



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

COMMON COUNCIL MEETING AGENDA

TUESDAY, APRIL 17, 2018

7:00 P.M.

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

The City's Vision

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

Swearing-In Ceremony: Deputy City Clerk Christa Miller will swear in City Clerk Catherine Roeske.
City Clerk Catherine Roeske will swear in
City Treasurer Barbara Guckenberger, 2nd District Alderperson Gregory Loreck,
4th District Alderperson Michael Toman, and 6th District Alderperson Chris Guzikowski.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 4/2/18
4. Election of Common Council President.

Recognition

5. **Resolution:** Consider Resolution No. 11927-041718, a Resolution of Commendation to Robert Lalie, retiring Equipment Operator (by Committee of the Whole).
6. **Resolution:** Consider Resolution No. 11928-041718, a Resolution of Commendation to Caesar F. Geiger, retiring Information Technology Manager (by Committee of the Whole).
7. **Council Proclamation:** Consider Council Proclamation No. 18-03, Congratulations to Davis B. Repinski for receiving the Eagle Scout Award (by Committee of the Whole).
8. **Council Proclamation:** Consider Council Proclamation No. 18-04, to Steve Taylor for Dedicated Service to the City of Oak Creek as County Supervisor of District 9 (by Committee of the Whole).
9. **Council Proclamation:** Consider Council Proclamation No. 18-05, Congratulations to the American Legion, Oak Creek Women's Auxiliary, Sons of the American Legion, Oak Creek Lions Club and the Oak Creek Lions Community Foundation (by Committee of the Whole).

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.

10. **Conditional Use:** Consider a request submitted by Dorian Boyland, Boyland Properties Oak Creek, LLC for a Conditional Use Permit for automotive sales and service with a private car wash facility on the properties at 7008 and 7018 S. 27th St., and 2500 W. Rawson Ave. (2nd District).
11. **Ordinance:** Consider Ordinance No. 2900, an ordinance to approve a Conditional Use Permit for automotive sales and service and a private car wash facility on the properties at 7008 and 7018 S. 27th St. and 2500 W. Rawson Ave. (2nd District).

New Business

MAYOR & COMMON COUNCIL

****NOTE:** It is anticipated that the Mayor and Common Council President's Aldermanic appointments to various boards and commissions will be on the 5/1/18 Council agenda.

12. Mayor's Aldermanic Appointments
 - a. Small Claims Committee – 1
 - b. Library Board – 1
13. **Motion:** Consider a motion to concur with the following Mayoral Aldermanic appointments:
 - a. Water & Sewer Utility Commission – 1
 - b. Landscape and Beautification Committee – 1
 - c. Tourism Commission
 - d. Community Development Authority (CDA) -2
14. Common Council President Aldermanic Appointments:
 - a. Personnel Committee (minimum of 2) – 3
 - b. Capital Improvements Committee – 3
 - c. License Committee – 3
 - d. Plan Commission Representatives – 2
 - e. Board of Health Representative – 1
 - f. Emergency Government Committee Representative – 1
 - g. Parks, Recreation and Forestry Commission – 1
 - h. Traffic and Safety Commission – 1
 - i. Finance Committee – 3
15. Consider a motion to concur with the Celebrations Commission and designate Sunday, October 28, 2018, from 4:00 p.m. to 6:00 p.m., as the official City of Oak Creek "Trick or Treat" (by Committee of the Whole).
16. **Motion:** Consider a motion to approve the April 11, 2018 Vendor Summary Report in the combined total amount of \$292,538.91 (by Committee of the Whole).

ENGINEERING

17. **Resolution:** Consider Resolution No. 11929-041718, approving the Special Privilege Permit submitted for Pizza Man, 7974 S. Main St., for the use of the parklet in the public right-of-way along S. Town Square Way from April 23, 2018 to October 15, 2018 (2nd District).
18. **Resolution:** Consider Resolution No. 11930-041718, approving an agreement between the cities of Oak Creek and South Milwaukee outlining responsibilities for a shared project for improvements to the intersection of Milwaukee/Nicholson (Project No. 18028) (1st District).
19. **Resolution:** Consider Resolution No. 11931-041718, accepting dedication of the public improvements and release from the development agreement for the William Garrow project (Tax Key Nos. 791-9990-000, 791-9991-000, 791-9992-000, and 791-9993-000) (Project No. 97065) (1st District).
20. **Resolution:** Consider Resolution No. 11932-041718, accepting dedication of the public improvements and release from the development agreement for the RCB Worldwide, Inc., CSM project (Tax Key No. 814-9996) (1st District).

LICENSE COMMITTEE

21. **Motion:** Consider a motion to grant the various license requests as listed on the 4/17/18 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. 6th 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

RESOLUTION NO. 11927-041718

**RESOLUTION OF COMMENDATION
TO
ROBERT LALIE**

WHEREAS, Robert Lalie began his employment with the City of Oak Creek on March 29, 1993, as an Equipment Operator; and

WHEREAS, Bob Lalie was promoted to Fabricator / Welder / Service Technician on March 13, 2006; and

WHEREAS, Bob was a very effective employee during his years of service with the City of Oak Creek Department of Public Works, answering many calls for service from the community and providing immeasurable service to the community; and

WHEREAS, Bob was part of the 1993-1994 winter operations team who received a special commendation for an exceptional job well done; and

WHEREAS, Bob is retiring from his position of Fabricator / Welder / Service Technician with the City of Oak Creek Department of Public Works effective April 6, 2018, completing 25 years of full-time service to the City of Oak Creek.

NOW, THEREFORE, BE IT RESOLVED that the best wishes for good health and happiness be extended to Bob and his family in his retirement years.

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

Passed and adopted this 17th day of April, 2018.

Common Council President

Mayor

ATTEST:

City Clerk

Vote: Ayes ____ Noes _____

RESOLUTION NO. 11928-041718

**RESOLUTION OF COMMENDATION
TO
CAESAR F. GEIGER**

WHEREAS, Caesar F. Geiger began his employment with the City of Oak Creek on April 13, 1998, as the Information Technology Manager; and

WHEREAS, Caesar was a very effective employee during his years of service with the City of Oak Creek, answering many calls for service and providing immeasurable service to the City; and

WHEREAS, Caesar was involved in countless roll-outs of new software programs, updates, and computer equipment, as well as updates of the City's website; and

WHEREAS, Caesar was instrumental in the installation of fiber-optic lines between the various City buildings, providing and enabling high-speed connectivity throughout; and

WHEREAS, always thinking about the big picture, Caesar was integral in outsourcing of Oak Creek's Information Technology Department to South Milwaukee, providing their City with various IT needs and personnel; and

WHEREAS, Caesar was involved in the successful consolidation of the City of St. Francis' police, ambulance and fire-related dispatch services with Oak Creek; and

WHEREAS, Caesar was a member of countless committee's including City Facility Space Needs, Emergency Management, and Strategic Planning Committees; and

WHEREAS, Caesar received a Superior Performance Award for being part of the design and construction review team for the new Civic Center complex, meeting significant organizational goals, priorities, and deadlines; and

WHEREAS, Caesar retired from his position of Information Technology Manager with the City of Oak Creek effective April 13, 2018, completing 20 years of full-time service to the City of Oak Creek.

NOW, THEREFORE, BE IT RESOLVED that the best wishes for good health and happiness be extended to Caesar and his family in his retirement years.

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

Passed and adopted this 17th day of April, 2018.

Common Council President

Mayor

ATTEST:

City Clerk

Vote: Ayes ____ Noes _____

COUNCIL PROCLAMATION NO. 18-03
CONGRATULATIONS TO
DAVIS B. REPINSKI
FOR RECEIVING THE EAGLE SCOUT AWARD

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

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

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

WHEREAS, at a Court of Honor to be held at the American Legion Post 434, on April 22, 2018, at 4:00 p.m., an Eagle Award will be conferred upon Davis B. Repinski; and

WHEREAS, as his Eagle project, Davis chose to demolish a deteriorating walkway and steps at the American Legion Post 434 in Oak Creek, and following ADA compliant requirements, designed, formed out, and poured a new twenty-five foot entrance ramp into the facility; and

WHEREAS, Davis solicited donations from local companies to cover much of the material costs necessary for his Eagle Scout project; and

WHEREAS, Davis coordinated the efforts of many volunteers to assist with the ramp walkway installation, putting in a total of over 100 man hours of work; and

WHEREAS, the Oak Creek Common Council wishes to recognize this noteworthy achievement of Davis B. Repinski.

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

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

Dated this 17th day of April, 2018.

Presented and adopted this 17th day of April, 2018.

Common Council President

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

COUNCIL PROCLAMATION NO. 18-04

TO STEVE F. TAYLOR

**FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS COUNTY SUPERVISOR OF DISTRICT 9**

WHEREAS, Steve Taylor was first elected to County Supervisor District 9 on April 3, 2012; and

WHEREAS, the growth of the community since that time has presented many challenges and opportunities to the City and its residents; and

WHEREAS, as County Supervisor Steve Taylor has always shown excellent judgment in balancing the concerns of the residents of Oak Creek and the overall benefit to the community; and

WHEREAS, during his tenure as County Supervisor, Steve Taylor was involved in the following improvements and projects for the City of Oak Creek:

- 13th Street improvements from Rawson Avenue to County Line, with Rawson to Drexel to be reconstructed in the summer of 2018;
- Milwaukee County Bender Park improvements;
- Improvements to Oak Leaf Trail for increased accessibility and adding miles to the Trail;
- Assisted in facilitating the land swaps with Northwestern Mutual, Milwaukee County/Falk Park;
- Assisting in facilitating the land swap with Milwaukee County and Capstone Quadrangle which will lead to 1500 jobs and \$90 million in economic development, protection of environmental corridor and creation of a new County park;

WHEREAS, Steve Taylor has served the City in a thorough, conscientious and professional manner; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Steve Taylor for his dedicated service to the City of Oak Creek as County Supervisor District 9.

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

Introduced and adopted this 17th day of April, 2018.

Common Council President

Mayor

ATTEST:

City Clerk

Vote: Ayes ____ Noes ____

**COUNCIL PROCLAMATION NO. 18-05
CONGRATULATIONS TO THE AMERICAN LEGION,
OAK CREEK WOMEN'S AUXILIARY, SONS OF AMERICAN LEGION, OAK CREEK LIONS CLUB
AND THE OAK CREEK LIONS COMMUNITY FOUNDATION**

WHEREAS, the American Legion is proudly celebrating 100 years of service; and

WHEREAS, the Lions Club is celebrating the 60th anniversary of service; and

WHEREAS, over the years the American Legion has developed a strong relation with the local community; and

WHEREAS, these organizations work closely with community leaders, school board, churches, the Salvation Army, and the Police and Fire departments; and

WHEREAS, these organizations have raised and donated over \$3.25 million to local, state, and international humanitarian projects and service; and

WHEREAS, each of these organizations are included in helping Veterans, Differently Abled Children and Adults with Special Needs; and

WHEREAS, service extends to donations to local food pantries, youth sport organizations, Eagle Scout projects, Girl & Boy Scout events, Blind Veterans Luncheon, Christmas with Santa and many more; and

WHEREAS, a celebration event is planned at the American Legion Post 434 on April 28, 2018; and

WHEREAS, the celebration will promote successful relationships in meeting community needs now and in the future; and

WHEREAS, the Oak Creek Common Council wishes to recognize the American Legion, the Oak Creek Women's Auxiliary, Sons of American Legion, the Oak Creek Lions Club and the Oak Creek Community Foundation for their dedicated service to the community.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby extend their congratulations to these organizations.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and the City Clerk be and she is hereby directed to transmit a suitable copy to the American Legion Post 434 and the Oak Creek Lions Club.

Dated this 17th day of April, 2018.

Presented and adopted this 17th day of April, 2018.

Common Council President

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

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 Dorian Boyland, Boyland Properties Oak Creek, LLC, for a Conditional Use Permit for automotive sales and service with a private car wash facility on the properties at 7008 and 7018 S. 27th St., and 2500 W. Rawson Ave.

Hearing Date: April 17, 2018
Time: 7:00 p.m.
Place: Oak Creek Civic Center (City Hall)
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Dorian Boyland, Boyland Properties Oak Creek, LLC
Property Owner: Boyland Properties Oak Creek, LLC
Property Location(s): 7008 and 7018 S. 27th St., and 2500 W. Rawson Ave.
Tax Key(s): 737-9989-001, 737-9988-001, 737-9037-001

Legal Description:

Parcel 1, 7008 S. 27th St.:

Part of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 534.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 90 feet to a point; thence West and parallel to said South line 726 feet to a point in the said West line; thence South along said West line 90 feet to the place of beginning, except that part thereof conveyed to Milwaukee County by deed recorded in Volume 1308 of Deeds, Page 23, Document No. 1753937.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 2, 7018 S. 27th St.:

Part of the Southwest 1/4 of Section 6, in Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 474.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section, 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 60 feet to a point; thence West and parallel to said South line, 726 feet to a point in the said West line; thence South along said West line, 60 feet to the place of beginning, excepting therefrom the West 80 feet.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 3, 2500 W. Rawson Ave.:

Lot 1 of Certified Survey Map No. 7626, recorded on July 1, 2005, Reel 6126, as Document No. 9041308, being a consolidation of Parcels 1 and 2 of Certified Survey Map No. 3052, Parcel 1 of Certified Survey Map No. 2828, and unplatted lands, located in a part of the Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

The Common Council has scheduled other public hearings for April 17, 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 21, 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. 6th St., Oak Creek, WI 53154.



COMMON COUNCIL REPORT

Item: Conditional Use Permit - Boyland Properties Oak Creek, LLC - 7008 and 7018 S. 27th St., & 2500 W. Rawson Ave.

Recommendation: That the Council adopts Ordinance 2900, an ordinance to approve a Conditional Use Permit for automotive sales and service and a private car wash facility on the properties at 7008 and 7018 S. 27th St., & 2500 W. Rawson Ave.

Fiscal Impact: Approval will allow for the development of 3 currently vacant commercial lots on the northeast corner of S. 27th Street and W. Rawson Avenue with a new and used vehicle dealership with service center and a private car wash. Development of the lot will yield positive fiscal impacts in terms of assessed value, permit fees, and impact fees (estimated at \$16,605).

- 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: In June of 2016, the City reviewed a request for a Conditional Use Permit for automotive sales and service with a private car wash facility on the properties above. Ordinance 2813 was approved and passed by the Common Council on July 19, 2016. Section 11, Time of Compliance in the approved Conditions and Restrictions provided twelve (12) months for a building permit to be issued related to the Conditional Use. For various reasons, a building permit was never pursued and therefore the Conditional Use Permit approved by Ordinance 2813 has expired. The Applicant is now requesting that the Common Council approve a Conditional Use Permit for the same use in the same location. Council should note that the rezone of the properties was not affected by the expiration of the Conditional Use Permit.

As was mentioned in the staff report in 2016, these parcels are part of the 27th Street Corridor Plan and are located in the 27th Street and RRO, Regional Retail Overlay Districts. Both Overlay Districts and the B-4, Highway Business district classify automotive sales and service and car wash facilities as Conditional Uses. A copy of the Overlay District requirements is included with this report.

Per the submitted narratives, projected monthly sales of 75-85 new and used vehicles are anticipated at this proposed location, with 2-3 inventory deliveries per week. Based on those projections, approximately 10 -25 customers per day are anticipated. No updated information regarding retail parts and service customers has been received, although the report from 2016 stated that 15-20 retail parts customers and 35-45 service customers were expected per day.

An estimated 35-40 employees will be full-time, with less than 10 anticipated part-time staff (evening receptionist, lot attendants, lube techs). Full-time positions are detailed below:

Department	Number of Employees
Sales	8-10
Parts	2-3
Service (technicians)	6-8
Service (support)	8-10
Managers (sales and finance)	3
Office / Administrative Support	3-5

Anticipated Hours of Operation:

Department	Hours
Showroom	M-Sat: 9:00 AM – 9:00 PM
Service/Parts	M-Sat: 6:30 AM – 6:30 PM
All	Closed Sunday

Deliveries of automobiles are expected 2-4 times per week, with daily deliveries of auto parts. Oil trucks and supplier/vendor trucks will make frequent deliveries as well. Outdoor storage and display of merchandise will include new and used automobiles. One of the conditions that staff proposed as part of the Conditions and Restrictions is that outdoor storage or display be limited specifically to new and used vehicles for sale – no parts, equipment, damaged/junked motor vehicles, etc. This is the same condition that was included in the original approval.

Access is proposed on both 27th Street and Rawson Avenue. While verbal approvals with WisDOT and Milwaukee County have been noted in the submission, final written approvals and permits are forthcoming. These will be required, with copies submitted to the City, prior to issuance of building permits.

Parking requirements for motor vehicle sales establishments are 2 customer stalls per salesperson, plus one stall per employee during the shift with the most employees. Motor vehicle repair, maintenance, and service stations must provide 3 stalls per indoor service bay, plus 1 stall per employee during the shift with the most employees. This would equate to 51 – 60 stalls based on salespersons (including 35-40 employees) and 74 – 79 stalls based on repair/maintenance/service (including 35-40 employees). Although car washes have their own required parking, staff did not include these requirements as the car wash is not for public use. Visitor parking (137 stalls) has been identified on the preliminary site plan in three (3) rows north of the building, in one (1) row on the west, in one (1) row directly in front of the building entrance, in two (2) rows south of the building, and in two (2) rows in the parking lot along Rawson Ave. Employee parking (52 stalls) has been identified in two (2) sets of rows immediately east of the building. Vehicle storage areas have been identified east of the employee parking area, with vehicles on display in the Rawson Ave. lot. All other parking is unidentified, but assumed to be for vehicle storage/display and operations/deliveries. The total number of parking stalls provided in the preliminary

site plan is 328.

Preliminary site and building elevation plans have been provided and are included with the staff report. While site, building, landscaping, lighting, and related approvals will occur at a later date, Council should be aware of a few items. Buffer yards will be required, and are reflected in the submitted preliminary site plan, for parking and buildings due to adjacency to residential zoning districts in the area. Per the requirements of the overlay district, loading docks and services areas must be placed at the rear of buildings and accessed from service driveways that are separated from pedestrian and customer parking areas. Loading docks are also required to be completely screened from surrounding roads and properties. Per general Code requirements, loading docks and overhead doors may not face a street right-of-way.

Like the configuration approved in 2016 and 2017, the proposed building entrance and service center with overhead doors are oriented to 27th Street. However, a new canopy has been proposed that protrudes from the west elevation over the service center entry. Overhead doors are also located on the south and north, although the north doors are sited outside of the visible perimeter. Section 17.0329(c)(2)(f) of the Municipal Code allows for a modification to the building standards by a $\frac{3}{4}$ majority of the Plan Commission “only if supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the modification of the particular standard.” The Applicant is required to provide both a written and graphical representation of the supplemental design elements, and how such fulfill the requirement for the modification request(s). Therefore, the Plan Commission has recommended that Council approve of the Conditional Use Permit request without an express condition that the orientation of the building be reconfigured as the modification request(s) can be considered during future site and building reviews.

Officially-mapped roads are also shown on the 2500 W. Rawson Avenue property and north toward 27th Street (across from S. Riverwood Blvd. in Franklin). This road pattern was part of an agreement with the Wisconsin Department of Transportation to provide an access road for several properties, and the construction of the portion on 2500 W. Rawson Ave. was discussed in detail during previous reviews. The Applicant has indicated their continued compliance with the requirement for a written agreement to construct the road on their property to the property line at such time the remainder of the public road is constructed. If this agreement is still acceptable to Council, it must be expressly approved as an exception that must be incorporated into Section 2(F) of the Conditions and Restrictions. Additional modifications requests for the building materials and site will be part of future Plan Commission reviews. It should be noted, however, that the Applicant has agreed to provide escrow to purchase the corner property (approx. 0.49 ac per the draft CSM) in anticipation of future sale and incorporation into the overall site plans. This will be an area for which future gateway treatments as part of the modification request(s) will be planned closely with the City.

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

Options/Alternatives: Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Conditional Use Permit.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



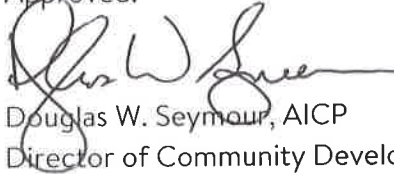
Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2900

Location Map

Hearing Notice

Narratives (2/5/28 & 3/5/18)

Emails (3/5/18 & 3/6/18)

CSM (3/5/18)

Preliminary Site Plan, Building Elevations, Renderings (C300, A4-1, A1000)

Plan Commission minutes

Conditions and Restrictions

ORDINANCE NO. 2900

By: _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT
FOR AUTOMOBILE SALES AND SERVICE AND
A PRIVATE CAR WASH FACILITY ON THE PROPERTIES AT 7008 AND
7018 S. 27TH ST. AND 2500 W. RAWSON AVE.

(2nd Aldermanic District)

WHEREAS, BOYLAND PROPERTIES OAK CREEK, LLC, has applied for a Conditional Use Permit that would allow automotive sales and service and a private car wash facility on the properties at 7008 and 7018 S. 27th St., & 2500 W. Rawson Ave.; and

WHEREAS, the properties are more precisely described as follows:

Parcel 1, 7008 S. 27th St.:

Part of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 534.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 90 feet to a point; thence West and parallel to said South line 726 feet to a point in the said West line; thence South along said West line 90 feet to the place of beginning, except that part thereof conveyed to Milwaukee County by deed recorded in Volume 1308 of Deeds, Page 23, Document No. 1753937.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 2, 7018 S. 27th St.:

Part of the Southwest 1/4 of Section 6, in Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 474.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section, 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 60 feet to

a point; thence West and parallel to said South line, 726 feet to a point in the said West line; thence South along said West line, 60 feet to the place of beginning, excepting therefrom the West 80 feet.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 3, 2500 W. Rawson Ave.:

Lot 1 of Certified Survey Map No. 7626, recorded on July 1, 2005, Reel 6126, as Document No. 9041308, being a consolidation of Parcels 1 and 2 of Certified Survey Map No. 3052, Parcel 1 of Certified Survey Map No. 2828, and unplatted lands, located in a part of the Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

WHEREAS, the Plan Commission has reviewed this proposal and has recommended that the Conditional Use be approved; and

WHEREAS, the Common Council held a public hearing on this matter on April 17, 2018, at which time all interested parties appeared and were heard; and

WHEREAS, the Plan Commission had recommended that the application for a 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 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 Building Commissioner is hereby authorized to grant a Conditional Use Permit for automotive sales and service and a private car wash facility on the properties at 7008 and 7018 S. 27th St., &

2500 W. Rawson Ave., which shall include the aforementioned conditions and restrictions.

SECTION 2: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for automotive sales and service and a private car wash facility.

SECTION 3: 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 4: 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 5: This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted this 17th day of April, 2018.

President, Common Council

Approved this 17th day of April, 2018.

Mayor

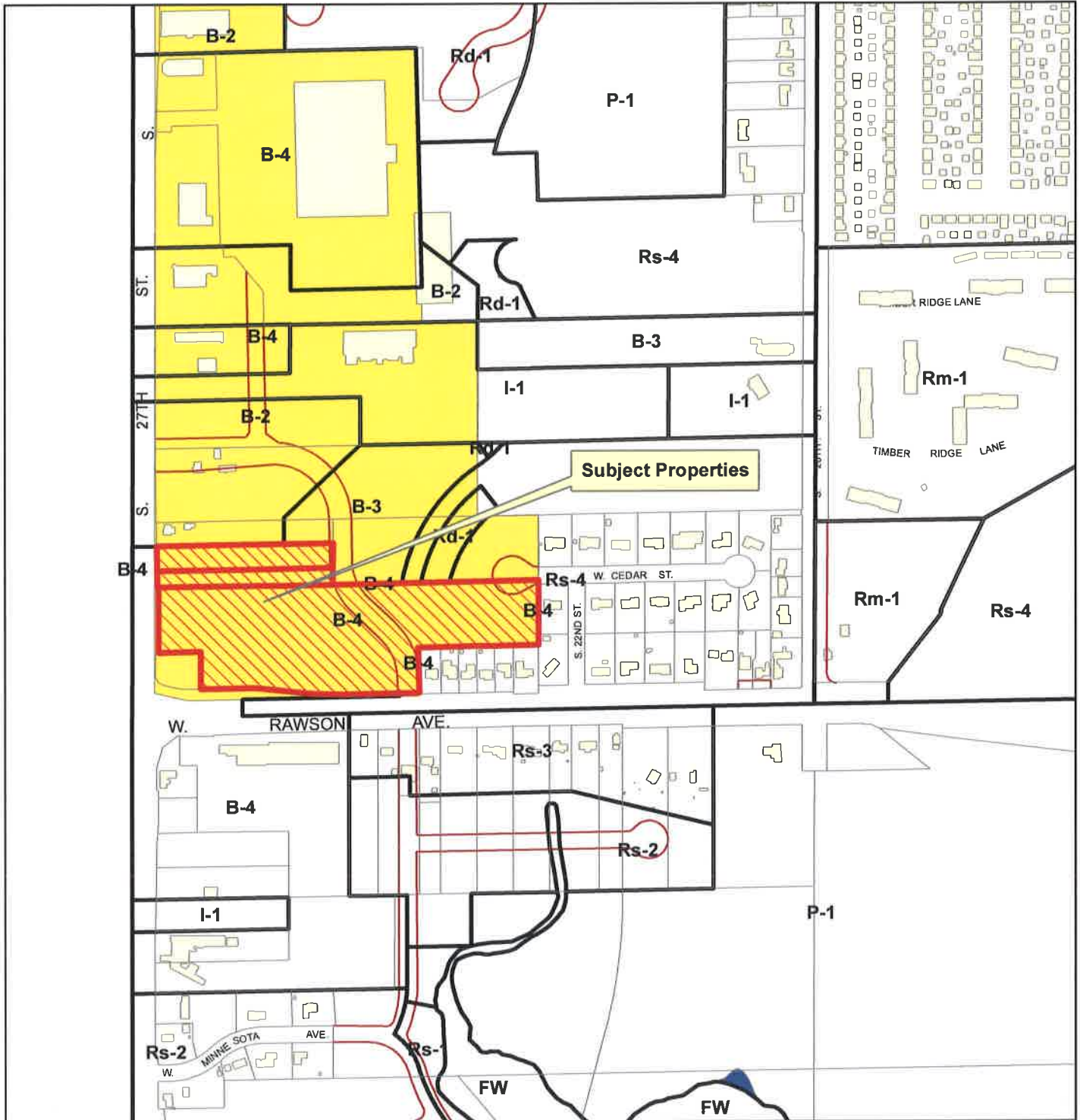
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

7008, 7018 S. 27th St. & 2500 W. Rawson Ave.



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



Department of Community Development



Legend		Zoning Overlays	
	2500 W. Rawson Ave.		C-1-Shoreland Wetland
	7008 & 7018 S. 27th St.		FF-Flood Fringe
			Lakefront Overlay
			NO-Mixed Use Neighborhood
			OO-Mixed Use Office
			RR-Regional Retail

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 Dorian Boyland, Boyland Properties Oak Creek, LLC, for a Conditional Use Permit for automotive sales and service with a private car wash facility on the properties at 7008 and 7018 S. 27th St., and 2500 W. Rawson Ave.

Hearing Date: April 17, 2018
Time: 7:00 p.m.
Place: Oak Creek Civic Center (City Hall)
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Dorian Boyland, Boyland Properties Oak Creek, LLC
Property Owner: Boyland Properties Oak Creek, LLC
Property Location(s): 7008 and 7018 S. 27th St., and 2500 W. Rawson Ave.
Tax Key(s): 737-9989-001, 737-9988-001, 737-9037-001

Legal Description:

Parcel 1, 7008 S. 27th St.:

Part of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 534.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 90 feet to a point; thence West and parallel to said South line 726 feet to a point in the said West line; thence South along said West line 90 feet to the place of beginning, except that part thereof conveyed to Milwaukee County by deed recorded in Volume 1308 of Deeds, Page 23, Document No. 1753937.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 2, 7018 S. 27th St.:

Part of the Southwest 1/4 of Section 6, in Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 474.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section, 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 60 feet to a point; thence West and parallel to said South line, 726 feet to a point in the said West line; thence South along said West line, 60 feet to the place of beginning, excepting therefrom the West 80 feet.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 3, 2500 W. Rawson Ave.;

Lot 1 of Certified Survey Map No. 7626, recorded on July 1, 2005, Reel 6126, as Document No. 9041308, being a consolidation of Parcels 1 and 2 of Certified Survey Map No. 3052, Parcel 1 of Certified Survey Map No. 2828, and unplatted lands, located in a part of the Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

The Common Council has scheduled other public hearings for April 17, 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 21, 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. 6th St., Oak Creek, WI 53154.

Corporate Offices

4301 Millenia Boulevard
Orlando, FL 32839
Phone (407) 367-2700

AllStar Ford

3121 Pacific Avenue
Olympia, WA 98501
Phone (360) 352-9300

Beaverton Hyundai

13255 S.W. Farmington Road
Beaverton, OR 97005
Phone (503) 641-2889

Beaverton Nissan

3855 S.W. Cedar Hills Blvd.
Beaverton, OR 97075
Phone (503) 643-8676

Boyland Acura

13930 Brookpark Road
Cleveland, OH 44135
Phone (216) 676-5400

Boyland Acura

4575 West Converters Drive
Grand Chute, WI 54913
Phone (920) 560-2900

Boyland Honda

6141 South 27th Street
Greenfield, WI 53221
Phone (414) 281-2700

Boyland Infiniti

13940 Brookpark Road
Cleveland, OH 44135
Phone (216) 676-0700

Boyland Insurance

4301 Millenia Boulevard
Orlando, FL 32839
Phone (407) 367-2700

Boyland Nissan

23651 Hall Road
Macomb Township, MI 48042
Phone (586) 421-0100

Boylan Properties

4301 Millenia Boulevard
Orlando, FL 32839
Phone (407) 367-2700

Damerow Ford

12325 SW Canyon Road
Beaverton, OR 97075
Phone (503) 644-1131

Gresham Dodge

855 Northeast Burnside
Gresham, OR 97030
Phone (503) 666-2277

**Mercedes-Benz
of South Orlando**

4301 Millenia Boulevard
Orlando, FL 32839
Phone (407) 367-2700

Boyland Auto Group Companies

The City of Oak Creek
8040 S. 6th St.
Oak Creek, WI 53154

**RE: All Star Buick/GMAC
7008/7018 South 27th Street
Oak Creek, WI**

To All:

Please accept this brief overall narrative of our intent for the above referenced property location in The City of Oak Creek.

The Boyland Auto Group / GMAC will be conducting the typical services of an auto dealership. This will consist of the sales/service of vehicles that represent the brand manufacturer of Buick/GMAC. The facility will encompass the following types of operations.

- Customer showroom area that will display vehicles, discuss products, costs, and various other types of questions with sales associates.
- Customer coffee bar area, restrooms and lounge waiting areas.
- Sales areas, management support, conference room and financing offices that will conduct daily management of business activities and staff training needs.
- Drive-in vehicle reception area for customer service support.
- Service bay areas to accommodate technician needs to perform various vehicle services.
- Break room & men's/women's locker room areas for staff.
- Private vehicle car wash area (This car wash area will not conduct / advertised car wash services to the public).
- Parts storage areas & associated retail/technician pick-up counters that will support various vehicle needs.
- Site parking areas to accommodate customer sales/selection of vehicles

As you will notice on the letter head...The Boyland Auto Group Companies are involved in ownership/operations/vehicle services in over a dozen other car dealerships located thru-out the USA. Some of these dealerships are very local to this proposed facility. We would invite anyone interested in understanding, in greater details, the operations of a car dealership, to contact us so we may arrange for a visit/tour of one of these facilities.

Should you have any further questions, concerns, or comments, please do not hessite to contact me.

Cordially,

Dave Stava

Dave Stava
Authorized Project Agent for
The Boyland Auto Group
Cell # (317)-964-1465



Since 1985

Corporate Offices

4301 Millenia Boulevard
Orlando, FL 32839
Phone (407) 367-2700

AllStar Ford

3121 Pacific Avenue
Olympia, WA 98501
Phone (360) 352-9300

Beaverton Hyundai

13255 S.W. Farmington Road
Beaverton, OR 97005
Phone (503) 641-2889

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Phone (503) 666-2277

**Mercedes-Benz
of South Orlando**

4301 Millenia Boulevard
Orlando, FL 32839
Phone (407) 367-2700

Boyland Auto Group

Companies

The City of Oak Creek
8040 S. 6th St.
Oak Creek, WI 53154

March 5, 2018

**RE: Responses to MUA Issues
All Star Buick/GMAC
7008/7018 South 27th Street
Oak Creek, WI**

To All:

Please accept this overall narrative of our intent for the above referenced property location in The City of Oak Creek and to become an exhibit to the final executed MUA.

The Boyland Auto Group / GMAC will be conducting the typical services of an auto dealership. This will consist of the sales/service of vehicles that represent the brand manufacturer of Buick/GMAC. The facility will encompass the following types of operations.

We are requesting a modification to the building materials required for our proposed building. We were awarded the Buick and GMC franchises by General Motors upon a few conditions. One of those conditions is that we would provide a facility that is compliant with their image program. Auto manufacturers have been putting in requirements for dealerships to look more universal as related to their brands. This gives us very little autonomy in the choice of materials, look, etc.

The proposed building we have put forth would meet the General Motors requirements. We understand that the some of the materials do not fall in to the approved materials for the special design district. We also understand that exceptions can be made if the project provides value to the area in some other way that is not required of us.

We are open to other ideas and other suggestions that would allow the modification we have requested to be granted. We offer the following line items that address the concerns set forth by the city:

- Customer showroom area that will display vehicles, discuss products, costs, and various other types of questions with sales associates.
- We have agreed to the building parapet heights, per the updated elevations and renderings, dated 3/2/18.
- Precast panel textures / colors / banding will be in accordance with the updated elevations and renderings, dated 3/2/18.
- Ownership will provide additional landscaping, as required, along the North property line to buffer the residential area.
- New/used car sales are targeted to be in the range of 75-85 units per month.
- Ownership group has determined that there will be 2-3 road vehicle haulers providing inventory per week.
- Showroom customer hours are to be 9:00 am till 9:00 pm, Monday thru Saturday. Service hours are to be 6:30 am till 6:30 pm, Monday thru Saturday. Dealership will be closed on Sundays.
- An agreed to escrow account to be set up for the newly delineated corner lot, per the updated CSM, dated 3/5/18 (to be recorded).
- The revised CSM, dated 3/5/18 (to be recorded) addresses the responsibility language for the future road that is mapped out.

- Customer coffee bar area, restrooms and lounge waiting areas.
- Sales areas, management support, conference room and financing offices that will conduct daily management of business activities and staff training needs.
- Drive-in vehicle reception area for customer service support.
- Service bay areas to accommodate technician needs to perform various vehicle services.
- Break room & men's/women's locker room areas for staff.
- Private vehicle car wash area (This car wash area will not conduct / advertised car wash services to the public).
- Parts storage areas & associated retail/technician pick-up counters that will support various vehicle needs.
- Site parking areas to accommodate customer sales/selection of vehicles
- Site square footage is finalized on the updated CSM, dated 3/5/18
- We are currently seeking final written approvals from the state and county, We have verbal approvals from both and anticipate official documentation from both very soon.
- We are increasing the buffer between the east property line and the parking area and proposed access drive off Rawson Ave to better address snow removal. This will be included on final site engineering plans to be submitted for permit.
- We fully understand that Water and sewer are available in both Rawson Avenue and 27th Street. Our engineering indicates that we will connect to water and sewer on 27th street. Any laterals (water or sewer) not used will need to be abandoned at the main.

Should you have any further questions, concerns, or comments or if we have missed an issue to address, please do not hesitate to contact me.

Cordially,

Dave Stava

Dave Stava

Authorized Project Agent for
The Boyland Auto Group
Cell # (317)-964-1465

CC: Timothy Grayman;
The Boyland Auto Group

Brent Wampler;
Custom Facilities, Inc.



Since 1985

Kari Papelbon

From: Dave Stava <dstava@cfidm.com>
Sent: Tuesday, March 6, 2018 2:59 PM
To: Kari Papelbon
Subject: Re: Response Letter to MUA Issues - All Star Buick

We had noted 75-85 new/used car sales per month so that's an avg. of 80 customers for that.

As for service.....that can range from 10-15 a day to over 25 a day, pending recalls, season, market conditions etc...

Hope that helps

Dave Stava
Custom Facilities, Inc.
(C) 317-964-1465

On Mar 6, 2018, at 2:55 PM, Kari Papelbon <kpapelbon@oakcreekwi.org> wrote:

Dave,

Anticipated customers?

Kari

Kari Papelbon, CFM, AICP
Planner
City of Oak Creek
8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7027
www.oakcreekwi.org
<image002.jpg>

From: Dave Stava [<mailto:dstava@cfidm.com>]
Sent: Tuesday, March 6, 2018 2:49 PM
To: Kari Papelbon <kpapelbon@oakcreekwi.org>
Cc: Doug Seymour <dseymour@oakcreekwi.org>; Timothy N Grayman <tgrayman@graymanconstruction.com>; Brent Wampler <bwampler@customfacilities.com>; James Hansen <james.hansen@graef-usa.com>
Subject: RE: Response Letter to MUA Issues - All Star Buick

Kari:

Please see as follows:

- Salespeople - 8-10, Parts staff - 2-3, Service technicians - 6-8, Service support (advisors, lot staff, retailers) - 8-10, 2 sales managers, 1 Finance manager, 3-5 office/admin support. All full time.

- Parts delivery daily from manufacturer will be provided. All Star will also have oil trucks and other supplier/vendor trucks that come regularly day to day.
- Part time jobs will be very few (evening receptionist, lot attendants, lube techs). Maybe less than 10 will be part time.

Let us know if you need further clarification.

Thanks

Dave Stava
Project Manager
CFI Design Management Inc.
6296 Rucker Road
Suite C
Indianapolis, IN 46220-4860
dstava@cfidm.com

(M) 317-964-1465

From: Kari Papelbon <kpapelbon@oakcreekwi.org>
Sent: Tuesday, March 6, 2018 2:40 PM
To: Dave Stava <dstava@cfidm.com>
Cc: Doug Seymour <dseymour@oakcreekwi.org>; Timothy N Grayman <tgrayman@graymanconstruction.com>; Brent Wampler <bwampler@customfacilities.com>; James Hansen <james.hansen@graef-usa.com>
Subject: RE: Response Letter to MUA Issues - All Star Buick
Importance: High

Dave,

I am finalizing the report this afternoon. Have you been able to obtain the information regarding customers, employees, and deliveries?

Kari

Kari Papelbon, CFM, AICP
Planner
City of Oak Creek
8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7027
www.oakcreekwi.org

<image003.jpg>

From: Dave Stava [<mailto:dstava@cfidm.com>]
Sent: Monday, March 5, 2018 4:50 PM
To: Kari Papelbon <kpapelbon@oakcreekwi.org>

Cc: Doug Seymour <dseymour@oakcreekwi.org>; Timothy N Grayman <tgrayman@graymanconstruction.com>; Brent Wampler <bwampler@customfacilities.com>; James Hansen <james.hansen@graef-usa.com>
Subject: Re: Response Letter to MUA Issues - All Star Buick

Kari:

Let me check on those items in the morning and respond accordingly.

Thanks

Dave Stava
Custom Facilities, Inc.
(C) 317-964-1465

On Mar 5, 2018, at 4:48 PM, Kari Papelbon <kpapelbon@oakcreekwi.org> wrote:

Dave,

Thanks for sending this. Has there been any change to the projected customers (sales vs. parts/service, weekdays vs. Saturdays) or the breakdown of employees (plans only show that 37 employees would be onsite at peak shift; the original submission broke the employees down by full-time, hourly, and department). There was also mention of daily deliveries of auto parts, with oil trucks and supplier/vendor trucks making "frequent" deliveries in the previous submission – is this still anticipated?

Kari

Kari Papelbon, CFM, AICP
Planner
City of Oak Creek
8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7027
www.oakcreekwi.org
<image003.jpg>

From: Dave Stava [<mailto:dstava@cfidm.com>]
Sent: Monday, March 5, 2018 2:40 PM
To: Kari Papelbon <kpapelbon@oakcreekwi.org>
Cc: Doug Seymour <dseymour@oakcreekwi.org>; Timothy N Grayman <tgrayman@graymanconstruction.com>; Brent Wampler <bwampler@customfacilities.com>; James Hansen <james.hansen@graef-usa.com>
Subject: Response Letter to MUA Issues - All Star Buick

Kari:

Attached is the response letter that address each lime item that we discussed in our meeting last week. We are just waiting on the updated CSM that GRAEF is working on and we will send shortly.

Please contact us with any issues.

Thanks

Dave Stava
Project Manager
CFI Design Management Inc.
6296 Rucker Road
Suite C
Indianapolis, IN 46220-4860
dstava@cfidm.com

(M) 317-964-1465

The City of Oak Creek is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that this email message is subject to release upon request, and to state records retention requirements.

The City of Oak Creek is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that this email message is subject to release upon request, and to state records retention requirements.

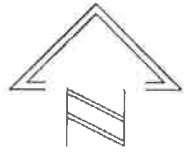
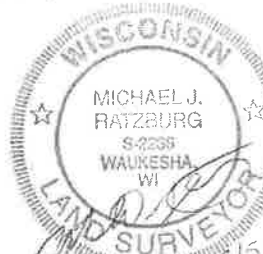
The City of Oak Creek is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that this email message is subject to release upon request, and to state records retention requirements.

CERTIFIED SURVEY MAP NO. _____

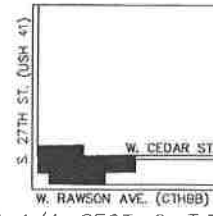
Lot 1 of Certified Survey Map 7626 and that part of the Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

GRAEF

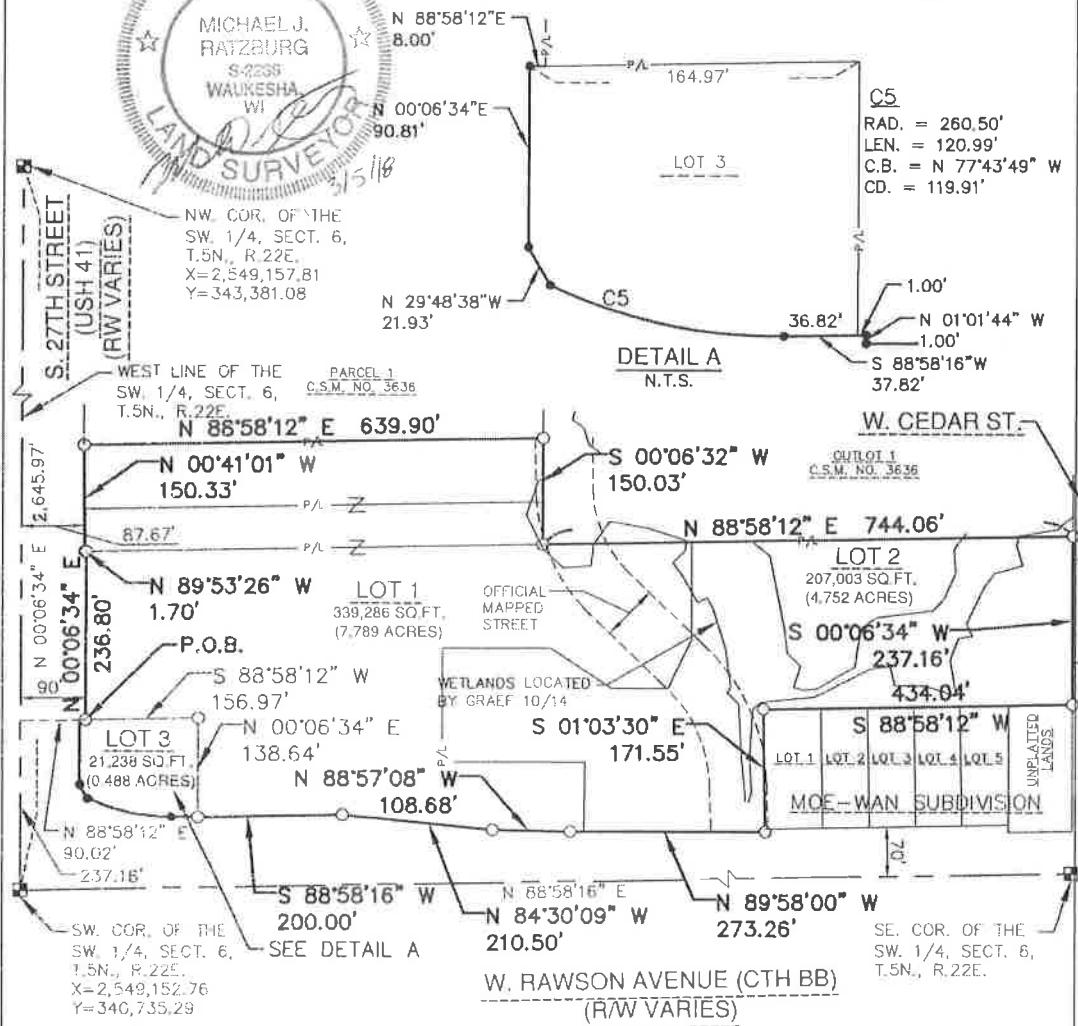
One Honey Creek Corporate Center
125 South 24th Street, Suite 401
Milwaukee, WI 53214-1469
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com



0 100' 200'
SCALE: 1" = 200'



SW. 1/4, SECT. 6, T.5N., R.22E.
LOCATION MAP



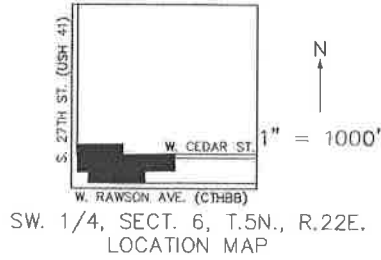
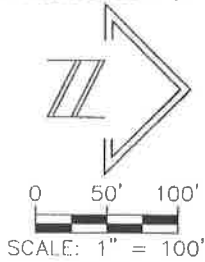
REFERENCE BEARING
All bearings are referenced to the west line of the SW. 1/4 of Sect. 6, T.5N. R.22E. which bears N.00°06'34"E. and is referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone, (NAD27)

OWNER
Boylard Properties Oak Creek, LLC.
Oak Creek, Wisconsin

- LEGEND**
- FOUND 1" IRON PIPE
 - 3/4" REBAR SET, MINIMUM WEIGHT 1.13 LBS/FT.
 - FOUND CONG. MONUMENT W/BRASS CAP

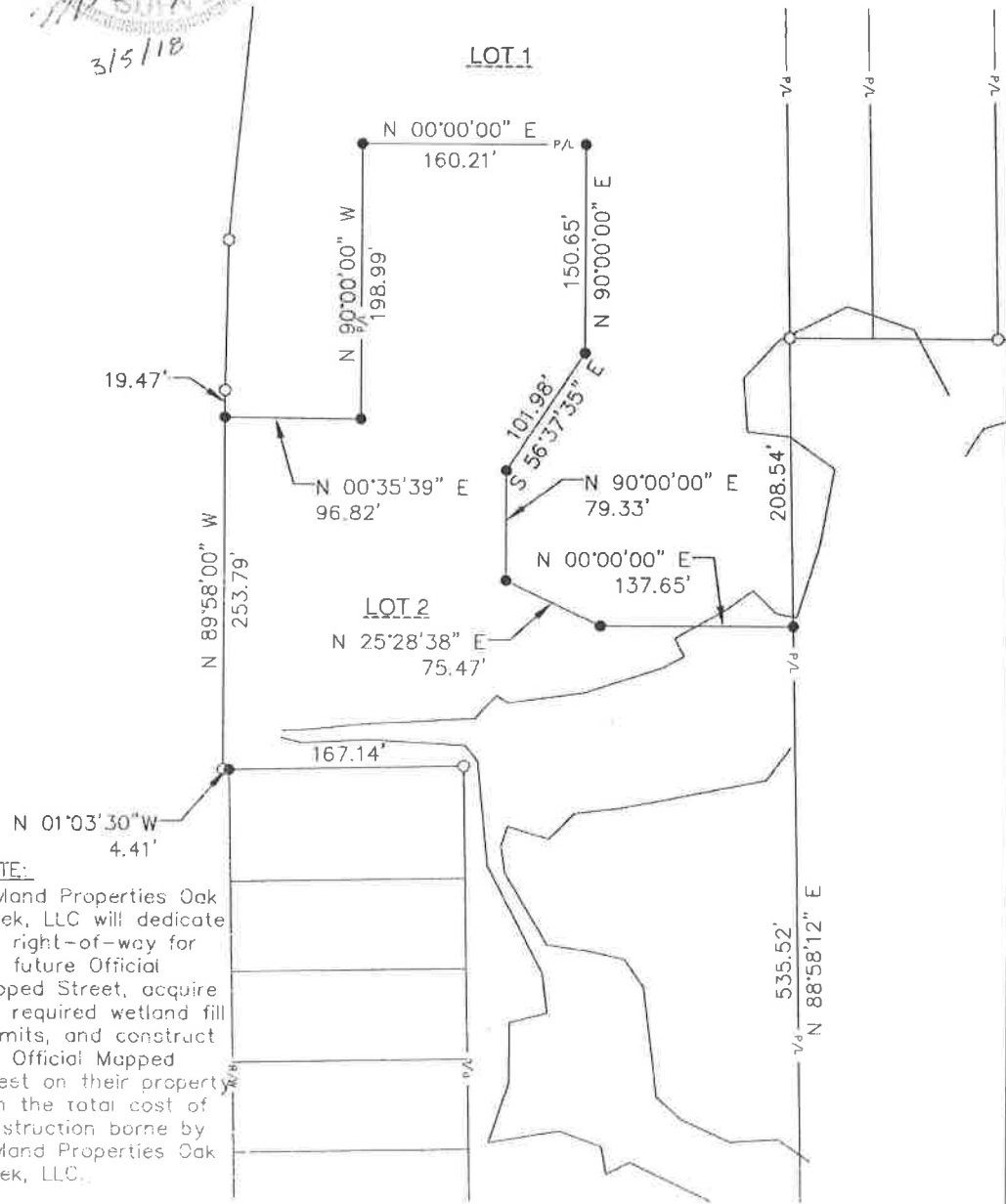
CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map 7626 and that part of the Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



3/5/18

LOT 1



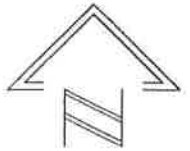
NOTE:
 Boyland Properties Oak Creek, LLC will dedicate the right-of-way for the future Official Mapped Street, acquire the required wetland fill permits, and construct the Official Mapped Street on their property with the total cost of construction borne by Boyland Properties Oak Creek, LLC.

CERTIFIED SURVEY MAP NO. _____

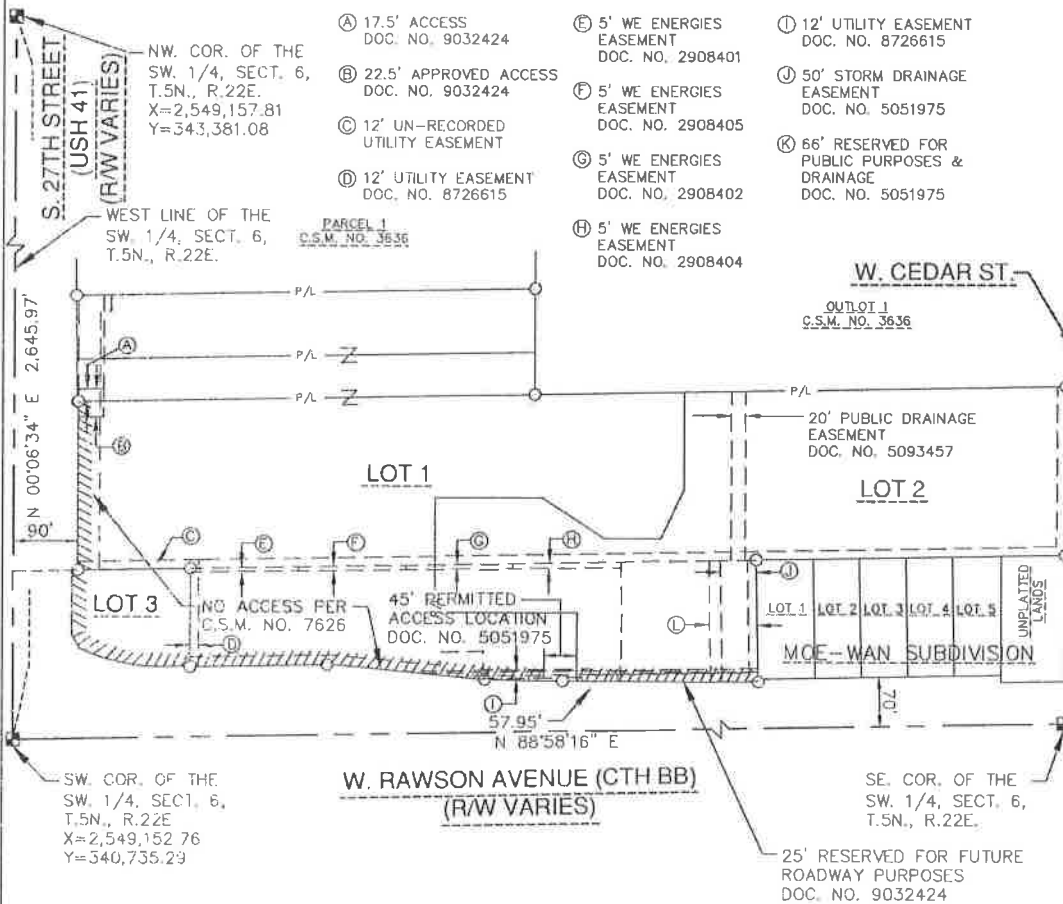
Lot 1 of Certified Survey Map 7626 and that part of the Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

GRAEF

One Honey Creek Corporate Center
 125 South 84th Street, Suite 401
 Milwaukee, WI 53214-1469
 414 / 259 1500
 414 / 259 0037 fax
 www.graef-usa.com



0 100' 200'
 SCALE: 1" = 200'



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map 7626 and that part of Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4, Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

I, Michael J. Ratzburg, a professional land surveyor, do hereby certify:

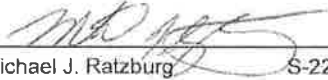
That I have surveyed and mapped Lot 1 of Certified Survey Map 7626 and that part of Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4, Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, more particularly described as follows:

Commencing at the southwest corner of said Southwest 1/4; thence North 00°06'34" East, on and along the west line of said Southwest 1/4, 237.16 feet; thence North 88°58'12" East, 90.02 feet to the east right of way line of South 27th Street and the point of beginning; thence North 00°06'34" East, on and along said east right of way line, 236.80 feet; thence North 89°53'26" West, on and along said east right of way line, 1.70 feet; thence North 00°41'01" East, on and along said east right of way line, 150.03 feet to the south line of Parcel 1 of CSM No. 3636; thence North 88°58'12" East, on and along said south line, 639.90 feet to the west line of Outlot 1 of CSM No. 3636; thence South 00°06'32" West, on and along said west line, 150.03 feet to the south line of said Outlot 1; thence North 88°58'12" East, on and along said south line, 744.06 feet; thence South 00°06'34" West, 237.16 feet to the north line of Moe-Wan Subdivision; thence South 88°58'12" West, on and along said north line, 434.04 feet to the west line of said Subdivision; thence South 01°03'30" East, on and along said west line, 171.55 feet to the north right of way line of West Rawson Ave; thence North 88°58'00" West, on and along said north right of way line, 273.26 feet; thence North 88°57'08" West, on and along said north right of way line, 108.68 feet; thence North 84°30'09" West, on and along said north right of way line, 210.50 feet; thence South 88°58'16" West, on and along said north right of way line, 200.00 feet; thence North 01°01'44" West, on and along said north right of way line, 1.00 feet; thence South 88°58'16" West, on and along said north right of way line, 37.82 feet to the beginning of a curve to the right, having a radius of 260.50 feet and a long chord of North 77°43'49" West, 119.91 feet; thence Northwesterly, on and along the arc of said curve and said north right of way line, 120.99 feet; thence North 00°06'34" West, on and along the east right of way line, 90.81 feet; thence North 88°58'12" East, 8.00 feet to the point of beginning.

Containing 567,527 square feet (13.029 acres), more or less.

That I have made such survey, land division, and map by the direction of the, Jerry Cousins owner of said land. That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code in surveying, dividing and mapping the same.



Michael J. Ratzburg S-2236
Professional Wisconsin Land Surveyor

Date: 3/5/18



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map 7626 and that part of Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4, Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Boyland Properties Oak Creek, LLC, a corporation duly organized and existing under and by virtue of the laws of the State of _____, as owner, certify that said corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code.

This agreement shall be binding on the undersigned and assigns. In Witness Where of, Boyland Properties Oak Creek, LLC has caused these presents to be signed by _____, its _____, this _____ day of _____, 2018.

In the presence of:

(Witness)

STATE OF WISCONSIN)
) SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2018, _____, Officer of the above named corporation, to me known as the person who executed the foregoing instrument, and to me known to be the _____ of the corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of the corporation, by its authority.

NOTARY PUBLIC, STATE OF WISCONSIN

My Commission Expires: _____

PLANNING COMMISSION APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this _____ day of _____, 2018.

Mayor Daniel Bukiewicz, Chairman

Douglas Seymour, Secretary

COMMON COUNCIL APPROVAL

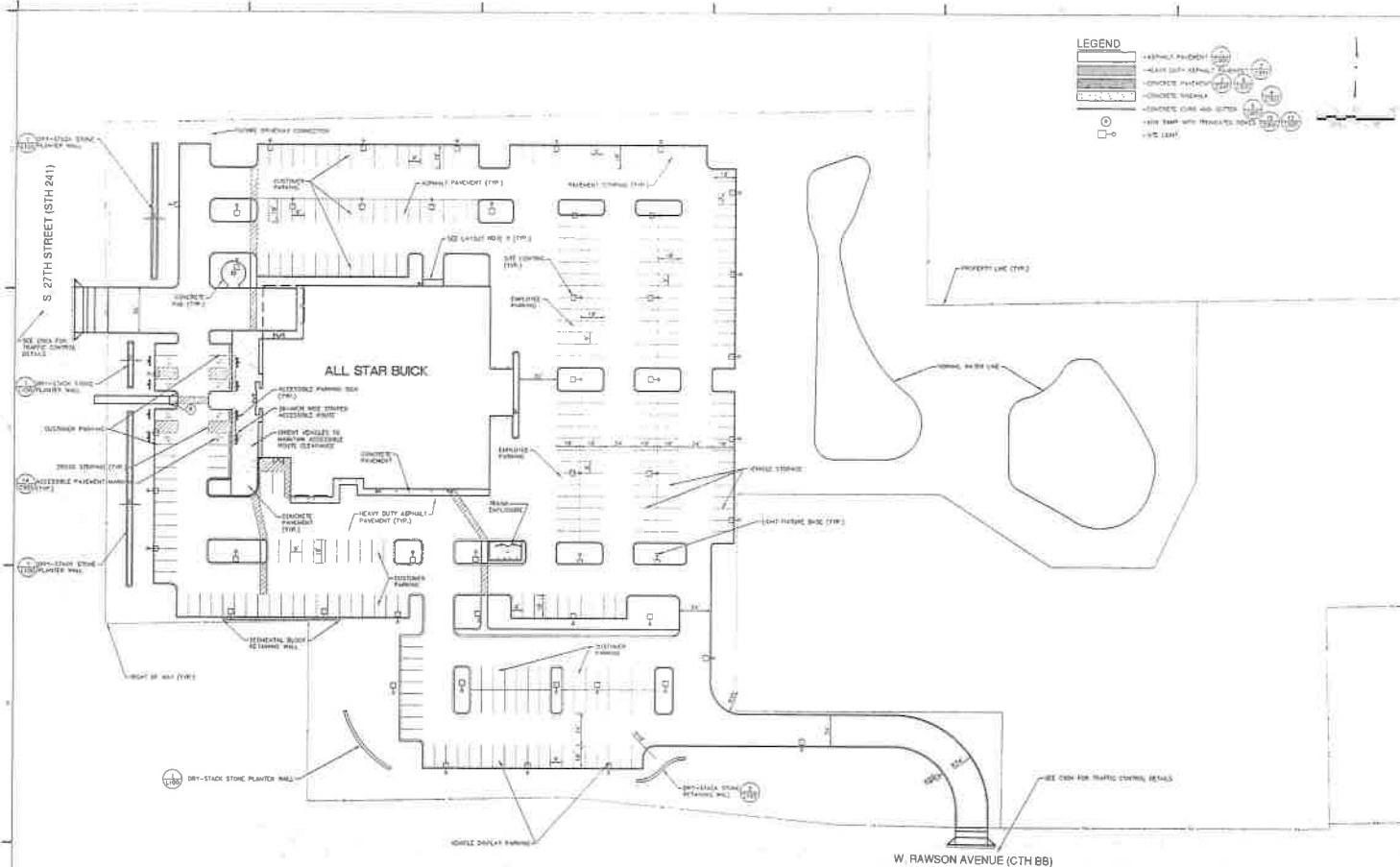
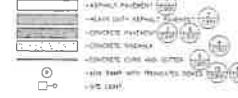
Certified Survey Map approved by the Common Council of the City of Oak Creek on this _____ day of _____, 2018, by Resolution No. _____.

Daniel Bukiewicz, Mayor

Catherine Roeske, City Clerk



LEGEND



SITE AREAS

TOTAL SITE AREA = 202,390 SF
BUILDING FOOTPRINT = 28,288 SF

PARKING LOT
PARKING LOT PAVEMENT = 148,203 SF
PARKING LOT LANDSCAPE = 17,144 SF
TOTAL PARKING LOT AREA = 165,347 SF
PARKING LOT PERCENT OPEN SPACE = 40.34

SITE DIMENSIONS = 318A x 317

Paved LANDSCAPE/OPEN AREA
PARKING PAVEMENT LOT LANDSCAPE
STORMWATER POND + OPEN AREA = 138,838 SF

PARKING COUNT

NUMBER OF SPACES PER SHEET = 37
REGULAR STALLS = 18
HANDICAP STALLS = 9

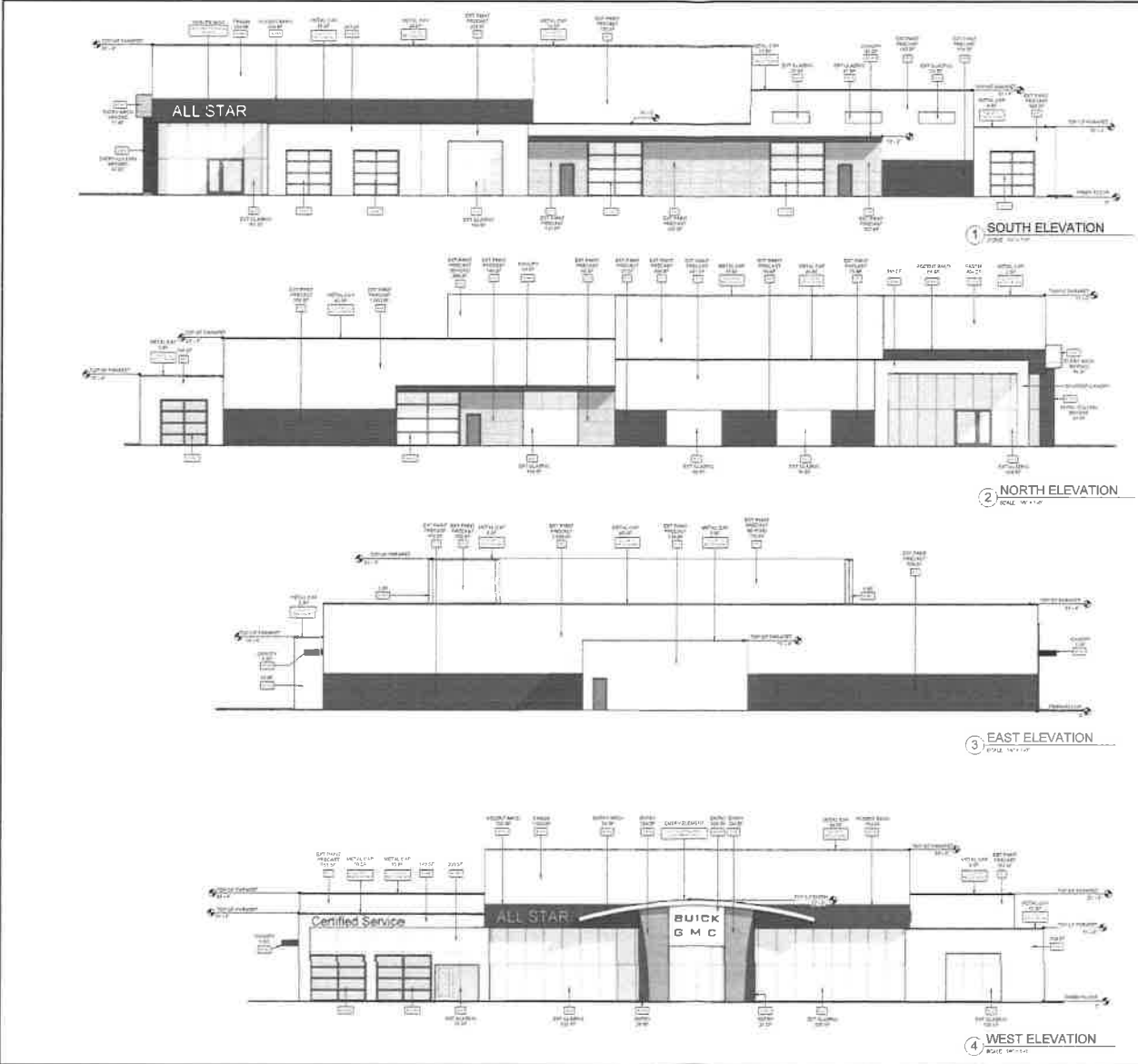
NOTE: SPACES = 237

GENERAL NOTES

1. SEE C100 FOR GENERAL NOTES
2. SEE C100 FOR MARKING SYMBOLS, SIGNS

LAYOUT NOTES

1. THE BUILDING DIMENSIONS SHOWN ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL CONSULT WITH THE ARCHITECT AND STRUCTURAL ENGINEER ON THE SHADING OF THE BUILDING WHERE CONCRETE CURB IS SHOWN.
2. ALL HANDICAP SPACES SHALL BE 11'0" X 11'0" CLEAR.
3. REFER TO LANDSCAPE PLANS FOR SITE RESTORATION INFORMATION AND DETAILS.
4. HANDICAP PARKING STALLS SHALL BE FURNISHED WITH A CONCRETE WHEEL STOP WHICH ADJACENT TO FLUSH CONCRETE CURB AND GUTTER.
5. CONTRACTOR SHALL SUBMIT A FINISHED SURFACE PLAN TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. FINISHED SURFACE SHALL INDICATE FOUR DIGIT CODES LOCATED AT CONSTRUCTION JOINTS, CONTRACTOR JOINTS, AND TYPE OF PERFORMANCE.
6. ALL CONCRETE PAVEMENT INCLUDING ASPHALT PAVEMENT SHALL BE THICKNESS SPEC CONCRETE FOR DETAIL & SHEET C200.



- ELEVATION NOTES**
1. FINISHES AND MATERIALS TO BE IDENTIFIED ON THE DRAWINGS. ALL MATERIALS TO BE IDENTIFIED ON THE DRAWINGS. ALL MATERIALS TO BE IDENTIFIED ON THE DRAWINGS.
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 8. FINISHES AND MATERIALS TO BE IDENTIFIED ON THE DRAWINGS. ALL MATERIALS TO BE IDENTIFIED ON THE DRAWINGS.
 9. FINISHES AND MATERIALS TO BE IDENTIFIED ON THE DRAWINGS. ALL MATERIALS TO BE IDENTIFIED ON THE DRAWINGS.
 10. FINISHES AND MATERIALS TO BE IDENTIFIED ON THE DRAWINGS. ALL MATERIALS TO BE IDENTIFIED ON THE DRAWINGS.

1011 - 1020 BROADWAY, SUITE 101
 1021 - 1030 BROADWAY, SUITE 101
 1031 - 1040 BROADWAY, SUITE 101
 1041 - 1050 BROADWAY, SUITE 101
 1051 - 1060 BROADWAY, SUITE 101
 1061 - 1070 BROADWAY, SUITE 101
 1071 - 1080 BROADWAY, SUITE 101
 1081 - 1090 BROADWAY, SUITE 101
 1091 - 1100 BROADWAY, SUITE 101

**ALL-STAR
BUICK GMC**



236 Rucker Rd. Suite C
 Columbus, GA 31906
 www.computobuild.com
 tel: (770) 258-4000
 fax: (770) 258-4725



1077 Ludlow Street
 Atlanta, GA 30309
 tel: (404) 525-1100
 fax: (404) 525-1101

ALL-STAR BUICK GMC
 ARCHITECTURE
 236 Rucker Rd. Suite C
 Columbus, GA 31906



PROJECT INFORMATION	
PROJECT NO.	2014
DATE	08/11/14
DRAWN BY	AK
CHECKED BY	AK
SHEET NO.	A4-1

A4-1



NORTHWEST



SOUTHWEST



NORTHEAST



SOUTHEAST

**ALL-STAR
BUICK GMC**



628 Rucker Rd. Suite C
Indianapolis, IN 46202
www.allstarbuickgmc.com
Tel: (317) 286-8400
Fax: (317) 286-9785



13825 Lakeland Drive
Bloomington, Indiana
47406-4027
Tel: (317) 843-9891
www.krmaperformance.com

REVITATIONS

All-Star Buick GMC
Custom Facilities
INDIANAPOLIS 317 286-8400
www.allstarbuickgmc.com

RENDERINGS



PROJECT INFORMATION
DATE: 10/13/10
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/8" = 1'-0"
SHEET NO. **A1000**

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 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, Commissioner Carrillo, Alderman Loreck, Alderman Guzikowski, Commissioner Siepert, and Commissioner Chandler. Commissioner Correll was excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator.

Minutes of the February 27, 2018 meeting

Commissioner Siepert moved to approve the minutes of the February 27, 2018 meeting. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**CONDITIONAL USE PERMIT
BOYLAND PROPERTIES OAK CREEK, LLC
7008 AND 7018 S. 27TH ST. AND 2500 W. RAWSON AVE.
TAX KEY NOS. 737-9989-001, 737-9988-001 AND 737-9037-001**

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

Dave Stava, project agent for Custom Facilities representing the Boyland Auto Group, stated that they are proposing a Class A building. Mr. Stava stated that they have broken up the site lines and made it look more pleasing, so it is not merely a white box building.

Edward Lisowski, 6988 S. 27th St., stated his concern about the driveway adjacent to his driveway. He feels this will be dangerous coming in and going out of there.

Mr. Lisowski asked who was going to supervise the water drainage. Commissioner Johnston responded that the driveway is located on the property on 27th St. per WisDOT requirements, so that is the only place they can place the driveway on that property. Mr. Lisowski asked what the address was on that driveway. Planner Papelbon responded that the address is 7018 S. 27th St. Commissioner Johnston stated this is not adjacent to, but is the next property south about 150-200 feet of where Mr. Lisowski's driveway is. Commissioner Johnston continued that it is access restricted across that frontage. There is another access point on Rawson roughly 400 feet east of the intersection. Those are the only two places that they are allowed to have access points at this time. Mr. Lisowski asked if the driveway could be moved down further.

Rose Corry stated that they cannot have the driveway right next to her property. Mayor Bukiewicz responded that the driveway access (approved by WisDOT) is 150 to 200 feet from her driveway. Mr. Lisowski asked if it could be put further away. Commissioner Johnston responded that with the WisDOT regulations right now, it can't be further than that. WisDOT stated that this is where it is going to be because they don't want to get too close to the intersection causing issues for the intersection as well.

Commissioner Johnston stated that the drainage will go into a stormwater pond. It will not run off onto the adjacent site. It is going to a pond so the drainage will be released at a slower rate rather than just running off the property. Commissioner Johnston stated there are two ponds on the property to the east of where all of the pavement is.

Alderman Guzikowski asked about the berm location. Mayor Bukiewicz responded that the berm is on the north to buffer the property. The applicant is proposing enhancing the landscaping there

to buffer the Lisowski's home. They will be trees, bushes and landscaping as per the recommendation of the City Forester. Mr. Lisowski asked how wide the buffer will be. Commissioner Johnston responded that the property line to back-of-curb where the parking is going to be is about 20 feet. That is the area that will be landscaped. Mr. Lisowski asked if there could be more than that. Planner Papelbon stated that if the buffer is greater than 20 feet, they applicant will lose the first row of parking. Mr. Lisowski stated that this will decrease the value of his property.

Ms. Corry stated she pays \$15,000, almost \$300 taxes per year, so they are entitled to some property. They have plans for that property. Mayor Bukiewicz responded that this is not infringing on their future development. Mayor Bukiewicz stated that they won't have the water issue, if anything, this is supposed to improve the water issues there with the two ponds and the drainage to Rawson. Also, they are trying to beautify it and provide that buffer so if the time ever comes and they decide to develop their land, it will be enhanced by what is going up.

Mr. Lisowski stated he is concerned about the back-end drainage that goes toward Cedar St. Mayor Bukiewicz responded that the ponds will hold the water and let it go as a prescribed rate, but it is going to go to Rawson Ave. Commissioner Johnston stated that the wetlands and drainage that Mr. Lisowski is concerned with by Cedar St. are not getting anywhere near that. They are not changing anything over in that end. Commissioner Johnston stated that it is going to drain to the ditch that runs along the properties facing onto Rawson Ave. That is where the ponds will discharge to.

Arden Degner, 8540 S. Pennsylvania Ave., stated he is interested in the 27th Street area. Across the street there are doctors' offices. It is an urban area, therefore, sidewalks should be provided both on 27th St. and Rawson Ave. Mr. Degner asked why this isn't required as well as the public improvements of the street now. Mayor Bukiewicz responded that as far as the sidewalks on 27th Street streetscape plan, there is a joint plan going with Franklin. Some of the amenities started to go in, such as benches and decorative walls and information boards. The sidewalk did go in along 27th St. Commissioner Johnston added that the sidewalk was extended along the north side of Rawson Ave. to tie in with the existing sidewalk that is down by the homes.

Mayor Bukiewicz stated that as far as addressing the plotted road along 27th Street, that will be addressed if/when it ever goes in. Those amenities are looking to be provided.

Mayor Bukiewicz stated that there was a meeting for the Conditional Use Permit a while back, but the Conditional Use expired. The City held them to pretty high standards because this is a premier corner. The garage doors are now glass. The City asked for the extra building height to meet the 27th Street overlay plan. They spruced up the sides of the building with color and upgraded/increased the landscape. Planner Papelbon stated that there were a few changes to the building itself, such as a larger building footprint. They were asked to put in some of the changes on the north and east side that were in the original plans. They did change the south elevation on their own, and made it look a little bit more like the original plans for the building that had those changes in colors and materials. The height of the parapet was also raised to ensure the mechanicals were going to be screened, even though the building itself is only going to be a single-story instead of a two-story. Also, the applicant added a canopy over the entrance to the service center and that bumped out the building a little bit. It will provide somewhat of a block to those doors, although those doors will still maintain the glass panels to make it look more like windows. Those things were changed and maintained in these revised plans. Mayor Bukiewicz stated that the awning over the service bay improved the appearance of the building and gives it a nice look. Mayor Bukiewicz stated he feels this is going to be a very nice addition to this corner going forward.

Mayor Bukiewicz stated that the State currently owns the northeast corner of 27th and Rawson. Eventually they may sell it and All Star or the City may have a chance to buy it. They are escrowing money so if the opportunity comes, the money is there to purchase it and then something can be done jointly for the benefit of all on that corner.

Mr. Lisowski asked if the State will be making part of that corner available for turning onto 27th Street. Commissioner Johnston responded that there already is a turn-lane there, and they (WisDOT) are not going to add another one. Mr. Lisowski suggested that it be expanded from Rawson Ave. to 27th Street. Commissioner Johnston stated that is not in the plans at all.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for automotive sales and service and a private car wash facility on the properties at 7008 and 7018 S. 27th St., and a portion of 2500 W. Rawson Ave., after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at the next meeting (March 27, 2018). Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Alderman Guzikowski seconded. On roll call: all voted aye. The meeting was adjourned at 7 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

March 28, 2018

Date

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MARCH 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 Correll, and Commissioner Siefert. Commissioner Chandler was excused. Also present: Kari Papelbon, Planner; Pete Wagner, Zoning Administrator.

**CONDITIONS AND RESTRICTIONS
BOYLAND PROPERTIES OAK CREEK, LLC
7008 AND 7018 S. 27TH ST. AND 2500 W. RAWSON AVE.
(TAX KEY NOS. 737-9989-001, 737-9988-001 AND 737-9037-001)**

Planner Papelbon provided an overview of the conditions and restrictions for automotive sales and service and a private car wash facility (see staff report for details).

Of particular note, Item 2(F) states:

Prior to the approval of site and building plans for the development the applicant shall prepare and submit a certified survey map combining the properties. The right-of-way for any public street as illustrated on the Official Map within these properties shall be dedicated and the public improvements installed unless a variation or exception is granted by the Common Council pursuant to Section 14.180 of the Municipal Code.

Planner Papelbon explained that this language is in the original conditions and restrictions that were previously approved by the Plan Commission. The Common Council did grant an exception to that and did allow them to enter into an agreement to construct a portion of the future road on their property to their property line at the time the rest of the road would be constructed out to 27th Street. This is something that the Common Council will have to reauthorize, and that is why this condition is still part of the conditions and restrictions.

Also of note is section 2(G), which references the purchase of the 0.4-acre parcel on the corner of 27th St. and Rawson Ave. Planner Papelbon stated that this was an item of discussion between the consultants, landowners and City staff regarding purchase of that corner piece. Some future development on that corner could include either gateway signage or an expansion of the current conditional use to incorporate that property. This will be discussed at a later time. This language is simply establishing an escrow so that there is some satisfaction on the City's end that the parcel will become part of the larger development.

Planner Papelbon stated that under item 3(C), the hours of operations include sales and service.

Edward Lisowski, 6988 S. 27th St., stated his concern about the proposed car wash on the property in that wet vehicles will be exiting out onto 27th Street. In the winter this will mean ice accumulation on 27th Street, which will be dangerous. Mr. Lisowski suggested that there be another outlet on Rawson Ave. rather than 27th St. because 27th Street is a major highway.

Mayor Bukiewicz responded that they do have an entrance off of Rawson Ave. The Wisconsin Department of Transportation has dictated where the driveway will be on the state highway. Also, the car wash is for private use. Any cars that will be washed will remain on the lot.

Commissioner Siefert stated that the conditions and restrictions look good.

Commissioner Hanna inquired about wetlands on the property. Planner Papelbon responded that there are wetlands on the property and they have been delineated.

Commissioner Hanna asked how the wastewater from the car wash is going to be handled and suggested it be part of the conditions and restrictions. Planner Papelbon responded that typically that is not a part of the conditions and restrictions because it is discussed at the site plan review level, and is part of the development agreement for the storm water management.

Commissioner Siepert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for automobile sales & service and a private car wash facility on the properties at 7008 & 7018 S. 27th St. and 2500 W. Rawson Ave. after a public hearing. Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn. Alderman Guzikowski seconded. On roll call: all voted aye. The meeting was adjourned at 7:24 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

April 10, 2018

Date

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

Applicant: Dorian Boyland, Boyland Properties

Property Address(es): 7008 & 7018 S. 27th St.
2500 W. Rawson Ave.

Tax Key Number(s): 737-9989-001, 737-9988-001,
737-9037-001

Conditional Use: **Automobile Sales & Service and Private Car Wash Facility**

Approved by Plan Commission: 3-27-18

Approved by Common Council: TBD
(Ord. # 2900)

1. LEGAL DESCRIPTION

Parcel 1, 7008 S. 27th St.:

Part of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 534.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 90 feet to a point; thence West and parallel to said South line 726 feet to a point in the said West line; thence South along said West line 90 feet to the place of beginning, except that part thereof conveyed to Milwaukee County by deed recorded in Volume 1308 of Deeds, Page 23, Document No. 1753937.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 2, 7018 S. 27th St:

Part of the Southwest 1/4 of Section 6, in Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at a point in the West line of said Southwest 1/4 of Section 6, said point being 474.34 feet North of the Southwest corner of said Southwest 1/4 of Section 6; thence East and parallel to the South line of said 1/4 Section, 726 feet to a point; thence North and parallel to the West line of said 1/4 Section 60 feet to a point; thence West and parallel to said South line, 726 feet to a point in the said West line; thence South along said West line, 60 feet to the place of beginning, excepting therefrom the West 80 feet.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

Parcel 3, 2500 W. Rawson Ave.:

Lot 1 of Certified Survey Map No. 7626, recorded on July 1, 2005, Reel 6126, as Document No. 9041308, being a consolidation of Parcels 1 and 2 of Certified Survey Map No. 3052, Parcel 1 of Certified Survey Map No. 2828, and unplatted lands, located in a part of the Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Except those land conveyed to the State of Wisconsin, Department of Transportation in Warranty Deed recorded as Document No. 10387599.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

A. All requirements of the City of Oak Creek Municipal Code, as amended, including all Sections of the 27th Street and Regional Retail Overlay Districts unless otherwise amended in these Conditions and Restrictions, 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.

F. Prior to the approval of site and building plans for the development the applicant shall prepare and submit a certified survey map combining the properties. The right-of-way for any public street as illustrated on the Official Map within these properties shall be dedicated, and the public improvements installed unless a variation or exception is granted by the Common Council pursuant to Section 14.180 of the Municipal Code.

G. The applicant, their heirs, successors or assigns, shall establish an escrow in accordance with City Development Agreements for the purchase of the 0.4-acre parcel on the corner of 27th St. and Rawson Ave. (7070 S. 27th St., Tax Key # 737-9984-001) at such time as it becomes available for purchase.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

A. One (1) automobile sales & service facility and one (1) private car wash facility in accordance with these Conditions and Restrictions is allowed on the property. Other uses permitted by the zoning district, in accordance with other applicable Sections of the City of Oak Creek Municipal Code and these Conditions and Restrictions, are also allowed on the property.

B. Hours of operation shall be between 6:30 AM and 9:00 PM Monday through Saturday.

C. There shall be no outdoor storage of equipment, junk/damaged/non-inventory vehicles, parts, or supplies. Outdoor display areas shall be limited to those for the display of vehicles for sale as approved by the Plan Commission as part of the site plan review process.

D. There shall be no storage of flammable or hazardous materials except those minimum quantities necessary for the operation of the permitted principal use. All materials shall be stored inside the building or in an area approved by the Plan Commission and Fire Department.

E. No pole signs, pennant flags, light pole flags, permanent banners, or flashing/blinking signs shall be permitted as part of this development.

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

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

B. Access to West Rawson Avenue (CTH BB) in accordance with executed agreements and access management plans is subject to the review and approval of Milwaukee County. Such approval shall be provided to the City prior to the issuance of any building permits.

C. Access to South 27th Street (STH 241) in accordance with executed agreements and access management plans is subject to the review and approval of the Wisconsin Department of Transportation. Such approval shall be provided to the City prior to the issuance of any building permits.

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 Setback	Side Setback
Principal Structure	50 ft	30 ft	20 ft
Accessory Structure**	50 ft	30 ft	20 ft
Parking	30 ft	0 ft	0 ft

*** This property is located within the 27th Street / Regional Retail 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. REVOCATION

Should an applicant, their 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)

DRAFT

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.)

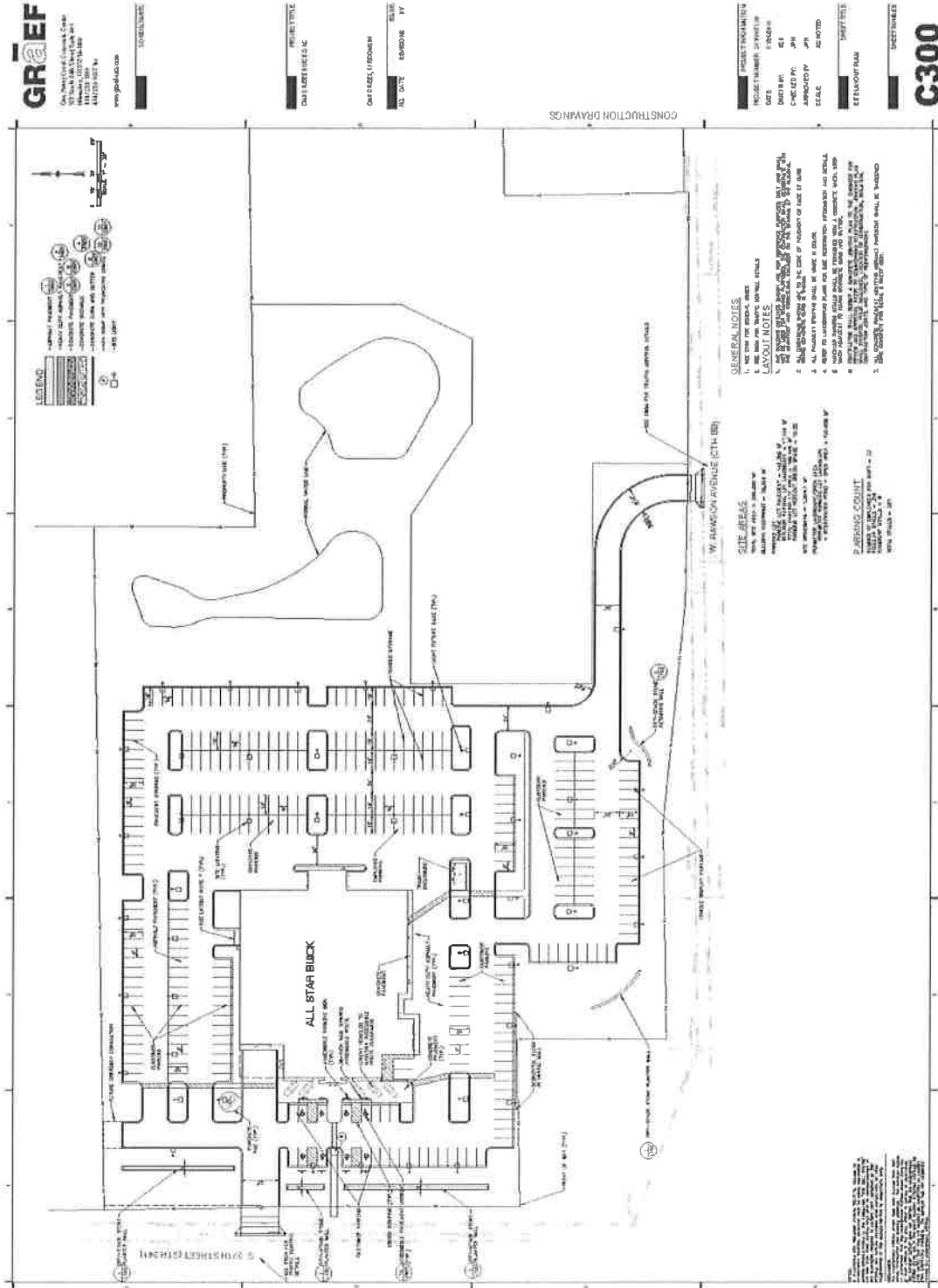


EXHIBIT B: CONCEPT BUILDING DESIGN

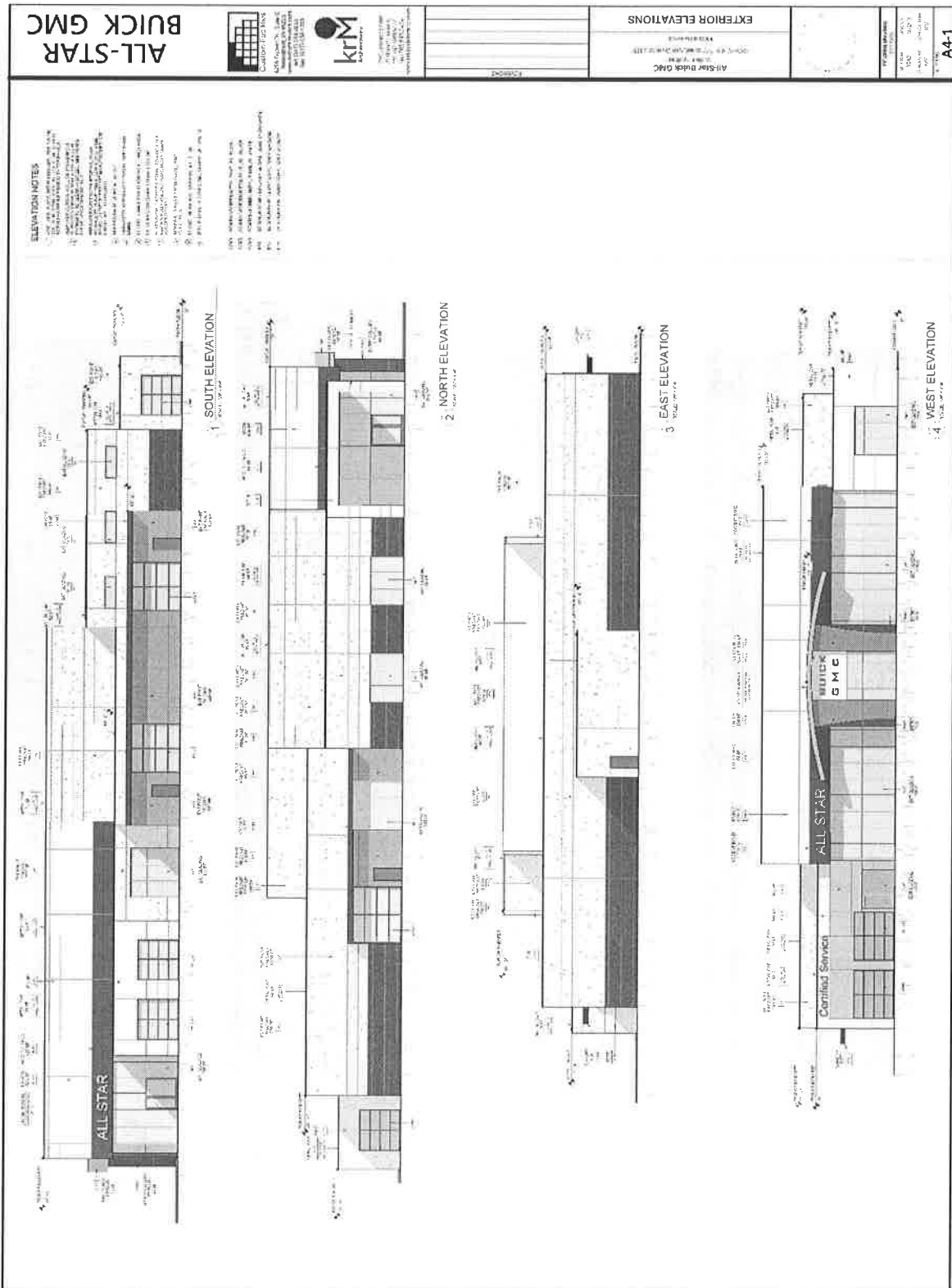


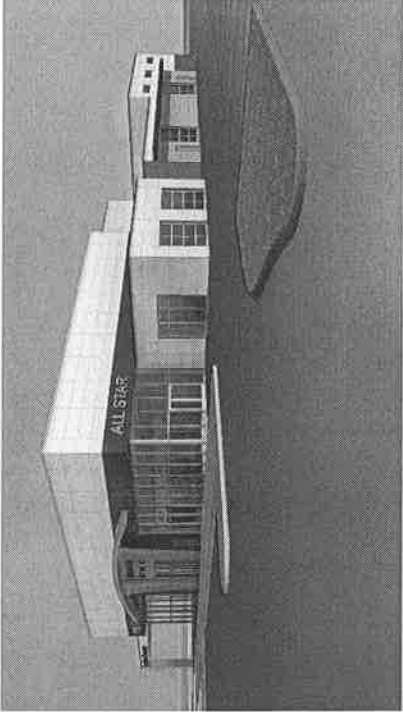
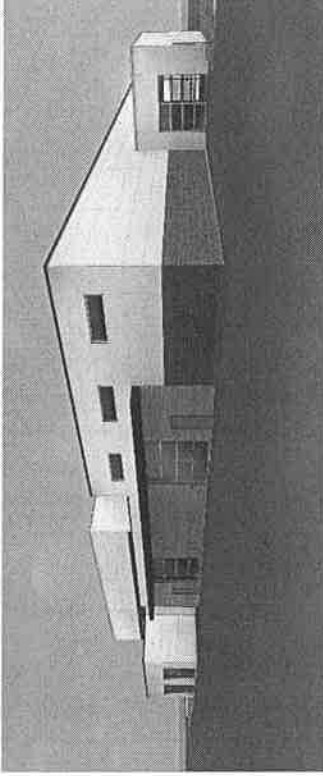
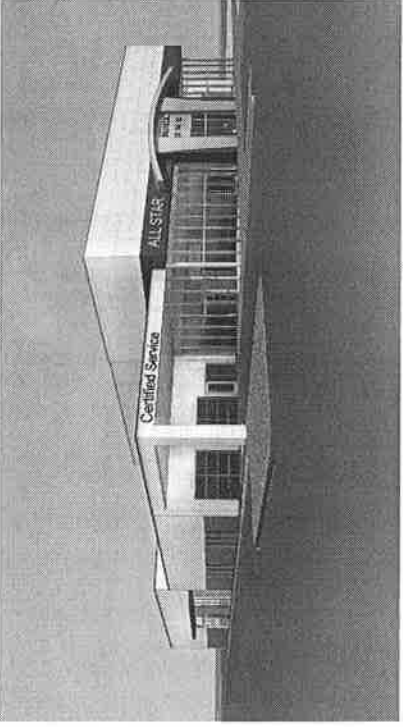
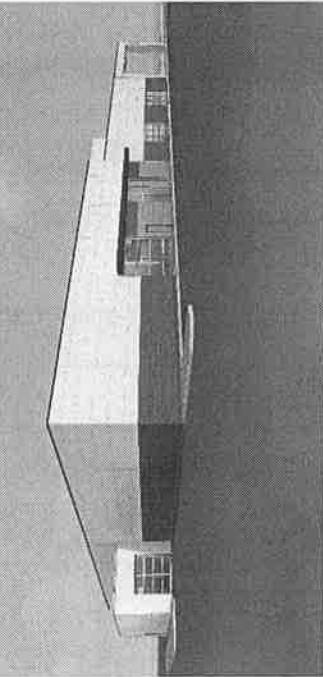


EXHIBIT B: CONCEPT BUILDING DESIGN (CONT'D)

<p>ALL-STAR BUICK GMC</p>		<p>RENDERINGS</p>	
	<p>SOUTHWEST</p>		<p>SOUTHEAST</p>
	<p>NORTHWEST</p>		<p>NORTHEAST</p>



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the April 11, 2018 Vendor Summary Report in the combined total of \$292,538.91

Fiscal Impact: Total claims paid of \$292,538.91.

- 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. \$9,452.50 to Buelow Vetter (pgs #3-4) for legal services.
2. \$57,251.74 to JPM (pgs #21-30) for equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.
3. \$16,340.00 to KVG Building Corporation (pg #10) for Drexel Town Square public restrooms.
4. \$11,734.43 to MADACC (pg #13) for 2st quarter animal control and debt service.
5. \$6,189.78 to Milwaukee County Treasurer (pg #13) for March court fines.
6. \$7,479.88 to Securian Financial Group, Inc. (pgs #15-16) for employee life insurance.
7. \$23,653.00 to Trust Account of Adele D. Nicholas (pg #1) for release of claims.
8. \$9,498.15 to Wausau (pg #19) for 3 new wing plows, Project 18020.
9. \$20,468.31 to WE Energies (pgs #19-20) for street lighting, electricity & natural gas.
10. \$14,441.05 to WI Court Fines & Surcharges (pg #20) for March's court fines.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: 4/11/18 Invoice GL Distribution Report



COMMON COUNCIL REPORT

Item: Special Privilege Permit Pizza Man Parklet

Recommendation: That the Common Council adopt Resolution No. 11929-041718 approving the Special Privilege Permit for the use of the parklet in the public right-of-way along S. Town Square Way from April 23, 2018 to October 15, 2018 submitted for Pizza Man, 7974 South Main Street .

Fiscal Impact: The Special Privilege Permit has a \$250.00 application fee plus an annual fee of \$10.00 per square foot of occupied space in the public right-of-way, which is prorated based upon the term.

- 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: In 2015 the Common Council updated portions of Chapter 6 of the Municipal Code to address issues that had arisen as a result of the approval of zero lot line buildings in Drexel Town Square, which were designed to provide an urban feel. These ordinance changes included providing for Special Privilege Permits under Section 6.27(d)(30) of the Code. Under certain conditions and with limitations, a Special Privilege Permit allows projections, obstructions and encroachments beyond a right-of-way line in Drexel Town Square.

On June 14, 2016 the Plan Commission approved the site and building plans submitted for modifications to a portion of the building and exterior dining area at Pizza Man, 7974 South Main Street. These modifications included the outdoor dining portion of the restaurant. The Plan Commission approval included the following conditions applicable to this Special Privilege Permit application for dining in the right-of-way:

- That lighting in the exterior dining area be reduced or turned off during non-business hours.
- That all revised plans (site, building, landscaping, etc.) are submitted in digital and paper formats for review and approval by the Department of Community Development prior to the submission of building permit applications.
- That all building and fire codes are met.
- That updated detailed lighting plans are submitted for review and approval by the Department of Community Development, upon recommendation of the Electrical Inspector, prior to the issuance of building permits.

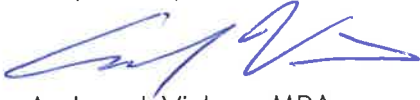
dining area.

The application must be accompanied by a location map, certificate of insurance, city indemnification, maintenance requirements and the fee. The fee is based on the structure that will occupy the space in the public right-of-way which is calculated to be 819 square feet for 6 months.

The Council approved this permit last year with resolution number 11825-060617.

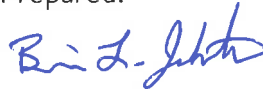
Options/Alternatives: The Common Council has the discretion to deny the request for the special privilege permit. Should the request not be approved the Council must provide the Code Sections upon which the denial is based so that the Applicant may revise and resubmit (if necessary).

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

Attachments: Resolution 11929-041718, Special Privilege Permit, Certificate of Insurance, Maintenance Requirements, Hold Harmless and Indemnity, and Layout

RESOLUTION NO. 11929-041718

RESOLUTION APPROVING THE SPECIAL PRIVILEGE PERMIT SUBMITTED
FOR PIZZA MAN, 7974 SOUTH MAIN STREET
(2nd Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Special Privilege Permit submitted for Pizza Man, 7974 South Main Street, be and the same is hereby approved subject to the applicant meeting all conditions precedent to issuance as approved by the City Engineer.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 17th day of April, 2018.

Passed and adopted this 17th day of April, 2018.

Common Council President

Approved this 17th day of April, 2018.

ATTEST:

Daniel J. Bukiewicz, Mayor

Catherine Roeske, City Clerk

VOTE: Ayes ____ Noes _____



APR 04 2018

OAKCREEK WISCONSIN RECEIVED

APPLICATION FOR SPECIAL PRIVILEGE PERMIT

Parcel No.	813-9050-000
Permit No.	PSP 18-0001
Date	4.4.18

Applicant (Name/Address/Contact Information): Sarah Baker 7639 W Lorraine Pl MKE 53222	Address of Proposed Work: 7974 S Main St Oak Creek 53154
Email: Sarah@pizzamanwi.com	Anticipated Permit Approval Date: _____
Permit Termination Date: _____	

Reason for special privilege permit:
outside dining aka parklet

***Required with submittal: Location map, certificate of insurance, city indemnification, maintenance requirements and fee.**

It is understood and agreed that this approval shall be subject to the applicant's full compliance with the pertinent statutes and law, as well as the codes, rules, and regulations of jurisdictional agencies, and with all standard and special provisions, attached drawings, and notes. Accomplishment of any part of the permitted work shall evidence the applicant's agreement to fully comply with and be bound by the permit in all its parts.

Signature of Applicant

CEO
Title

04/03/2018
Date

PERMIT CONDITIONS AND PROVISIONS

This permit governs the special privilege for the purpose of permissible obstructions, projections, and encroachments as outlined in Sections 6.27 of the Oak Creek Municipal Code. The following shall apply:

1. Unless otherwise authorized, adequate width two-way traffic shall be maintained at all times. Temporary traffic control signage and barricade placement shall be installed and maintained in conformance with the current Manual on Uniform Traffic Control Devices (MUTCD), at Permittee's expense. Such temporary traffic control shall be supplemented by flagmen when the work operations or site distance conditions warrant that the further safety precautions are necessary.
2. Length time for valid permit shall be at the discretion of the Common Council.
3. All refuse and materials shall be removed from the site and the site restored to original condition as the work progresses or immediately upon its completion.
4. Public drives and roadways shall not remain closed overnight, over weekends, or holidays. Before obstructing or closing any public drives or roadways, City shall be notified by Permittee.
5. Permittee shall at all times perform the work and maintain the site in accordance with all provisions of this permit, and shall assume all liability and responsibility for any and all damage and personal injury resulting from this work.
6. Permittee shall be responsible for all maintenance of facilities as outlined in the approved maintenance agreement.

*****OFFICE USE ONLY*****

Approved by: _____ Date: _____
City Engineer

Application Fee \$250 + Annual Fee of \$10.00 per square foot of occupied space in the public right-of-way, prorated based upon the term + Administrative Fee (\$5) = Total Fee \$ _____

SPECIAL PRIVILEGE CERTIFICATE OF INSURANCE

Insurance Company: Society Insurance

Address: 160 Camelot Drive, PO Box 1029, Fund du Lac, WI 54936

ISSUED TO THE CITY OF OAK CREEK, 8040 S. 6th St., Oak Creek, WI 53154

Insurance Company hereby certifies that is has issued to:

Name: ZA Man LLC, ZA Man 2 LLC, ZA Man 3 LLC

Address: 7700 W. Bluemound Rd., Wauwatosa, WI 53213

a general liability policy No. TRM 575772-4 effective July 23, 2017, expires July 23, 2018, providing for limits on an "Occurrence Basis" with limits of liability not less than one million dollars (\$1,000,000) per occurrence and/or aggregate combined single limit, Personal Injury, Bodily Injury and Property Damage.

Said policy provides that notwithstanding any other provision therein, 30 days' written notice of cancellation, material change, expiration, or intent not to renew will be given to the City Clerk's Office of the City of Oak Creek; otherwise such insurance as is afforded thereunder shall remain in full force and effect.

Dated this 3rd day of April, 2018.

Signed [Signature]
Authorized Representative

AFFIDAVIT

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

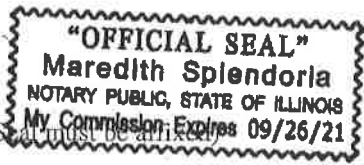
Joshua Herz, being first duly sworn, on oath deposes and says that s/he is the agent of the Society Insurance, insurer (Insurance Company) on the attached certificate issued to ZA Man LLC.

Affidavit further deposes and says that no officer, official or employee of the City of Oak Creek has any interest, directly or indirectly, or is receiving any premium, commission, fee, or other thing of value on account of the sale or furnishing of said policy.

Signed _____
Authorized Representative

Subscribed and sworn to before me this 3 day of April, 2018.

[Signature]
Notary Public, State of Wisconsin
My commission expires: 9/26/21



** The date that the Notary Public signs and dates the form must be the same date that the certificate is dated.



Pizza Man Oak Creek
Special Privilege/Maintenance Permit Application.

- Prior to installation and removal of any structure, a **Temporary Work Encroachment within Public Right-of-way** shall be obtained from the City Engineer.
- Installation of 4'x4' interlocking parklet sections is anticipated to take up to 2 days for initial install. The City understands that less time will be needed for deconstruction or reinstallation in following years.
- Sections to be stored off-site when not in seasonal use and freighted to site for install.
- Seasonal operation to be from ~~May 15~~ **April 23** until October 15, ~~2017~~ **2018** as per the City Plan Commission's approval.
- As a permanent solution to landscaping after deconstruction after first season, Pizza Man shall install decorative pavers to the satisfaction of the City by November 15, 2017.
- Support post feet adjust to meet a wide steel base for load distribution with a protection barrier between the base and the pavers and/or any other surface underneath.
- Parklet to be raised off grade to allow proper storm sewer water flow.
- Paver inspection and photo documentation to happen before and after seasonal use of parklet and pressure washing to occur after complete deconstruction.
- Paver wash down to occur on an as-needed schedule by restaurant staff or as directed by City.
- Illicit discharge to be prevented by using a mesh underlayment screen under parklet.
- Catch basins to be addressed in a similar manner with mesh screen basket, reviewed and maintained on a weekly basis.
- Design-build of parklet to allow full access to street lighting with 30" of clearance around light base.
- Impacted trees to be relocated by Pizza Man to a new location within Drexel Town Square as determined by the City Forester.
- Relocation and anchoring of bicycle rack will be necessary. Location to be determined by the City Engineer. Rack to be moved and anchored by Pizza Man's contractor.
- All overhead lighting to remain at or above a 10' height as per code requirements.
- Prior to installation of any overhead lighting an **electrical permit** will be obtained.
- Rodent control service to be contracted and reviewed frequently by restaurant management.
- No pets will be allowed on the parklet.
- No canopies or umbrellas will be allowed on the parklet.
- In addition to any of the above items that have a cost, all maintenance, set up and removal of the parklet is at the expense of Pizza Man.

HOLD HARMLESS AND INDEMNITY

WHEREAS, on June 14, 2016, before the City of Oak Creek Plan Commission (the "Plan Commission"), Pizza Man Oak Creek, d/b/a Za Man 3, LLC ("Pizza Man"), requested modifications to a portion of the building and exterior dining area at 7974 South Main Street which included the outdoor dining portion of the restaurant; and

WHEREAS, the Plan Commission approved said modifications subject to certain conditions for dining in the public right-of-way;

WHEREAS, Pizza Man has applied for a Special Privilege Permit from the City of Oak Creek pursuant to Section 6.27(d)(30) of the City of Oak Creek Municipal Code (the "Municipal Code"); and

WHEREAS, under certain conditions and with limitations, a Special Privilege Permit allows projections, obstructions and encroachments beyond a right-of-way line in Drexel Town Square in the City of Oak Creek; and

NOW, THEREFORE, Pizza Man agrees as follows:

Pizza Man, its officers, members, employees, agents, and assigns, shall, through the signing of this document by an authorized party or agent, hold harmless and indemnify the City of Oak Creek, its officials, employees, agents, and assigns, from any and all injuries, damages, losses, expenses, claims, suits and actions, including attorneys' fees, and all costs of litigation and judgment arising from the issuance of a Special Privilege Permit for dining in the City of Oak Creek public right-of-way along Pizza Man frontage, and Pizza Man shall not pursue any damages, losses, expenses, claims, suits or actions against the City of Oak Creek as a result.

Pizza Man shall reimburse the City of Oak Creek, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

Signed this 3 day of April, 2018.

ZAMAN3,LLC
5601 W. North Ave.
Milwaukee, Wisconsin 53208

By: _____

Title: CEO

HOLD HARMLESS AND INDEMNITY

WHEREAS, on June 14, 2016, before the City of Oak Creek Plan Commission (the "Plan Commission"), Pizza Man Oak Creek, d/b/a Za Man 3, LLC ("Pizza Man"), requested modifications to a portion of the building and exterior dining area at 7974 South Main Street which included the outdoor dining portion of the restaurant; and

WHEREAS, the Plan Commission approved said modifications subject to certain conditions for dining in the public right-of-way;

WHEREAS, Pizza Man has applied for a Special Privilege Permit from the City of Oak Creek pursuant to Section 6.27(d)(30) of the City of Oak Creek Municipal Code (the "Municipal Code"); and

WHEREAS, under certain conditions and with limitations, a Special Privilege Permit allows projections, obstructions and encroachments beyond a right-of-way line in Drexel Town Square in the City of Oak Creek; and

NOW, THEREFORE, Pizza Man agrees as follows:

Pizza Man, its officers, members, employees, agents, and assigns, shall, through the signing of this document by an authorized party or agent, hold harmless and indemnify the City of Oak Creek, its officials, employees, agents, and assigns, from any and all injuries, damages, losses, expenses, claims, suits and actions, including attorneys' fees, and all costs of litigation and judgment arising from the issuance of a Special Privilege Permit for dining in the City of Oak Creek public right-of-way along Pizza Man frontage, and Pizza Man shall not pursue any damages, losses, expenses, claims, suits or actions against the City of Oak Creek as a result.

Pizza Man shall reimburse the City of Oak Creek, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

Signed this 3 day of April, 2018.

ZAMAN3,LLC
5601 W. North Ave.
Milwaukee, Wisconsin 53208

By:


Title: CEO

PIZZAMAN - OAK CREEK MAIN STREET

SEAT COUNT:
158 INTERIOR SEATS
152 OUTDOOR SEATS
TOTAL 310 SEATS



RINKA|CHUNG

CONCEPT FLOOR PLAN

SCALE: 1/8" = 1'-0"

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

JUNE 18, 2014
140330.00



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/02/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Associated Agencies, Inc 1701 Golf Road #3-700 Rolling Meadows, IL 60008	CONTACT NAME: PHONE (A/C, No, Ext): (847) 427-8400 FAX (A/C, No): (847) 427-3430 E-MAIL ADDRESS: assocagencies@associated.cc
INSURED ZA Man, LLC 7700 W. Bluemound Rd. Wauwatosa, WI 53213	INSURER(S) AFFORDING COVERAGE NAIC # INSURER A : Society Insurance 15261 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		TRM 575772	07/23/2017	07/23/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CAP 575773	07/23/2017	07/23/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			UXL 575775	07/23/2017	07/23/2018	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
A	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below			WC 575774	07/23/2017	07/23/2018	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability			TRM 575772	07/23/2017	07/23/2018	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Re: 7974 S. Main St., Oak Creek, WI 53154
 Additional Named Insured: Za Man 3, LLC
 City of Oak Creek is Additional Insured with regard to the General Liability when required by written contract.

CERTIFICATE HOLDER City of Oak Creek 8040 S. 6th Street Oak Creek, WI 53154	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--



COMMON COUNCIL REPORT

Item: Shared Project Agreement

Recommendation: That the Common Council adopts Resolution No. 11930-041718, a resolution approving an agreement between the Cities of Oak Creek and South Milwaukee outlining responsibilities for a shared project for improvements to the intersection of Milwaukee/Nicholson. (Project No. 18028)(1st Aldermanic District)

Fiscal Impact: Oak Creek and South Milwaukee will share equally in the cost of the project. Oak Creek has reserved funding for the project under CIP #18028, will administer the construction contract and will invoice South Milwaukee for 50% reimbursement of the costs.

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: Oak Creek and South Milwaukee jointly coordinated a traffic study of Nicholson Avenue (a/k/a Pennsylvania Avenue) from Drexel to Rawson in 2016. Traffic Analysis & Design, Inc. (TADI) conducted the study and developed the report. While the study did recognize the road as a main collector road to be monitored frequently for traffic volumes and performance, it did not forecast a short term need for expansion to additional lanes. It did identify a more immediate need for improvements that would mitigate a.m. and p.m. rush hour delays at the intersection of Milwaukee/Nicholson.

This was looked at cooperatively by Oak Creek's and South Milwaukee's Engineering Departments, and a preliminary design has been completed. Each community has committed funding in its respective 2018 budget to proceed on to final design and construction this year.

The proposed intersection improvements include additional lanes to allow traffic to bypass queued turning vehicles at the intersection, thus making it safer for turning vehicles while also providing a more efficient movement of traffic through the intersection.

Project responsibilities (tasks and costs) for the two cities are established in the proposed shared project agreement. It is staff's recommendation that the Common Council approve and enter into the agreement.

South Milwaukee's governing body will be considering its approval of this agreement as well.

Options/Alternatives: If the project does not proceed at this time, traffic will continue to experience periodic delays during peak a.m and p.m. travel times.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Michael C. Simmons, PE
City Engineer

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: 1. Resolution No. 11930-041718 2. Agreement

RESOLUTION NO.11930-041718

BY: _____

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITIES OF OAK CREEK AND SOUTH MILWAUKEE OUTLINING RESPONSIBILITIES FOR A SHARED PROJECT FOR IMPROVEMENTS TO THE INTERSECTION OF MILWAUKEE/NICHOLSON

(1ST ALDERMANIC DISTRICT)

WHEREAS, the Cities of Oak Creek and South Milwaukee coordinated the development of a traffic study in 2016 for Nicholson Avenue (a/k/a Pennsylvania Avenue) from Drexel to Rawson; and

WHEREAS, said traffic study identified a need for improvements to the intersection of Milwaukee/Nicholson; and

WHEREAS, both Oak Creek and South Milwaukee have committed funding in their respective 2018 budgets for the proposed intersection improvement project; and

WHEREAS, an agreement between the two cities for project responsibilities regarding tasks and cost shares is necessary before the project can proceed to final design and construction; and

WHEREAS, South Milwaukee will have approval of the agreement before its governing body as well.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Agreement between the Cities of Oak Creek and South Milwaukee outlining responsibilities for a shared project for improvements to the intersection of Milwaukee/Nicholson, in such form and content as annexed hereto, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, Finance Director and City Attorney are hereby authorized to execute and deliver such agreement.

Introduced at a regular meeting of the Common Council of the City of Oak Creek, held this 17th day of April, 2018.

Passed and adopted this 17th day of April, 2018.

Common Council President

Approved this 17th day of April, 2018.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

**AGREEMENT BETWEEN THE CITIES OF
OAK CREEK AND SOUTH MILWAUKEE FOR A SHARED PROJECT FOR
IMPROVEMENTS TO THE MILWAUKEE/NICHOLSON INTERSECTION**

THIS AGREEMENT is made and entered into by and between the City of Oak Creek (“OAK CREEK”), a municipal corporation; and the City of South Milwaukee (“SOUTH MILWAUKEE”), a municipal corporation (collectively, the “PARTIES”); regarding the construction of public improvements on the intersection of Milwaukee/Nicholson (“PROJECT”).

WITNESSETH:

WHEREAS, Nicholson Avenue (a/k/a Pennsylvania Avenue), from Drexel to Rawson, is a shared road between the PARTIES; and

WHEREAS, the PARTIES jointly contracted for a 2016 Traffic Study for this shared road to identify immediate and future capacity and traffic improvement needs; and

WHEREAS, said traffic study identified intersection improvements at Milwaukee/Nicholson as a more immediate need to improve traffic movement at peak morning and evening rush hours; and

WHEREAS, the PARTIES recognize the benefits of the proposed intersection improvements and the need to formally define in mutual agreement responsibilities for the shared Project; and

WHEREAS, the PARTIES have reserved funding in their respective 2018 budgets for this project.

NOW, THEREFORE, in consideration of the mutual promises the PARTIES each made to the other, the fulfillment of the terms and conditions, agreements, and understandings hereinafter set forth, it is agreed by and between the PARTIES as follows:

1. OAK CREEK shall be the lead agency in coordinating the design of the Project.
2. SOUTH MILWAUKEE shall collaborate, review and approve of the design prior to finalization of construction plans.
3. OAK CREEK shall advertise the Project for public bid, and coordinate the public bid process.
4. The PARTIES shall jointly review the bids received and recommend an award of contract to their respective governing bodies.
5. OAK CREEK shall administer the construction contract, and invoice SOUTH MILWAUKEE for half of all payments made to the Contractor.

6. OAK CREEK shall perform construction inspection of the PROJECT, and invoice SOUTH MILWAUKEE for one-half the costs.
7. This document may be signed in counterparts, all of which when taken together shall constitute one AGREEMENT.
8. The AGREEMENT shall be effective only upon approval of the respective governing bodies of the CITY OF OAK CREEK and the CITY OF SOUTH MILWAUKEE.
9. This agreement shall continue and be in force until such time that the PROJECT is complete and accepted by both PARTIES, and all PROJECT invoices and outstanding PROJECT costs between the PARTIES are resolved.

IN WITNESS WHEREOF, the undersigned on behalf of the City of Oak Creek affix their hands and seals this _____ day of _____, 2018.

Signed and Sealed in
the presence of:

CITY OF OAK CREEK
A MUNICIPAL CORPORATION

Catherine A. Roeske, City Clerk

Mayor Daniel Bukiewicz

IN WITNESS WHEREOF, the undersigned on behalf of the City of South Milwaukee affix their hands and seals this _____ day of _____, 2018.

Signed and Sealed in
the presence of:

CITY OF SOUTH MILWAUKEE
A MUNICIPAL CORPORATION

James Shelenske, City Clerk

Mayor Erik Brooks



COMMON COUNCIL REPORT

Item: Dedication and Release

Recommendation: That the Common Council adopts Resolution No. 11931-041718, a resolution accepting dedication of the public improvements and release from the development agreement for the William Garrow project (Tax Key Nos. 791-9990-000, 791-9991-000, 791-9992-000, 791-9993-000 and 791-9994-000)(Project No. 97065)(1st Aldermanic District)

Fiscal Impact: Full maintenance of the public improvements becomes the City's responsibility.

- 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 Developer has completed, to the satisfaction of the Engineering Department, Street Department and the Oak Creek Water and Sewer Utility, all required public improvements for the William Garrow project. The Developer, William Garrow, entered into a development agreement dated April 27, 1998 and recorded on May 22, 1998, in Reel 4314, Image 290 as Document 7536866 as amended by the First Supplemental Development Agreement dated October 30, 1998 and recorded on November 12, 1998, in Reel 4435, Image 569, as Document No. 7632646. These agreements were approved by Council by Resolutions 9510-042198 and 9875-102098, respectively. This project was for the installation of public water main to serve a proposed 3 lot CSM. The Developer completed the work in 2000 but the agreement was not closed out. Now there is a proposed storage unit building on the site and the land transfer has shown the outstanding agreement. There are no current outstanding assessments against the properties, and all required City fees and costs have been paid.

Options/Alternatives: None

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

Approved:


Ronald J. Pritzlaff, PE
Utility Engineer

Attachments: Resolution No. 11931-041718, Dedication and Release

RESOLUTION NO. 11931-041718

BY: _____

**RESOLUTION ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND
RELEASING THE DEVELOPER FROM THE DEVELOPMENT AGREEMENT**

WILLIAM GARROW

(PROJECT NO. 97065)

(1ST ALDERMANIC DISTRICT)

WHEREAS, William Garrow, hereinafter referred to as the "Developer", has constructed and installed all required public water main for said project at the expense of the Developer and in accordance with the plans and specifications conforming to applicable City Ordinances and approved by the City; and

WHEREAS, the City certifies that all conditions and restrictions of the Development Agreement have been fully satisfied; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek, that the said dedication be and the same hereby is accepted; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Oak Creek that the Developer is hereby released from the terms and conditions of their development agreement.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 17th day of April, 2018.

Passed and adopted this 17th day of April, 2018.

President, Common Council

Approved this 17th day of April, 2018.

Mayor

ATTEST: _____
City Clerk

VOTE: Ayes _____ Noes _____

**CERTIFICATE OF RELEASE
OF DEVELOPMENT
AGREEMENT**

Document Number

Document Name

Recording Area

Name and Return Address

Melissa Karls, Esq.
Haskin & Karls
7300 S. 13th St., Ste. 104
Oak Creek, WI 53154

719-9990-000

719-9991-000

719-9992-000

719-9993-000

719-9994-000

Parcel Identification Number (PIN)

CERTIFICATE OF RELEASE OF DEVELOPMENT AGREEMENT

This ___ day of April, 2018, the City of Oak Creek, Wisconsin (“Oak Creek”) hereby releases and deems fully satisfied all terms, conditions and obligations of the Development Agreement dated April 27, 1998 and recorded on May 22, 1998, in Reel 4314, Image 290, as Document No. 7536866, as amended by the First Supplemental Development Agreement dated October 30, 1998 and recorded on November 12, 1998, in Reel 4435, Image 569, as Document No. 7632646 (collectively, the “Development Agreement”). Oak Creek certifies that all conditions and restrictions of the Development Agreement have been fully satisfied or waived; all assessments and fees, including deferred assessments, have been fully paid; and all public improvements contemplated therein have been made. This document may be recorded in the real property records to evidence the release of the Development Agreement and the Development Agreement shall have no further force or effect against the real property described therein now known as 6304 and 6340 South Howell Avenue, 137, 209 and 147 East College Avenue, Oak Creek, WI 53154 as legally described in **Exhibit A** attached hereto and incorporated by reference.

CITY OF OAK CREEK, a political
subdivision of the State of Wisconsin

By: _____
Daniel J. Bukiewicz, Mayor

STATE OF WISCONSIN)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of April, 2018, by Daniel J. Bukiewicz, as Mayor of the City of Oak Creek, a political subdivision of the State of Wisconsin.

WITNESS my hand and official seal.

My commission expires:.

Notary Public

EXHIBIT A

Lot 1 of Certified Survey Map No. 8942, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on August 11, 2017, as Document No. 10701093, being a part of the Northwest ¼ of the Northwest ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin

Tax Parcels:

719-9990-000

719-9991-000

719-9992-000

719-9993-000

719-9994-000

Prepared by:

Stephanie M. Stewart, Esq.

9380 Station Street, #500

Lone Tree, Colorado 80124



COMMON COUNCIL REPORT

Item: Dedication and Release

Recommendation: That the Common Council adopts Resolution No. 11932-041718, a resolution accepting dedication of the public improvements and release from the development agreement for the RCB Worldwide, Inc. CSM project (1st Aldermanic District)

Fiscal Impact: None

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

Background: The Developer has completed, to the satisfaction of the Engineering Department all required public improvements for the RCB Worldwide, Inc. CSM project. The Developer, RCB Worldwide, Inc, entered into a development agreement dated January 7, 1999 and recorded on January 26, 1999 in Reel 4485, Image 658 as Document 7674883. This agreement was approved by Council by Resolution 9591-110998. This project was for the installation of public storm sewer to serve a proposed 3 lot CSM. The Developer completed the work but the agreement was not closed out. Now there is a proposed storage unit building on the site and the land transfer has shown the outstanding agreement. There are no current outstanding assessments against the properties, and all required City fees and costs have been paid.

Options/Alternatives: None

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. 11932-041718

BY: _____

**RESOLUTION ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND
RELEASING THE DEVELOPER FROM THE DEVELOPMENT AGREEMENT**

RCB WORLDWIDE, INC CSM

(1ST ALDERMANIC DISTRICT)

WHEREAS, RCB Worldwide, Inc., hereinafter referred to as the "Developer", has constructed and installed all required public improvements for said project at the expense of the Developer and in accordance with the plans and specifications conforming to applicable City Ordinances and approved by the City; and

WHEREAS, the City certifies that all conditions and restrictions of the Development Agreement have been fully satisfied; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek, that the said dedication be and the same hereby is accepted; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Oak Creek that the Developer is hereby released from the terms and conditions of their development agreement.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 17th day of April, 2018.

Passed and adopted this 17th day of April, 2018.

President, Common Council

Approved this 17th day of April, 2018.

Mayor

ATTEST: _____
City Clerk

VOTE: Ayes _____ Noes _____

Attachments: Resolution No. 11932-041718, Dedication and Release

**CERTIFICATE OF RELEASE
OF DEVELOPMENT
AGREEMENT**

Document Number

Document Name

Recording Area

Name and Return Address

Melissa Karls, Esq.
Haskin & Karls
7300 S. 13th St., Ste. 104
Oak Creek, WI 53154

814-9038-000

Parcel Identification Number (PIN)

CERTIFICATE OF RELEASE OF DEVELOPMENT AGREEMENT

This ___ day of April, 2018, the City of Oak Creek, Wisconsin (“Oak Creek”) hereby releases and deems fully satisfied all terms, conditions and obligations of the Development Agreement recorded on January 26, 1999, in Reel 4485, Image 658, as Document No. 7674883 (the “Development Agreement”). Oak Creek certifies that all conditions and restrictions of the Development Agreement have been fully satisfied or waived; all assessments and fees, including deferred assessments, have been fully paid; and all public improvements contemplated therein have been made. This document may be recorded in the real property records to evidence the release of the Development Agreement and the Development Agreement shall have no further force or effect against the real property described therein now known as 275 East Drexel Avenue, Oak Creek, WI 53154-PIN 814-9038-000 as legally described in **Exhibit A** attached hereto and incorporated by reference.

CITY OF OAK CREEK, a political
subdivision of the State of Wisconsin

By: _____
Daniel J. Bukiewicz, Mayor

STATE OF WISCONSIN)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of April, 2018, by Daniel J. Bukiewicz, as Mayor of the City of Oak Creek, a political subdivision of the State of Wisconsin.

WITNESS my hand and official seal.

My commission expires:.

Notary Public

EXHIBIT A

Parcel 3 of Certified Survey Map No. 6615, recorded January 27, 1999 on Reel 4486, Image 802, as Document No. 7676949, being a division of land in the Northwest $\frac{1}{4}$ of Section 16, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin

Tax Parcel: 814-9038-000

Prepared by:
Stephanie M. Stewart, Esq.
9380 Station Street, #500
Lone Tree, Colorado 80124

COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 4/17/18 License Committee Report.

Fiscal Impact: License fees in the amount of \$1,715.00 were collected.

Critical Success Factor(s):

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

Background: The License Committee did not meet prior to the 4/17/18 council meeting. Tentative recommendations are as follows:

1. Grant an Operator's license to:

- * Nicole M. Shindel, 1918 W. Salem St., Milwaukee (Erv's Mug)
- * Talynn A. Jasicki, 4001 S. 76th St., Milwaukee (Kwik Trip)
- * Michelle D. Konczak, 520 W. Riverwood Dr., Oak Creek (South Shore Cinemas)
- * Gavin G. Walters, 8215 S. Alisa Ln., Oak Creek (Kwik Trip)
- * Desirea D. Hart, 2137 W. College Ave., Oak Creek (Erv's Mug)
- * Christina M. Lister, 1221 E. Connie Ln., Oak Creek (Oak Hills Golf Course)
- * Marcelina I. Romero, 2079 S. Muskego Ave., Milwaukee (South Shore Cinemas)
- * Rheannan N. Phelan, 233 E. Pine Hollow Ln., Oak Creek (Cubanita's)
- * Yazan N. Mahmoud, 400 E. Ryan Rd., Oak Creek (Walgreens)
- * Stacie L. Lisowski, 8139 S. 42nd St., Franklin (South Shore Cinemas)
- * Tepesto A. Joiner, 3831 S. Miner St., Milwaukee (diCarlos)
- * Julia M. Knoll, 8727 S. Oak Park Dr., Oak Creek (South Shore Cinemas)
- * Tara L. Morgan, 5300 Linden Cir., Racine (South Shore Cinemas)
- * Carrie S. Schoner, W238 N7079 Michele Ln., Sussex (MATC)
- * Amelia David, 3311 15 Street, Kenosha (South Shore Cinemas)
- * George Z. Dertis, 3705 W. Drexel, Franklin (Melrose Eatery)

2. Grant a change of premise to the 2017-2018 Reserve Class B Combination license to Marc Bianchini, Agent on behalf of CUB DTS, LLC dba Cubanita's 7973 S. Main St., to include an extension of premise into Drexel Town Square for the following events: Summer Soulstice (6/16), Oak Creek Farmers Markets (6/2, 6/9, 6/16, 6/23, and 6/30) and the MilwaukeeFood.com Food Truck Tour (6/13).

3. Grant a change of premise to the 2017-2018 Reserve Class B Combination license to Sarah Baker, Agent, ZA Man 3, LLC dba Pizza Man Oak Creek, 7974 S. Main St., to include an extension of premise into Drexel Town Square for the following events: Summer Soulstice (6/16), Oak Creek Farmers Markets (6/2, 6/9, 6/16, 6/23, and 6/30) and the MilwaukeeFood.com Food Truck Tour (6/13).

4. Grant a change of premise to the 2017-2018 Class B Beer / Class C Wine license to Robb Kashevarof, Agent, Valentine Café, LLC dba Valentine Café, 7981 S. 6th St., to include an extension of premise into Drexel Town Square for the following events: Summer Soulstice (6/16), Oak Creek Farmers Markets (6/2, 6/9, 6/16, 6/23, and 6/30) and the MilwaukeeFood.com Food Truck Tour (6/13).

5. Grant a Temporary Class B Beer license to Carolyn Bukiewicz, Agent, Oak Creek Celebrations Commission, for the Drexel Town Square Summer Soulstice festival, scheduled for Saturday, June 16, 2018.

6. Grant a Temporary Class B Beer / Class C Wine License to Kristin Kowaleski, Agent, Oak Creek Tourism Commission, for the Oak Creek Beer Garden #1 to be held at Abendshein Park, 1321 E. Drexel Ave., 5/31-6/3/18.

7. Grant a Temporary Class B Beer / Class C Wine license to Kristin Kowaleski, Agent, Oak Creek Tourism Commission, for the Oak Creek Beer Garden #2 to be held at Lake Vista Park, 9252 S. John St., 8/23-8/26/18.

8. Grant a Temporary Class B Beer license to Kristin Kowaleski, Agent, Oak Creek Tourism Commission, for the MilwaukeeFood.com Food Truck Tours, scheduled for June 13, July 18, August 29, and September 19.

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

Attachments: None