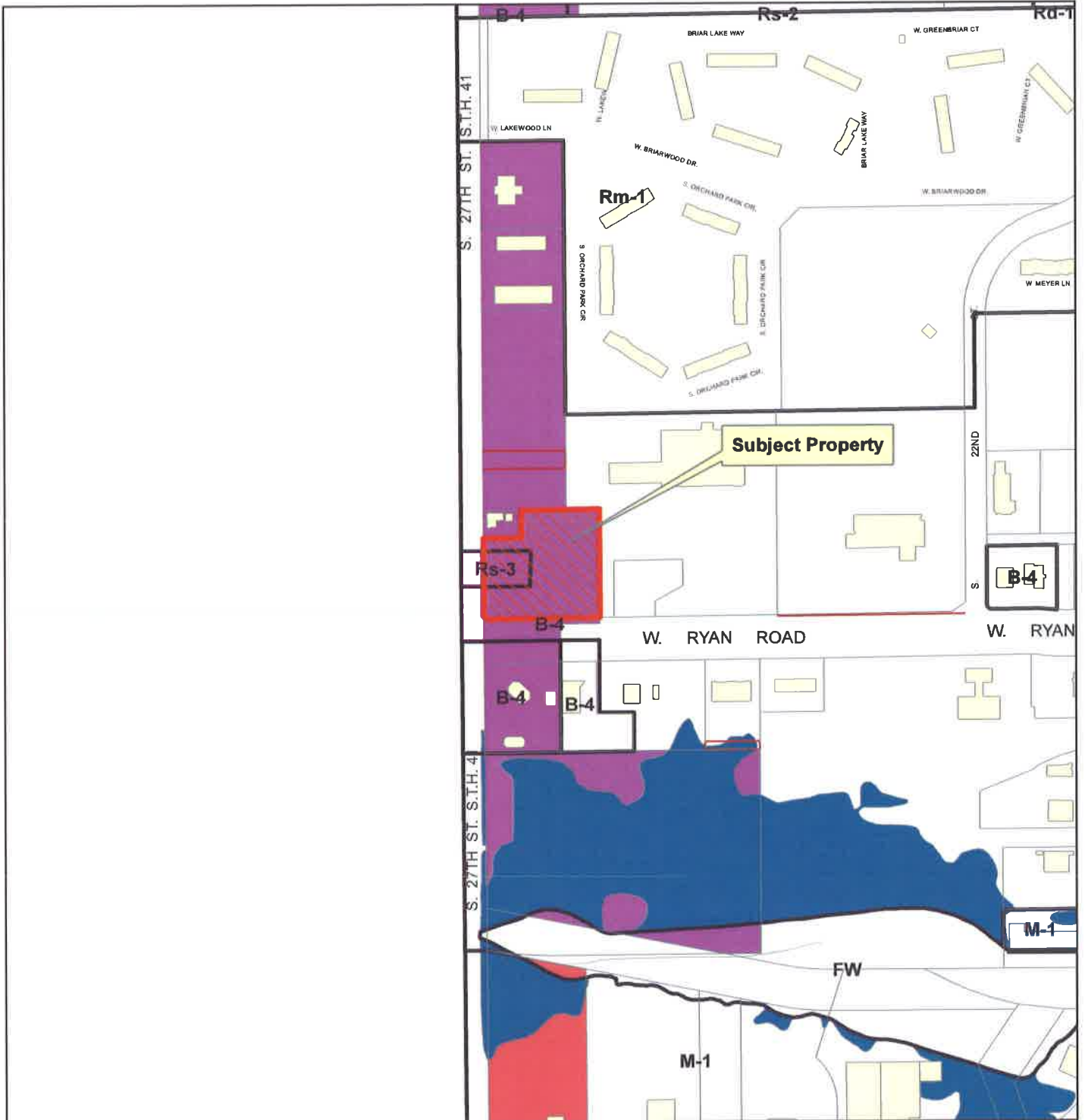
ATTEST:

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

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

# Location Map

## 9472 S. 27th St.



This map is not a survey of the actual boundary of any property this map depicts.



Department of Community Development



Legend	
	9472 S. 27th St.
Zoning Overlays	
	C-1-Shoreland Wetland
	FF-Flood Fringe
	Lakefront Overlay
	NO-Mixed Use Neighborhood
	OO-Mixed Use Office
	RR-Regional Retail

TO BE PUBLISHED MARCH 14 & 21, 2018

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING  
BEFORE THE OAK CREEK COMMON COUNCIL**

**PURPOSE:** The purpose of this public hearing is to consider a request submitted by Dr. Jacob Odders, Lakeshore Veterinary Specialists, to rezone a portion of the property at 9472 S. 27<sup>th</sup> St. from Rs-3, Single-Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District) with a Conditional Use Permit for an animal hospital.

**Hearing Date:** Monday, April 2, 2018  
**Time:** 7:00 p.m.  
**Place:** Oak Creek City Hall  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers

**Applicant:** Dr. Jacob Odders, Lakeshore Veterinary Specialists  
**Property Owner:** AM Community Credit Union, C/O Trustone Financial Credit Union  
**Property Location(s):** 9472 S. 27<sup>th</sup> St.  
**Tax Key(s):** 878-9000-001

**Legal Description:**

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The Common Council has scheduled other public hearings for April 2, 2018 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: March 7, 2018  
CITY OF OAK CREEK COMMON COUNCIL  
By: Daniel J. Bukiewicz, Mayor

**PUBLIC NOTICE**

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N173 W21010

Northwest Passage Way

Jackson, WI 53037

Tel: 262.677-9933

Fax: 262.677.9934

Planning Commission  
City of Oak Creek  
8040 S. 6<sup>th</sup> Street  
Oak Creek, Wisconsin 53154

January 14, 2018

Re: Project Narrative:

**Introduction:**

Attached to this project narrative you will find the graphical information regarding the proposed business development located 9472 South 27<sup>th</sup> Street, the northeast corner of S. 27<sup>th</sup> Street and Ryan Road. The proposed development will be a new Veterinary Hospital which will include a 15,000 square foot building and the requisite site development needed to support the new building.

Lakeshore Veterinary Specialists (LVS), currently located at 2400 West Ryan Road will be the owner/ occupant of this building. LVS will be moving out of their existing tenant space in the multi-tenant building attached to the Pick n Save building just east of this property.

**Existing Site:**

The existing site is approximately 3.48 acres and is currently vacant. The site frontage is S. 27<sup>th</sup> Street on the West, West Ryan Road on the South, an adjacent like zoned vacant property and a bar/ restaurant to the North and the Pick n Save development to the East. Our proposed primary building orientation is toward S. 27<sup>th</sup> Street and West Ryan Road however we understand that the building will require four-sided architecture. Vehicular access to the site is currently permitted only from an existing cross access easement with the Pick n Save property, see attached easement exhibit. Access from S. 27<sup>th</sup> Street and West Ryan Road is prohibited by the Wisconsin Department of Transportation (DOT). There is an existing site access point on S 27<sup>th</sup> Street that will be required to be removed by the DOT. The DOT indicated a proposed public street is planned north of the property which will provide access into the back side of the Pick n Save property. This public road, when constructed, will also provide access to the site.

Site currently has several zoning designations which govern how the site can be developed. The base zoning designation is "B-4" Business. There is a remnant zoning designation of "Rs-3" Residential on the west side of the property which covers a small zone on the site. Additionally, there are two Overlay districts which apply to the site, "NO" Mixed Use Neighborhood Overlay district and "27<sup>th</sup> Street" Overlay District. The "Rs-3" district will be removed as part of this project.

**New Site:**

The site shown for this new development provides 140 total parking spaces. This number of stalls is shown to provide a visual of where parking can be provided but will vary depending upon how the site is developed. The site will have an initial building of approximately 15,000 square feet. This initial building will require only 84 parking stalls. At some point in the future LVS is anticipating an addition of approximately another 15,000 square feet. At this point the parking lot will be reconfigured and additional parking will be required.

Access to the site is as previously noted through a cross access easement on the Pick n Save parking lot. In conversations with the DOT it was suggested LVS discuss creating a shared access with the bar/ restaurant neighbor to the north. The DOT has stated the access to that site is permitted and they would be supportive of making this a shared access point for both properties. The DOT also noted they would support an access swap between the properties in which the neighbor would give up their access and the access to the LVS site not permitted previously would then become the access for both sites. The site plan we are presenting with this submittal reflects this condition.

In an effort to negotiate this access swap with the neighbor LVS is proposing to provide additional parking and truck circulation for the neighboring site. This parking and the truck circulation will be provided by a permanent access easement with the neighbor. Additional parking for the neighbor would cross the property lines on the north side of the LVS site and the east/ south side of the neighbor's property.

Storm water management will be accomplished utilizing one proposed pond in the southeast corner of the site. Storm water management plans will follow with submittals for site and building approval at Plan Commission.

Landscaping for the site will follow all City of Oak Creek guidelines as outlined in the city ordinances.

**New Building:**

At the time of this submittal for Conditional Use and Re-Zoning the building has not yet been designed. We have had conversations with the City of Oak Creek Planning staff regarding the expectations for the building design. In an effort to help clarify the design intent for this project, we have attached a rendering of the LVS facility located in the City of Glendale. It is not our intent to replicate the Glendale facility, we simply want to illustrate the design style and materials used. The Glendale facility is comprised of masonry, brick, expanses of aluminum storefront and EIFS (Exterior Insulation Finish System). We understand the EIFS product is not permitted in Oak Creek and will exclude that material from the ultimate design of the project.

**Plan of Operation:**

The plan of operation for the new development will not change from the existing facility. This veterinary hospital will be a referral center for cases that can't be handled routinely by surrounding

area veterinary clinics/hospitals. It will also receive referrals for emergency care to be provided when surrounding hospitals are not open or available to provide the needed care. All parts of the operation will be within the building. The only exterior area to be utilized as part of the operation will be walking spaces for hospital patients. These patients are taken out on leash with a staff member to go to the bathroom and immediately brought back inside the facility. There will be no outside housing of patients associated with this business.

The following services will not be provided:

- Pet Boarding
- Pet Grooming
- Day Care
- Dog Training
- Retail sales of pet products
- On-site Cremation

The owners are keenly aware of concerns that are inherit with the development of veterinary hospitals, particularly noise, odor and waste. The final hospital design will address these issues to be certain that the surrounding businesses and residents are in no way affected by these concerns. Hazardous waste is handled the same as in a human hospital, and deceased pets will be kept in a freezer until they are picked up by a private pet crematory service. This will take place in back of the building and at times other than normal business hours.

The days and hours of operation will be 24hours Monday through Sunday, 365 days per year. The facility will be staffed by 12 Doctors and 48 staff members. Doctors and staff are a mix of full and part time positions. Staffing does vary based upon the needs of the hospital patients.

We do not believe this new development will negatively impact or be a nuisance to the surrounding neighborhood. This is an expansion of a long standing established use and is consistent with the nature of the surrounding neighborhood which is currently a mix of commercial development  
The traffic patterns in the neighborhood are already established and will not be affected by the new development.

If you have any questions or concerns regarding this proposed development please feel free to contact my office.

Sincerely,

Mark Hertzfeldt

A handwritten signature in cursive script, appearing to read 'Mark Hertzfeldt', enclosed within a large, loopy circular flourish.

Design 2 Construct





**CONCEPT PERSPECTIVE**

Scale N.T.S



DEVELOPMENT CORPORATION

DESIGN 2 CONSTRUCT

N173 W21010 Northwest Passage, Jackson, WI 53037

P: 262.677.9933 F: 262.677.9934

**LAKESHORE VETERINARY CLINIC**  
OAK CREEK, WI

JAN 16 2010  
RECEIVED



**EXCERPTED MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, FEBRUARY 13, 2018**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Johnston, Alderman Loreck, Alderman Guzikowski, Commissioner Siepert, and Commissioner Chandler. Commissioner Carrillo and Commissioner Correll were excused. Also present: Kari Papelbon, Planner; Director of Community Development Doug Seymour; City Administrator Andrew Vickers; Bridget Souffrant, Finance Director.

**REZONE & CONDITIONAL USE PERMIT  
LAKESHORE VETERINARY SPECIALISTS  
9472 S. 27<sup>TH</sup> ST.  
TAX KEY NO. 878-9000-001**

Planner Papelbon provided an overview of the rezoning and conditional use permit request for an animal hospital (see staff report for details).

Jordan O'Conner, Design 2 Construct, N173 W21010 Northwest Passage, Jackson, WI, was present representing the applicant.

Director Seymour stated that the City will be exploring some issues with respect to access easements as we progress through this process recognizing this is part of a rezoning at this point in time. Although discussion of conceptual site plans is germane to that topic, it is not something to be dwelled upon at this stage. Those issues will be worked out as part of the future conditional use permit and site plan review.

Director Seymour stated that staff received an email earlier in the afternoon from Pick N' Save, and they are questioning whether or not those easements do exist. That will be worked out and has no bearing on the item before the Plan Commission (rezoning and conditional use permit.)

Mayor Bukiewicz stated that this proposal lacks green space. However, since this is a gateway into the City, the building they are proposing is a pleasant surprise.

Director Seymour stated that the City will be taking a closer look at the 27<sup>th</sup> Street overlay districts as part of the more comprehensive review of the Zoning Code.

Commissioner Hanna asked about the retention pond. It was explained that the retention pond is currently in design, and not affected by this particular review.

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that a portion of the property at 9472 S. 27<sup>th</sup> St. be rezoned from Rs-3, Single Family Residential to B-4, Highway Business (no change to the NO, Mixed-Use Neighborhood Overlay District), with a Conditional Use Permit for an animal hospital, after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (February 27, 2018). Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

Commissioner Loreck moved to adjourn. Commissioner Siepert seconded. On roll call: all voted aye. The meeting was adjourned at 7:38 p.m.

ATTEST:

  
\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

February 27, 2018

\_\_\_\_\_  
Date

**EXCERPTED MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, FEBRUARY 27, 2018**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Johnston, Commissioner Carrillo, Alderman Loreck, Alderman Guzikowski, Commissioner Siefert, and Commissioner Chandler. Commissioner Correll was excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator; and Doug Seymour, Director of Community Development.

**CONDITIONS AND RESTRICTIONS  
CONDITIONAL USE PERMIT  
LAKESHORE VETERINARY SPECIALISTS  
9472 S. 27<sup>TH</sup> ST.  
TAX KEY NO. 878-9001-001**

Planner Papelbon provided an overview of the conditions and restrictions for a veterinary clinic (see staff report for details).

Mayor Bukiewicz invited the applicant to address the Plan Commission.

Jordan O'Connor, Design 2 Construct, N173 W21010 Northwest Passage Way, Jackson, WI appeared on behalf of the applicant. Mr. O'Connor asked to clarify item 3B of the Conditions and Restrictions regarding the pet relief area, stating that the area would be completely fenced in and the pets on leash and supervised by an employee. He inquired whether the proposed area could be divided into two portions to provide a distinct isolation animal area which would separate them from other animals. Planner Papelbon stated that the conditions would allow for two separate areas. This would be further addressed at site plan approval.

Mayor Bukiewicz invited questions from the Commission.

Commissioner Siefert inquired whether there will be an access point on 27<sup>th</sup> Street to the property. Mr. O'Connor answered that there is not an access point on 27<sup>th</sup> Street. Currently, there is only a cross-access easement with the neighbor to the east, from Ryan Road. Alderman Guzikowski added that this property is in his district, and he is in agreement with the conditions and restrictions.

Arden Degner, 8540 S. Pennsylvania Ave., Oak Creek, WI inquired whether sidewalks would be included alongside the property. Mayor Bukiewicz noted that the purpose of this meeting is not to specifically address this issue, but it would be addressed later. Mayor Bukiewicz noted that the Conditions and Restrictions are consistent with the other veterinary clinics in the City; he did not have any issues with what is being proposed and called for a motion.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for an animal hospital on the property at 9472 S. 27<sup>th</sup> St. after a public hearing. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Commissioner Siepert seconded. On roll call: all voted aye. The meeting was adjourned at 8:44 p.m.

ATTEST:

  
\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

March 13, 2018  
\_\_\_\_\_  
Date

**City of Oak Creek – Conditional Use Permit (CUP)  
DRAFT Conditions and Restrictions**

**Applicant:** Dr. Jacob Odders, Lakeshore Vet. Specialists  
**Property Address:** 9472 S. 27<sup>th</sup> St.  
**Tax Key Number:** 878-9000-001  
**Conditional Use:** Animal hospital

**Approved by Plan Commission:** 2-27-18  
**Approved by Common Council:** TBD  
(Ord. # 2899)

**1. LEGAL DESCRIPTION**

Parcel 1 of Certified Survey Map No. 3916, recorded September 25, 1980, in Reel 1325, Images 10-12, as Document No. 5426904, being a part of the Southwest ¼ of Section 19, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, excepting therefrom that portion of land conveyed by Warranty Deed dated January 28, 2005 as Document No. 8947200, and by Quit Claim Deed dated August 28, 2013 as Document No. 10288080 to the State of Wisconsin Department of Transportation.

**2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS**

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. 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/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
  - i) Location(s) and future expansion
  - ii) Number of employees
  - iii) Number of parking spaces
  - iv) Dimensions
  - v) Setbacks
- h) Location(s) of loading berth(s)
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of wetlands (field verified)
- m) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

**2) Landscape Plan**

- a) Screening plan, including parking lot screening/berming
- b) Number, initial size, and type of plantings
- c) Percentage open/green space

**3) Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans
- c) Materials of construction (including colors)

**4) Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

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

- a) Contours (existing & proposed)
- b) Location(s) of storm sewer (existing and proposed)
- c) Location(s) of stormwater management structures and basins (if required)

**6) Fire Protection**

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
- c) Materials of construction

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

D. For any new buildings, additions, structures, and site modifications, 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.

- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. The facility is permitted to operate 24 hours per day, 7 days per week.
- B. There shall be no outdoor kennels, runs, or other outdoor operations except for two designated outdoor pet relief areas. Animals must be kept on a leash when outside of the building unless the outdoor pet relief area is completely fenced.
- C. There shall be no outdoor storage of materials, equipment, or supplies.
- D. No grooming, day care, or training services shall occur onsite. Pet boarding shall be limited to those patients receiving care at the facility.
- E. There shall be no onsite cremations.
- F. Solid waste collection and recycling shall be the responsibility of the owner.
- G. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended).

5. 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 (as amended).

6. SETBACKS\*

	Front and Street Setback	Rear (North) Setback	Side (East) Setback
Principal Structure	25 ft	25 ft	15 ft
Accessory Structure*	25 ft	5 ft	5 ft
Parking	10 ft	5 ft	5 ft

*\*\* This property is located within the 27<sup>th</sup> Street / Mixed-Use Neighborhood Overlay District.  
 \*\*No accessory structures shall be permitted in the front yard or in required buffer yards.*

7. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work 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 a building permit has not been issued for this use. The applicant shall re-apply for a Conditional Use approval prior to recommencing work or construction.

8. OTHER REGULATIONS

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

9. 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 (as amended). If the owner, applicant or operator of the Conditional Use 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 9 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.

10. REVOCACTION

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 (as amended).

11. 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 / Authorized Representative Signature

\_\_\_\_\_  
Date

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

**EXHIBIT A: CONCEPT SITE PLAN**

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)

**DESIGN**  
**2**  
**CONSTRUCT**  
 ENVIRONMENTAL CONSULTING

1175 WISCONSIN  
 NORTHWEST CORNER  
 JACKSON, WI 53001

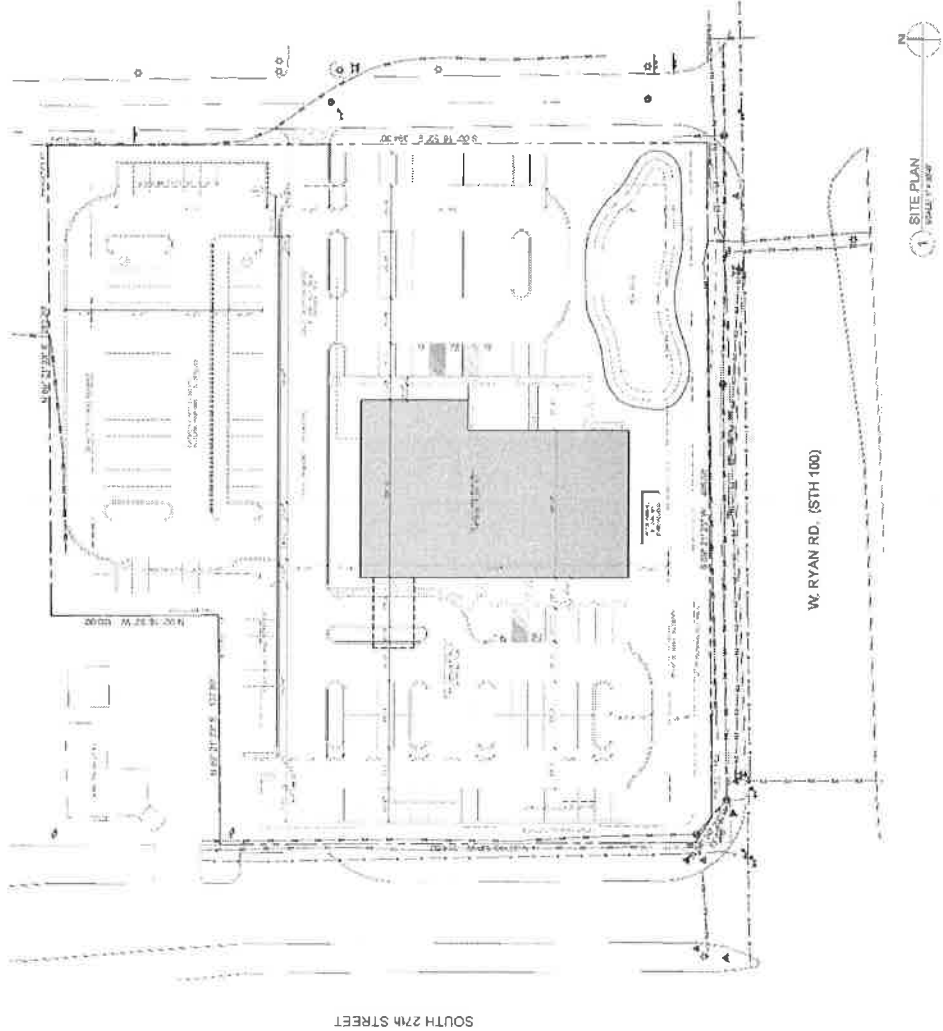
PHONE 800.777.2003  
 FAX 762.777.2004  
 www.design2construct.com

MAIN OFFICE DESIGNATION: **PROPOSAL #17-00202**

SHEET TITLE	SITE PLAN
REVISIONS	

PROJECT DATA	
DATE	07/14/2017
DRAWN BY	17-00202
CHECKED BY	
DATE	
PROJECT NO.	17-00202
SHEET NO.	01

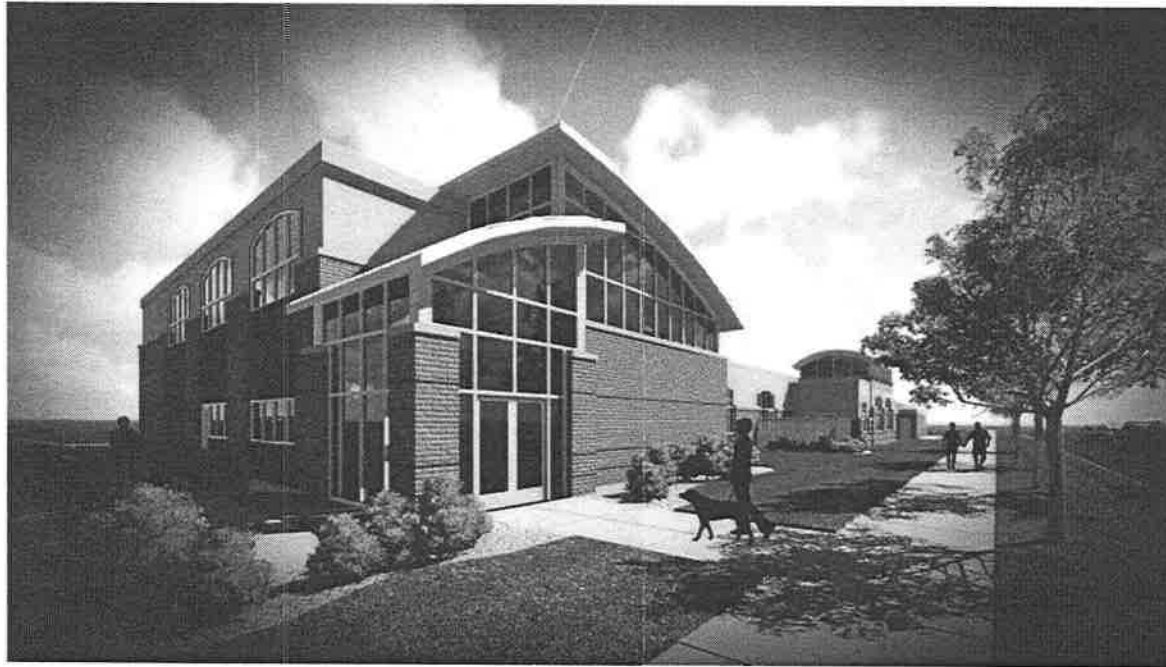
**A1.0 T2**



**NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.





CONCEPT PERSPECTIVE  
Scale: N.T.S.



0111-01

DESIGN 2 CONSTRUCT

N173 W21010 Northwest Passage, Jackson, WI 53027

P: 262.677.9933 F: 262.677.9934

JAN 16 2018  
10:00 AM

LAKESHORE VETERINARY CLINIC  
OAK CREEK, WI

EXHIBIT B: CONCEPT BUILDING DESIGN



### COMMON COUNCIL REPORT

Informational: Treasurer Report on Investment and Banking for the City of Oak Creek accounts, ending February 28, 2018.

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

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

Background: The Treasurer Report on Investment and Banking displays the investment and banking accounts month end balances, to provide the City of Oak Creek Common Council and the public with the current condition of the City's treasury. It is not intended to infer available funds for general purpose spending since some funds are allocated for specific uses such as Tax Incremental Districts, large projects, distribution of tax collection to other underlying taxing jurisdictions etc. This monthly report, along with an additional comprehensive report, is reviewed at Finance Committee meetings to assist with investment decisions and other financial strategies. Below briefly summarizes the attached report.

Beginning Balance	Ending Balance	Interest Earned	Increase/Decrease
\$59,679,593.51	\$42,402,722.58	\$64,599.15	-\$17,276,870.93
February Tax Collection: \$2,862,577.20 or 0.03% of total levied			City Share (approx): \$880,000.00

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Barbara Guckenberger, CMTW  
City Treasurer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Attachments: Treasurer Report on Investment and Banking

City of Oak Creek								
Treasurer Report on Investment and Banking								
Name of Account	Beginning Balance	Additions	Subtractions	Account Ending Balance	Actual Interest Earned	Interest Rate	Percentage of Total Invested	
<b>Tri City National Bank</b>	<b>10,902,898.15</b>	<b>23,497,643.61</b>	<b>(29,101,526.48)</b>		<b>5,299,015.28</b>	<b>12,081.11</b>	<b>1.34%</b>	<b>12.50%</b>
General Fund	7,963,184.55	20,257,318.52	(24,294,281.11)	3,926,221.96				
Title 125	66,149.38	22,198.32	(34,759.01)	53,588.69				
Police Credit Card	21,820.86	20,972.37	(382.64)	42,410.59				
Parks & Rec Counter Credit Card	8,093.34	3,774.81	(163.14)	11,705.01				
Tax Payment Account #2	2,102,648.61	2,086,851.75	(3,313,440.23)	876,060.13				
Parks & Rec Online Credit Card	7,334.35	3,648.00	(176.95)	10,805.40				
Health Insurance	28,490.83	246,704.92	(258,323.40)	16,872.35				
Tax Payment Account	629,124.88	789,126.83	(1,200,000.00)	218,251.71				
EMS	76,051.35	67,048.09		143,099.44				
0	-			-				
<b>DANA Investment Advisors</b>	<b>5,672,677.32</b>	<b>12,851.38</b>	<b>(597.65)</b>		<b>5,684,931.05</b>	<b>11,087.72</b>	<b>2.21%</b>	<b>13.41%</b>
<b>BMO Global Asset Management</b>	<b>4,846,117.07</b>	<b>8,204.74</b>	<b>(14,103.61)</b>		<b>4,840,218.20</b>	<b>8,204.74</b>	<b>1.75%</b>	<b>11.41%</b>
<b>American Deposit Management (ADM)</b>	<b>2,888,544.08</b>	<b>1,410.54</b>	<b>(1,726,842.01)</b>		<b>1,163,112.61</b>	<b>1,410.54</b>	<b>1.20%</b>	<b>2.74%</b>
*ADM General Account Balance	-			-				
<b>Local Government Investment Pool (LGIP)</b>	<b>28,991,412.37</b>	<b>3,042,837.70</b>	<b>(12,000,000.00)</b>		<b>20,034,250.07</b>	<b>27,837.70</b>	<b>1.40%</b>	<b>47.25%</b>
*LGIP General Account Balance	25,472,581.36	2,035,565.31	(12,000,000.00)	15,508,146.67	23,400.05			
<b>**Ehlers Investment</b>	<b>6,377,944.52</b>	<b>14,632.93</b>	<b>(1,011,382.08)</b>		<b>5,381,195.37</b>	<b>3,977.34</b>	<b>1.2673%</b>	<b>12.69%</b>
	6,377,944.52	14,632.93	(1,012,203.97)		5,380,373.48			
<b>Total Balance</b>	<b>\$ 59,679,593.51</b>	<b>\$ 26,577,580.90</b>	<b>\$ (43,854,451.83)</b>		<b>\$ 42,402,722.58</b>	<b>\$ 64,599.15</b>		
**Ehlers balance is first shown gross of fees to balance to their monthly report; below that is shown net of fees for comparison purposes. Also, due to multiple CD's in the account, interest/dividends may not be earned monthly;								
*General Account Balance shown separately and is also part of the total account listed above; although it is used for cash flow purposes, a portion may be allocated for specific uses and may not be available for general purpose spending;								
Excludes Police Forfeiture Account;								
Tri City Interest is an analyzed credited from previous month earnings;								
Additions and subtractions on investment accounts may include market adjustments for realized and unrealized gains(losses) or change in accrued income, as well as interest, management fees, deposits, transfers, returned payments or withdrawals								
Tax Collection Deposits								
<b>Tax Payment Account #2</b>							<b>Distribution to other Taxing Jurisdictions</b>	
City Deposit (Counter, Drop Box, Mail)				2,013,965.29			<i>(Tax Settlement occurs in April)</i>	
Gov Tech							STATE	
Credit Card				59,485.08			COUNTY	
<b>Total Tax Payment Account #2</b>					<b>2,073,450.37</b>		MMSD	
							SCHOOL	
<b>Tax Payment Account</b>							MATC	
Tri City Payments (At Bank, Lockbox)					789,126.83		UTILITY	
							TOTAL DIST	
							\$ -	
<b>Total Tax Collection Deposits</b>					<b>2,862,577.20</b>	<b>0.03% of Total Tax Levy</b>	TAX REFUNDS	
							*CITY	
							\$ -	
Please note the City uses two bank accounts for tax collection; one for payments processed by the City (account #2) and the other for payments processed by our bank								
Prepared for Common Council; cc Finance Committee								
Barbara Guckenberger, CMTW								
City Treasurer								



## COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the March 27, 2018 Vendor Summary Report in the combined total of \$633,622.33.

Fiscal Impact: Total claims paid of \$633,622.33. Of this grand total paid, \$378,916.64 will impact the 2017 fosomal year. The remaining amount, \$254,705.69, will impact the 2018 fiscal year.

Critical Success Factor(s):

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

Background: Of note are the following payments:

1. \$12,569.31 to Compass Mineral Company (pg #5) for salt inventory.
2. \$12,482.72 to Kansas City Life Insurance Co (pgs #10-11) for April disability insurance.
3. \$18,750.00 to Tyler Technologies, Inc. (pg #19) for assessor services.
4. \$56,776.64 to WE Energies (pg #20) for street lighting, electricity & natural gas.
5. \$25,280.00 to Western Culvert & Supply (pg #21) for advanced drainage systems.
6. \$378,916.64 to WI Dept. of Transportation (pg #21) for Marquette and Nicholson bridge replacement, Project 13022.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:

  
Bridget M. Souffrant  
Finance Director/Comptroller

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Attachments: 3/27/18 Invoice GL Distribution Report

## COMMON COUNCIL REPORT

**Item:** Development Agreement for Wall Cul-De-Sac Expansion

**Recommendation:** That the Common Council adopts Resolution No. 11926-040218, approving the Wall Cul-De-Sac Expansion development agreement for the design and installation of public improvements at 10100 S. 8<sup>th</sup> Avenue (Tax Key No. 918-9988-000) (Project Nos. 18052) (4th Aldermanic District).

**Fiscal Impact:** The Developer pays all installation costs the City will pay for future maintenance.

**Critical Success Factor(s):**

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


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**Background:** This development agreement is for the installation of public infrastructure to serve the property at 10100 S. 8<sup>th</sup> Avenue. The property owners Steven and Susan Wall are constructing a new home on the property. As part of the project a new cul-de-sac is required to be extended off the current dead end road of 8<sup>th</sup> Avenue. The owners will grant a temporary cul-de-sac easement on their property as well. The developer has worked with the Utility and Engineering Departments for the required improvements. This agreement will provide the City with the authority to direct and control the design and construction of the required public improvement to ensure they meet City codes and specifications.

**Options/Alternatives:** If the development agreement is not approved the single family home can't be constructed and the lot will remain vacant.

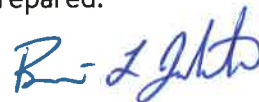
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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Brian L. Johnston, PE  
Assistant City Engineer

Fiscal Review:



Bridget M. Souffrant  
Finance Director/Comptroller

Approved:



Michael C. Simmons, PE  
City Engineer

**RESOLUTION NO. 11926-040218**

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

**RESOLUTION APPROVING THE  
WALL CUL-DE-SAC EXPANSION  
DEVELOPMENT AGREEMENT**

**TAX KEY NO. 918-9988-000**

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

BE IT RESOLVED that Chapter 14 of the Municipal Code requires that a development agreement be entered into first, prior to the required public improvements being installed.

BE IT FURTHER RESOLVED that the Development Agreement attached hereto and incorporated herein by reference, by and between Steven T. and Susan B. Wall as party of the first part, and the CITY OF OAK CREEK, as party of the second party, be and the same is hereby approved.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 2<sup>nd</sup> day of April, 2018.

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

Approved this 2<sup>nd</sup> day of April, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

Document Number

Wall Cul-De-Sac Extension  
Development Agreement  
Document Title

Recording Area

Douglas W. Seymour, Director  
Dept. of Community Development  
8040 S 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Name and Return Address

918-9988-000

Parcel Identification Number (PIN)

*March* THIS AGREEMENT, made and entered into this *26<sup>th</sup>* day of *March*, 2018, by and between Steven T. and Susan B. Wall, 8640 S. Maize Drive, Oak Creek, WI 53154, hereinafter referred to as the "Developer", and the City of Oak Creek, hereinafter referred to as the "City";

WITNESSETH:

WHEREAS, the Developer proposes to construct a single family residence on the following described lands situated in the City of Oak Creek, County of Milwaukee and State of Wisconsin, to-wit:

Being part of the Southeast  $\frac{1}{4}$  of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, Bounded and described as follows: Beginning at a point on the West line of the East  $\frac{1}{2}$  of said  $\frac{1}{4}$  Section 1108.22 feet South of the North line of said  $\frac{1}{4}$  Section; thence South along the West line of the East  $\frac{1}{2}$  of said  $\frac{1}{4}$  Section, 333.66 feet to a point, thence East 1000.08 feet to a point, which is 1438.84 feet south of the North line of said  $\frac{1}{4}$  Section; thence North and parallel to the West line of East  $\frac{1}{2}$  of said  $\frac{1}{4}$  Section, 330.62 feet, more or less, to a point, which point is 1108.22 feet South of the North line of said  $\frac{1}{4}$  Section, thence West 1000.08 feet, more or less, to



the point of beginning.

WHEREAS, the Developer proposes to construct a new temporary cul-de-sac extension at the south end of S. 8<sup>th</sup> Avenue (10100 S. 8<sup>th</sup> Avenue-Tax Key No. 918-9988-000) in the City of Oak Creek, County of Milwaukee and State of Wisconsin, and

WHEREAS, the Developer has submitted a preliminary plan for the new temporary cul-de-sac extension on S. 8<sup>th</sup> Avenue, and

WHEREAS, the proposed preliminary plan for the temporary cul-de-sac is in conformance with such an extension as required in Chapter 14 of the Municipal Code and with the design standards approved by the Engineering Department, and

WHEREAS, S.236.13(2)(a), Wis. Stats., and Chapter 14 of the Municipal Code of the City, provide that the Common Council of the City of Oak Creek may require that the Developer make and install any public improvements reasonably necessary, and

WHEREAS, the City's capital improvement plan and budget does not now include funds necessary to install the temporary cul-de-sac extension, and

WHEREAS, the City believes that the installation of the proposed temporary cul-de-sac extension on S. 8<sup>th</sup> Avenue will promote the health, safety and general welfare of the community, and hence is willing to approve the proposed temporary cul-de-sac extension providing that the Developer agrees to undertake and assume certain obligations and conditions and/or performed as hereinafter described, and

NOW, THEREFORE, in consideration of the payment of \$1.00, and in consideration of the mutual covenants listed below, the parties agree:

1. The proposed temporary cul-de-sac extension is at the south end of S. 8<sup>th</sup> Avenue. It will serve Tax Key No. 918-9988-000 (10100 S. 8<sup>th</sup> Avenue).
2. Special Assessments and Waiver - There are no outstanding special assessment payments required for this agreement. The Developer shall sign the Waiver of Special Assessment Notice and Hearing attached as Exhibit B.
3. Bike Path and Impact Fees - The impact fees established for the City under Ordinance 2562 shall also apply to this development. The Developer agrees to pay the appropriate impact fees, created by this development, at the time a building permit is issued.
4. Time Period to Install Improvements - The Developer, entirely at his expense from the notice to proceed, shall complete the public improvements as described in Exhibit A.
  - A. The Developer shall, without charge to the City and upon certification by the

City Engineer, unconditionally grant and fully dedicate all improvements to the City.

- B. In the event the Developer does not complete the installation of improvements, the City shall have the authority to complete same and take title of the improvements. The City shall, without notice of hearing, impose a special assessment for the amount of said completion costs, upon each and every building site (or tax key parcel) in the development, payable with the next succeeding tax roll.
  - C. In accordance with Section 3.06 of the Oak Creek Municipal Code and under Sections 66.60 and 66.62 of the Wisconsin Statutes and other statutory provisions, the City may exercise its power to levy special assessments for the required improvements that shall benefit the development.
5. Items Prior to Construction - Prior to the commencement of construction of required improvements, the City Engineer shall:
- A. approve all plans required in Exhibit A.
  - B. issue a notice to proceed.
  - C. arrange a preconstruction conference.
  - D. receive all pertinent approvals from the Milwaukee Metropolitan Sewerage District, the State of Wisconsin Department of Natural Resources, and the State of Wisconsin Department of Transportation, or other required jurisdictional agencies.
  - E. make arrangements for the City to inspect the proposed construction.
6. Occupancy Approval – Only upon final certification by the City Engineer that all of the required public improvements and requirements as outlined in this agreement are constructed, inspected and found to be in compliance with City requirements and, 1.) proof of the public infrastructure costs associated with streets, sewers, water main, lights, trees, etc., have been filed with the City Finance Director; and 2.) lien waivers shall be filed with the City Engineer as proof that all subcontractors have been paid; shall occupancy approval be presented to the Plan Commission and Common Council.
7. Reimbursement of Costs - The Developer shall reimburse the City for all outstanding fees, expenses, costs, and disbursements which were incurred by the City for the design, review, construction, inspection, dedication, administration, enforcement, or acceptance of the development's improvements covered by this agreement. In addition, the Developer shall provide copies of lien waivers from all

contractors, material suppliers, or consultants who performed work or supplied materials.

8. Workmanship Guarantee - Developer shall guarantee the improvements described in Exhibit A, against defects due to faulty materials or workmanship, for a period of one year from the date of final acceptance and dedication to the City.

If street repairs and/or street sweeping are not satisfactorily performed by the Developer, the City shall perform such with its own forces and charge the Developer accordingly for actual manpower, equipment and materials, plus 25% administration and overhead.

9. Hold Harmless - The Developer shall indemnify and save harmless the City, its officers, agents and employees, from all liability claims, loss, damages, interest, actions, suits, judgments, costs, expenses, attorney's fees, and the like to whomsoever is owed, which may in any manner result from the negligent construction or maintenance of improvements by the Developer pursuant to the terms of this agreement, the violation of any law or ordinance, the infringement of any patent, trademark, tradename or copyright, and the use of road improvements prior to their formal dedication to the City as provided in Paragraph 4 thereof.

10. Financial Guarantees

- A. Letters of Credit/Bonds - No letters of credit or bonds are required for this development.

- B. Security Deposit

Prior to and as a condition of occupancy, the Developer shall deposit the Collateral to secure the prompt, full and faithful performance by Developer of each and every provision of this agreement and all obligations of the Developer hereunder. The City is not required to hold the Collateral in any special or trust account, but may commingle the Collateral with other funds of the City. Interest shall be paid to the Developer on the Collateral. If the Developer fails to perform any of its obligations hereunder, the City may use, apply or retain the whole or any part of the Collateral together with interest therein, if any, for payment of: (a) Sums of money due from the Developer under this agreement; (b) Any sum expended by the City on the Developer's behalf in accordance with this agreement; and/or (c) Any sum which the City may expend or be required to expend by reason of the Developer's default under this agreement.

The use, application or retention of the Collateral, or any portion thereof, by the City shall not prevent the City from exercising any other right or remedy provided by this agreement or by law (it being intended that the City shall not first be required to proceed against the Collateral) and shall not operate

as a limitation on any recovery to which the City may otherwise be entitled. If any portion of the Collateral is used, applied or retained by the City, prior to the termination of this agreement, for the purposes set forth above, Developer agrees, within ten days after the written demand therefore is made by the City, to deposit cash with the City in an amount sufficient to restore the Collateral to its original amount.

Without limitation as to the obligations secured, the Collateral shall also secure the following specific obligations of the Developer to the City.

- 1) Completion of final asphalt surface course – asphalt base repair, curb repair, manhole adjustment and final catch basin setting.
- 2) Completion of landscaping: including establishment of vegetative cover.
- 3) Payment of reasonable in-house administrative and inspection fees.
- 4) Maintenance fund for public improvements as described in paragraph 8.


The City will release to the Developer all funds from the Collateral, including interest, upon the earliest of the termination of this agreement or when the Developer fully and faithfully complies with all of the provisions of this agreement and completes the above-listed items, all to the satisfaction of the City Engineer, less amounts, if any previously applied by the City for the obligations secured hereby.


11. Inspection - The City, or its agents, shall provide full-time inspection of all improvements enumerated in Exhibit A, at the Developer's cost.
12. Deed Restrictions – No deed restrictions are required for this agreement.
13. Easements - The Developer shall acquire and dedicate to the City all public easements and right-of-way necessary to install and maintain public improvements required by this agreement. Permanent easements and deeds, on forms acceptable to the City, on or through private lands, shall be negotiated and obtained by the Developer, at his expense. The Developer shall provide just compensation for the easements in accordance with the City's easement acquisition policy.
14. Changes to Plans and Specifications - The City Engineer may make changes to the approved plans and specifications for any of the improvements covered under this agreement which are necessary to correct oversights, omissions, and errors, to compensate for changing site conditions, or to complete fully the work in accordance with sound engineering practice. The Developer shall perform the work as changed entirely at his expense without any claim for reimbursement.

15. Sanitary Sewer and Water Main Laterals – The Developer shall connect the sanitary sewer and water main laterals from the proposed single-family home, shown on the grading plan, to the existing public sanitary sewer and water mains at the end of S. 8th Avenue. If, in the future, the public sanitary sewer and water mains are extended north, across the frontage of the proposed single-family home, the Developer shall disconnect the sewer and water laterals installed under this agreement and reconnect the laterals perpendicular to the future installed public sanitary sewer and water mains.
  
16. Miscellaneous
  - A. All construction required by this agreement shall be carried out and performed in a sequence directed by the City Engineer.
  - B. Developer shall properly locate and install all survey or other monuments required by State statute or City ordinance.
  - C. Recording of this agreement shall be accepted by the City as adequate provision for improvements specified in Chapter 14 of the Municipal Code.
  - D. This agreement shall be binding upon the heirs, personal representatives, successors and assigns of the parties hereto.
  - E. This agreement shall be recorded by the City with the Register of Deeds of Milwaukee County.
  - F. The obligations of the Developer shall terminate upon passage of a resolution by the Common Council of the City of Oak Creek releasing the Developer from the terms of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument under their several seals the day and year first above written, the name and corporate seal of each corporate body being hereto affixed and the instrument duly signed by its duly authorized representatives.

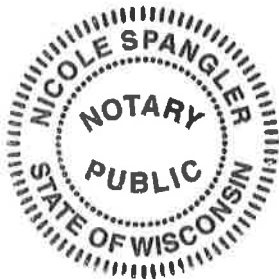
In presence of:


  
\_\_\_\_\_  
Steven T. Wall

  
\_\_\_\_\_  
Susan B. Wall

STATE OF WISCONSIN)  
(SS.  
MILWAUKEE COUNTY)

Personally came before me this 26 day of March, 2018, the above-named, Steven T. and Susan B. Wall to me known to be the persons who executed the foregoing instrument and acknowledged that he executed the foregoing instrument.



  
\_\_\_\_\_  
Notary Public

Milwaukee County, Wisconsin

My commission expires  
10/27/2019

**CITY OF OAK CREEK**

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

Countersigned:

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

STATE OF WISCONSIN)  
(SS.  
MILWAUKEE COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018,  
DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-  
named municipal corporation, CITY OF OAK CREEK, to me known to be the persons  
who executed the foregoing instrument to me known to be such Mayor and City Clerk of  
said municipal corporation, and acknowledged that they executed the foregoing  
instrument as such officers, as the deed of said municipal corporation, by its authority,  
and pursuant to Resolution No. \_\_\_\_\_ adopted by its Common Council  
on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Melissa L. Karls, Notary Public  
Milwaukee County, Wisconsin  
My commission is permanent.

This instrument was drafted by Brian L. Johnston of the City of Oak Creek Engineering  
Department.

Approved as to form:

\_\_\_\_\_  
Melissa L. Karls, City Attorney

**EXHIBIT A**  
**CITY OF OAK CREEK**  
**CITY ENGINEER'S REPORT**  
**WALL TEMPORARY CUL-DE-SAC EXTENSION**

**I. INTRODUCTION**

The detailed standards for the design and construction of all improvements required in this exhibit shall conform to the "City of Oak Creek Engineering Design Manual," adopted by the Common Council on July 18, 1995, and all future amendments thereof.

The Developer is responsible for required improvements, plans, and conditions:

**II. GRADING AND DRAINAGE**

A. Required Improvements

Design, install, and provide grading of land as necessary to establish final road grades and provide adequate drainage to prevent flooding, accept upstream runoff, and safely discharge runoff downstream to avoid property damage.

B. Plans and Specifications

1. A grading and drainage plan shall be prepared showing 2' contours for both existing and proposed condition, and proposed finished yard grades.
2. System plan showing all tributary areas to the proposed subdivision drainage and downstream analysis. Included on the system plan shall be all proposed and existing drainage structures.
3. House grade plan showing only minimum setback and offset dimensions, proposed house grades and driveway culvert sizes.
4. Storm water management plan that meets current City ponding ordinance requirements along with the MMSD Chapter 13 storm water requirements.
5. As-built grading plan certifying that all grading was performed in accordance with the approved grading and drainage plan. The



certification shall be required on lot corners and side yard breaks, main ditches, and detention ponds. The plan shall be prepared by a consulting engineer, selected by and reimbursed by the Developer. The grade tolerances for approval are as follows:

- a.  $\pm 0.1'$  grade tolerance of the approved proposed grade with topsoil or sod in place.
  - b.  $0.0'$  to  $-0.3'$  grade tolerance of the approved proposed grade without topsoil in place.
- C. Prior to the installation of any public improvements, the Developer shall perform rough grading, including planned street areas, and drainage swales.
  - D. Establish permanent vegetative cover on all exposed soil by topsoiling, seeding, and mulching to prevent erosion.
  - E. The Developer, at his expense, shall provide detailed soil analysis and compaction results by a competent soils engineer for all areas requiring fill. The results shall be submitted to the City Engineer as soon as they are available.
  - F. The Developer is responsible for restoring all damage to finish grades and vegetative cover caused, but not restored by, utility companies.
  - G. If soil borings determine that the existing soil material on site is unsuitable for structural areas such as road or house construction, the Developer shall remove the material and replace with approved engineered fill.
  - H. After site grading is completed, the Developer shall place 3" of topsoil on all exposed soil. No topsoil may be removed from the site without written authorization from the City Engineer.

### III. **STORM DRAINAGE SYSTEM**

#### A. Required Improvements

Design, install, and provide a complete storm drainage system, including culverts, curb and gutter, storm sewer and/or open ditches as required to adequately convey surface water from and through the development.

#### B. Plans and Specifications

1. Storm sewer plans showing plan and profile views.
2. Storm sewer calculations.

3. Storm sewer system plan update.

- C. Additional considerations will be required on all ditch slopes exceeding five percent. All roadside ditches or areas within drainage easements shall have a minimum one percent slope. Ditch slopes with less than one percent will require storm sewer.

#### IV. EROSION AND RUN-OFF CONTROL

A. Required Improvements

Installation and construction of Best Management Practices in the proposed development that shall conform to the Department of Natural Resources Technical Standards.

B. Plans and Specifications

Control plan for land-disturbing activities showing existing contours at least 200' into adjacent parcels. This plan will show locations and dimensions of all construction site management measures to control erosion and sedimentation.

- C. The Developer shall not commence land-disturbing activities until all erosion control measures are installed and approved by the City. An erosion control permit must be obtained, which requires the Developer to construct and maintain such measures in conformance with the City's erosion control ordinance.

- D. Both during and after construction, the surface of exposed bare soils shall be protected by mulches and perennial grasses. This does not apply to the immediate building site area which is subject to men and equipment working in and around the perimeter of a new structure.

#### V. SANITARY SEWER

- A. Required Improvements – None required for this development.

#### VII. WATER MAIN– Required improvements-None required for this development.

#### VIII. STREETS

A. Required Improvements

Provide a seventy-five foot diameter asphalt temporary cul-de-sac to the grades and dimensions shown on approved plans. Stone sub-base shall be

6" of compacted 1 ¼" T.B. or recycled concrete. The asphalt surface shall be 3" of 3LT 58-28 S with 3% regressed air voids.

B. Plans and Specifications.

1. Street plans, including detail plan and specifications.
- C. The asphalt road shall be installed prior to approval of the issuance of building occupancy.
- D. Clean up, repairs, and restoration of all pavement, subgrade, shoulder, or curb and gutter defects shall be performed prior to the placement of the final asphalt surface course.
- E. If directed by the City Engineer, soil borings shall be taken within the roadway at sufficient intervals to determine sub-base composition. If material is determined unsuitable for a stable road base, the material shall be removed and replaced with material approved by the City Engineer.

**VIII. MISCELLANEOUS**

- A. The Developer is responsible to preserve existing trees, brush, or shrubs, not approved for removal. If unauthorized removal occurs, landscaping will be replaced at the Developer's expense.
- B. The Developer shall repair all damage to City streets caused by construction operations.
- C. All sanitary, drainage, and other public utility easements must be shown on the certified survey map.

**IX. SPECIFICATIONS**

The improvements shall be constructed in accordance with the following specifications.

- A. City of Oak Creek Engineering Design Manual, most recent edition.
- B. Applicable Specifications and Regulations of the Milwaukee Metropolitan Sewerage District.
- C. Standard Specifications for Sewer and Water Construction in Wisconsin, latest edition.
- D. State of Wisconsin, Department of Transportation Standard Specifications for Highway and Structure Construction, latest edition and supplemental

specifications.

E. The Wisconsin Department of Natural Resources Technical Specifications.

**X. SPECIAL PROVISIONS**

The development process shall strictly conform to the conditions set forth in the development agreement. Request for building occupancy is subject to the City Engineer's certification that all public improvements required to be installed are satisfactorily completed and project construction costs have been reported to the City Accountant. Security deposit will only be allowed for public improvement maintenance fund. Apart from the above, the City will not accept escrows in lieu of completion of the improvement prior to occupancy.

Approved by:



Michael C. Simmons, P.E.  
City Engineer



Date

**EXHIBIT B**

**WAIVER OF SPECIAL ASSESSMENT  
NOTICES AND HEARINGS**

City of Oak Creek  
8040 S 6<sup>th</sup> Street  
Oak Creek, WI 53154

We, the undersigned being owners of the property that shall benefit by the following proposed public improvements:

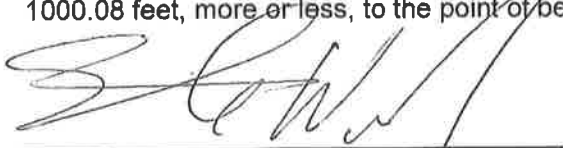
**Streets**

all made in the City of Oak Creek, Milwaukee County, Wisconsin, in consideration of the construction of said improvements by the City of Oak Creek, Wisconsin, hereby admit that such public improvement will benefit our property and consent to the levying of special assessments against our premises under Section 66.62 of the Wisconsin Statutes and Section 3.06 of the Municipal Code of the City of Oak Creek for the cost of such improvement.

In accordance with Section 3.06 (14) of the Municipal Code of the City of Oak Creek, we hereby waive all special assessment notices and hearings required by Section 66.62 of the Wisconsin Statutes and Section 3.06 (9) of the Municipal Code of the City of Oak Creek, and we further agree and admit that the benefit to our properties from the construction of such improvement.

**Description of premises that shall benefit:**

That part of the Southeast  $\frac{1}{4}$  of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, Bounded and described as follows: Beginning at a point on the West line of the East  $\frac{1}{2}$  of said  $\frac{1}{4}$  Section 1108.22 feet South of the North line of said  $\frac{1}{4}$  Section; thence South along the West line of the East  $\frac{1}{2}$  of said  $\frac{1}{4}$  Section, 333.66 feet to a point, thence East 1000.08 feet to a point, which is 1438.84 feet south of the North line of said  $\frac{1}{4}$  Section; thence North and parallel to the West line of East  $\frac{1}{2}$  of said  $\frac{1}{4}$  Section, 330.62 feet, more or less, to a point, which point is 1108.22 feet South of the North line of said  $\frac{1}{4}$  Section, thence West 1000.08 feet, more or less, to the point of beginning.

  
\_\_\_\_\_  
Steven T. Wall

3-26-2018  
Date

  
\_\_\_\_\_  
Susan B. Wall

3-26-18  
Date

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Attachments: Resolution 11926-040218

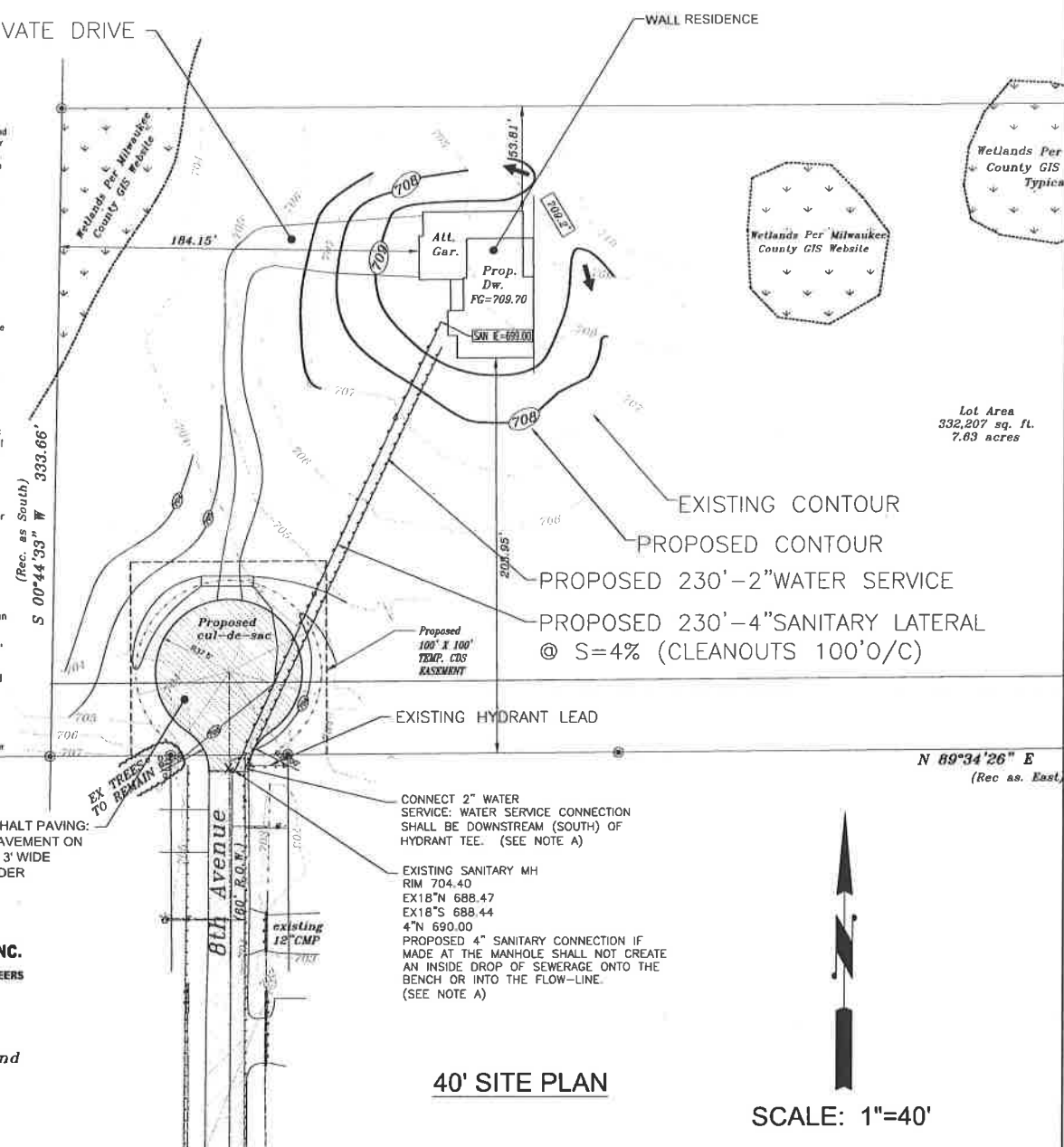
Development Agreement

Proposed Paving Plan

**GENERAL CONSTRUCTION SPECIFICATIONS:**

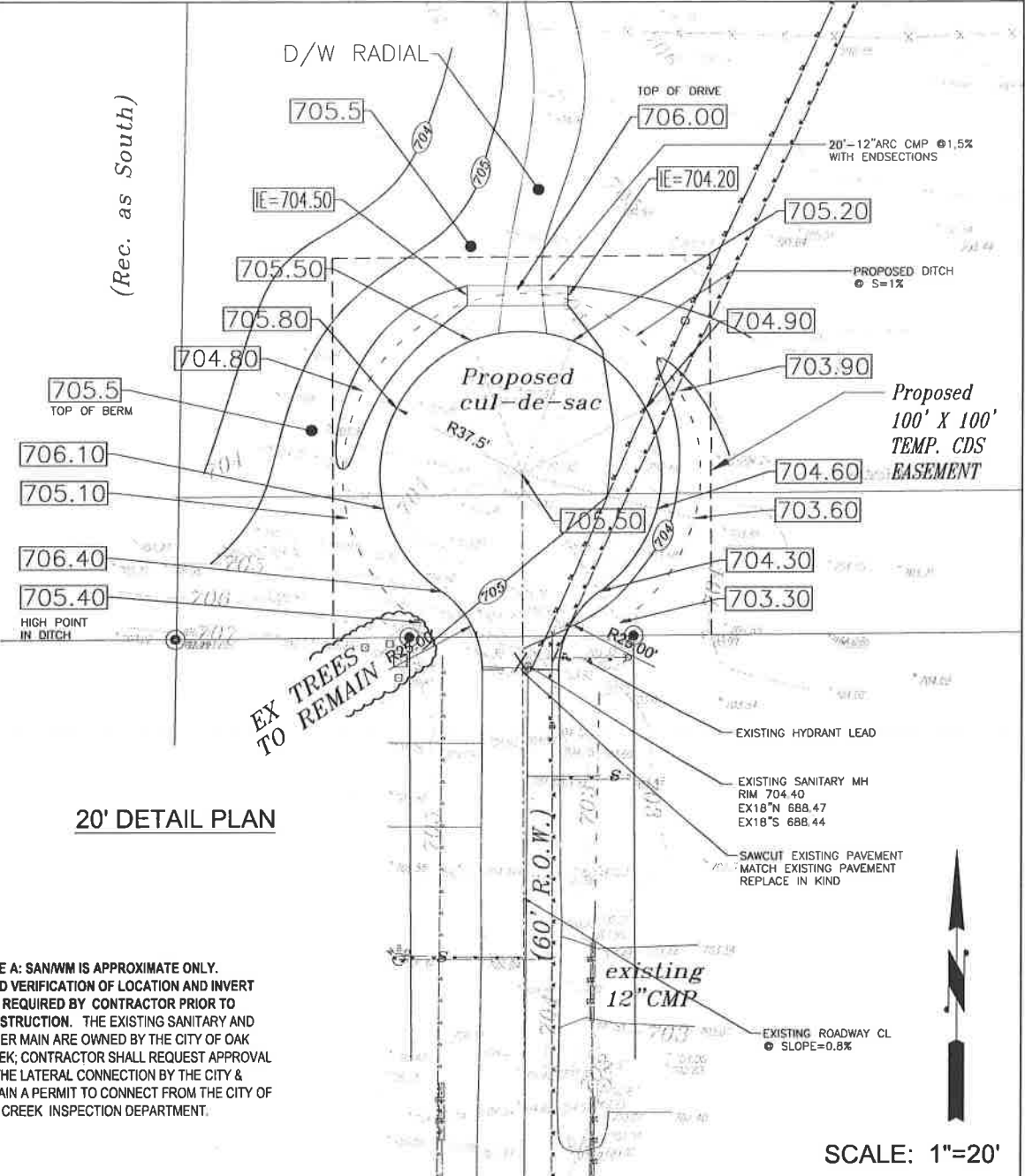
- All work shall be in accordance with the Standard Specifications for Highway and Structure Construction, State of Wisconsin, Latest Edition, and the City of Oak Creek Ordinances and the State of Wisconsin Standard Specifications for Sewer and Water Construction in Wisconsin and the design, construction, installation, supervision, maintenance and inspection of plumbing in accordance with State of Wisconsin, Chapter SPS 382. All permits must be obtained by the contractor prior to commencing work.
- All erosion control measures specified on the project Erosion Control Plan shall meet the design criteria, standards and specifications as set forth in the Department of Natural Resources Wisconsin Technical Standards.
- All erosion control devices (i.e., silt fence, gravel entrance, inlet protection, etc.) shall be installed prior to commencing mass grading or utility construction.
- All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
- The general contractor shall provide all surveying and construction staking for this contract. All contractors shall exercise care and diligence in protecting the same.
- The contractor shall notify Diggers Hellins, the local municipality and all governmental agencies that may be affected by the contractor's operations at least three (3) days before breaking ground. Diggers Hotline number is 811.
- Public roads shall not be closed to traffic at any time. All ingress and egress traffic to the project shall be limited to the front entrance to the property.
- Contractor shall be responsible for maintaining the Public Roadways. The Public Roadways adjacent to this project shall be kept free of silt or dirt tracked from areas under construction by sweeping at the end of each work day or more often, as required. Dust generated by construction activities shall be minimized by use of watering, construction scheduling or other appropriate methods.
- Upon completion of the work as specified, respread four (4") inches of salvaged topsoil over all disturbed open space areas outside of the proposed roadway and provide seed, fertilizer and mulch per the Standard Specifications.
- All disturbed areas shall be revegetated within seven days of no disturbance. Highway mix #40 shall be used for seeding with an application rate of 4.0 lbs/1000 sq. ft.
- All erosion control devices shall be routinely inspected every seven days or within 24 hours of a rainfall greater than 0.5 inches. (By GENERAL CONTRACTOR).
- If permanent seeding is not completed by September 15, apply temporary seeding. If temporary seeding is not completed by October 15, erosion control matting or other Village approved method shall be applied to inactive disturbed soils between October 15th and May 1st as a temporary soil stabilization measure during the non-growing season.

PROPOSED PRIVATE DRIVE



40' SITE PLAN

SCALE: 1"=40'



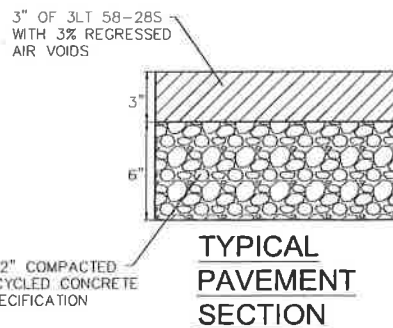
20' DETAIL PLAN

SCALE: 1"=20'

NOTE A: SANW/M IS APPROXIMATE ONLY. FIELD VERIFICATION OF LOCATION AND INVERT ARE REQUIRED BY CONTRACTOR PRIOR TO CONSTRUCTION. THE EXISTING SANITARY AND WATER MAIN ARE OWNED BY THE CITY OF OAK CREEK; CONTRACTOR SHALL REQUEST APPROVAL OF THE LATERAL CONNECTION BY THE CITY & OBTAIN A PERMIT TO CONNECT FROM THE CITY OF OAK CREEK INSPECTION DEPARTMENT.

**METROPOLITAN SURVEY SERVICE, INC.**  
 PROFESSIONAL LAND SURVEYORS AND CIVIL ENGINEERS  
 9415 West Forest Home Avenue, Suite 202  
 Hales Corners, Wisconsin 53130  
 PH. (414) 529-5380 FAX (414) 529-9787  
 email address: survey@metropolitansurvey.com  
 ● — Denotes Iron Pipe Found  
 ○ — Denotes Iron Pipe Set

**ELLENA ENGINEERING CONSULTANTS, LLC**  
 CIVIL ENGINEERING & STORMWATER MANAGEMENT  
 Ellena Engineering Consultants, LLC - 700 Pilgrim Parkway - Suite 100 - Elm Grove, WI 53122  
 Phone: 262-719-6183 • Fax: 866-457-2584 • Email: mellenae@eecong.com



TYPICAL PAVEMENT SECTION

**PRIVATE WATER MAIN, SANITARY & STORM SEWER SPECIFICATIONS:**

- All work shall be in accordance with the Standard Specifications for Highway and Structure Construction, State of Wisconsin, Latest Edition, the State of Wisconsin Standard Specifications for Sewer and Water Construction in Wisconsin, the State of Wisconsin Department of Safety and Professional Services Plumbing Code, and the City of Oak Creek Ordinances.
- The private water main, sanitary & storm sewer design, permitting, construction, installation, supervision, maintenance, inspection AND testing shall be in accordance with State of Wisconsin, Chapter SPS 382. All permits must be obtained by the contractor prior to commencing work.
- Private sanitary laterals shall be PVC (solid wall), ASTM D-3034, DR-35 or 28; or PVC (solid wall), AWWA C-900 per the State of Wisconsin Plumbing Code, Chapter SPS 382 and the Standard Specifications for Sewer & Water Construction in Wisconsin.
- Private Water main laterals shall be PVC (solid wall), AWWA C-900, CLASS 235, DR-18 with Push-On type Integral elastomeric bell-spigot joints per the State of Wisconsin Plumbing Code, Chapter SPS 382 AND the Standard Specifications for Sewer & Water Construction in Wisconsin.
- Private Storm Sewers shall be CMP, per the State of Wisconsin Plumbing Code, Chapter SPS 382.

		<b>CITY OF OAK CREEK - ENGINEERING DEPARTMENT</b>	
		APPROVED BY	
	DATE: 03-27-18	CITY ENGINEER	DATE
		SCALE	SHEET
<b>PROPOSED PAVING PLAN          S. 8TH AVENUE - WALL RESIDENCE</b>			
APPROVED BY COUNCIL RESOLUTION NO.			

## COMMON COUNCIL REPORT

- Item: Final Subdivision Plat - Carrollville Crossings Addition No. 1 - 8781 S. 5<sup>th</sup> Ave.
- Recommendation: That the Council adopts Resolution No. 11925-040218, a resolution approving a Final Subdivision Plat for Carrollville Crossings Addition No. 1.
- Fiscal Impact: The division of the property will create eight (8) new, conforming single-family residential lots. Outlot 1 was, and will remain, reserved for future park purposes. Outlot 2 contains existing stormwater infrastructure for the subdivision. Future development of the single-family residential lots will yield positive fiscal impacts in terms of assessed value, permit fees, and impact fees (\$3,996 per lot). This property is not currently part of a TID.
- Critical Success Factor(s):
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

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Background: The Applicant, Michael Kaerek, MK/S-EP, LLC, is requesting approval of a Final Subdivision Plat for the property at 8781 S. 5<sup>th</sup> Ave., to be known as Carrollville Crossings Addition No. 1. Council will recall from the staff report for the preliminary plat that this property, although identified in the Comprehensive Plan for Limited Development and Planned Office, was rezoned in 2010 to Rs-4, Single Family Residential, in anticipation of the addition to the Carrollville Crossings subdivision. Within the rezone report, the future use in the Comprehensive Plan was identified as Mixed Residential. This explains the discrepancy between the Comprehensive Plan future use and the current subdivision proposal. Staff will ensure that the Comprehensive Plan is updated in conformance with statutory requirements during the overall update that is currently in progress.

The Final Plat depicts eight (8) new single-family residential lots ranging in size from 0.33 acres to 0.69 acres along East Cooper Court and South 6<sup>th</sup> Street. Outlot 1, at 5.28 acres, is proposed to remain reserved for park purposes with no proposed changes to the existing tree preservation easements. Outlot 2 contains the existing stormwater management infrastructure for the subdivision.

With regard to the tree preservation easement, it was noted that no record of a written easement agreement exists. The written agreement must be coordinated with the City and recorded so that all are aware of the requirements, prohibitions, and allowances. A condition of approval for this requirement has been provided in the Resolution.



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Engineering has indicated that the final lift of asphalt for the road has not yet been completed. Staff has included a condition of approval in the Resolution that an escrow be provided to the City to cover the costs for the final lift until such time as it has been installed with certification by the Engineering Department. Details for this escrow should be coordinated with Assistant City Engineer Brian Johnston. The Applicant is aware of the requirements for both the tree preservation easement and escrow.

The Plan Commission reviewed the Final Subdivision Plat at their March 27, 2018 meeting, and recommended Council approval with the following conditions (included in the Resolution):

1. That an escrow is provided to the City prior to recording the Final Plat to cover the costs of the final lift of asphalt on the road until such time as it has been installed with certification by the Engineering Department. Details for this escrow should be coordinated with Assistant City Engineer Brian Johnston.
2. That a written agreement for the tree preservation easement is coordinated with the City and recorded with the Final Plat.
3. That any technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to approve the Plat with conditions, modify the conditions of Final Plat Approval, or deny the request.

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Kari Papelbon, CFM, AICP  
Planner

Fiscal Review:



Bridget M. Souffrant  
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP  
Director of Community Development

---

Attachments:

Resolution 11925-040218

Location Map

Carrollville Crossings Addition No. 1 Plat

RESOLUTION NO. 11925-040218

BY \_\_\_\_\_

RESOLUTION APPROVING THE  
FINAL PLAT FOR THE CARROLLVILLE CROSSINGS ADDITION NO. 1  
SUBDIVISION

(4<sup>th</sup> Aldermanic District)

WHEREAS, it appears that the subdivision plat submitted by MICHAEL KAEREK, MK/S-EP, LLC, hereinafter referred to as the subdivider, for the subdivision known as CARROLLVILLE CROSSINGS ADDITION NO. 1, is in compliance with all statutory requirements; and

WHEREAS, letters of no objection of said subdivision by the Wisconsin Department of Administration and the Milwaukee County Department of Public Works shall be received prior to recording, and

WHEREAS on March 27, 2018, the Oak Creek Plan Commission conditionally approved the final plat for the subdivision known as Carrollville Crossings Addition No. 1; and,

WHEREAS, the public improvements, with the exception of the final lift of asphalt, have been installed pursuant to a development agreement approved by Resolution No. 11791-020717, and those improvements, with the exception of the final lift of asphalt, have been certified complete by the City Engineer, the Streets Department and the Water and Sewer Utility; and,

WHEREAS on March 27, 2018, the Oak Creek Plan Commission recommended approval of the final plat for the subdivision subject to the following conditions:

1. That an escrow is provided to the City prior to recording the Final Plat to cover the costs of the final lift of asphalt on the road until such time as it has been installed with certification by the Engineering Department. Details for this escrow should be coordinated with Assistant City Engineer Brian Johnston.
2. That a written agreement for the tree preservation easement is coordinated with the City and recorded with the Final Plat.
3. That any technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW THEREFORE, BE IT RESOLVED that the final plat for CARROLLVILLE CROSSINGS ADDITION NO. 1 is hereby approved subject to the following conditions:

1. That an escrow is provided to the City prior to recording the Final Plat to cover the costs of the final lift of asphalt on the road until such time as it has been installed with certification by the Engineering Department. Details for this escrow should be coordinated with Assistant City Engineer Brian Johnston.

2. That a written agreement for the tree preservation easement is coordinated with the City and recorded with the Final Plat.
3. That any technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

BE IT FURTHER RESOLVED that the final plat shall not be recorded until letters of no objection of said subdivision are received from the Wisconsin Department of Administration and the Milwaukee County Department of Public Works.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 2nd day of April, 2018.

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

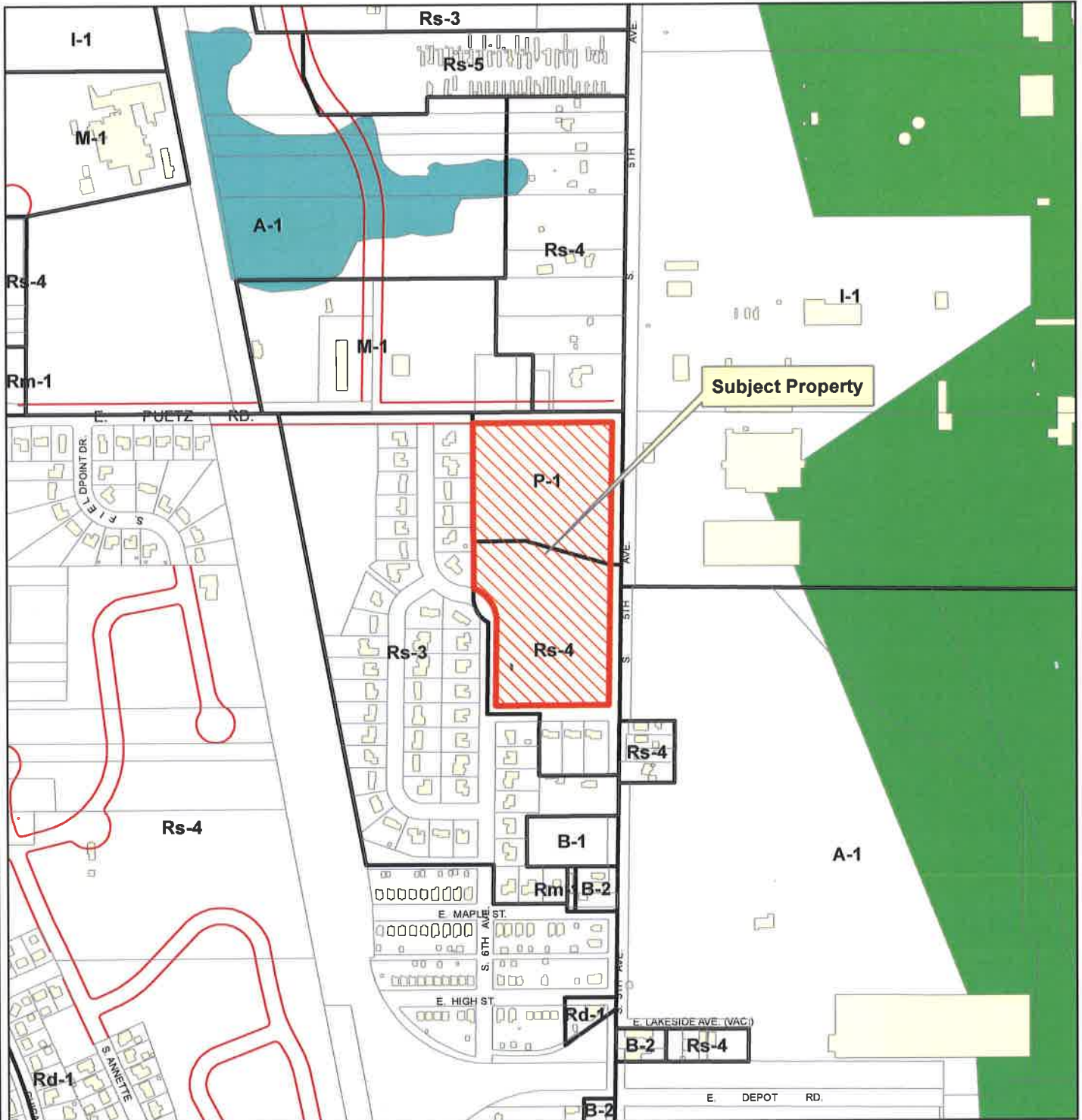
ATTEST:

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

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

# Location Map

## 8781 S. 5th Ave.



This map is not a survey of the actual boundary of any property this map depicts.



Legend	
	8781 S. 5th Ave
Zoning Overlays	
	C-1-Shoreland Wetland
	FF-Flood Fringe
	Lakefront Overlay
	NO-Mixed Use Neighborhood
	OO-Mixed Use Office
	RR-Regional Retail

# CARROLLVILLE CROSSINGS ADDITION NO. 1

A Revision of Outlot 4, Carrollville Crossings, a Subdivision duly recorded in the office of the Milwaukee County Register of Deeds on August 23, 2005 as Document No. 09073832 and located in the Northeast 1/4 of the Northeast 1/4 of Section 23, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin



OWNER/DEVELOPER/MAP PREPARED FOR:  
MK'S EP, LLC  
11600 W. Lincoln Avenue  
West Allis, WI 53227



GRAPHIC SCALE:  
1 INCH = 50 FEET

DATE: 11/15/2010  
DRAWN BY: JAMES R. BEATTY  
SCALE: 1/4" = 100' (SEE PLAN FOR THE 1/4" SCALE)  
SECTION 23, TOWN 5 N, RANGE 22 E, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN  
SUBDIVISION NO. 09073832

**EASEMENT NOTE:**  
All Existing Easements shown hereon were taken from the Final Plat of Carrollville Crossings

**ZONING DATA:**  
Existing Zoning: RM-1 / P-1  
Proposed Zoning: RM-1 area to RS-3, P-1 to remain P-1  
Minimum Lot Area=12,000 Sq. Ft.  
Minimum Lot Width at Setback Line = 80 Feet  
Minimum Lot Width at Setback Line (Corner Lot) = 90 Feet  
Minimum Front Yard Setback = 30 Feet  
Minimum Side Yard Setback = 10 Feet  
Minimum Side Yard Setback For Side Entry Garage = 27 Feet (measured perpendicular from the garage door)  
Minimum Rear Yard Setback = 30 Feet

**SITE DATA:**  
Proposed Number of Lots = Eight (8)  
Proposed Number of Outlots = Two (2)  
One Dwelling Unit per Lot  
Gross Site Area = 481,983 Square Feet (11.06 acres)

**ADDITIONAL STORM SEWER AND STORM WATER DETENTION EASEMENT TO BE GRANTED BY PLAT**

### LEGEND

1. ALL LOTS SHALL BE CONVEYED TO THE BUYER WITH ALL UTILITIES AND EASEMENTS SHOWN HEREON.  
2. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF OAK CREEK AND THE STATE OF WISCONSIN.  
3. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF OAK CREEK AND THE STATE OF WISCONSIN.  
4. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF OAK CREEK AND THE STATE OF WISCONSIN.

ALL UTILITIES AND EASEMENTS SHOWN HEREON ARE TO BE CONVEYED TO THE BUYER WITH ALL UTILITIES AND EASEMENTS SHOWN HEREON.  
THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF OAK CREEK AND THE STATE OF WISCONSIN.

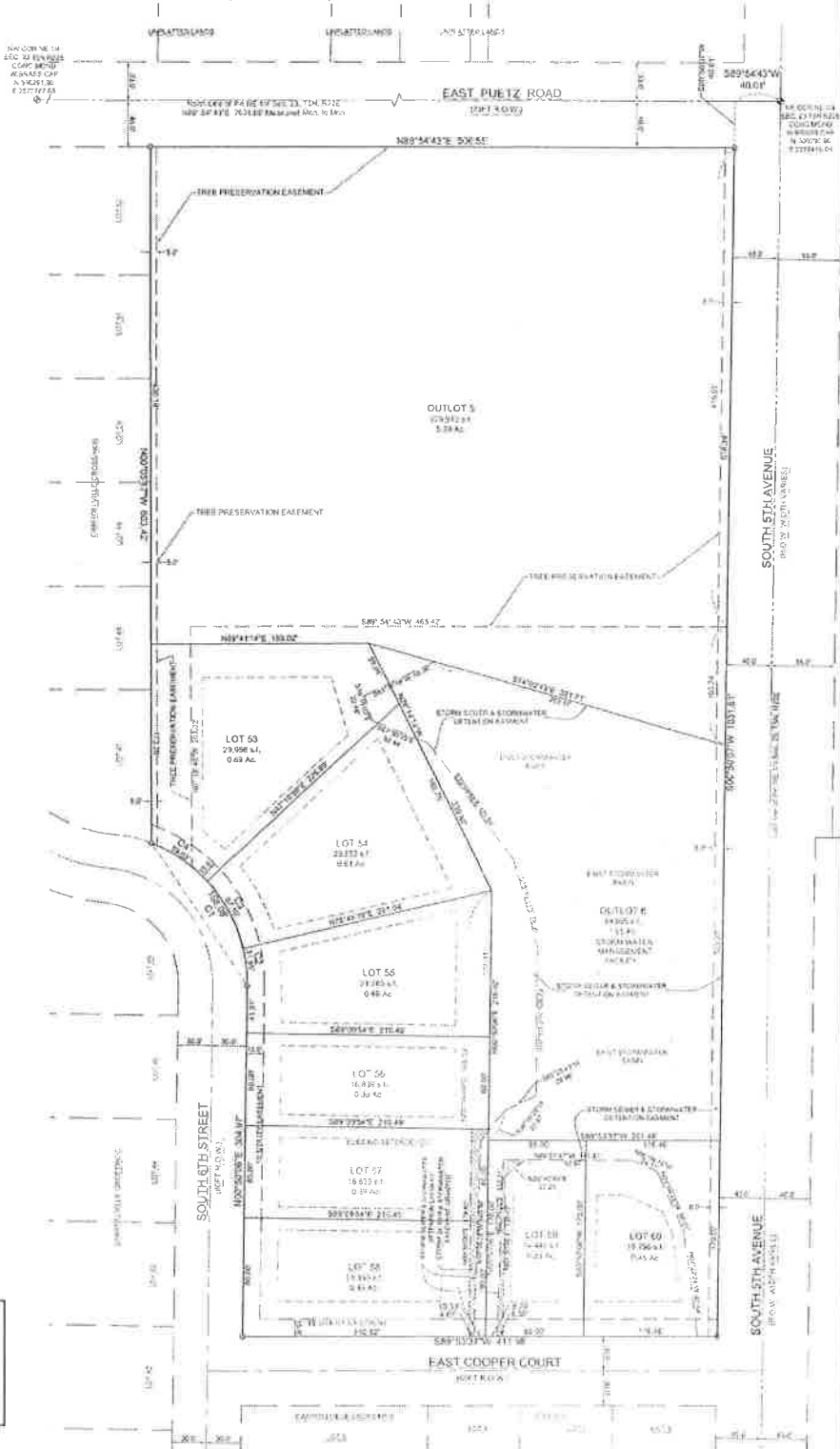


DATED THIS 15th DAY OF FEBRUARY, 2010  
JAMES R. BEATTY

MAP PREPARED BY:  
James R. Beatty, P.L.S.  
Lynch & Associates Engineering Consultants, LLC  
5482 S. Westridge Dr.  
New Berlin, WI 53151

There are no objections to this plat with respect to Secs 236, 15, 236, 16, 236, 26 and 236, 17(1) and (2), Wis. Stats. as provided by s. 236, 17, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_  
Department of Administration



CITY OF OAK CREEK  
RECEIVED

# CARROLLVILLE CROSSINGS ADDITION NO. 1

A Redivision of Outlot 4, Carrollville Crossings, a Subdivision duly recorded in the office of the Milwaukee County Register of Deeds on August 23, 2005 as Document No. 09073832 and located in the Northeast 1/4 of the Northeast 1/4 of Section 23, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

### CORPORATE OWNER'S CERTIFICATE

I, James R. Beatty, Registered Land Surveyor, do hereby certify that at the direction of the Owner(s), I have made this survey, being a Redivision of Outlot 4, Carrollville Crossings, a subdivision duly recorded in the office of the Milwaukee County Register of Deeds on August 23, 2005 as Document No. 09073832 and located in the Northeast 1/4 of the Northeast 1/4 of Section 23, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin. Said lands divided are bounded and described as follows:

Beginning at the point of intersection of the north-south line of the northeast corner of the northeast 1/4 of said Section 23; thence S89°54'37"W, a distance of 45.61 feet along the north line of the north-south line of said Section 23 to a point; thence S07°30'07"W, a distance of 40.51 feet to the point of beginning of the lands heretofore described, being a found 2" iron pipe at the northeast corner of Outlot 4 of the Carrollville Crossings; thence north-south 705'70'00"W, a distance of 1001.63 feet along the East line of Outlot 4 of the Carrollville Crossings, being also the West R.O.W. line of South 5th Avenue to a found 2" iron pipe; thence S26°57'37"W, a distance of 411.38 feet along the south line of Outlot 4 of the Carrollville Crossings, being also the north R.O.W. line of East Center Court, to a found 2" iron pipe at the intersection of the north R.O.W. line of East Center Court and the west R.O.W. line of South 5th Avenue to a found 2" iron pipe; thence S07°30'07"W, a distance of 411.38 feet along the south line of Outlot 4 of the Carrollville Crossings, being also the north R.O.W. line of East Center Court, to a found 2" iron pipe at the intersection of the north R.O.W. line of East Center Court and the west R.O.W. line of South 5th Avenue to a found 2" iron pipe; thence S89°54'37"W, a distance of 45.61 feet to the point of beginning of the lands heretofore described, being a found 2" iron pipe at the northeast corner of Outlot 4 of the Carrollville Crossings and the south R.O.W. line of East Center Court, thence N89°54'37"E, a distance of 405.68 feet along said east R.O.W. line of South 5th Avenue to a found 2" iron pipe and a point of curvature; thence along 158.08 feet along the arc of a curve, whose center lies to the southwest, whose radius is 120.00 feet and whose chord bears N34°00'00"W, a distance of 148.52 feet to a found 2" iron pipe; thence S07°30'07"W, a distance of 405.68 feet to a found 2" iron pipe at the northwest corner of Outlot 4 of the Carrollville Crossings and the south R.O.W. line of East Center Court, thence N89°54'37"E, a distance of 405.68 feet along said south R.O.W. line of East Center Court to the northeast corner of Outlot 4 of the Carrollville Crossings and the point of beginning; said described lands containing 11.6648 Acres of land.

I have made this survey, and thereunto map by the direction of MKS-EP, LLC Owner(s) of said land.

The said map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof.

This I have fully completed with the provisions of Chapter 236 of the Wisconsin Statutes and the City of Oak Creek ordinances in surveying, drafting and mapping of same.



### CERTIFICATE OF CITY TREASURER:

STATE OF WISCONSIN  
WAUKESHA COUNTY) SS

I, Barb Gukenberger, being the duly elected and acting City Treasurer of the City of Oak Creek, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of the \_\_\_\_\_ day of \_\_\_\_\_, 2018 in any of the lands included in the plat of Carrollville Crossings Addition No. 1.

(Date) \_\_\_\_\_ 2018  
Barb Gukenberger, City Treasurer

### COUNTY TREASURER'S CERTIFICATE:

STATE OF WISCONSIN  
MILWAUKEE COUNTY) SS

I, David Cullen, being the duly elected, qualified and acting treasurer of the County of Waukesha, do hereby certify that the records in my office show no unrecruited tax sales and no unpaid taxes or special assessments as of the \_\_\_\_\_ day of \_\_\_\_\_, 2018 affecting the lands included in the plat of Carrollville Crossings Addition No. 1.

(Date) \_\_\_\_\_ 2018  
David Cullen, Treasurer

### CORPORATE OWNER'S CERTIFICATE OF DEDICATION

MKS-EP, LLC, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped, and dedicated as represented on this plat. MKS-EP, LLC does further certify that this plat is required by a 236.10 or a 236.12 to be submitted to the following for approval or objection:

OBJECTING AGENCIES  
DEPARTMENT OF ADMINISTRATION - PLAT REVIEW  
MILWAUKEE COUNTY

APPROVING AGENCIES  
CITY OF OAK CREEK

IN WITNESS WHEREOF, the said MKS-EP, LLC has caused these presents to be signed by Michael J. Kaserik, its \_\_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

In the presence of:  
MKS-EP, LLC (Corporate Seal)

Michael J. Kaserik, Title \_\_\_\_\_ Name, Title

STATE OF WISCONSIN  
MILWAUKEE COUNTY) SS  
Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, Michael J. Kaserik, \_\_\_\_\_ of the above named corporation, to me known to be the person(s) who executed the foregoing instrument, and to me known to be such \_\_\_\_\_ of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.  
Notary Public, \_\_\_\_\_ Wisconsin  
My commission expires \_\_\_\_\_, Wisconsin (Notary Seal)

### UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by:

MKS-EP, LLC, Grantor, to:  
WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee.  
Grantee, shall have the right to install, maintain, repair, replace and remove from time to time, facilities used in connection with the overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes at the same or to any other use of the land, air, water, surface, and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, person, or on adjacent lots, also the right to hire or out-let men, brush and roots as may be reasonably required incident to the utility service, and the right to enter upon the subdivided property for all such purposes. The Grantee agrees to restore or cause to have restored, the property, as nearly as is reasonably practicable, to the condition existing prior to such entry by the Grantee or its agents. This restoration, however, does not apply to the installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any bore, trench or rock which may be removed as may be necessary to the utility service. Burial, shall not be placed over Grantee's facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantee. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without the written consent of Grantee.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

### CITY OF OAK CREEK COMMON COUNCIL APPROVAL CERTIFICATE:

Resolved, that the plat of Carrollville Crossings Addition No. 1, MKS-EP, LLC, owner, having been approved by the City of Oak Creek Common Council, that the same is hereby approved and the dedications shown hereon accepted by the Common Council of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Date: \_\_\_\_\_ Approved

Daniel Bukiewicz, Mayor

Date: \_\_\_\_\_ Signed

Daniel Bukiewicz, Mayor

I hereby certify that the foregoing is a copy of a resolution adopted by the COMMON COUNCIL OF THE CITY OF OAK CREEK, Wisconsin on \_\_\_\_\_, 2018 which shall become effective upon receipt of approval of all other \_\_\_\_\_ agencies and is satisfied as of this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Catherine A. Roszak, City Clerk

### BASEMENT RESTRICTION

Although all lots in the Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some lots may contain soil conditions which, due to the possible presence of groundwater near the surface, may require soil engineering and foundation design with regard to basement construction. It is recommended that either a licensed professional engineer or other soil expert design a basement and foundation when will be suitable to withstand the various problems associated with saturated and expansion on base sand soils or flow or that special measures be taken. Soil conditions should be subject to each owner's special investigation prior to construction and no specific representation is made herein.

### OUTLOT OWNERSHIP

Outlots 5 and 6 of the plat of Carrollville Crossing Addition No. 1 are owned and shall be maintained by the Carrollville Crossings Addition No. 1 Homeowners Association and each individual lot owner shall have an undivided fractional ownership of the outlots and that Milwaukee County and the City of Oak Creek shall not be liable for any fees of special assessment in the event Milwaukee County or the City of Oak Creek should become owner of any lot in the subdivision by reason of delinquency. The Homeowners Association shall maintain said outlots in an unimproved condition to its to maintain its intended purpose. Construction of any building, grading, or filling in said outlots is prohibited unless approved by the City of Oak Creek. The Homeowners Association grants to the City the right (but not the responsibility) to enter upon these outlots on order to inspect, repair or restore said outlots to its intended purpose. Expenses incurred by the City for such inspection, repair or restoration of said outlots may be placed against the tax roll for said association and collected as a special charge by the City.

CURVE TABLE									
MAIN CURVE TABLE									
CURVE	ARC	RADIUS	CHORD	CHORD BEG	CHORD END	ANGLE	BANKING	TANGENT BEG 1	TANGENT BEG 2
01	114.267	118.00	149.32	847.012224	847.012224	88.4717	0.00	118.000000	118.000000
02	41.822	118.00	71.87	866.791274	866.791274	15.5283	0.00	118.000000	118.000000
03	54.822	118.00	95.32	874.923792	874.923792	19.9717	0.00	118.000000	118.000000





## COMMON COUNCIL REPORT

**Item:** License Committee Report

**Recommendation:** That the Common Council grant the various license requests as listed on the 4/2/18 License Committee Report.

**Fiscal Impact:** License fees in the amount of \$498.08 were collected. Additional fees in the amount of \$294.10 will be collected prior to release of the new 7-Eleven license.

**Critical Success Factor(s):**

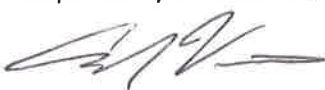
- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

**Background:** The License Committee did not meet prior to the 4/2/18 council meeting. Tentative recommendations are as follows:

1. Grant an Operator's license to:
  - \* Tracey Wiltzius, 1690 43 St., Caledonia (Branded Steer)
  - \* Melissa McNeal, 8720 S. Wood Creek Dr., Oak Creek (Kwik Trip)
  - \* Gilbert Garcia III, 2933 W. Drexel Ave., Franklin (Oak Creek Community Center)
  - \* Scott Wysocki, 6608 W. Eden Pl., Milwaukee (Meijer)
  
2. Grant a 2017-2018 Class A Combination license to Elizabeth Evans, Agent, Dairyland Retail Group, LLC dba 7-Eleven #35841B, 1225 W. Rawson Ave. (change of franchisee), with release of license subject to final departmental approvals and release of occupancy permit.
  
3. Grant a 2017-2018 Class B Beer / Class C Wine license to Krista Scott, Agent, MOD Super Fast Pizza (Wisconsin), LLC dba MOD Pizza, 160 W. Town Square Way, #100, with release of license subject to final departmental approvals and release of occupancy permit.

**Options/Alternatives:** None

Respectfully submitted:

  
 Andrew J. Vickers, MPA  
 City Administrator

Prepared:

  
 Christa J. Miller, CMC/WCMC  
 Deputy City Clerk

Fiscal Review:

  
Bridget M. Souffrant  
Finance Director/Comptroller

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Attachments: None