



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

COMMON COUNCIL MEETING AGENDA

JULY 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.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 6/5/18, 6/19/18.

Recognition

4. **Resolution:** Consider Resolution No. 11953-071718, a Resolution of Appreciation to Patrick Francis, retiring Treatment Plant Manager (by Committee of the Whole).
5. **Resolution:** Consider Resolution No. 11955-071718, a Resolution of Commendation to Mark Mull, retiring Equipment Operator (by Committee of the Whole).
6. **Resolution:** Consider Resolution No. 11956-071718, a Resolution of Commendation to Karen Doro, retiring Youth Services Librarian (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.

7. **Rezone:** Consider a request submitted by Dale DeWitt on behalf of LaVerne Boers to rezone a portion of the property shown as Lot 1 on a proposed certified survey map for 3280 E. Oakwood Rd. from A-1, Limited Agricultural district to Rs-3, Single Family Residential, with a variation request related to the minimum lot width for the proposed lot (4th District).
8. **Rezone:** Consider a request by HSI Oak Creek Partners, LLC, and Apple Tower Development, Inc., LLC to rezone and establish a Planned Unit Development for the properties at 8300, 8304, 8310 and 8380 S. 27th St. and 8370 S. Orchard Way (2nd District).
9. **Ordinance:** Consider Ordinance No. 2905, to approve a rezoning of the properties at 8300, 8304, 8310 and 8380 S. 27th St., and 8370 S. Orchard Way to Rm-1 (PUD), Multifamily Residential Planned Unit Development (2nd District).

Visit our website at www.oakcreekwi.org for the agenda and accompanying common council reports.

10. **Conditional Use Amendment:** Consider a request submitted by Kelly Gallacher, SSV I Oak Creek, LLC, for an amendment to the Time and Compliance section of the existing Conditional Use Permit to allow an additional 6 months affecting the properties located at 275 E. Drexel Ave. (1st District).
11. **Ordinance:** Consider Ordinance No. 2903, amending the Conditions and Restrictions in Ordinance 2852 for a Conditional Use Permit for a self-service storage facility (mini-warehousing) for the property at 275 E. Drexel Ave. (1st District).

New Business

12. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending May 31, 2018.
13. **Presentation:** City of Oak Creek Budget to Actual Report 2nd Quarter 2018.
14. **Informational:** Strategic Action Plan Report: Handling demand for single family lot inventory.
15. **Motion:** Consider a motion to concur with the Mayor's appointment as follows:
 - a. Celebrations Commission – 3 year term expiring 3/2021
 - Lisa Marshall – 10245 S. Camden Ct.
16. **Motion:** Consider a motion to approve the June 27, 2018 Vendor Summary Report in the combined total amount of \$754,786.98 (by Committee of the Whole).
17. **Motion:** Consider a motion to approve the July 11, 2018 Vendor Summary Report in the combined total amount of \$641,915.29 (by Committee of the Whole).

FIRE

18. **Motion:** Consider a motion to approve the purchase of a LUCAS Chest Compression System in the amount of \$16,000, for assisting in CPR (by Committee of the Whole).

POLICE

19. **Motion:** Consider a motion to approve the proposed annual Agreement for School Resource Officer services for the 2018-19 school year (by Committee of the Whole).

WATER & SEWER UTILITY

20. **Resolution:** Consider Resolution No. 11961-071718, a final resolution authorizing water main improvements, and levying special assessments against benefited properties on Depot Road from 5th Avenue 130 feet west of 5th Avenue (Project No. 18107) (4th District).

ENGINEERING

21. **Resolution:** Consider Resolution No. 11959-071718, accepting the workmanship of KVG Building Corp. and authorizing final payment (Project No. 18025) (2nd District).
22. **Resolution:** Consider Resolution No. 11960-071718, accepting the workmanship of MP Systems and authorizing final payment (Project No. 17021) (1st & 2nd Districts).

COMMUNITY DEVELOPMENT

23. **Resolution:** Consider Resolution No. 11957-071718, approving a Certified Survey Map for Richard Ruvn, R.W. Howell, LLC, for the property at 8355 S. Howell Ave. (2nd District).
24. **Resolution:** Consider Resolution No. 11958-071718, approving a Certified Survey Map for Ay Lin Sok for the properties at 6615 and 6622 S. 27th St. (2nd District).
25. **Ordinance:** Consider Ordinance No. 2906, adopting an amendment to the Comprehensive Plan for the properties at 9600 and 9700 S. 13th St. and 1001 W. Ryan Rd. (5th District).
26. **Resolution:** Consider Resolution No. 11962-071718, approving a Certified Survey Map for John Thomsen for the properties at 7781, 7811, and 7869 S. 13th St. (1st District).

LICENSE COMMITTEE

27. **Motion:** Consider a motion to grant the various license requests as listed on the 7/17/18 License Committee Report (by Committee of the Whole).

MISCELLANEOUS

28. **Motion:** Consider a motion to convene into Closed Session pursuant to Wisconsin State Statutes Section 19.85(1)(e) to discuss a proposed Finance Development Agreement by and between the City of Oak Creek and Ryan Business Park, LLC for the properties at 741 and 1001 W. Ryan Rd. and 9600, 9700, and 9900 S. 13th St. (5th District).
29. **Motion:** Consider a motion to reconvene into Open Session.
30. **Motion:** Consider a motion to take action, if required.

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



COMMON COUNCIL REPORT

Item: Appreciation to Patrick Francis, Retiring Treatment Plant Manager

Recommendation: That the Common Council adopt Resolution No. 11953-071718, a Resolution of Appreciation to Patrick Francis, retiring Treatment Plant Manager

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: PATRICK K. FRANCIS served the City of Oak Creek Water and Sewer Utility for 43 years and his career dictates that he be honored with this Resolution of Appreciation.

Options/Alternatives:

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Michael J. Sullivan, PE
General Manager

Fiscal Review:

Bridget M. Souffrant
Finance Director/Comptroller

Attachments: Resolution 11953-071718

RESOLUTION NO. 11953-071718

RESOLUTION OF APPRECIATION
TO
PATRICK K. FRANCIS

WHEREAS, PATRICK K. FRANCIS, began his employment with the Oak Creek Water & Sewer Utility on June 23, 1975, as a full-time Distribution Service Worker; and,

WHEREAS, PATRICK K. FRANCIS, transferred to the water treatment plant as a full-time third shift plant operator on April 18, 1978; and,

WHEREAS, PATRICK K. FRANCIS was a dependable treatment plant operator who worked first, second shift and third rotations over the course of time operating the plant; and,

WHEREAS, PATRICK K. FRANCIS was responsible for ensuring public health by operating the treatment plant to produce award-winning water quality that far exceeded water quality regulations.

WHEREAS, PATRICK K. FRANCIS was a dedicated plant operator of the Oak Creek Water Treatment Plant which has been recognized as the first plant in the State of Wisconsin to achieve the American Water Works Association Partnership for Safe Water Phase III Director's Award and worked during his entire career to maintain the status the Utility has held for 20 continuous years; and,

WHEREAS, PATRICK K. FRANCIS was a member of the operating staff of the Oak Creek Water Treatment Plant which has been recognized again as the first plant in the State of Wisconsin and one of only 19 in the nation to achieve the prestigious American Water Works Association Partnership for Safe Water Phase IV President's Award in 2015; and,

WHEREAS, PATRICK K. FRANCIS was promoted to Chief Operator on October 14, 1991; and,

WHEREAS, PATRICK K. FRANCIS was a member of the Wisconsin Water Works Association and West Shore Water Producers Association; and,

WHEREAS, PATRICK K. FRANCIS was an integral part of the on-going training program in place at the treatment plant by the sharing of his extensive knowledge; and,

WHEREAS, PATRICK K. FRANCIS, received the Operator Meritorious Award for Wisconsin at the Wisconsin Water Association annual meeting in 2003; and,

WHEREAS, PATRICK K. FRANCIS has retired from his position of Treatment Plant Manager with the Oak Creek Water and Sewer Utility, effective June 23, 2018, after completing 43 years of full-time service.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek, for and on behalf of the citizens of the City of Oak Creek, that sincere gratitude and appreciation be extended to PATRICK K. FRANCIS for his years of dedicated and faithful service to the City of Oak Creek and the Water and Sewer Utility, and that best wishes for good health and happiness be extended to PATRICK K. FRANCIS and his family for future years.

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

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

Kenneth Gehl, Common Council President

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

Vote: Ayes _____ Noes _____

RESOLUTION 11955-071718

**RESOLUTION OF COMMENDATION
TO
MARK MULL**

WHEREAS, Mark Mull began his employment with the City of Oak Creek Streets Department on October 19, 1998, as an Equipment Operator and after a departmental reorganization in 2016, most recently held the position of Equipment Operator II; and

WHEREAS, Mark was a very effective employee during his years of service with the City of Oak Creek Street Department, which in 2018 was changed to be the Department of Public Works; and

WHEREAS, Mark answered many calls and provided immeasurable service to the community and its citizens; and

WHEREAS, in December of 2017, Mark received a merit award in the Bravo Award category for demonstrating exceptional performance of his assigned duties and special projects; and

WHEREAS, Mark Mull has been a valuable employee during his years of dedicated service with the City of Oak Creek, always striving to enhance the quality of life within the Oak Creek community; and

WHEREAS, Mark is retiring from his position of Equipment Operator II effective June 30, 2018, completing over 19 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 Mark 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 Mark Mull.

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

Kenneth Gehl, Common Council President

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

Vote: Ayes _____ Noes _____

RESOLUTION 11956-071718

**RESOLUTION OF COMMENDATION
TO
KAREN DORO**

WHEREAS, Karen Doro began her employment with the City of Oak Creek Public Library on January 2, 2005, as the Children's/Young Adult Librarian and since January 2017, held the position of Youth Services Librarian; and

WHEREAS, Karen was a dedicated and loyal employee during her years of service with the Oak Creek Public Library; and

WHEREAS, throughout her career, Karen has worked to promote the value of library services for children; and

WHEREAS, during her tenure as a librarian, Karen has adapted to the changing landscape of Library services and technologies; and

WHEREAS, Karen served as a member of the Milwaukee County Federated Library System's Youth Service Committee and co-chaired the committee 2014-2015; and

WHEREAS, Karen was a member of the team that provided feedback and recommendations for the design and programming of the Youth Services Department in the new facility and helped to relocate the library to its new facility in October 2015; and

WHEREAS, during her time at Oak Creek, Karen created several new programs to promote child literacy, 1000 Books before Kindergarten; and

WHEREAS, during her time with the Oak Creek Public Library, Karen touched the lives of hundreds, if not thousands, of children in the Oak Creek area; and

WHEREAS, after 13 years and 6 months of dedicated service to the Oak Creek Public Library, KAREN DORO is retiring from her position of Youth Services Librarian effective July 6, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Mayor, and the Common Council of the City of Oak Creek, for and on behalf of the citizens of the City of Oak Creek, that sincere appreciation and gratitude be extended to Karen Doro for her many years of dedicated service to the City of Oak Creek and that the best wishes for good health and happiness be extended to Karen Doro on her retirement.

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 Karen Doro.

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

Kenneth Gehl, Common Council President

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

Vote: Ayes _____ Noes _____

TO BE PUBLISHED JUNE 27 & JULY 4, 2018

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider requests submitted by Dale DeWitt on behalf of LaVerne Boers to rezone a portion of the property shown as Lot 1 on a proposed certified survey map for 3280 E. Oakwood Rd. from A-1, Limited Agricultural district to Rs-3, Single Family Residential, with a variation request related to the minimum lot width for the proposed lot.

Hearing Date: Tuesday, July 17, 2018
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Dale DeWitt on behalf of LaVerne Boers
Property Owner(s): LaVerne Boers
Property Location(s): 3280 E. Oakwood Rd.
Tax Key(s): 919-9991-005

Legal Description:

Being a part of the Southwest ¼ of the Southwest ¼ of Section 26, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Commencing at the Southwest corner of said Southwest ¼; thence N 89°30'47" E along the Southline of said Southwest ¼ and the centerline of East Oakwood Road 1226.40 feet to the point of beginning of the lands to be described; thence continuing N 89°30'47" E along said Southline of said Southwest ¼ and Centerline of East Oakwood Road, 80.00 feet to a point; thence N 00°14'28" E, 290.00 feet to a point; thence S 74°03'33" W, 83.24 feet to a point; thence S 00°44'19" W, 267.82 feet to the point of beginning dedicating therefrom the South 40.00 feet for public street purposes. Said lands containing 22,275 square feet (Gross), 19,076 square feet (Net).

The Common Council has scheduled other public hearings for July 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: June 20, 2017
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 by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

TO BE PUBLISHED JUNE 27 & JULY 4, 2018

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider a request by HSI Oak Creek Partners, LLC, and Apple Tower Development, Inc., LLC to rezone and establish a Planned Unit Development for the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way.

Hearing Date: Tuesday, July 17, 2018
Time: 7:00 PM
Place: Oak Creek City Hall
 8040 South 6th Street
 Oak Creek, WI 53154
 Common Council Chambers

Applicant: HSI Oak Creek Partners, LLC
Property Owner(s): Apple Tower Development, Inc., LLC
Property Location(s): 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way
Tax Key(s): 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000

Legal Description:

PARCEL A, Tax Key No: 831-0310-000 Address: 8300 S. 27th Street

Lot 2 of Certified Survey Map No. 7769, recorded June 7, 2006 as Document No. 9248022, and corrected by Affidavit reorded August 8, 2006 as Document No. 9284086 and Affidavit recorded December 21, 2006 as Document No. 9357184, being a part of the Southeast 1/4 and the Southwest 1/4 of the Northwest 1/4 of Section 18, and all of Parcel 1 of Certified Survey Map 5115 located in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL B, Tax Key No: 831-9007-000 Address: 8304 S. 27th Street

Parcel 1 of Certified Survey Map No. 1593, recorded June 23, 1971 in Reel 593, Images 945 to 947 inclusive, as Document No. 4601016, corrected by Affidavit of Correction recorded March 17, 1972 as Document No. 4660074, being the North 1/3 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL C, Tax Key No: 831-9009-000 Address: 8310 S. 27th Street

Parcel 1 of Certified Survey Map No. 4589, recorded April 9, 1985, in Reel 1742, Images 448 to 450 inclusive, as Document No. 5800989, being a re-division of Parcel 2 of Certified Survey Map No. 1593 in the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL D, Tax Key No: 831-9036-000 Address: 8380 S. 27th Street

Outlot 1 of Certified Survey Map No. 8770, recorded February 15, 2016 in Reel 8823, as Document No. 10539893, being a division of Parcel 1 and Outlot 1 of Certified Survey Map No. 6358, recorded as Document No. 7372033 and Parcel 4 of Certified Survey Map No. 6329, recorded as Document No. 7336083, in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL E, Tax Key No: 831-9034-000 Address: 8370 S. Orchard Way

Lot 2 of Certified Survey Map No. 8473, recorded August 24, 2012, in Reel 7943, as Document No. 10153586, being part of Outlot 3 of Certified Survey Map No. 6358, part of Parcel 1 of Certified Survey

Map No. 897 and vacated public right of way, all in the Northeast 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for July 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: June 20, 2017

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 by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

- Item:** Rezone and Planned Unit Development - Tony DeRosa, HSI Properties, LLC - 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way
- Recommendation:** That the Council adopts Ordinance 2905, an ordinance to approve a rezoning of the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way to Rm-1 (PUD), Multifamily Residential Planned Unit Development.
- Fiscal Impact:** Approval will allow for the development and redevelopment of underutilized and vacant parcels with a multifamily residential development on two (2) parcels. Future development of the lot will yield positive fiscal impact in terms of assessed value, permit fees, and impact fees. The extension of Orchard Way, a public road, will add to the maintenance requirements of public roadways that are constrained by budget limitations. The roadway extension is critical for connectivity and implementing the City's Official Map of roadway networks. This property is located in TID 7.
- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Applicant is requesting that the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way are rezoned to Rm-1 (PUD), Multifamily Residential Planned Unit Development. The future land use category and map in the Comprehensive Plan were amended in February of this year to "Mixed Residential" in anticipation of a multifamily residential development on these properties.

As shown on the conceptual site plan, a total of 12 two-story walk-up buildings with 225 units, 8 detached garage buildings, and a 4,531 square-foot clubhouse with pool are proposed on the two parcels. The larger parcel will contain 3 buildings with 15 units, 7 buildings with 20 units, the clubhouse and pool, 6 of the detached garages, and one detention pond. The smaller parcel, on the east side of the Orchard Way extension, will contain two buildings with 20 units, 2 detached garages, and a second detention pond. Each of the buildings will have a mix of studio, 1-bedroom, 2-bedroom, and 3-bedroom units. Surface and garage parking stalls – 558 in total - are provided throughout the site.

Section 17.0311(e)(3) limits the sum total of the floor area for all buildings to 50% of the lot area. As currently configured, the apartment buildings and club house comprise approximately 35% of the total lot area on Lot 1. The apartment buildings comprise approximately 32% of the total lot area on Lot 2. Plan Commissioners should note that this excludes the proposed detached garages shown on the concept plan.

Minimum setbacks appear to be met in the proposal. Maximum unit densities – 11.5 units/acre for Lot 1 and 11.2 units/acre - appear to be met in the proposal; however, these will need to be verified once site plans are finalized as wetland delineations have not been completed. Per Code, the maximum density allowed is 14.5 units per net acre, which excludes wetland areas. Section 17.0311(d) also specifies the minimum lot area per dwelling unit. Based on the proposal, the total gross land area is 0.3 acres short of meeting Code requirements. No departures from the zoning regulations have been requested at this time; however, Plan Commissioners should be aware of and make a determination on this land shortfall.

Included with this report is a letter from Milwaukee County Parks regarding the proximity of the proposal to Falk Park. Plan Commissioners did not require an additional buffer area along the east property line; however, landscape plans will be reviewed at a later date.

Council should be aware that, like the conditions for the previously-reviewed CSM, a condition of approval within the Conditions and Restrictions will be included for consideration that was requested by the Applicants and landowners. This condition states that if the sale of the properties does not occur, the zoning and the PUD will become effective. While such condition is not typical, a one-time exception for this development has been considered and presented for approval.

The Plan Commission has reviewed their request, and has recommended their approval. The general development plan has been modified to address concerns regarding traffic impact to Orchard Way. The southernmost driveways (with the exception of individual unit garages) have been eliminated, making the use of Orchard Way through the existing subdivision less likely.

Options/Alternatives: Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Planned Unit Development.

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 2903

Location Map

Hearing Notice

Narrative

Plan

Plan Commission minutes

Conditions and Restrictions

ORDINANCE NO. 2903

By: _____

AN ORDINANCE TO REZONE THE PROPERTIES AT 8300, 8304, 8310, & 8380 S. 27th ST. AND 8370 S. ORCHARD WAY FROM RS-3, SINGLE FAMILY RESIDENTIAL; B-2, COMMUNITY BUSINESS; AND B-4, HIGHWAY BUSINESS TO RM-1, MULTIFAMILY RESIDENTIAL WITH A PLANNED UNIT DEVELOPMENT

(2nd Aldermanic District)

WHEREAS, HSI PROPERTIES, LLC AND APPLE TOWER DEVELOPMENT, INC., LLC, have applied for a rezoning of the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way from Rs-3, Single Family Residential; B-2, Community Business; and B-4, Highway Business to Rm-1 (PUD), Multifamily Residential Planned Unit Development.

WHEREAS, the properties are more precisely described as follows:

PARCEL A, Tax Key No: 831-0310-000 Address: 8300 S. 27th Street

Lot 2 of Certified Survey Map No. 7769, recorded June 7, 2006 as Document No. 9248022, and corrected by Affidavit reorded August 8, 2006 as Document No. 9284086 and Affidavit recorded December 21, 2006 as Document No. 9357184, being a part of the Southeast 1/4 and the Southwest 1/4 of the Northwest 1/4 of Section 18, and all of Parcel 1 of Certified Survey Map 5115 located in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL B, Tax Key No: 831-9007-000 Address: 8304 S. 27th Street

Parcel 1 of Certified Survey Map No. 1593, recorded June 23, 1971 in Reel 593, Images 945 to 947 inclusive, as Document No. 4601016, corrected by Affidavit of Correction recorded March 17, 1972 as Document No. 4660074, being the North 1/3 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL C, Tax Key No: 831-9009-000 Address: 8310 S. 27th Street

Parcel 1 of Certified Survey Map No. 4589, recorded April 9, 1985, in Reel 1742, Images 448 to 450 inclusive, as Document No. 5800989, being a re-division of Parcel 2 of Certified Survey Map No. 1593 in the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL D, Tax Key No: 831-9036-000 Address: 8380 S. 27th Street

Outlot 1 of Certified Survey Map No. 8770, recorded February 15, 2016 in Reel 8823, as Document No. 10539893, being a division of Parcel 1 and Outlot 1 of Certified Survey Map No. 6358, recorded as Document No. 7372033 and Parcel 4 of Certified Survey Map No. 6329, recorded as Document No. 7336083, in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL E, Tax Key No: 831-9034-000 Address: 8370 S. Orchard Way

Lot 2 of Certified Survey Map No. 8473, recorded August 24, 2012, in Reel 7943, as Document No. 10153586, being part of Outlot 3 of Certified Survey Map No. 6358, part of Parcel 1 of Certified Survey Map No. 897 and vacated public right of way, all in the Northeast 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning be approved; and

WHEREAS, the Common Council held a public hearing on said application on July 17, 2018 at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and with the favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved; and

WHEREAS, the Plan Commission had recommended that the application be approved subject, however, to the imposition of certain conditions and restrictions upon the construction, location and operation of this Planned Unit Development and which conditions and restrictions are incorporated by reference into this ordinance; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the Planned Unit Development rezoning was approved for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Planned Unit Development,

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are hereby rezoned from Rs-3, Single Family Residential; B-2, Community Business; and B-4, Highway Business to Rm-1 (PUD), Multifamily Residential Planned Unit Development and the Zoning Map of Chapter 17 of the Municipal Code is will be amended to reflect the rezoning upon sale of the properties.

SECTION 2: The Planned Unit Development is subject to the aforementioned conditions and restrictions on the design, construction and operation of the Rm-1 PUD (Multifamily Residential Planned Unit Development). The General Development Plan attached thereto as Exhibit A is hereby approved. Any substantial changes to the General Development Plan shall be subject to approval by the Common Council and may require additional public hearings.

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: The rezoning and enactment of this ordinance shall take effect upon its passage and publication following the sale of the properties **unless such sale of the properties has not occurred within six (6) months of Common Council approval of the associated Certified Survey Map (approved June 19, 2018).**

Passed and adopted this ____ day of _____, 2018.

President, Common Council

Approved this ____ day of _____, 2018

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A: GENERAL DEVELOPMENT PLAN



HSI PROPERTIES
 PROFESSIONAL REAL ESTATE SERVICES
 DEVELOPMENT • ACQUISITION • BROKERAGE • FINANCIAL

SITE STATISTICS

TWO STORY WALKUP BUILDINGS WITH
 15 & 20 UNIT CONFIGURATIONS
 ALONG WITH A CLUBHOUSE AND POOL
 CLUBHOUSE - 4,531 SF

20 UNIT BUILDING - 25,298 SF (1,072 SF/UNIT*)
 15 UNIT BUILDING - 20,971 SF (1,065 SF/UNIT*)
 * SF/UNIT DOES NOT INCLUDE GARAGE
 TOTAL AREA: 290,595(32% FAR)

| | | |
|---------------|----|-----|
| STUDIO | 18 | 8% |
| ONE BEDROOM | 96 | 43% |
| TWO BEDROOM | 93 | 41% |
| THREE BEDROOM | 18 | 8% |

OVERALL UNIT COUNT 225

PARKING CONSISTS OF ENCLOSED GARAGES
 PARKING STALLS FOR RESIDENTS AND VISITORS

| | |
|-----------------|------------------------------|
| ENCLOSED STALLS | 200(.89 ENCLOSED STALL/UNIT) |
| ONSITE STALLS | 358 |

| | |
|------------------|---------------------------------|
| OVERALL PARKING | 558 |
| ALTA SURVEY AREA | 2.48 STALLS/UNIT 20.56 ACRES |

UNITS PER ACRE 11(10.94) UNITS/ACRE

OPEN SPACE (NOT INCLUDING ROADS,
 PARKING OR BUILDING) 420,561 SQFT (47%)
 (9.65 ACRES)

OPEN SPACE PER UNIT AREA 1869.16 SQFT
 (.043 ACRES)

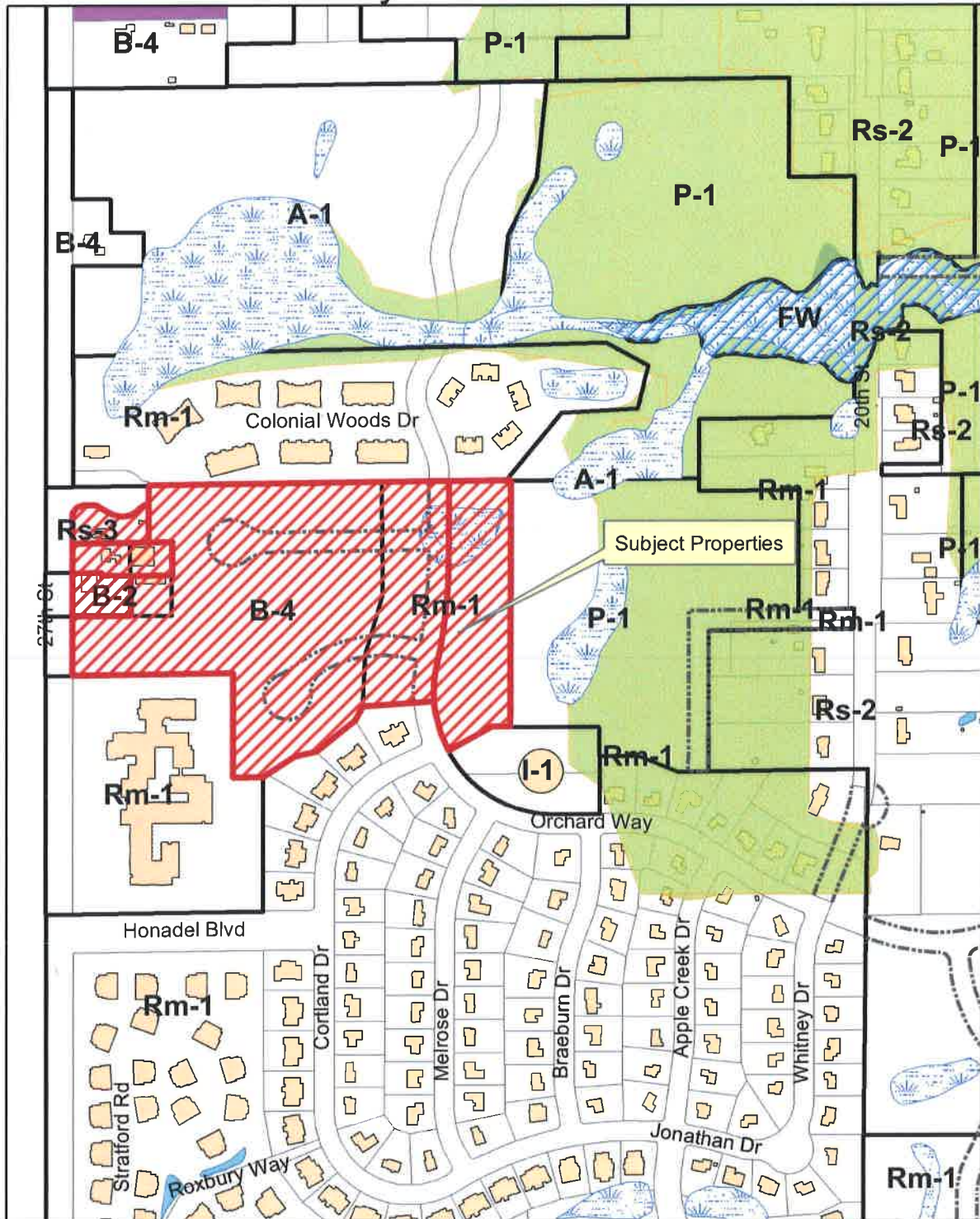
HSI - 27th Street
Oak Creek, WI

02 JULY 2018



Location Map

8300, 8304, 8310, & 8380 S 27th Street
8370 S Orchard Way



Department of Community Development

Legend

- Subject Properties
- Officially Mapped Streets
- Floodplain 2008
- DNR Wetlands Inventory
- Waterbodies
- Environmental Corridor

Zoning Overlays

- C-1-Shoreland Wetland
- 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 by HSI Oak Creek Partners, LLC, and Apple Tower Development, Inc., LLC to rezone and establish a Planned Unit Development for the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way.

Hearing Date: Tuesday, July 17, 2018
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: HSI Oak Creek Partners, LLC
Property Owner(s): Apple Tower Development, Inc., LLC
Property Location(s): 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way
Tax Key(s): 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000

Legal Description:

PARCEL A, Tax Key No: 831-0310-000 Address: 8300 S. 27th Street

Lot 2 of Certified Survey Map No. 7769, recorded June 7, 2006 as Document No. 9248022, and corrected by Affidavit reorded August 8, 2006 as Document No. 9284086 and Affidavit recorded December 21, 2006 as Document No. 9357184, being a part of the Southeast 1/4 and the Southwest 1/4 of the Northwest 1/4 of Section 18, and all of Parcel 1 of Certified Survey Map 5115 located in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL B, Tax Key No: 831-9007-000 Address: 8304 S. 27th Street

Parcel 1 of Certified Survey Map No. 1593, recorded June 23, 1971 in Reel 593, Images 945 to 947 inclusive, as Document No. 4601016, corrected by Affidavit of Correction recorded March 17, 1972 as Document No. 4660074, being the North 1/3 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL C, Tax Key No: 831-9009-000 Address: 8310 S. 27th Street

Parcel 1 of Certified Survey Map No. 4589, recorded April 9, 1985, in Reel 1742, Images 448 to 450 inclusive, as Document No. 5800989, being a re-division of Parcel 2 of Certified Survey Map No. 1593 in the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL D, Tax Key No: 831-9036-000 Address: 8380 S. 27th Street

Outlot 1 of Certified Survey Map No. 8770, recorded February 15, 2016 in Reel 8823, as Document No. 10539893, being a division of Parcel 1 and Outlot 1 of Certified Survey Map No. 6358, recorded as Document No. 7372033 and Parcel 4 of Certified Survey Map No. 6329, recorded as Document No. 7336083, in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL E, Tax Key No: 831-9034-000 Address: 8370 S. Orchard Way

Lot 2 of Certified Survey Map No. 8473, recorded August 24, 2012, in Reel 7943, as Document No. 10153586, being part of Outlot 3 of Certified Survey Map No. 6358, part of Parcel 1 of Certified Survey

Map No. 897 and vacated public right of way, all in the Northeast 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for July 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: June 20, 2017

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 by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

CIVIL ENGINEER
THE SIGMA GROUP
1300 West Canal Street
Milwaukee, Wisconsin 53233
414.643.4200
414.643.4210 (FAX)

PROPOSED MULTIFAMILY DEVELOPMENT

27th Street
Oak Creek, Wisconsin

OWNER
HSI PROPERTIES
Brookfield Lakes Corporate Center XVII
18500 West Corporate Drive, Suite 120
Brookfield, WI 53045

HSI PROPERTIES
PROFESSIONAL REAL ESTATE SERVICES
DEVELOPMENT • INVESTMENT • BROKERAGE • MANAGEMENT



AG PROJECT NUMBER: 180401
DATE: 14 MAY 2018

 **AG Architecture**
*A Sense of
Community*

1414 UNDERWOOD AVE. WILWAUWESSE, WI 53213 414.431.2181 TEL 414.431.3531 FAX WWW.AGARCH.COM

RENDERING IS REPRESENTATIVE ONLY... SEE DOCUMENTS FOR SPECIFIC DETAILS



REVIEWED

SITE STATISTICS

TWO STORY WALKUP BUILDINGS WITH
 15 & 20 UNIT CONFIGURATIONS
 ALONG WITH A CLUBHOUSE AND POOL
 CLUBHOUSE - 4,531 SF

20 UNIT BUILDING - 25,298 SF (1,072 SF/UNIT*)
 15 UNIT BUILDING - 20,971 SF (1,065 SF/UNIT*)
 * SF/UNIT DOES NOT INCLUDE GARAGE
 TOTAL AREA: 290,595(32% FAR)

| | | |
|---------------|----|-----|
| STUDIO | 18 | 8% |
| ONE BEDROOM | 96 | 43% |
| TWO BEDROOM | 93 | 41% |
| THREE BEDROOM | 18 | 8% |

OVERALL UNIT COUNT 225

PARKING CONSISTS OF ENCLOSED GARAGES
 PARKING STALLS FOR RESIDENTS AND VISITORS

| | |
|---|------------------------------------|
| ENCLOSED STALLS | 200(.89 ENCLOSED STALL/UNIT) |
| ONSITE STALLS | 358 |
| OVERALL PARKING | 558 |
| ALTA SURVEY AREA | 2.48 STALLS/UNIT 20.56 ACRES |
| UNITS PER ACRE | 11(10.94) UNITS/ACRE |
| OPEN SPACE (NOT INCLUDING ROADS, PARKING OR BUILDING) | 420,561 SQFT (47%) (9.65 ACRES) |
| OPEN SPACE PER UNIT AREA | 1869.16 SQFT (.043 ACRES) |



SITE STATISTICS

TWO STORY WALKUP BUILDINGS WITH
 15 & 20 UNIT CONFIGURATIONS
 ALONG WITH A CLUBHOUSE AND POOL
 CLUBHOUSE - 4,531 SF
 20 UNIT BUILDING - 25,298 SF (1,072 SF/UNIT*)
 15 UNIT BUILDING - 20,971 SF (1,065 SF/UNIT*)
 * SF/UNIT DOES NOT INCLUDE GARAGE
 TOTAL AREA: 290,595(32% FAR)

| | | |
|---------------|----|-----|
| STUDIO | 18 | 8% |
| ONE BEDROOM | 96 | 43% |
| TWO BEDROOM | 93 | 41% |
| THREE BEDROOM | 18 | 8% |

OVERALL UNIT COUNT 225
 PARKING CONSISTS OF ENCLOSED GARAGES
 PARKING STALLS FOR RESIDENTS AND VISITORS

| | |
|---|------------------------------------|
| ENCLOSED STALLS | 200(.89 ENCLOSED STALL/UNIT) |
| ONSITE STALLS | 358 |
| OVERALL PARKING | 558 |
| ALTA SURVEY AREA | 2.48 STALLS/UNIT 20.56 ACRES |
| UNITS PER ACRE | 11(10.94) UNITS/ACRE |
| OPEN SPACE (NOT INCLUDING ROADS, PARKING OR BUILDING) | 420,561 SQFT (47%) (9.65 ACRES) |
| OPEN SPACE PER UNIT AREA | 1869.16 SQFT (.043 ACRES) |



02 JULY 2018

HSI - 27th Street
Oak Creek, WI





HSI PROPERTIES
PROFESSIONAL REAL ESTATE SERVICES
DEVELOPMENT • INVESTMENT • BROKERAGE • MANAGEMENT

27TH STREET CONCEPTUAL DEVELOPMENT

 **Architecture**
A Sense of
COMMUNITY



HSI PROPERTIES
PROFESSIONAL REAL ESTATE SERVICES
DEVELOPMENT • INVESTMENT • BROKERAGE • MANAGEMENT

27TH STREET CONCEPTUAL DEVELOPMENT

 **Architecture**
A Sense of
Community



HSI PROPERTIES
PROFESSIONAL REAL ESTATE SERVICES
DEVELOPMENT • BROKERAGE • INVESTMENT • MANAGEMENT

27TH STREET CONCEPTUAL DEVELOPMENT

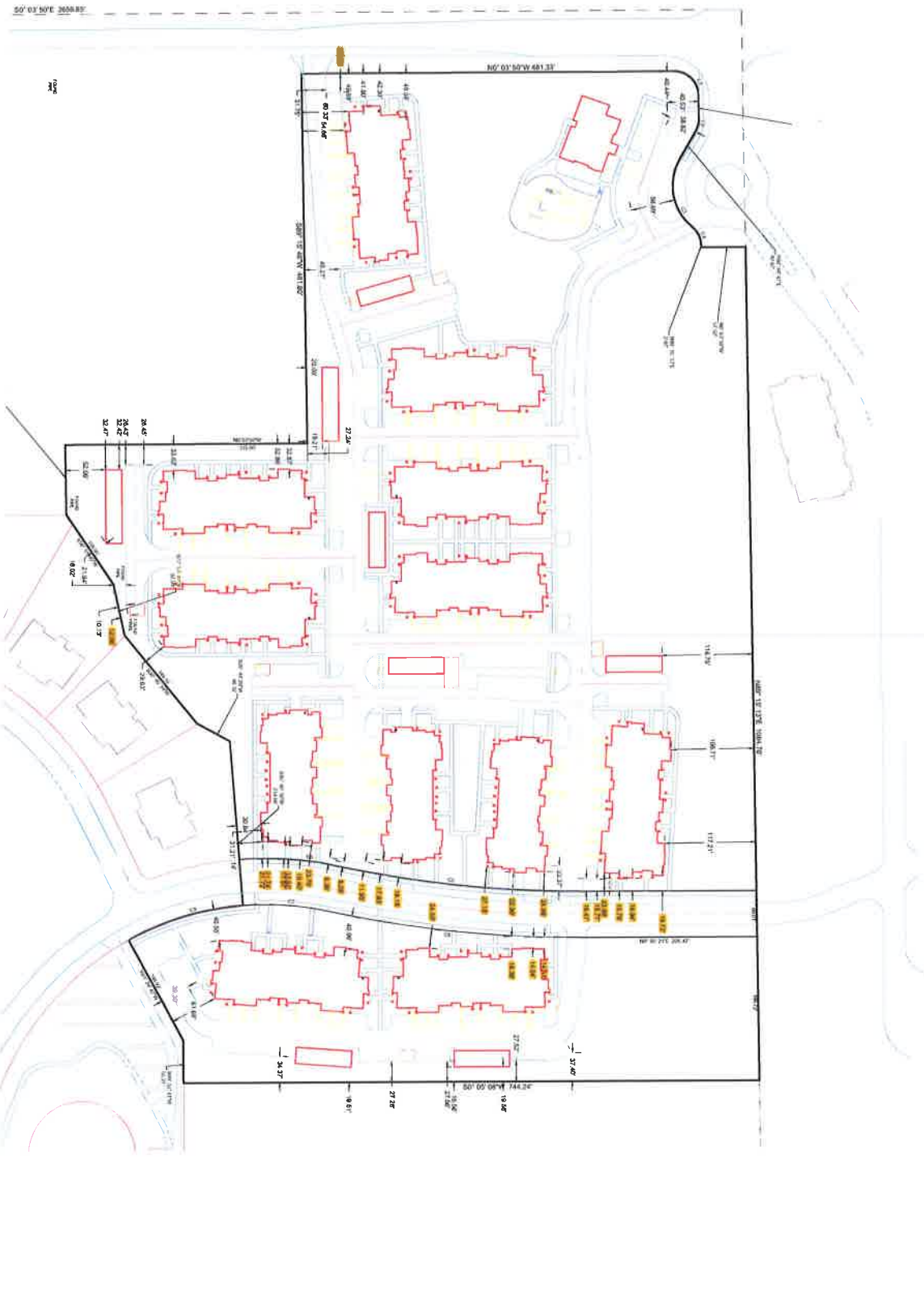
g Architecture
*A Sense of
Community*



HSI PROPERTIES
PROFESSIONAL REAL ESTATE SERVICES
DEVELOPMENT • INVESTMENT • BROKERAGE • MANAGEMENT

27TH STREET CONCEPTUAL DEVELOPMENT

 Architecture
A Sense of
Community



NO. APPROVED DATE BY
 DRAWN BY: J.M.R.
 CHECKED BY: J.M.R.
 PROJECT NO.: 171400
 SHEET NO.: 1 OF 1

SIGMA GROUP
 1300 West Capitol Street
 Phone: (414) 451-4400
 Fax: (414) 451-4210

8300, 8304, 8310, 8432 S. 27TH STREET
 & 8370 S. ORCHARD WAY
 OAK CREEK, WISCONSIN

SETBACK EXHIBIT

| SYMBOL | DESCRIPTION |
|----------|--------------------|
| (Symbol) | Property Line |
| (Symbol) | Setback Line |
| (Symbol) | Building Footprint |
| (Symbol) | Driveway |
| (Symbol) | Parking Area |
| (Symbol) | Street |
| (Symbol) | Utility Lines |
| (Symbol) | Other |

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JUNE 12, 2018**

**CERTIFIED SURVEY MAP
HSI PROPERTIES, LLC
APPLE TOWER DEVELOPMENT INC. LLC
8300, 8304, 8310, 8380 S. 27TH ST., 8370 S. ORCHARD WAY
TAX KEY NOS. 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000**

Planner Papelbon provided an overview of this certified survey map request. (See staff report for details.)

Tony DeRosa, HSI Properties, 18500 W. Corporate Drive, Brookfield, WI, stated that he only had a comment about Condition #5, which states that the certified survey map shall not be recorded should the sale of the properties not occur within 4 months of the date of Common Council approval. He requested that the time period of 4 months be modified to 9 months. The reason for that is that 4 months from approval of the certified survey map, which he anticipates occurring in the month of July, is the middle of the fall. He would like to avoid having to come back on November 1 on a technicality requesting more time.

Planner Papelbon explained that the 4-month suggestion was made based on conversations that occurred, and it was deemed reasonable that 120 days was acceptable and appropriate. Staff is willing to modify the condition to 6 months, which was also discussed with the City Administrator.

Mr. DeRosa gave a brief overview of the project. The project consists of approximately 20.5 acres. The back third of it is currently zoned Rm-1, PUD, which is the rezoning classification they will be requesting for the rest of the property. The other 2/3 of the property is currently zoned B-2 and B-4. The 27th Street Corridor Plan does identify this site as mixed density residential, which is consistent with this plan. General design guidelines for the 27th Street Corridor match up with their plan in terms of respecting the natural topography. Buildings were to be two stories, which they are, and buildings should be located close to the street. The proposed development is consistent with the 27th Street Corridor Plan and will be catalytic for the rest of the corridor.

Mr. DeRosa gave an overview of the market demand. They feel strongly that there is a pent up demand for modern, luxury apartment homes in Oak Creek, and will draw from empty nesters//baby boomers, young professionals and those choosing to rent.

Mr. DeRosa further described this proposed community as a development that will cater to those who are not looking to live in the typical 3- or 4-story building with common corridors. It has oversized attached garages and private entries.

Mr. DeRosa continued by stating that there will be 225 apartments. The overall parking lot will exceed the code requirements at 2.48 stalls per unit. The density is just shy of 11 units per acre. He has been in discussions with the DOT regarding access points, and preliminary feedback from WisDOT has been favorable with the conceptual plan.

Mr. DeRosa stated that there will be two-story, townhouse style buildings and went on to describe the inside apartment amenities. There will be a clubhouse, pool, fitness center and green space.

Mr. DeRosa projected the site plan of the buildings. He explained that there are different types of buildings: some with 20 units and some with 15 units.

Mr. DeRosa stated that they have incorporated, at the City's request, for Orchard Way to extend through the development as a public street. They have also been in discussions with City staff regarding a potential public/private partnership for a proposed City park, which would be adjacent to the water tower.

Mr. DeRosa stated that storm water management is regulated by the City and WDNR. Currently, there is an easement for stormwater that goes onto the County-owned land at the far northeast corner of the property. Also, there is reference in the letter from Milwaukee County that there is a high-quality wetland that is located in Falk Park. It is about 100 feet east of the property line. There is about a 19-foot buffer from their property line to the parking lot. In total, from the area that they had any concerns about, they are roughly about a 120-foot setback. City zoning code requires a 10-foot impervious surface setback from all wetlands, so they have provided an adequate buffer to satisfy any County concerns. Milwaukee County is also requesting staking of property lines and they do not have a problem with that request.

Mr. DeRosa showed the Commission colored renderings of the buildings and site.

Commissioner Loreck asked for clarification of the connection of the road going through. Mayor Bukiewicz stated that this development cannot happen without that road. Director Seymour responded that when the City does neighborhood plans, the future streets are laid out so that when people make an investment, they hopefully do so knowing what the future plans are for the area. This street has been on the official map for some time. It is important to make this connection for efficient provision of services, whether it is plowing, garbage pick-up, or public safety. Director Seymour stated that neighborhoods need to be connected, and the DOT does not necessarily want to promote local trips having to go on 27th Street or any state highway. As part of the access management plan that they have adopted for 27th St., they have restricted access to known, logical points so that every property doesn't necessarily have to have a driveway or two on it on 27th St. It is making sense, given what they expect the development to be on both the Oak Creek and Franklin side. This is really about having connected neighborhoods and that provides long-term value to the neighborhood. It is not going to be supported by everyone, but over the long-term viability of what we do as a community, it is vitally important that there are connections between neighborhoods.

Mayor Bukiewicz invited Asst. Fire Chief Kressuk to speak regarding the Fire Department's concerns. Asst. Fire Chief Kressuk stated he was going to speak in generalities with regards to access to any new development. From the Fire Department's perspective, the issue is access to the site, multiple points of access. There are many ways to accomplish that; however, they look for the easiest access points, especially when there is a dense population base. With an apartment complex, they look for at least two access points into the complex. Ideally, they look for three access points. That gives the Fire Department a better chance of getting in there quickly and addressing emergency needs in a timely fashion. Multiple access points are for disaster planning on the Fire Department's part. Blocked access roads, increased amount of traffic, and other City services such as garbage pickup, plowing - all those can contribute to blocking access points for the Fire Department.

The following are citizen concerns.

Elizabeth Landrum, 8603 S. Melrose Drive:

"Our subdivision has narrow roads with no lane dividers. When larger cars or trucks park on both sides of the road, there is only enough space for one-way traffic to move through at a very limited slow speed. Our subdivision has no overhead lighting. Very few homes have lighting at night. This means that it is hard to see where the street edges are and the yards begin. There are culverts on all the properties and many of them are steep-sided. Our property at 8603 S. Melrose, quite frequently had cars driving into a culvert during the night. Ten years ago, we moved in 13 years ago, we asked the City to install those black and white posts along the edge of the culvert to alert night-time drivers to the corner of our property because they were always driving into the culvert and damaging our property as well as themselves. These have been knocked over by drivers. One of our neighbors, who is here tonight, used to bring over duct tape to repair the damaged posts. We requested that he stop doing so so that the City could see whenever it broke. This should tell you just how dark it is in here at night.

No. 3, the size of the new subdivision to our north will house about 500 cars. From personal experience, I know that they will choose to use this subdivision, you're calling it, what are you calling it, access, this shortcut through our subdivisions to get to the grocery stores, gas stations, and other shortcuts to Howell Avenue. I do so now. I use Liberty to get to Woodman's. It saves a lot of hassle. The difference between Liberty and 6th Street to get to here and ours is that it is lighted, curbed, guttered, and has sidewalks. We have none of that. I don't have to wait through the light at Puetz and Howell and wait a long time, and sometimes multiple times at the light just to get through and then wait again to make the left into the store property. Reasonable people are going to do the same things getting out of that new subdivision and onto Puetz. You're diverting a lot of traffic into our subdivision when they're going to be 500 cars in there. They are going to quickly learn to avoid the light at Puetz and 27th too. This means not just fire trucks and police going through our subdivision, but many of the new tenants from the property to our north. The subdivision was not designed 20 years ago for that kind of traffic. Twenty years ago, there was an empty, abandoned property where Woodman's sits and where Drexel Town Square now sits. Today's situation is very different. Were any of you here on the Plan Commission when my subdivision was planned? So none of you even remember how our little bitty property became into being with that little bitty road. Today's situation is very different. We're all reasonable people. We are avoiding Drexel also after all Oak Creek has lavishly put up signs telling us about IKEA and all of its Drexel, all of the traffic on Drexel and prudent people do not want to be involved in the heavy traffic with cars not familiar to the area. The only prudent way through is through our subdivision.

Next, your 20-year old plan is now out of date with the new reality. Please, please do not let our subdivision bear the brunt of that. Please divert this new traffic into the undeveloped land to the east of our subdivision. It's currently for sale. Did you know that? Did you know that? Did you even know that? It's immediately to our east of our subdivision. But it's undeveloped. You still have a chance to move all this traffic away from what is really inadequate for what you are proposing. Please don't divert this new traffic onto the undeveloped land to the east of our subdivision on Puetz. Thank you."

Vicki Hoeller, 8527 S. Braeburn Drive:

"I want to point out that several years ago, there was an attempt to build a large condominium area where these apartments are now proposed. There was an arborist that got up and testified

that even the car fumes would damage the forest. It's a designated as a rare forest due to the type of trees that grow back in that woods. And the traffic would totally destroy that within a couple of years as well as the extra traffic from people wanting to study nature, taking walks back there and just wanting to enjoy the wooded area. Also, when we moved in 15 years ago, it was wonderful. We could go out and look at things and not have to be quite so careful of traffic, which now would totally cease. There would be no more evening walks because as stated before, the roads are narrow. The traffic is going to be a lot heavier from people taking shortcuts. It just would not work out with kids, dogs, the total subdivision would suffer if this road is to go through. Even though it may not look like it on a map, individuals with health disorders that require clean area are going to soon have to leave the community because they are going to be unable to live with the air conditions that would change with this type of traffic."

Erin Eaton, 2140 W. Orchard Way:

"I have a very, very vested interest. I'm not against this development at all. Frankly, I was worried you were going to put in a Walmart or the Costco. I do want a Costco, just not here. So this is great, but Orchard Way is obviously why I am here. I guess I would ask all of you to drive by my house and tell me if you think this is reasonable. I have two small children. These are single-family homes. There are a lot of children. As I think her name is Elizabeth, there's no lane dividers, there's no sidewalks. I have neighbors begging me not to ask for sidewalks because they're going to put in \$35,000,000 and we're going to be socked with the fee on sidewalks, which doesn't seem fair to me. I get the, you need an entrance, we need to be safe. I will say there's been comments about how we should have known what the deal was. I moved in 11 years ago, so I'm kind of a newbie, and it was pretty obvious, whatever the plan was wasn't going to happen. I don't know if you know the history, but bankruptcy developers who fled the country, so I didn't know what the deal was, but it seemed like a nice neighborhood. It didn't seem like a place that people were going, 500 cars would be driving by to get to Woodman's.

The other things is, and Mayor Dan you helped me with this, five years ago I was concerned about the traffic, and the small children, and there not being enough room for kids to walk down the side of the roads without being hit by cars. We had to fight to get that stop sign in. So I don't know, I don't know what the answer is. I'm just telling you, like, this is very dangerous. So I don't know if it's speed bumps. I don't know if it's stop signs. I don't know if it's sidewalks. I'm not against the development, I'm just asking you to drive by my house and kind of, like, see the absolute train wreck that is going to come when you put 500 cars driving through to Woodman's right past my house where my kids are on their tricycles. So that's it. Thank you."

Theresa Kasprzak, 8437 S. Cortland Drive:

"You're talking about my back yard. I'm the third condo in and I'm on Cortland, and if I just walk up, if I could walk up, those three properties, I'd be on Orchard Way. I am devastated, I know that I have been ill, I must have missed a meeting, I'm usually, try to be here. Orchard Way, are you not in the woods? Those woods are protected. Like the other gal said, I remembered being here and them talking that those woods were protected and they'd never be touched. Okay, well I don't like that street anyhow. But please, please don't start on our...I'm not against the development either. I've been to enough of these meetings. I liked the hospital that was going to be one story behind my house. This is going to be just in my back yard. It's just going to reach it. I'm not too happy about that. I always wanted, myself, I wanted to cut the funeral homes, because they do nice with landscaping. But if you could find another way to do that Orchard Way, it sure would be appreciated. Thank you."

Mayor Bukiewicz stated that this is part of the 27th Street Plan, and the way it is zoned in the Comprehensive Plan, it does allow for many uses. At some point in time, someone is going to want that exposure out to 27th Street, whether it is this development or something else. Regardless of what goes in there, what is being looked at is the connectivity of the road.

Regarding the traffic, Mayor Bukiewicz stated that it would increase and they will be using the street to get through.

Commissioner Johnston stated that subdivision roads average in width 22 feet to 24 feet. This subdivision does not have curbs in it, which is not uncommon - that's a rural section. The City doesn't build that section anymore. The City has an urban section that has curb and gutters and sidewalks. They also don't do lane delineations on subdivision roads, because of the low volume of traffic and 25 MPH speed limits. As far as lighting, this development didn't have lighting installed when it was developed. It is definitely something that the property owners would be assessed for if installed. Commissioner Johnston stated that not all the traffic is going to run up and down this road. Some will use it, but not all 500 cars will be going up and down this road every day. There are other access points - there is a public road to the north and to the south. It is logical to connect those two sections together. This is where that connection point is.

Asst. Fire Chief Kressuk stated that, with regard to the comment about emergency vehicles using the side streets for emergency vehicles, the Fire Department understands that residential roads are slower speeds and narrower in width. They generally use the path of least resistance. Their response to this development would primarily occur Puetz to 27th, Rawson to 27th Street, 27th Street south and then into the complex. If an emergency does occur, as vehicles approach that scene, the access roads would be clogged. Residential roads are the last resort for entering that complex.

Mayor Bukiewicz stated that as far as this development abutting up to the back yard of Ms. Kasprzak, there will be some separation there through landscaping, berming and fencing; something to not infringe on anyone's backyard.

Commissioner Chandler asked about the safety features of the new road. Planner Papelbon responded that it will be constructed to City specifications, which will address some of the concerns.

Mayor Bukiewicz called for a motion. Planner Papelbon asked the Plan Commissioners to make a decision on the timeframe for recording of the CSM as mentioned in Condition #5.

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Tony DeRosa, HSI Properties, LLC, for the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way be approved, with the following conditions:

1. That a wetland delineation is completed by a Wisconsin DNR-approved professional and included on the map prior to recording.
2. That all easements are shown and clearly labeled on the map prior to recording.
3. The signature page is updated to include the dedication language for the extension of Orchard Way.

4. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.
5. That the Certified Survey Map shall not be recorded should the sale of the properties not occur within 6 months of the date of Common Council approval.

Commissioner Johnston seconded. On roll call: all voted aye, except Commissioner Loreck and Commissioner Chandler. Motioned carried.

**REZONE/PLANNED UNIT DEVELOPMENT
HSI PROPERTIES, LLC
APPLE TOWER DEVELOPMENT INC. LLC
8300, 8304, 8310, 8380 S. 27TH ST., AND 8370 S. ORCHARD WAY
TAX KEY NOS. 831-0310-000, 831-9007-000, 831-9009-000, 831-9036-000, 831-9034-000**

Planner Papelbon provided an overview of this rezone/planned unit development request. (See staff report for details.)

Commissioner Loreck stated that this is in his district. He feels that it is much more appropriate to have multifamily development versus the current zoning, B-4 Business, knowing what could be built in a B-4 district. The few residents he spoke to about this also agree. As far as the design, it is very nice. His only concern right now would be with all of the talk about increased traffic coming into the neighborhood and going down Orchard Way, the driveway where the water tower is emptying the parking lot for two buildings directly into the area of concern. He stated his concern about the headlights shining into homes directly in front of that. As far as the rezone itself, Commissioner Loreck stated he is definitely in favor of it.

Commissioner Johnston stated that the driveway comes out of the intersection, so it could be a way to get a street light at that intersection. That corner is then lit for the people that are driving off into the culvert (as stated above). There will not be lights shining into houses either because it is going to an intersection. It will be more like a typical street pattern at that point. Commissioner Johnston mentioned that there will be street lights along Orchard Way as well.

Commissioner Chandler inquired about the park that was mentioned in the staff report. Planner Papelbon responded that there was a letter from Milwaukee County Parks regarding the wetlands that are in Falk Park to the east. They are requesting there to be some consideration for that. Whether that includes a landscape buffer or additional space is something that would be up for discussion. However, there are no landscape plans at this time, but there are plans to have landscaping along the perimeter. There is quite a bit of distance between the HSI property and the delineated wetland. Runoff is going to be considered in the storm water plans, and the integrity of that wetland must be protected. For the PUD, it is premature because there is no landscape plan to look at; however, there does appear to be adequate space to address some of those concerns.

Mayor Bukiewicz advised the applicant to respect the 20-foot buffer with regards to the parks.

Mayor Bukiewicz asked if the section along the water tower right-of-way is going to be dedicated parkland. Planner Papelbon responded that that is not actually part of the rezone request. That is City-owned property there, so it is already zoned I-1. It could be rezoned to P-1, but there really is no reason to do that - parks are allowed in an institutional district.

Mr. DeRosa stated that the letter from Milwaukee County Parks does not request a 20-foot buffer. They were requesting to stake the property line to prevent encroachments. As part of this development plan, they would be providing a buffer that would be beneficial to all parties.

Commissioner Johnston stated that Lot 2 of CSM 7769 (just south of Forest Hill) is not part of this CSM or rezoning that parcel as well in this PUD. Planner Papelbon stated that that lot is included in this. Commissioner Johnston stated it is not included in the CSM, but is included in the rezoning. Planner Papelbon stated they are proposing it to be part of Lot 1. It is identified as the former Lot 2 of CSM 7769.

Commissioner Loreck moved that the Plan Commission recommends that the Common Council approves the rezoning of the properties at 8300, 8304, 8310, & 8380 S. 27th St. and 8370 S. Orchard Way to Rm-1 (PUD), Multifamily Residential Planned Unit Development after a public hearing and subject to conditions and restrictions that will be prepared for the Commission's review at their next meeting (June 26, 2018). Commissioner Siepert seconded. On roll call: all voted aye. Motion carried.

ATTEST:



Douglas Seymour, Plan Commission Secretary

June 21, 2018

Date

**City of Oak Creek – Planned Unit Development (PUD)
DRAFT Conditions and Restrictions**

Applicant: Tony DeRosa, HSI Properties, LLC

Approved by Plan Commission: 6-26-18

Property Address(es): 8300, 8304, 8310, 8380 S. 27th St.
and 8370 S. Orchard Way

Approved by Common Council: TBD
(Ord. # 2905)

Tax Key Number(s): 831-0310-000, 831-9007-000,
831-9009-000, 831-9036-000, 831-9034-000

1. LEGAL DESCRIPTION

Parcel A – 8300 S. 27th Street, Tax Key # 831-0310-000

Lot 2 of Certified Survey Map No. 7769, recorded June 7, 2006 as Document No. 9248022, and corrected by Affidavit recorded August 8, 2006 as Document No. 9284086 and Affidavit recorded December 21, 2006 as Document No. 9357184, being a part of the Southeast ¼ and Southwest ¼ of the Northwest ¼ of Section 18, and all of Parcel 1 of Certified Survey Map 5115 located in the Northwest ¼ of the Southwest ¼ of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Parcel B – 8304 S. 27th Street, Tax Key # 831-9007-000

Parcel 1 of Certified Survey Map No. 1593, recorded June 23, 1971 in Reel 593, Images 945 to 947 inclusive, as Document No. 4601016, corrected by Affidavit of Correction recorded March 17, 1972 as Document No. 4660074, being the North 1/3 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL C, 8310 S. 27th Street, Tax Key # 831-9009-000

Parcel 1 of Certified Survey Map No. 4589, recorded April 9, 1985, in Reel 1742, Images 448 to 450 inclusive, as Document No. 5800989, being a re-division of Parcel 2 of Certified Survey Map No. 1593 in the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL D, 8380 S. 27th Street, Tax Key # 831-9036-000

Outlot 1 of Certified Survey Map No. 8770, recorded February 15, 2016 in Reel 8823, as Document No. 10539893, being a division of Parcel 1 and Outlot 1 of Certified Survey Map No. 6358, recorded as Document No. 7372033 and Parcel 4 of Certified Survey Map No. 6329, recorded as Document No. 7336083, in the Northwest 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

PARCEL E, 8370 S. Orchard Way, Tax Key # 831-9034-000

Lot 2 of Certified Survey Map No. 8473, recorded August 24, 2012, in Reel 7943, as Document No. 10153586, being part of Outlot 3 of Certified Survey Map No. 6358, part of Parcel 1 of Certified Survey Map No. 897 and vacated public right of way, all in the Northeast 1/4 of the Southwest 1/4 of Section 18, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Planned Unit Development 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 & type(s) of dwellings
 - iii) Number of garage & surface 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. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 1 above, and/or as specified by these conditions and restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit. Landscaping, in accordance with the approved plan, shall be installed for each phase prior to the issuance of occupancy permits for that phase.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. There shall be a maximum of twelve (12) multifamily buildings, and a maximum of 225 units. Accessory buildings, garages, a clubhouse, and a pool may be permitted so long as they are compliant with all applicable provisions of the Municipal Code and these conditions and restrictions.
- B. The clubhouse shall not exceed thirty (30) feet in height. No other accessory building in the PUD shall exceed seventeen (17) feet in height.
- C. Solid waste collection and recycling shall be the responsibility of the owner.
- D. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).
- E. The clubhouse and pool shall be constructed as part of the initial phase of the development and must be completed prior to or concurrent with the issuance of occupancy permits for any residential buildings.
- F. The owner and operator of the Planned Unit Development shall enter into an agreement with the City for the design, construction and maintenance of a neighborhood park as depicted on the general development plan prior to the issuance of building permits for any phase of the development.

4. PARKING AND ACCESS

- A. A Traffic Impact Analysis (TIA) shall be performed and submitted to the Engineering Department for review prior to the submission of applications for Plan Commission review of site, building, landscaping, lighting, and similar plans. Required roadway improvements and modifications identified in the TIA shall be the responsibility of the property owner.
- B. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended).
- 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.
- D. Parking of vehicles adjacent to attached and detached garages shall be permissible provided that no parked vehicle shall extend beyond the public right of way nor obstruct any public sidewalk or right of way.
- E. Private roadway access to S. Orchard Way shall be permitted only within the northerly 300 feet of the development, and shall be restricted to that which is depicted on the approved general development plan.
- F. Construction access to the site shall be limited to South 27th Street. No construction vehicles may access the site from S. Orchard Way.

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*

Setbacks below are general requirements for the PUD. The setbacks in Exhibit B are approved for buildings fronting S. Orchard Way.

| | Front and Street Setback | Rear Setback | Side Setback |
|----------------------|--------------------------|------------------|------------------|
| Principal Structure | 30 ft | 25 ft | 10 ft |
| Accessory Structure* | 30 ft | See Sec. 17.0501 | See Sec. 17.0501 |
| Parking | 25 ft | 15 ft | 15 ft |

**No accessory structures shall be permitted in the front yard or in required buffer yards.*

7. TIME OF COMPLIANCE

The operator of the Planned Unit Development shall commence work in accordance with these conditions and restrictions within eighteen (18) months from the date of adoption of the ordinance authorizing this Planned Unit Development **unless sale of the properties has not occurred within six (6) months of Common Council approval of the associated Certified Survey Map (approved June 19, 2018)**. This Planned Unit Development approval shall expire within eighteen (18) months after the date of adoption of the ordinance if a building permit has not been issued for this use **unless sale of the properties has not occurred within six (6) months of Common Council approval of the associated Certified Survey Map (approved June 19, 2018)**.

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 Planned Unit Development 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 Planned Unit Development 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 Planned Unit Development, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Planned Unit Development or to seek an injunction regarding any violation of this Planned Unit Development or any other City ordinances.

10. REVOCAION

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 Planned Unit Development approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Planned Unit Development as set forth in Section 17.1007 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms

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

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: CONCEPT SITE PLAN

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



HSI PROPERTIES
 PROFESSIONAL REAL ESTATE SERVICES
 1121 LARSEN • 800.321.1111 • MILWAUKEE • WISCONSIN

SITE STATISTICS

TWO STORY WALKUP BUILDINGS WITH 15 & 20 UNIT CONFIGURATIONS ALONG WITH A CLUBHOUSE AND POOL
 CLUBHOUSE - 4,531 SF

20 UNIT BUILDING - 25,298 SF (1,072 SF/UNIT*)
 15 UNIT BUILDING - 20,971 SF (1,065 SF/UNIT*)
 *SF/UNIT DOES NOT INCLUDE GARAGE
 TOTAL AREA: 290,595(32% FAR)

| | | |
|---------------|----|-----|
| STUDIO | 18 | 8% |
| ONE BEDROOM | 96 | 43% |
| TWO BEDROOM | 93 | 41% |
| THREE BEDROOM | 18 | 8% |

OVERALL UNIT COUNT 225

PARKING CONSISTS OF ENCLOSED GARAGES
 PARKING STALLS FOR RESIDENTS AND VISITORS

| | |
|---|------------------------------------|
| ENCLOSED STALLS | 2001.89 ENCLOSED STALL/UNIT |
| ONSITE STALLS | 358 |
| OVERALL PARKING | 558 |
| ALTA SURVEY AREA | 2.48 STALLS/UNIT 20.56 ACRES |
| UNITS PER ACRE | 11(110.94) UNITS/ACRE |
| OPEN SPACE (NOT INCLUDING ROADS, PARKING OR BUILDING) | 420,561 SQFT (47%) (9.65 ACRES) |
| OPEN SPACE PER UNIT AREA | 1869.16 SQFT (.043 ACRES) |

HSI - 27th Street
 Oak Creek, WI

02 JULY 2018

 Architecture
 1121 LARSEN DRIVE
 MILWAUKEE, WI 53212
 TEL: 414.224.1111
 WWW.CANDO.COM

EXHIBIT B: SETBACK EXHIBIT

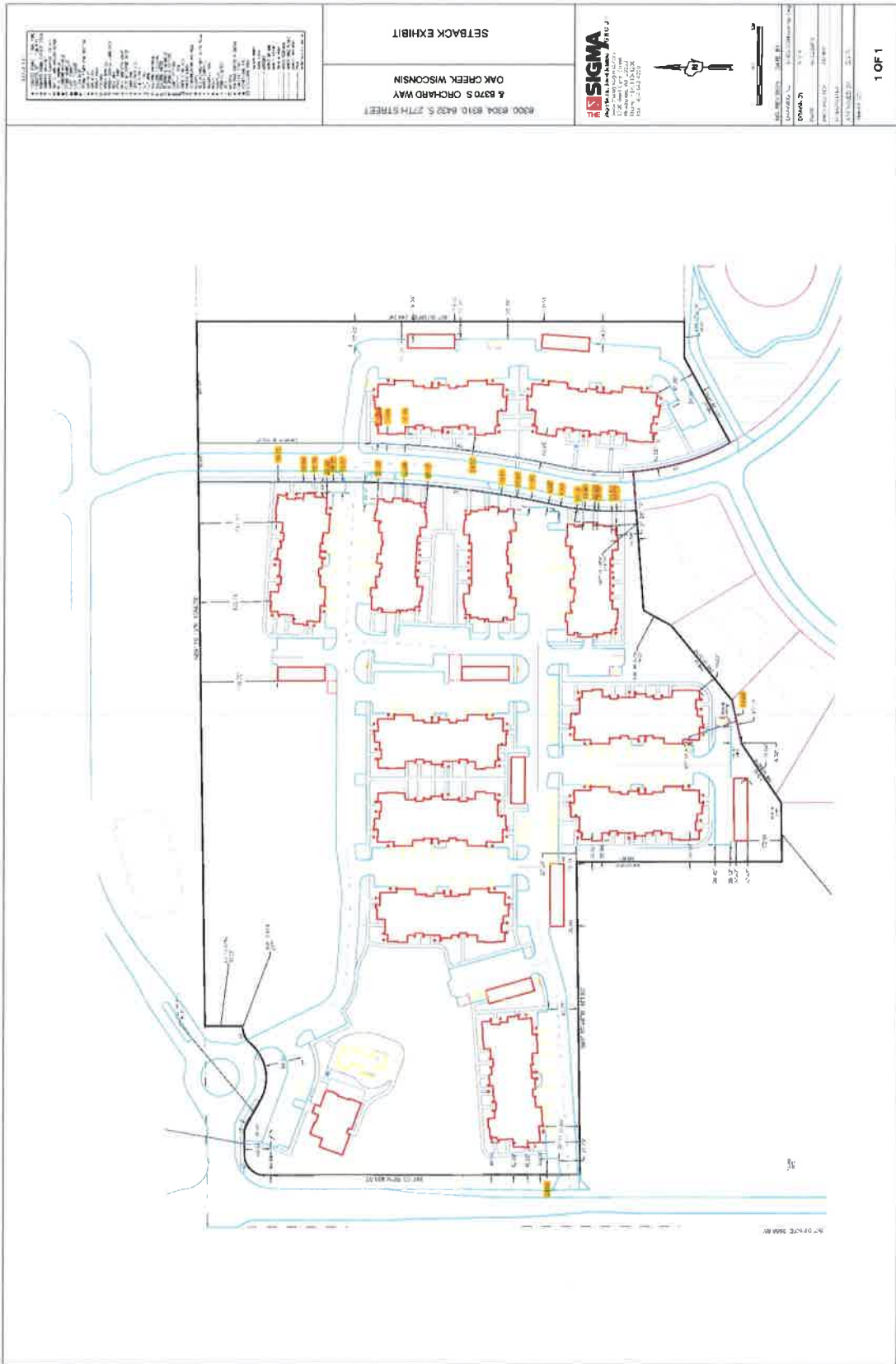
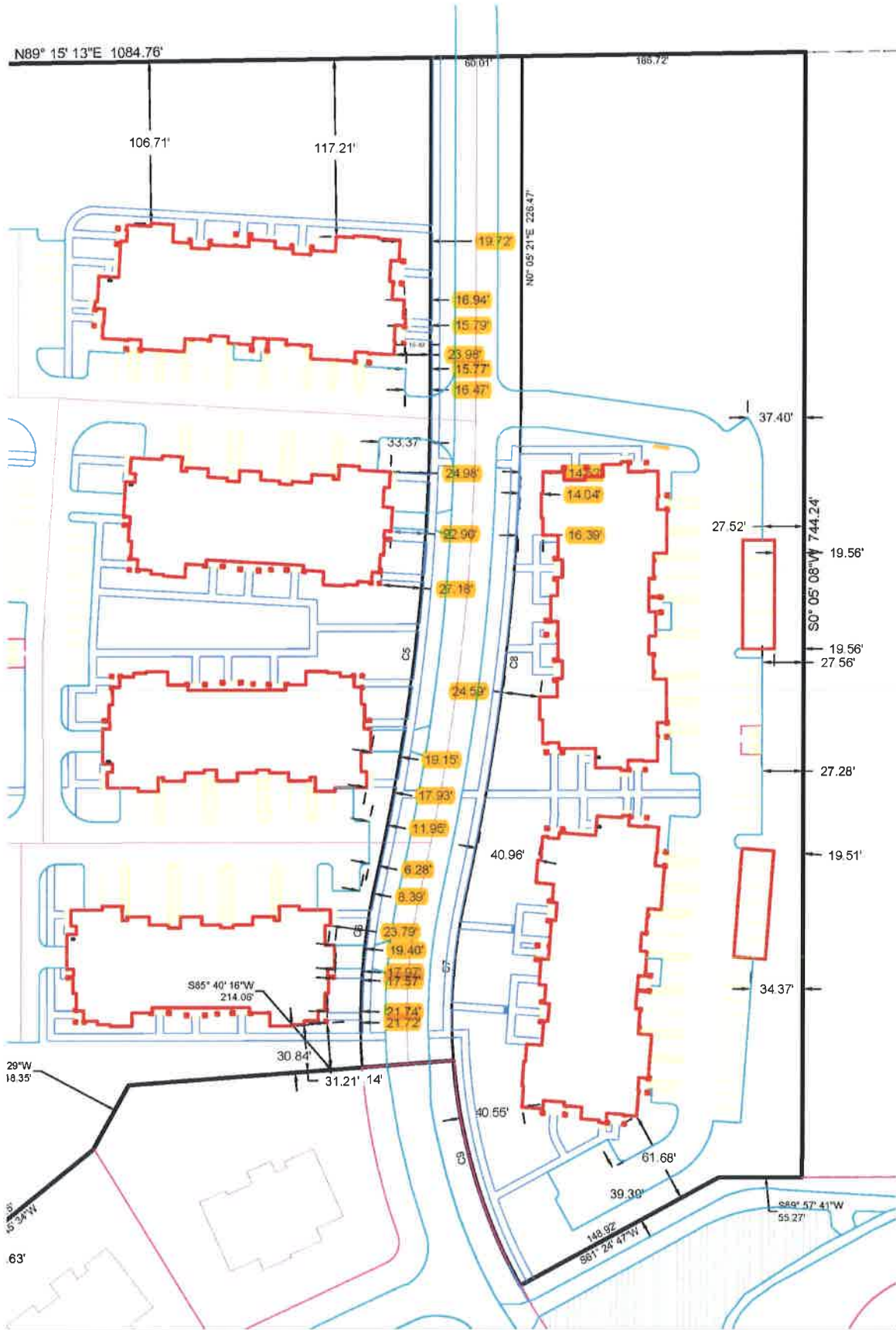


EXHIBIT B: SETBACK EXHIBIT (ENLARGED ORCHARD WAY BUILDINGS)



TO BE PUBLISHED JUNE 27 & JULY 4, 2018

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider a request submitted by Kelly Gallacher, SSV I Oak Creek, LLC, for an amendment to the Time of Compliance section of the existing Conditional Use Permit to allow an additional 6 months affecting the properties located at 275 E. Drexel Avenue.

Hearing Date: Tuesday, July 17, 2018
Time: 7:00 p.m.
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Kelly Gallacher, SSV I Oak Creek, LLC
Property Owner: SSV Oak Creek II, LLC
Property Locations: 275 E. Drexel Avenue
Tax Key(s): 814-9038-000

Legal Description:

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 1/4 of the Northwest 1/4 of Section 16, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for July 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: June 20, 2017
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 Amendment - Kelly Gallacher, SSV Oak Creek II, LLC - 275 E. Drexel Ave.

Recommendation: That the Council adopts Ordinance 2903, an ordinance to amend the Conditions and Restrictions in Ordinance 2852 for a Conditional Use Permit for a self-service storage facility (mini-warehousing) for the property at 275 E. Drexel Ave.

Fiscal Impact: Approval will allow for the development of an existing, vacant parcel. Future development of the lot will yield positive fiscal impact in terms of assessed value, permit fees, and impact fees. This property is not located in a TID.

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

Background: The Applicant, Kelly Gallacher, SSV Oak Creek II, LLC, is requesting approval to amend the existing Conditional Use Permit for construction of a self-service storage facility on the property at 275 E. Drexel Ave. Section 12 of the Conditions and Restrictions approved by the Common Council on June 6, 2017 required the commencement of operations within twelve (12) months of the date of adoption of the ordinance approving the Conditional Use Permit (see attached staff report). Per the narrative submitted with this request, contaminated material was discovered during site investigations that have required several discussions with the DNR regarding capping and reporting requirements. These discussions, initiated approximately 6 months ago, has delayed submission of a building permit application. The Applicant requested an extension of one (1) year to obtain a building permit. Staff recommended, and the Plan Commission concurred, an extension of six (6) months from the date of adoption, which is reflected in the draft amended Conditions and Restrictions included with this report.

The Plan Commission reviewed the proposed Conditional Use Permit request at their meeting on June 12, 2018, and has recommended approval subject to the attached Conditions and Restrictions.

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, ACP
Director of Community Development

Attachments:

Ordinance 2903

Location Map

Hearing Notice

Staff Report dated April 25, 2017

Narrative

Plan

Plan Commission minutes

Conditions and Restrictions

ORDINANCE NO. 2903

By: _____

AN ORDINANCE TO AMEND THE CONDITIONS AND RESTRICTIONS
IN ORDINANCE NO. 2852 FOR A CONDITIONAL USE PERMIT FOR A SELF-
STORAGE FACILITY (MINI-WAREHOUSING) AT 275 E. DREXEL AVE.

(1st Aldermanic District)

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

WHEREAS, Ordinance No. 2852 (The "Ordinance"), which approved a conditional use permit for a self-storage facility (mini-warehousing) on the property at 275 E. Drexel Ave., was approved on June 6, 2017, and the conditional use permit contained a requirement for the commencement of construction within twelve (12) months of the date of adoption of the ordinance approving the Conditional Use Permit; and

WHEREAS, the Ordinance affected the following legally described property;

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 ¼ of the Northwest ¼ of Section 16, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the owner of the Property, SSV Oak Creek II, LLC, is requesting that Section 12 of the Ordinance be amended to extend the compliance deadline; and

WHEREAS, the Plan Commission has reviewed this proposal and has recommended that the requested amendment be approved to a compliance deadline of January 17, 2019 (six months from the date of adoption of the approving ordinance); and

WHEREAS, a public hearing was held on this matter on July 17, 2018 to hear comments from all who were interested.

NOW, THEREFORE, BE IT RESOLVED, 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, Section 12 of the conditions and restrictions approved by the Ordinance affecting the Property is amended as follows:

The operator of the Conditional Use shall commence work in accordance with these conditions and restrictions for the Conditional Use within six (6) months from the date of adoption of the ordinance authorizing the amendment of the Conditional Use Permit (January 17, 2019). This Conditional Use approval shall expire within six (6) months after the date of adoption of the ordinance (January 17, 2019) 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.

SECTION 2: Except as herein modified the conditions and restrictions approved by the Ordinance shall remain in full force and effect.

SECTION 3: 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 4: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

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 July, 2018.

President, Common Council

Approved this 17th day of July, 2018.

Mayor

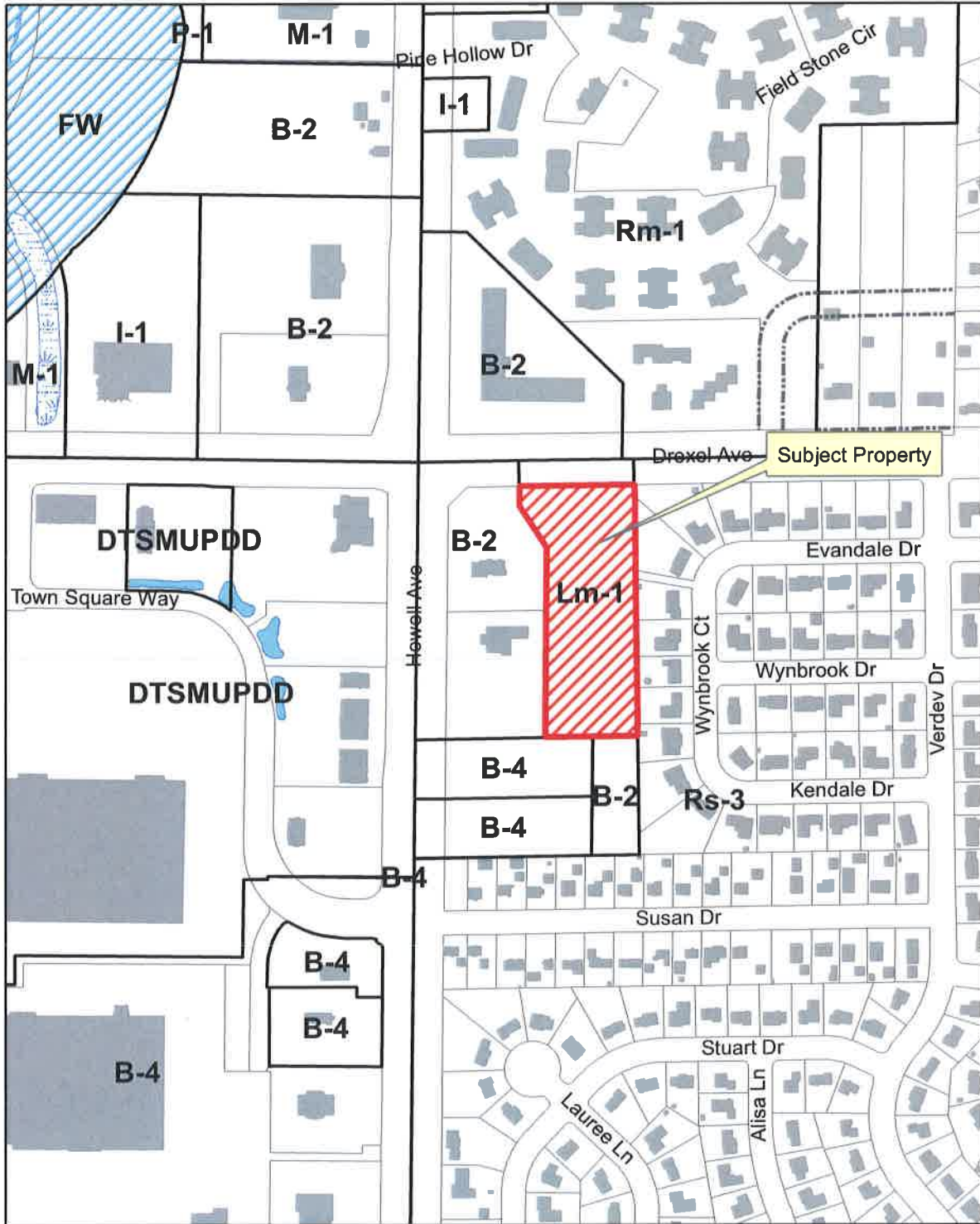
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map






275 E. Drexel Ave



Department of Community Development



Legend

-  Subject Property
-  Officially Mapped Streets
-  DNR Wetlands Inventory
-  Floodplain 2008
-  Waterbodies

TO BE PUBLISHED JUNE 20 & JULY 10, 2018

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider a request submitted by Kelly Gallacher, SSV I Oak Creek, LLC, for an amendment to the Time of Compliance section of the existing Conditional Use Permit to allow an additional 6 months affecting the properties located at 275 E. Drexel Avenue.

Hearing Date: Tuesday, July 17, 2018
Time: 7:00 p.m.
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Kelly Gallacher, SSV I Oak Creek, LLC
Property Owner: SSV Oak Creek II, LLC
Property Locations: 275 E. Drexel Avenue
Tax Key(s): 814-9038-000

Legal Description:

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 1/4 of the Northwest 1/4 of Section 16, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for September 5, 2017 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: June 20, 2017
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.



Project Narrative – CUP Amendment

| | | | |
|-------|---|-------|--|
| To: | Kari Papelbon, CFM AICP and the Oak Creek Plan Commission City of Oak Creek 8040 South 6th St Oak Creek, WI 53154 | From: | Matthew A. Clementi, PE Stantec – Civil Engineers for: Self Storage Ventures LLC and Gallacher Development, LLC |
| File: | Gallacher – Drexel Oak Creek, WI Stantec Project 193804524 | Date: | May 8, 2018 |

Reference: Project Narrative – Gallacher – Drexel Self Storage

This Application for Conditional Use Permit Amendment (Extension) references the Conditional Use Permit granted by the City of Oak Creek in June of 2017 for the Proposed Self Storage Facility at 275 E. Drexel Ave., Oak Creek by Kelly Gallacher of Self Storage Ventures, LLC (Developer) and SSV II Oak Creek, LLC (property owner).

The current CUP for Self-Storage Facility (mini-warehousing) will expire 12 months after the initial approval and we ask the City of Oak Creek Plan Commission to extend the Conditional Use Permit for a period of one year. No substantive changes are proposed in making this request.

For your convenience, copy of the previously-approved Site Plan and Building Façade are attached.

Introduction:

As previously approved, the development will consist of six buildings; one two-story, climate-controlled building (Building A) on the north side of the property and five single-story (non-climate controlled) buildings (Building B-F) on the southern portion of the property.

The two-story climate-controlled building will also house a small leasing/sales office which will be staffed by 1 or 2 employees. The only use allowed within the units is storage. No other uses (workshop, car-repair, etc.) will be allowed.

The development will be accessed via a private drive which is itself accessible from both South Howell Avenue and East Drexel Avenue and there are two stormwater control facilities which currently serve for the site.

Schedule and Request:

The development of this site has been complicated by contaminated material which was found on the site during preliminary site investigations. The WDNR is currently reviewing the developer's proposal to 'cap' the contaminated materials with the buildings and pavement proposed for the site. Since the remaining materials will be 'capped' they will not be accessible to clients or employees of the facility or to the public.

Permitting and negotiations for these issues has taken longer than anticipated due to testing requirements and the need for detailed calculations and reports as well as lengthy review periods

Design with community in mind



May 8, 2018
Kari Papelbon, CFM AICP and the Oak Creek Plan Commission
Page 2 of 2

Reference: Project Narrative – Gallacher – Drexel Self Storage

by the WDNR. Additionally, building permit applications cannot be submitted until the WDNR completes its review of the remediation permit requests.

We still expect that building permit applications will be submitted to the City shortly and that construction will begin this summer, however we request that the Plan Commission grant a 1-year extension to the Conditional Use Permit to allow for unforeseen situations.

**DRAFT MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JUNE 12, 2018**

**CONDITIONAL USE AMENDMENT
SELF-STORAGE VENTURES, LLC
275 E. DREXEL AVE.
TAX KEY NO. 814-9038-000**

Planner Papelbon provided an overview of this request for a time extension for the existing Conditional Use Permit. (See staff report for details.)

Attorney Brian Randall, Davis and Kuelthau, 111 E. Kilbourn Ave., Milwaukee, spoke on behalf of the developer, Kelly Gallacher. Mr. Randall stated that in the spring of 2017, Mr. Gallacher had a pair of Phase II environmental site assessments completed. Consultant number one found some stockpiled construction debris on this site. Consultant number two verified that there was, indeed, some contamination. In July, 2017, 37 tons were trucked off the site and disposed of properly. Mr. Gallacher submitted the documentation (No Further Action Request) to the DNR in September, 2017 identifying in the reports what was found on the site. It was construction debris put there by someone else. There is one stockpile there today that is clean. There is another stockpile that they took care of and that is what this is time extension request is really about. Unfortunately, the DNR denied the No Further Action Request in October, 2017. In doing that, the DNR asked for additional information. When a submission goes in, the DNR has 60 days to respond. They have typically been experiencing a response time from the DNR of day 57, 58 or 59 from the date the requests are being submitted. That resets the 60-day clock. Mr. Gallacher has been responding to the DNR requests within 7 to 10 day, but then the DNR takes sometimes another 60 days to respond to him.

Mr. Randall continued that what the DNR did in this instance in January 2018 is indicate that they were going to hold this site to a standard that was higher (residential standard.) Mr. Gallacher was proposing capping the site, covering it with buildings and pavement, but because there is adjacent residential, the DNR asked them to make sure it is done to a higher standard. There is no groundwater contamination and that has been documented, but the other residual contaminates they want to make sure are dealt with to a residential standard. The DNR requested additional information and those documents were submitted after the DNR did that in January 2018. In March 2018, another information request came from the DNR, and seven days later Mr. Gallacher submitted that. Right now, they are on the clock. They hope, with the site investigation report they submitted, that the DNR will provide the concurrence and the response. Then Mr. Gallacher has to do the full building plans because he is holding onto that five-figure commitment for the engineers and architect to finalize the building permit level plans. Until they know the DNR will permit the site layout exactly as shown on the screen, Mr. Gallacher is holding back on letting the engineer go and that is about a 10- to 12-week process. Mr. Gallacher is well invested in the site (the purchase price of the land, the legal fees, and the environmental consultants). Because the delays have not been due to his doing, they would like the full amount of 12 months so as to avoid having to ask the City for another extension.

Eric Hayes, 7955 S. Wynbrook Ct:

"We're one of the properties that face his property that we are just glad to see it happen someday. There was other proposals and we're glad to see a storage unit and they did respond to all our requests as far as views and landscaping and everything else. And then we saw the "for sale" sign up again and we thought this whole thing went away. And we were just here to see what's going on. And then we got a little notice in the mail and so we just wanted to make sure that this actually ends up as originally proposed and all his work to make us satisfied does actually happen. When we saw the signs up for sale again, we thought, okay, here we go again. What's up?"

Mayor Bukiewicz asked for Commissioners opinion on length of time extension.

Commissioner Johnston stated he was good with the time extension of 6 months. Mayor Bukiewicz said he is good with 9 months. Commissioner Carrillo concurred with Mayor Bukiewicz.

Planner Papelbon asked the Commissioners to change the reference to Section 11 in the suggested motion to read Section 12.

Commissioner Johnston moved that the Plan Commission recommends that the Common Council approve a conditional use permit amendment extending Section 12, Time of Compliance to a deadline of six (6) months of the date of adoption of the amendment ordinance for the property at 275 E. Drexel Ave., after a public hearing. Commissioner Loreck seconded. On roll call: all voted aye. Motion carried.

ATTEST:



Douglas Seymour, Plan Commission Secretary

June 21, 2018

Date

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

Applicant: Kelly Gallacher, Self Storage Ventures, LLC
Property Address: 275 E. Drexel Ave.
Tax Key Number(s): 814-9038-000
Conditional Use: Self-service storage facility
(mini-warehousing)

Approved by Plan Commission: 6-12-18
Approved by Common Council: TBD
(Ord. # 2903, Ord. #2852)

1. LEGAL DESCRIPTION

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 ¼ of the Northwest ¼ of Section 16, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

1) General Development Plan

- a) Detailed building 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
 - ii) Number of employees
 - iii) Number of unit & surface 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), square footage and height of sign(s)

2) Landscape Plan

- a) Screening plan
- b) Number, initial size and type of plantings
- c) Parking lot screening/berming

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

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

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

D. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 1 above, and/or as specified by these conditions and restrictions.

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

3. PARKING AND ACCESS

- A. Parking for this project shall be provided as follows:
 - 1. A minimum of one (1) stall per employee;
 - 2. (1) space per 1,000 gross square feet of retail/leasing office space;
 - 3. (1) space for every 10 units for interior/controlled-access buildings. Units accessed via exterior overhead/roll-up doors may count one (1) space in front of each unit as a parking stall. All travel aisles and emergency access areas shall remain completely unobstructed at all times;
 - 4. All other parking shall be in accordance with Sections 17.0403 and 17.0404 of the Municipal Code.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.
- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas, garages, and private drives shall be in place in accordance with the signed Development Agreement.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas, with the exception of parking in front of storage units, shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.

- H. Adjustments to required parking may be made by the Plan Commission in accordance with Section 17.0404.
- I. Access to the development shall be via the existing private drive. No new curb cuts or access shall be granted from Drexel Avenue.

4. LIGHTING

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

5. LANDSCAPING

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

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

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

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

- 4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.

B. Interior Landscape Area. All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping. For parking lots designed for twenty-five (25) parking spaces or more, interior parking lot landscaping shall be provided at the following rates:

Total Paved Area
0-49,999 sq. ft.
50,000 sq. ft. or larger

Required Interior Planting Area
5% of paved area
10% of paved area

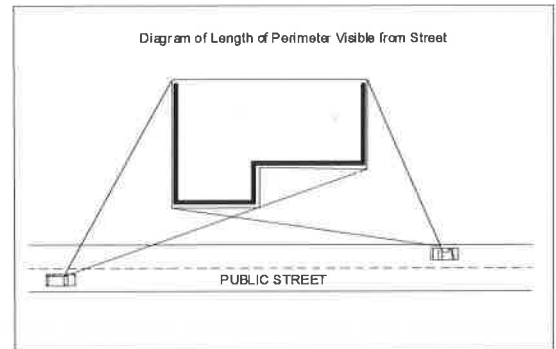
- C. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.
- D. Landscaping Adjacent to Buildings. Landscaping shall be provided adjacent to buildings facing Drexel Avenue as well as the interior private roadway and adjacent to residential zoning district lines in accordance with plans approved by the Plan Commission and/or the Department of Community Development. All submitted plans must make adequate allowances for the required landscaping to be installed and maintained outside of existing or proposed public easements.
- E. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- F. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- G. Screening of Roof Mounted Mechanical Equipment. Roof mounted mechanical equipment shall be screened from casual view.
- H. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, or concrete. All retaining walls must incorporate landscaping as part of the design.
- I. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- J. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205(d) of the Municipal Code.
- K. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
 3. The location and percent of slope of all proposed berms using one (1) foot contours.
 4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.

- 5. Methods used in staking, mulching, wrapping or any other early tree care used.
- 6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.
- L. The Plan Commission may modify any of the above standards by a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting, but only if supplemental design elements or improvements are incorporated into the project which compensate for the modification of the particular standard.
- M. Landscaping shall be installed in accordance with the signed Development Agreement.

6. ARCHITECTURAL STANDARDS

A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.

B. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete masonry units (CMUs). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building materials.



C. The façade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with an acceptable glass, brick or decorative masonry material.

D. Material and color samples shall be submitted to the Plan Commission for review and approval.

E. The Plan Commission may modify any of the above standards by a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting, but only if supplemental design elements or improvements are incorporated into the project which compensate for the modifications of the particular standard.

F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.

G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.

H. Overhead/storage bay doors shall not face any abutting residential property / residential zoning district line. The Plan Commission may allow, as part of site plan review, overhead/storage bay doors to face a public street or right-of-way as a modification ONLY:

- a. If a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting approves of the orientation;
AND

- b. If it is proven to the satisfaction of the Plan Commission that no practical alternative exists; AND
 - c. if screening through vegetation, architectural walls, fencing, or a combination thereof is approved; AND
 - d. If supplemental design elements or improvements are incorporated into the project which compensate for the modification.
- I. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
 - J. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
 - K. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

7. BUILDING AND PARKING SETBACKS

| | Front and Street Setback | Rear* Setback | Side* Setback |
|--------------------------|--------------------------|---------------|---------------|
| Principal Structure(s) | 30' | 25' / 30' | 15' / 30' |
| Accessory Structure(s)** | 30' | 25' / 30' | 15' / 30' |
| Off-street Parking | 30' | 0' | 0' |

** Per Section 17.03170(d)(16)(g)(4), side and rear setbacks shall not be less than thirty (30) feet to a residential, institutional, or park district line, and subject to buffer requirements in Section 17.0205(d). See Section 17.03170(d)(16)(g) for all setback requirements.*

***No accessory structures shall be permitted in the front yard or in required buffer yards.*

8. BUILDING HEIGHT AND AREA

- A. No principal building or parts of a principal building shall exceed fifty (50) feet in height. No accessory building shall exceed seventeen (17) feet in height, subject to regulations and permitting requirements under the jurisdiction of the Federal Aviation Administration and Milwaukee County.
- B. The sum total of the floor area on all floors of the principal building and all accessory buildings shall not exceed sixty (60) percent of the lot area.

9. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. There shall be no outdoor storage or display of any kind, including, but not limited to, vehicles, trailers,

retail merchandise.

D. No storage unit shall be used for

1. Assembly, fabrication, processing, servicing, or repair of any kind, including, but not limited to vehicles, boats, trailers, appliances, and items for sale.
2. Service or sale of any kind, including, but not limited to auctions, retail sales, flea markets, or commercial or industrial activity.
3. The establishment of a transfer and storage business.
4. Practice or meeting spaces.
5. Residential or living spaces.
6. Kennels or animal daycare/recreation facilities.
7. Storage of combustible/flammable, explosive, salvage, or toxic/hazardous materials.
8. The operation of power tools, compressors, kilns, spray painting equipment, table saws, lathes, welding equipment, or other similar equipment.

E. Limited sales to tenants of products and supplies incidental to the principal use (e.g., packing materials, identification labels, rope, locks, tape, etc.) may be allowed within the retail/leasing office as approved by the Plan Commission.

F. Hours of operation shall be between 6:00 AM and 10:00 PM seven days per week.

10. SIGNS

All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code. All signs must be approved by the Plan Commission. No pole signs shall be permitted as part of this development.

11. PERMITTED USES

- A. All permitted uses in the LM-1, Light Manufacturing zoning district.
- B. One (1) self-service storage facility (mini-warehouse) with no outdoor storage or display.
- C. Usual and customary accessory uses to the above listed permitted uses.

12. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work in accordance with these conditions and restrictions for the Conditional Use within **six (6) months** from the date of adoption of the ordinance authorizing the issuance of a Conditional Use Permit (January 17, 2019). This Conditional Use approval shall expire within **six (6) months** after the date of adoption of the ordinance (January 17, 2019) 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.

13. OTHER REGULATIONS

- A. Compliance with all other applicable City, State, DNR and Federal regulations, laws, ordinances, and orders not heretofore stated or referenced, is mandatory.
- B. Building permits must be issued to and construction begun on Building A (as illustrated in Exhibit A – Concept Site Plan) prior to the issuance of building permits for any other storage structures (Buildings B-F).
- C. An occupancy permit must be obtained for Building A (as illustrated in Exhibit A – Concept Site Plan) within 150 days of the issuance of occupancy permits for any other building.

14. VIOLATIONS & PENALTIES

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

15. REVOCAION

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

16. ACKNOWLEDGEMENT

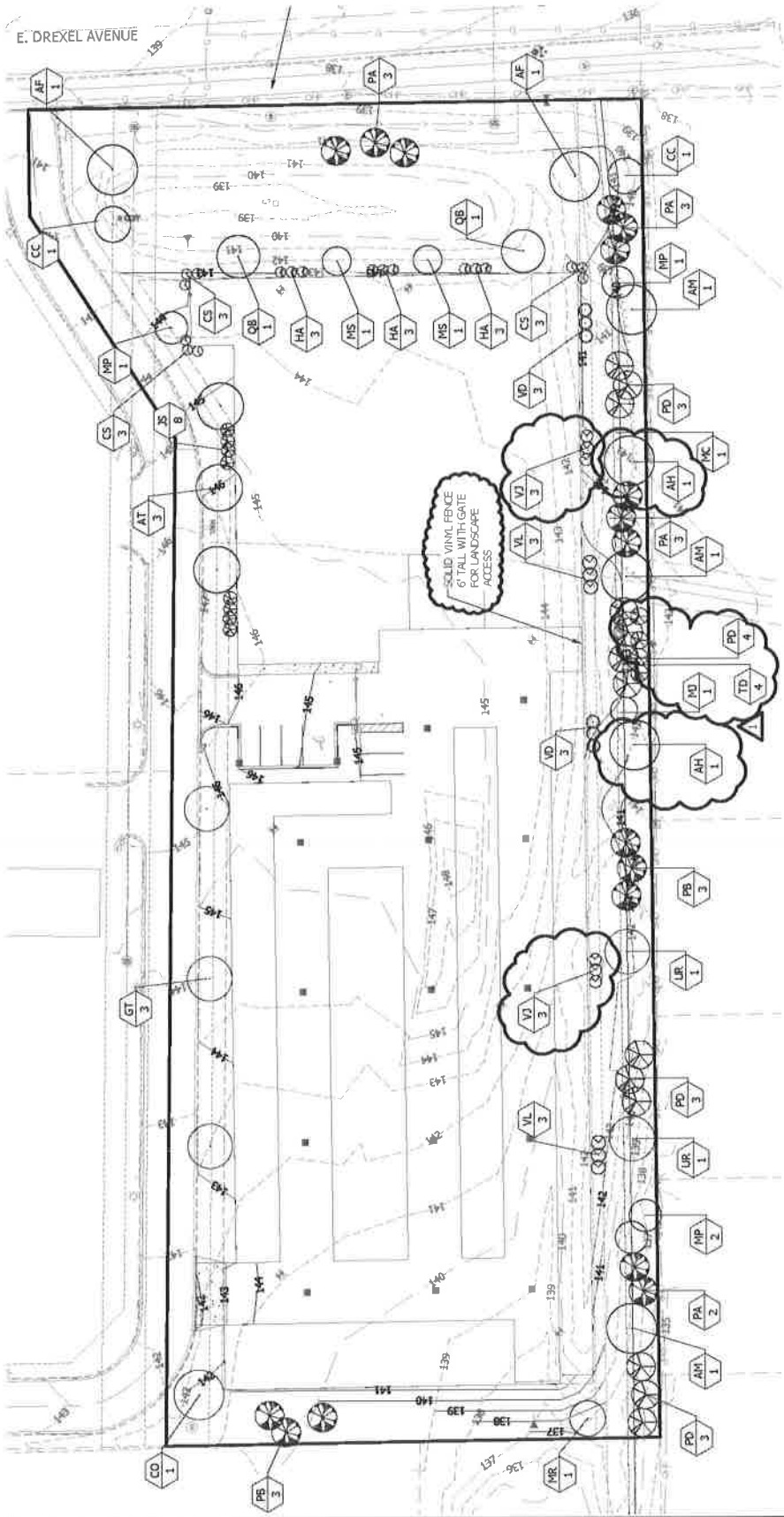
The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their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

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: SITE PLAN





Item No.

COMMON COUNCIL REPORT

Informational: Treasurer Report on Investment and Banking for the City of Oak Creek accounts, ending May 31, 2018.

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

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

Background: The Treasurer Report on Investment and Banking displays the City's month end balances, to provide the Common Council and the public with the current condition of the City's treasury. Please note that some funds are allocated for specific purposes such as debt service, Tax Incremental Districts, capital improvement projects and distribution of tax collection to other taxing districts and are not available for general purpose spending. This monthly report, along with a comprehensive report, is reviewed at Finance Committee meetings to assist with investment decisions and financial strategies. Below is a brief summary:

| Beginning Balance | Ending Balance | Interest Earned | Increase/Decrease |
|-------------------|-----------------|-----------------|-------------------|
| \$46,545,873.60 | \$38,713,418.75 | \$59,927.77 | -\$7,832,454.85 |

May Tax Collection: \$3,382,265.77 or 0.04% of total levied City Share (approx.): \$1,000,000.00

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Barbara Guckenberger, CMTW
City Treasurer

Fiscal Review:

Bridget M. Souffrant
Finance Director/Comptroller

Attachments: Treasurer Report on Investment and Banking

**City of Oak Creek
Treasurer Report on Investment and Banking**

| Name of Account | Beginning Balance | Additions | Subtractions | Account Ending Balance | Actual Interest Earned | Interest Rate | Percentage of Total Invested |
|--|----------------------|----------------------|------------------------|------------------------|------------------------|----------------|------------------------------|
| Tri City National Bank | 5,923,187.70 | 17,450,509.78 | (16,445,580.51) | 6,928,116.97 | 8,314.99 | 1.690% | 17.90% |
| General Fund | 5,111,005.55 | 13,386,162.04 | (12,585,577.57) | 5,911,590.02 | | | |
| Title 125 | 45,372.51 | 22,295.16 | (20,520.72) | 47,146.95 | | | |
| Police Credit Card | 52,957.52 | 20,486.32 | (52,987.27) | 20,456.57 | | | |
| Parks & Rec Counter Credit Card | 17,057.94 | 5,283.16 | (17,192.28) | 5,148.82 | | | |
| Tax Payment Account #2 | 453,856.80 | 3,387,094.07 | (3,104,828.30) | 736,122.57 | | | |
| Parks & Rec Online Credit Card | 27,046.71 | 16,223.00 | (28,544.93) | 14,724.78 | | | |
| Health Insurance | 14,923.60 | 508,700.08 | (453,214.08) | 70,409.60 | | | |
| Tax Payment Account | 18,251.71 | - | - | 18,251.71 | | | |
| EMS | 182,715.36 | 104,265.95 | (182,715.36) | 104,265.95 | | | |
| 0 | - | - | - | - | | | |
| DANA Investment Advisors | 5,683,579.19 | 15,317.02 | (602.92) | 5,698,293.29 | 13,046.81 | 2.21% | 14.72% |
| BMO Global Asset Management | 4,843,762.45 | 17,959.68 | (2,321.95) | 4,859,400.18 | 8,518.09 | 1.85% | 12.55% |
| American Deposit Management (ADM) | 1,166,078.03 | 1,725.16 | - | 1,167,803.19 | 1,725.16 | 1.80% | 3.02% |
| *ADM General Account Balance | - | - | - | - | - | - | - |
| Local Government Investment Pool (LGIP) | 27,062,417.48 | 27,855.65 | (8,900,000.00) | 18,190,273.13 | 27,855.65 | 1.81% | 46.99% |
| *LGIP General Account Balance | 10,398,795.81 | 15,948.61 | - | 10,414,744.42 | 15,948.61 | | |
| **Ehlers Investment | 1,866,848.75 | 10,667.60 | (7,984.36) | 1,869,531.99 | 467.07 | 1.5047% | 4.83% |
| | 1,866,848.75 | 10,667.60 | (8,300.18) | 1,869,216.17 | | | |
| Total Balance | 46,545,873.60 | 17,524,034.89 | (25,356,469.74) | 38,713,418.75 | 59,927.77 | | |

**Ehlers balance is first shown gross of fees to balance to their monthly report; below that is shown net of fees for comparison purposes. Also, due to multiple CD's in the account, interest/dividends may not be earned monthly;
*General Account Balance shown separately and is also part of the total account listed above; although it is used for cash flow purposes, a portion may be allocated for specific uses and may not be available for general purpose spending;

Excludes Police Forfeiture Account;

Tri City Interest is an analyzed credited from previous month earnings;

Additions and subtractions on investment accounts may include market adjustments for realized and unrealized gains(losses) or change in accrued income, as well as interest, management fees, deposits, transfers, returned payments or withdrawals

Tax Collection Deposits

Tax Payment Account #2
City Deposit (Counter, Drop Box, Mail)
 Gov Tech
 Credit Card
Total Tax Payment Account #2

3,050,994.75
289,156.18
42,114.84

3,382,265.77

**Distribution to other Taxing Jurisdictions
(April & May Collections distributed in June)**

STATE
COUNTY \$ 996,294.97
MMSD \$ 340,251.27
SCHOOL \$ 1,707,138.28
MATC \$ 247,929.99
UTILITY \$ 10,629.53

TOTAL DIST \$ 3,302,244.04

Tax Payment Account
Tri City Payments (At Bank, Lockbox)

3,382,265.77 0.04% of Total Tax Levy

TAX REFUNDS \$ 1,026.72

Please note the City uses two bank accounts for tax collection; one for payments processed by the City (account #2) and the other for payments processed by our bank

*CITY \$ 1,495,916.24

Prepared for Common Council; cc Finance Committee
Barbara Guckenberger, CMTW
City Treasurer

COMMON COUNCIL REPORT

Item: City of Oak Creek Budget to Actual Report 2nd Quarter 2018

Recommendation: Informational Presentation

Fiscal Impact: Reviewing the Budget to Actual report ensures that the Common Council is apprised of any fiscal concerns and continues to show the financial stability of the City of Oak Creek.

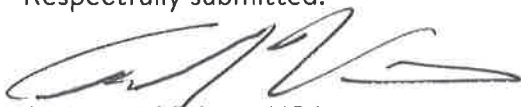
Critical Success Factor(s):

- 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: Attached is a summary financial report for the General Fund and other Major Funds through the end of the 2nd quarter 2018. The presentation will focus on the revenues and expenditures through the 2nd quarter compared to the budget in the General Fund, Solid Waste, WE Energies, Health Insurance, EMS, and Dispatch Fund.

Options/Alternatives:

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: 2nd Quarter Fiscal Year 2018 Financial Summary Report; PowerPoint Presentation

**CITY OF OAK CREEK
FINANCIAL REPORT
2ND QUARTER FISCAL YEAR 2018**

GENERAL FUND REVENUES BY CATEGORY

| | 2018 YTD | 2018 BUDGET | % OF BUDGET |
|------------------------|------------|-------------|-------------|
| TAXES | 11,050,312 | 13,116,162 | 84.25% |
| OTHER TAXES | 211,384 | 2,258,941 | 9.36% |
| STATE SHARED REVENUES | 1,390,582 | 5,922,458 | 23.48% |
| OTHER INTERGOV'T | 44,105 | 134,347 | 32.83% |
| LICENSES/PERMITS | 667,356 | 787,875 | 84.70% |
| CHARGES FOR SERVICES | 201,976 | 637,100 | 31.70% |
| PUBLIC HEALTH & SAFETY | 80,483 | 26,115 | 308.19% |
| OTHER (CHAMBER LEASE) | 7,000 | 12,000 | 58.33% |
| COMMERCIAL REVENUES | 569,465 | 1,249,900 | 45.56% |
| TRANSFERS | - | 140,210 | - |

GENERAL FUND EXPENDITURES BY CATEGORY

| DEPARTMENT | 2018 YTD | 2018 BUDGET | % OF BUDGET |
|------------------|-----------|-------------|-------------|
| GENERAL GOV'T | 3,023,553 | 6,319,332 | 47.85% |
| PUBLIC SAFETY | 5,337,479 | 11,778,296 | 45.32% |
| HEALTH | 201,948 | 476,725 | 42.36% |
| PUBLIC WORKS | 2,220,174 | 4,523,071 | 49.09% |
| LEISURE SERVICES | 540,164 | 1,187,684 | 45.48% |
| TRANSFERS OUT | - | - | - |

GENERAL FUND EXPENDITURES BY DEPARTMENT

| DEPARTMENT | 2018 YTD | 2018 BUDGET | % OF BUDGET |
|--------------------------------------|-----------|-------------|-------------|
| GENERAL GOVERNMENT | 1,214,898 | 2,205,281 | 55.09% |
| CENTRAL SERVICES- BLDG MAINT DIV | 264,789 | 674,938 | 39.23% |
| CENTRAL SERVICES - IT SERVICES DIV | 444,036 | 922,057 | 48.16% |
| CENTRAL SERVICES - ADMIN. SVCS. DIV. | 221,387 | 526,433 | 42.05% |
| CENTRAL SERVICES - HR DIV. | 98,027 | 213,567 | 45.90% |
| CITY ADMINISTRATOR'S OFFICE | 133,771 | 255,827 | 52.29% |
| CITY CLERK | 101,108 | 214,343 | 47.17% |
| FINANCE | 174,500 | 367,546 | 47.48% |
| TREASURER | 88,856 | 200,951 | 44.22% |
| TREASURER - ASSESSOR DIV. | 81,778 | 202,714 | 40.34% |
| CITY ATTORNEY | 79,611 | 250,983 | 31.72% |
| COMMUNITY DEVELOPMENT | 129,395 | 284,692 | 45.45% |
| POLICE | 3,711,336 | 8,357,350 | 44.41% |
| MUNICIPAL COURT | 73,448 | 205,891 | 35.67% |
| EMERGENCY OPERATIONS | 5,110 | 14,200 | 35.99% |
| FIRE | 977,967 | 1,851,568 | 52.82% |
| ENGINEERING | 314,363 | 753,317 | 41.73% |
| ENGINEERING - INSPECTION DIV. | 255,781 | 595,970 | 42.92% |
| HEALTH | 201,898 | 476,725 | 42.35% |
| DPW- STREETS DIVISION | 1,548,536 | 3,077,807 | 50.31% |
| DPW- STREET LIGHTS DIVISION | 287,772 | 632,717 | 45.48% |
| DPW- FORESTRY DIVISION | 143,625 | 295,909 | 48.54% |
| DPW- PARKS DIVISION | 240,255 | 516,638 | 46.50% |
| RECREATION | 113,465 | 302,492 | 37.51% |
| LIBRARY | 426,717 | 885,192 | 48.21% |

**CITY OF OAK CREEK
FINANCIAL REPORT
2ND QUARTER FISCAL YEAR 2018**

REVENUES FOR MAJOR FUNDS


| FUND | 2018 YTD | 2018 BUDGET | % OF BUDGET |
|-------------------|-----------------|--------------------|--------------------|
| General Fund (10) | 14,222,662 | 24,285,108 | 58.57% |
| Solid Waste (11) | 1,154,205 | 1,376,933 | 83.82% |
| WE Energies (19) | - | 2,253,000 | 0.00% |
| Health (36) | 2,974,464 | 6,483,170 | 45.88% |
| EMS (37) | 3,902,969 | 5,042,945 | 77.39% |
| Dispatch (55) | 1,194,099 | 1,558,796 | 76.60% |

EXPENDITURES FOR MAJOR FUNDS

| FUND | 2018 YTD | 2018 BUDGET | % OF BUDGET |
|-------------------|-----------------|--------------------|--------------------|
| General Fund (10) | 11,323,318 | 24,285,108 | 46.63% |
| Solid Waste (11) | 586,297 | 1,376,933 | 42.58% |
| WE Energies (19) | 369,248 | 2,171,501 | 17.00% |
| Health (36) | 2,717,061 | 5,944,500 | 45.71% |
| EMS (37) | 2,476,847 | 5,042,945 | 49.12% |
| Dispatch (55) | 784,910 | 1,558,796 | 50.35% |

BUILDING UTILITIES - ALL FUNDS

| | 2018 YTD | 2018 BUDGET | % OF BUDGET |
|--------------------|-----------------|--------------------|--------------------|
| ELECTRIC | 123,640 | 321,175 | 38.50% |
| WATER | 9,105 | 22,375 | 40.69% |
| NATURAL GAS | 40,761 | 100,345 | 40.62% |
| FUEL | 115,791 | 438,792 | 26.39% |



City of Oak Creek

Budget to Actual Report

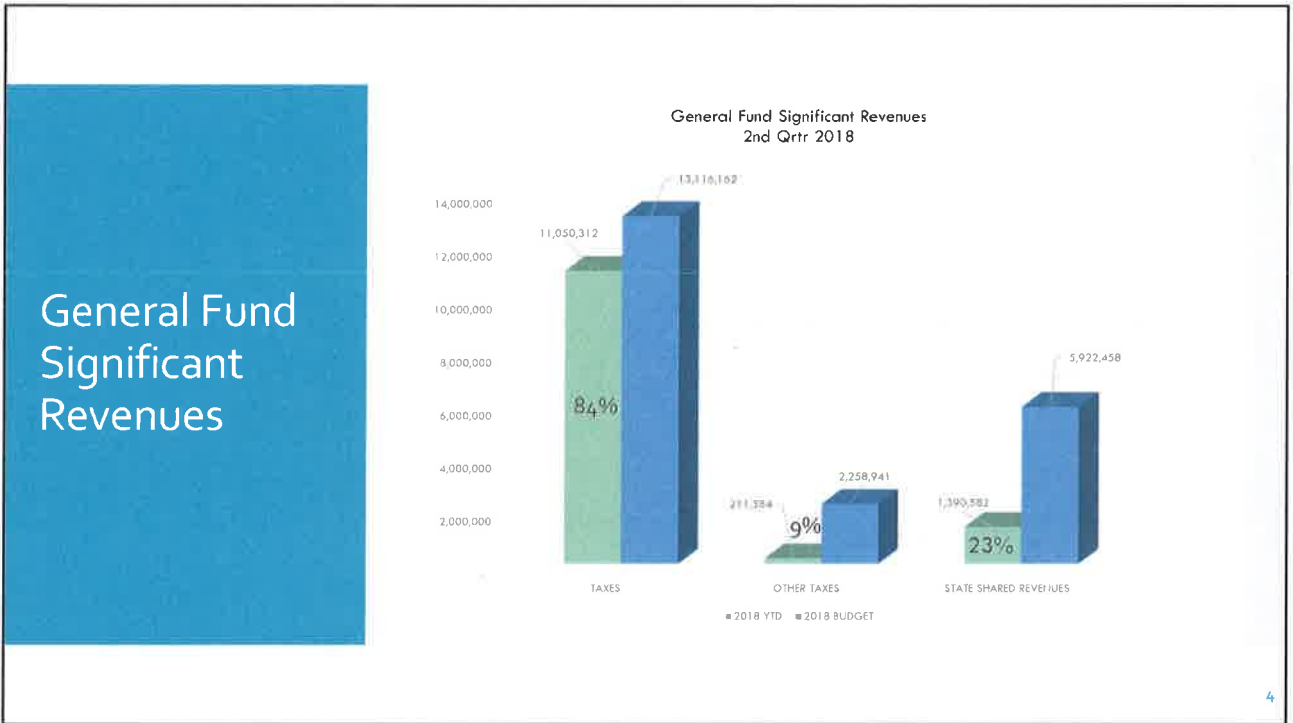
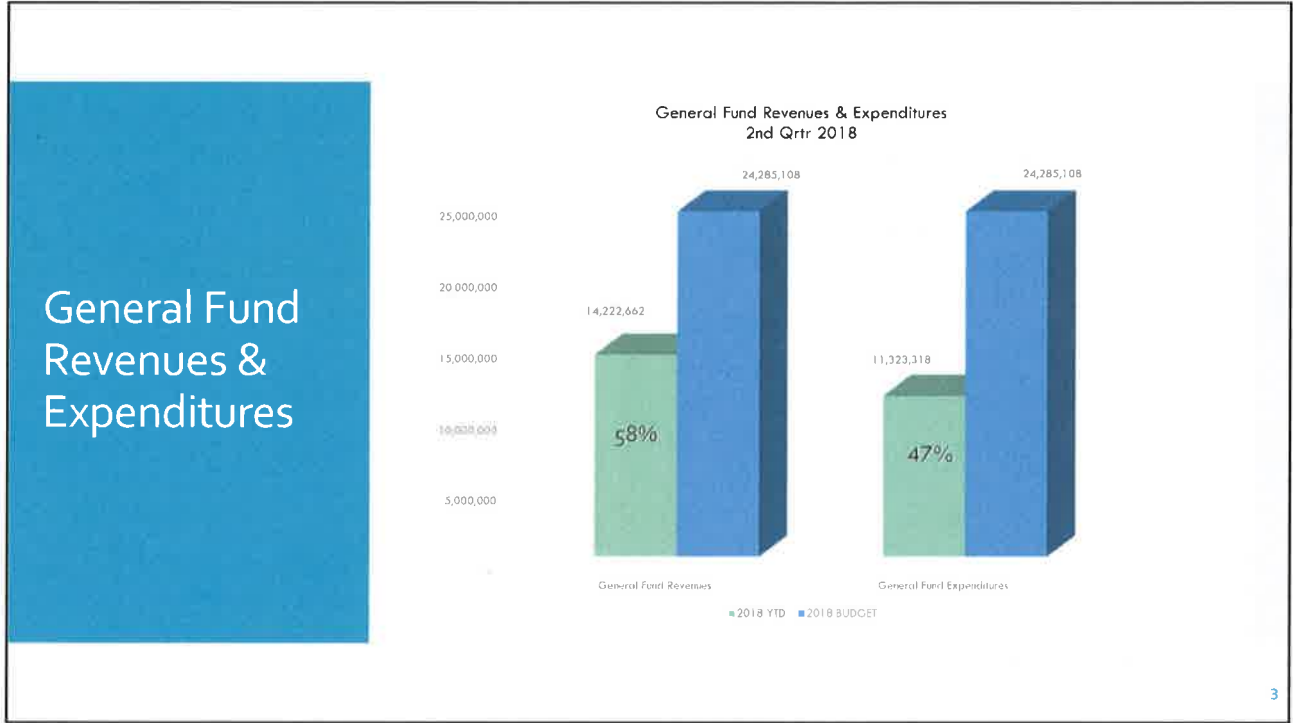
Ending 2nd quarter 2018

Bridget M. Souffrant

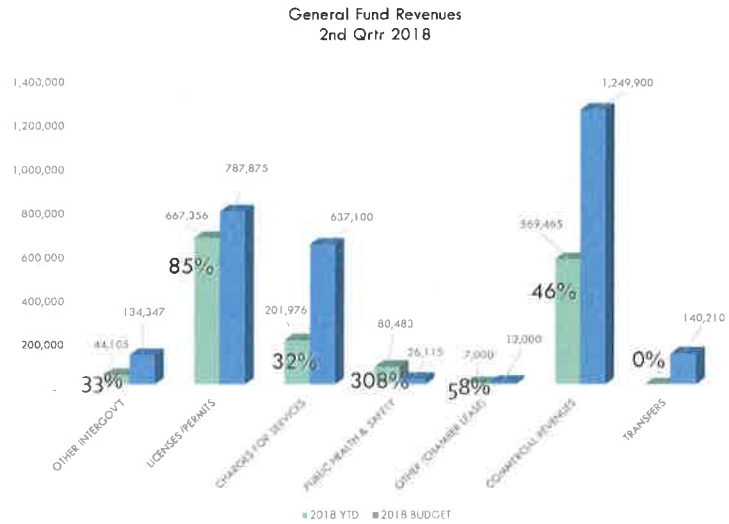
Introduction

- The following are charts and graphs depicting the 2018 2nd quarter ending financials compared to the 2018 budget
- The presentation will focus on the revenues and expenditures in the General Fund, Solid Waste, WE Energies, Health Insurance, EMS, and Dispatch Fund

2

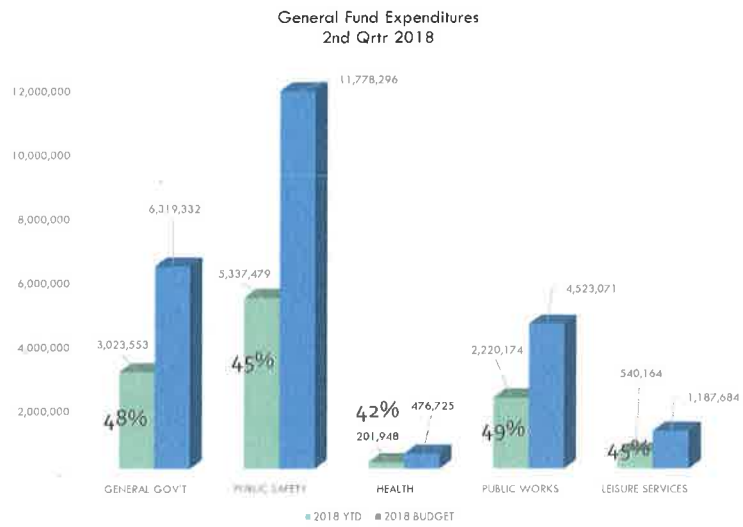


General Fund Revenues



5

General Fund Expenditures



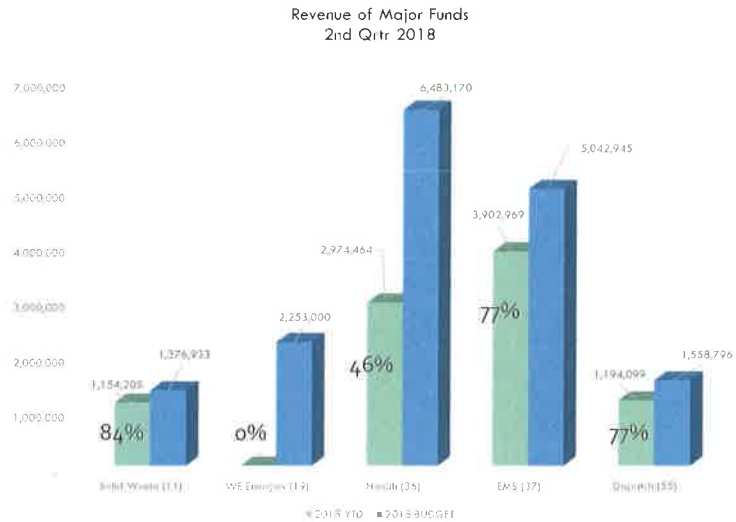
6

General Fund Expenditures by Department

| GENERAL FUND EXPENDITURES BY DEPARTMENT | | | |
|---|-----------|-------------|-------------|
| DEPARTMENT | 2018 YTD | 2018 BUDGET | % OF BUDGET |
| GENERAL GOVT | 1,214,898 | 2,205,281 | 55.09% |
| BUILDING/FACILITY MAINT. | 264,789 | 674,938 | 39.23% |
| CITY ADMINISTRATOR'S OFFICE | 133,771 | 255,827 | 52.29% |
| IT SERVICES | 444,036 | 922,057 | 48.16% |
| CITY CLERK | 101,108 | 214,343 | 47.17% |
| FINANCE | 174,500 | 367,546 | 47.48% |
| TREASURER | 88,856 | 200,951 | 44.22% |
| ADMINISTRATIVE SERVICES | 221,387 | 526,433 | 42.05% |
| ASSESSOR | 81,778 | 202,714 | 40.34% |
| HUMAN RESOURCES | 98,027 | 213,567 | 45.90% |
| CITY ATTORNEY | 79,611 | 250,983 | 31.72% |
| COMMUNITY DEVELOPMENT | 129,395 | 284,692 | 45.45% |
| POLICE | 3,711,336 | 8,357,350 | 44.41% |
| MUNICIPAL COURT | 73,448 | 205,891 | 35.67% |
| EMERGENCY OPERATIONS | 5,110 | 14,200 | 35.99% |
| FIRE | 977,967 | 1,851,568 | 52.82% |
| INSPECTION | 255,781 | 595,970 | 42.92% |
| HEALTH | 201,898 | 476,725 | 42.35% |
| ENGINEERING | 314,363 | 753,317 | 41.73% |
| DPW- STREETS DIVISION | 1,548,536 | 3,077,807 | 50.31% |
| DPW- STREET LIGHTS DIVISION | 287,772 | 632,717 | 45.48% |
| DPW- FORESTRY DIVISION | 143,625 | 295,909 | 48.54% |
| DPW- PARKS DIVISION | 240,255 | 516,638 | 46.50% |
| RECREATION | 113,465 | 302,492 | 37.51% |
| LIBRARY | 426,717 | 885,192 | 48.21% |

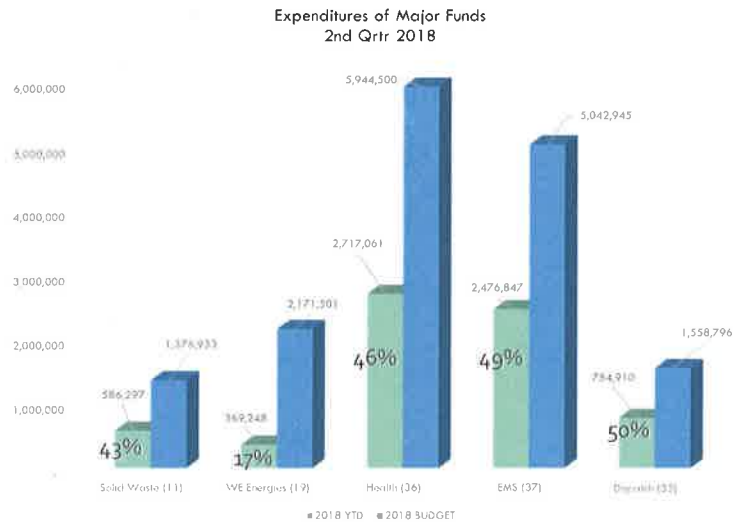
7

Revenue of Major Funds

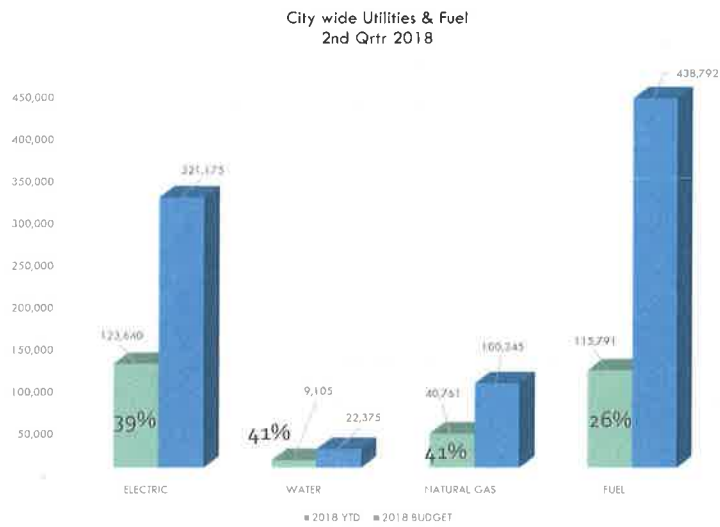


8

Expenditures of Major Funds



City wide Utilities & Fuel



Critical Indicators

- 85% of our largest revenue has already been collected (Property Taxes)
- Overtime in DPW is higher than 50% and will be monitored
- Vehicle Maintenance accounts are high



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the June 27, 2018 Vendor Summary Report in the combined total of \$754,786.98.

Fiscal Impact: Total claims paid of \$754,786.98

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. \$16,579.25 to Anova (pg #1) for benches and trash cans at Lake Vista.
2. \$13,270.00 to Baker Tilly (pg #2) for audit and activities relating to: 2017 financials, W/S single audit, and State financial report Form C.
3. \$19,008.16 to Bibliotheca, LLC (pg #2) for annual service and maintenance fee, Library Department.
4. \$9,143.50 to Buelow Vetter (pg #4) for legal services.
5. \$20,000.00 to Champ Software Inc. (pg #4) for Health Department software, funded through grants.
6. \$5,182.45 to Healics Inc. (pg #9) for 2018 health risk assessments.
7. \$22,673.21 to Holz Motors, Inc (pg #9) for new unmarked Police Department squad.
8. \$12,767.64 to Kansas City Life Insurance Co (pgs #10-11) for July disability insurance.
9. \$320,000.00 to Milwaukee County Treasurer (pg #13) for Oak Leaf Trail extension.
10. \$5,843.52 to Oklahoma Correctional Industries (pg #15) for digitization of old newspapers at the library.
11. \$100,716.23 to U.S. Environmental Protection Agency (pg #20) for reimbursement back to EPA from Lake Vista grant.
12. \$19,516.00 to Vision Technology Solutions, LLC. (pg #20) for City web site, Project #18006.
13. \$47,439.53 to WE Energies (pgs #20-21) for street lighting, electricity & natural gas.
14. \$23,468.15 to WI Dept of Transportation (pg #22) for traffic signals at Oak View Business Parks and labor relating to the following projects: S Nicholson and West Marquette Ave .

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: 6/27/18 Invoice GL Distribution Report



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the July 11, 2018 Vendor Summary Report in the combined total of \$641,915.29.

Fiscal Impact: Total claims paid of \$641,915.29

- 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. \$19,688.26 to ABC Supply Co (pg #1) for Miller Park Pavilion maintenance supplies, Project 18014.
2. \$12,481.40 to Ascension Medical Group (pg #2) for May near-site nursing services, pre-employment physicals, and drug testing.
3. \$76,115.38 to Bret Achtenhagen’s Seasonal Service (pg #4) for Lake Vista landscaping contract.
4. \$5,376.50 to Buelow Vetter (pg #4) for legal services.
5. \$10,000.00 to Catcon, Inc. (pg #5) for landscaping bond refund.
6. \$156,635.00 to D C Burbach (pg #5) for Pennsylvania Ave. & Milwaukee Ave. intersection improvement
7. \$5,000.00 to The Dickman Company (pg #1) for landscaping bond refund.
8. \$8,255.60 to DLT Solutions, LLC (pg #6) for Engineering software, Autocad, renewal.
9. \$14,175.00 to Enterprise Systems Group (pg #6) for Visix Software annual support fees.
10. \$40,000.00 to HSI Drexel Ridge LLC (pg #9) for 4 landscape bond refunds.
11. \$5,066.00 to Innovative Floors (pg #9) for carpet replacement in Fire Station No. 3.
12. \$6,171.00 to KVG Building Corporation (pg #10) for Drexel Town Square Bathrooms – final payment.
13. \$6,000.00 to L J Contractors (pg #10) for Miller Park’s Pavilion roofing and siding, Project 18014.
14. \$44,341.63 to JPM (pgs #19-24) 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.
15. \$9,707.87 to MADACC (pg #13) for 3rd quarter animal control operating costs.

-
16. \$7,360.00 to Monroe Truck Equipment (pg #16) for Project 18024, pre-wet systems.
 17. \$5,120.00 to Professional Service Industries (pg #14) for Drexel Ave landfill monitoring fee.
 18. \$7,557.57 to Savage Solutions, LLC (pg #15) for Tourism marketing consulting services and billboard advertising.
 19. \$7,667.50 to Securian Financial Group, Inc. (pgs #15 - 16) for August employee life insurance.
 20. \$12,560.00 to Tyler Technologies, Inc. (pg #17) for assessor services.
 21. \$7,160.39 to Vandewalle & Associates, Inc. (pg #17) for professional services relating to TIF #16 creation.
 22. \$8,143.73 to WE Energies (pg #18) for street lighting, electricity & natural gas.
 23. \$12,220.24 to WI Court Fines & Surcharges (pg #18) for June's court fines.
 24. \$40,876.84 to World Fuel (pg #19) for fuel inventory.

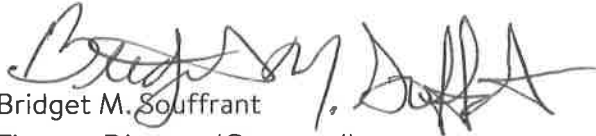
Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: 7/11/18 Invoice GL Distribution Report

COMMON COUNCIL REPORT

Item: LUCAS Chest Compression System

Recommendation: The Common Council approve the purchase of a LUCAS Chest Compression System for assisting in CPR

Fiscal Impact: \$16,000

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 LUCAS Chest Compression System assists first responders and paramedics by providing effective and uninterrupted chest compressions on sudden cardiac arrest patients. With automated CPR, there is a reduced need for shifting CPR providers every two minutes and the fatigue, individual variations and psychological factors associated with manual CPR are lessened. Rescuers are freed up to focus on other critical life-saving tasks, such as ventilation, medication and defibrillation, which leads to an increased focus on cardiac arrest management.

LUCAS facilitates the transportation of cardiac arrest patients with ongoing compressions, not only from the scene to the ambulance, but also inside a fast-moving ambulance. It is well established that effective CPR is very difficult to achieve manually in these situations .

Most area departments already are using this device with success in the field. The City of Oak Creek would be the last department in this area to put one to use.

The device would be located at Fire Station #1 for use in all parts of the city.

The device cost \$16,000. \$2,500 will be funded from the Fire Department's donation account and \$13,500 will be fund from the EMS State FAP account.


Options/Alternatives: Not to purchase this device.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Thomas A. Rosandich
Fire Chief

Fiscal Review:

A handwritten signature in black ink, appearing to read 'Bridget M. Souffrant', written over the printed name.

Bridget M. Souffrant
Finance Director/Comptroller

Attachments: None



COMMON COUNCIL REPORT

Item: School Resource Officer Agreement

Recommendation: That the Common Council approve the proposed annual Agreement for School Resource Officer services for the 2018-2019 school year.

Fiscal Impact: The Oak Creek/Franklin School District will pay the City of Oak Creek a total of \$123,461 for their share of the costs of the program. The City of Oak Creek's portion of the costs, which also total \$123,461, will be covered by funds allocated in the Police Department's 2018 and 2019 Full-Time Salaries budget account.

- 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 City of Oak Creek and the Oak Creek/Franklin School District have had an Agreement for School Resource Officer Services in place since the program was instituted in 1999. The initial Agreement was a three-year contract with all subsequent renewal Agreements reviewed and signed annually. The Agreement provides for two police officers to serve as School Resource Officers at the Oak Creek High School and Oak Creek East and West Middle Schools with all costs for wages and benefits split equally between the City of Oak Creek and the Oak Creek/Franklin School District. In addition the Agreement defines the administrative issues associated with the program.

The Agreement includes a clause allowing for the recoupment of 50% of overtime costs incurred by the School Resource Officers while acting in that capacity. The Agreement has been reviewed and approved by the City Attorney. In addition, the Oak Creek/Franklin Joint School District has already agreed to and signed the renewal Agreement for the 2018-2019 school year.

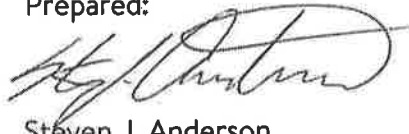
Options/Alternatives: This has been an extremely successful partnership between the City of Oak Creek and the Oak Creek/Franklin School District. To not fulfill the contract would not eliminate the educational needs the officers provide, the response to the calls for service at the schools, and could have a negative impact on the relationship with the students and law enforcement in the Community. Also, with today's climate in the schools across the country with threats of violence, the SRO's work closely with members of the school staff to identify any potential threats and have first hand knowledge of the students who may be involved.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Steven J. Anderson
Chief of Police

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: Agreement for School Resource Officer Services

AGREEMENT FOR SCHOOL RESOURCE OFFICER SERVICES

THIS AGREEMENT, made and entered into this _____ day of _____, 2018, by and between the **OAK CREEK/FRANKLIN JOINT SCHOOL DISTRICT**, hereinafter referred to as the "School District", and the **CITY OF OAK CREEK**, hereinafter referred to as the "City";

WHEREAS, the City shall provide to the School District for the 2018-2019, school year, two (2) police officers to serve as School Resource Officers at the Oak Creek High School and Oak Creek East and West Middle Schools, and

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

1. The City shall provide School Resource Officer services for a one-year period beginning June 1st, 2018 through May 31st, 2019 to include the 2018-2019 regular school year.

2. The School Resource Officers will be indirectly supervised by the principals of their respective schools. Conflicts that may arise will be mediated by the Assistant Superintendent for Performance Excellence in Operations on issues regarding school policy/procedure. The School Resource Officers will report directly to the 1st Shift Lieutenant of Operations as per the Oak Creek Police Department Organizational Chart.

3. The Police Department does reserve the right to re-deploy the School Resource Officers' services in other capacities in the event of emergency situations or in the event that, for whatever reason, the Police Department is understaffed in other bureaus. In those cases, the School District shall not be charged, under the provisions of this Agreement, for wages and benefits.

4. The School Resource Officers remain as employees of the City of Oak Creek and, therefore, the City is responsible for any and all Workers' Compensation benefits/claims and shall be the responsible party in the event of any negligence or malfeasance by the police officers. The Officers will continue to be subject to the Oak Creek Police Department Rules and Regulations and the Oak Creek Professional Policemen's Collective Bargaining Labor Agreement. The Officers will also be subject to any rules and regulations of the School District. In the case of any conflicting language between the parties' rules and regulations, the rules and regulations of the Police Department and the Collective Bargaining Labor Agreement shall supercede.

5. The School District shall pay to the City the sum of \$123,461 which is one-half of the wages and fringe benefits of the two SRO officers. Said payments shall be due and payable on or before December 15, 2018 and May 31, 2019. The first payment—due December 15, 2018 for the period of June 1, 2018, through December 31, 2018—will be in the amount of \$71,776. The second payment—due May 31, 2019, for the period of January 1, 2019, through May 31, 2019—will be in the amount of \$51,685 The City will issue an invoice to the School District for said payments.

6. In the event of overtime hours accrued by the School Resource Officers specific to SRO duties, the costs of the wages will also be split 50/50 between the City and the School District. The 1st Shift Lieutenant will be in charge of authorizing any overtime requests. A written record of the overtime costs incurred will be submitted to the Oak Creek/Franklin School District with the installment invoice for reimbursement to the City for 50% of those costs.

7. The City agrees to pay for all other costs that may be associated with the Collective Bargaining Labor Agreement between the City of Oak Creek and the Oak Creek Professional Policemen’s Association.

8. This Agreement will terminate on May 31, 2019, with the express understanding that it will be reviewed and renewed on an annual basis.

Dated at Oak Creek, Wisconsin, this _____ day of _____, 2018.

CITY OF OAK CREEK

**OAK CREEK/FRANKLIN
JOINT SCHOOL DISTRICT**

By: _____
Daniel J. Bukiewicz, Mayor

By: _____
Dr. Tim Culver,
Superintendent of Schools

By: _____
Catherine A. Roeske, City Clerk

By: _____
Frank Carini,
School Board President

By: _____
Steven J. Anderson, Police Chief

COMMON COUNCIL REPORT

Item: Special Assessment, 3953 East Depot Road, Project No. 18107

Recommendation: That the Common Council adopt Resolution 11961-071718, a final resolution authorizing water main improvements, and levying special assessments against benefited properties on Depot Road from 5th Avenue 130 feet west of 5th Avenue. (Project 18107) (4th Aldermanic District).

Fiscal Impact: The Oak Creek Water and Sewer Utility will initially fund the entire cost of the project, and shall be reimbursed as special assessments are received. The estimated cost of the project is \$30,000.

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: This project was initiated by the Oak Creek Water and Sewer Utility Commission (Commission). The property on the southwest corner of 5th Avenue and Depot Road is slated for construction of a mixed use development. In the early 1980's, the property owner just west of this property on Depot Road was given permission to run a water service lateral from the water main in 5th Avenue, through the corner property to serve the the property immediately west. This is an illegal condition. In order to provide service directly to 3953 East Depot Road, water main is required to be extended approximately 130'. The Utility, in conjunction with the property owner, determined that the most cost effective approach to serving the property would be through special assessment. The new water main will be constructed by Utility Service Workers and be complete in mid-September.

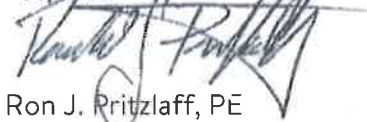
Options/Alternatives:

Respectfully submitted:



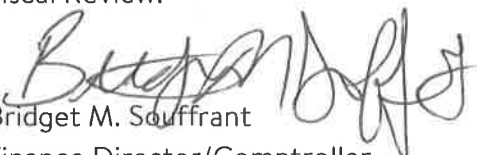
Andrew J. Vickers, MPA
City Administrator

Prepared:



Ron J. Pritzlaff, PE
Utility Engineer

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: Resolution 11961-071718; Waiver of Special Assessment

RESOLUTION NO. 11961-071718

BY: _____

**RESOLUTION ACCEPTING WAIVERS OF SPECIAL ASSESSMENT NOTICES
AND HEARINGS FOR WATER MAIN AND LATERAL IMPROVEMENTS
AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES**

(PROJECT NO. 18107)

(4TH ALDERMANIC DISTRICT)

WHEREAS, in the judgment of the Common Council of the City of Oak Creek, it was deemed to be expedient and necessary and in the best interest of the City and the properties affected thereby that the City proceed with the following improvements at the following locations:

WATER MAIN AND LATERAL

3953 East Depot Road (Tax Key No. 865-9009-003)

and

WHEREAS, said property owner has requested that the said improvements be installed to service their property and said property will benefit from the installation thereof, and

WHEREAS, said property owner has executed a Waiver of Special Assessment Notices and Hearings agreeing to the assessment of their land for the water main and lateral installation and have agreed to the payment thereof, all in accordance with Section 3.200 of the Municipal Code of the City of Oak Creek.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek as follows:

1. That the aforementioned improvements be installed.
2. That the Waivers of Special Assessment Hearings and Notices from the abutting property owners be, and are hereby accepted, such waivers covering the lands owned by and described as follows:

CSM NO 6438 PARCEL 2 NE 1/4 SEC 23-5-22 (0.184 AC)

3. That the above-described public improvements constitute an exercise of the City's Police power and benefit the properties being assessed.
4. That each abutting property owner shall be assessed for the improvements in the manner set forth in Section 3.200 of the Municipal Code of the City of Oak Creek and the assessment rates as set forth in Common Council Resolution No. 10751-041707.

5. That the assessments may be paid in cash or in 5/10 annual installments in accordance with Section 3.210 of the Municipal Code of the City of Oak Creek, if paid in installments, the same shall bear interest at the rate of 4% per annum on the unpaid balance.

For those properties which are vacant or have one residential dwelling unit, that are two and one-half (2½) acres or more in area, or have three hundred thirty (330) feet or more of assessed frontage, payment shall be made within twenty (20) years of the date of levy in equal annual payments on the property tax bill with interest rate of 4% per annum on the unpaid balance.

6. That where the special assessments are not paid within 30 days of the date of the Notice of Levy of Special Assessment, the amount due shall be entered on the year of levy's tax roll.

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

President, Common Council

Passed and adopted this 17th day of July 2018.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

**WAIVER OF SPECIAL ASSESSMENT
NOTICES AND HEARINGS**

We, the undersigned, **BARRY WOLCYK**, being owner of property at:

Address: **3953 EAST DEPOT ROAD**

Tax Key No: **8659009003**

Which property shall benefit by the following proposed public improvements, all made in the City of Oak Creek, Milwaukee County, and State of Wisconsin:

Public Water Main and Service Lateral

In consideration of the construction of said improvements by the City of Oak Creek, I hereby admit that such public improvements shall benefit my property. I hereby consent to the levying of special assessments against our property for the cost of such improvements as authorized under Section 66.0701 and 66.0703 Wisconsin Statutes, and Section 3.200 of the Municipal Code of the City of Oak Creek.

I hereby waive all special assessment notices and hearings (Section 3.204 Waivers of Notice and Hearing, Municipal Code), as required by Section 66.0703 Wisconsin Statutes, and Section 3.203 of the Municipal Code.

I further agree that if such special assessments are not paid within 30 days of the date of Notice of the Levy of Special Assessment, the amount due shall be entered on the tax roll in installments in each of the succeeding 10 years commencing with the current year. Such installments shall be subject to an interest rate of 4.0% per annum on the unpaid balance commencing as of the date of the Notice of Levy.


IN WITNESS WHEREOF, the parties have hereunto set their hands on the day and year written below:


(Owner)

7-11-18
(Date)

STATE OF WISCONSIN)
)SS.
MILWAUKEE COUNTY)

Personally came before me this 11 day of July, 2018, the above-named individuals, to me known to be such persons, and acknowledged being the owners of the above-listed property.


(Notary Public)

My commission expires: 9/18/20





COMMON COUNCIL REPORT

Item: Final Payment - Project No. 18025

Recommendation: That the Common Council approve Resolution No. 11959-071718, accepting the workmanship of KVG Building Corp. and authorizing final payment for Project No. 18025.

Fiscal Impact: Final payment of \$6,171.00 is to be paid with Park Impact Fees allocated to Project No. 18025.

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: This project involved the build-out of public restroom facilities at 332 W. Town Square Way.

Options/Alternatives: None

Respectfully submitted:

Prepared:

Andrew J. Vickers, MPA
City Administrator

J. John Ozolins
Senior Engineering Technician

Fiscal Review:

Approved:

Bridget M. Souffrant
Finance Director/Comptroller

Michael C. Simmons, PE
City Engineer

Attachments: Project No. 18025 Final Payment Cost Breakdown

RESOLUTION NO. 11959-071718

BY: _____

**RESOLUTION ACCEPTING THE WORKMANSHIP OF
KVG BUILDING CORP.
AND AUTHORIZING FINAL PAYMENT**

**332 W. Town Square Way
Build-out Of Public Restrooms**

PROJECT NO. 18025

(2nd ALDERMANIC DISTRICT)

WHEREAS, the City of Oak Creek, hereinafter referred to as the City, and KVG Building Corp., hereinafter referred to as the contractor, entered into a contract whereby the Contractor agreed to perform certain public works under Project No. 18025 for the installation of public restroom improvements in the City of Oak Creek, in accordance with plans and specifications prepared by the City Engineer for the agreed price of \$179,628.00; and,

WHEREAS, said total final contract price has been determined to be \$183,021.00 as computed by the City Engineer using actual quantities, as measured, additions and deletions to the contract, and contract unit prices; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications.

WHEREAS, the City Engineer has submitted his final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account, the sum of \$6,171.00.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineer be accepted.

BE IT FURTHER RESOLVED that the City of Oak Creek does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Oak Creek hereby reserves, if any, and subject to the right of the City of Oak Creek to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Oak Creek as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that in order to guarantee said workmanship and materials on the public restroom installation for a period of 12 months after the acceptance of the work, the performance or contract bond, which has been made a part of the contract, shall be in effect until 12 months after the passage of the resolution.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$6,171.00 to the Contractor in full and final payment of the City's obligations under this contract.

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

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

President, Common Council

Approved this 17th day of July, 2018.

Mayor, City of Oak Creek

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

FINAL PROJECT PAYMENT COST BREAKDOWN

CITY PROJECT NO. **18025**

COUNCIL MEETING DATE:

PROJECT LOCATION: Drexel Towne Square

COUNCIL RESOLUTION NO. **11959-071718**

PROJECT DESCRIPTION: Public Restrooms

GENERAL CONTRACTOR: KVG Building Corp.

CONTRACT BID AMOUNT: \$ 179,628.00

AUTHORIZED ADDITIONS TO ORIGINAL CONTRACT AMOUNT: \$ 3,393.00

REVISED CONTRACT AMOUNT: \$ 183,021.00

AS-BUILT PROJECT COST: \$ 183,021.00

AMOUNT OVER/UNDER ORIGINAL CONTRACT AMOUNT: \$ 3,393.00

AMOUNT PAID TO DATE: \$ 176,850.00

AMOUNT DUE FINAL PAYMENT: \$ 6,171.00

PREPARED BY: J. John Ozolins
Senior Engineering Technician

DATE PREPARED: July 9, 2018



Meeting Date: July 17, 2018

Item No. 22

COMMON COUNCIL REPORT

Item: Final Payment - Project No. 17021

Recommendation: That the Common Council approve Resolution No. 11960-071718, accepting the workmanship of MP Systems and authorizing final payment for Project No. 17021.

Fiscal Impact: Final payment of \$3,500.00 is to be paid with CIP provided funding.

- 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 Engineering Department coordinated a traffic signal warrant study for the intersection of Drexel/10th in October 2015. That study conducted by Traffic Analysis & Design, Inc., determined that the intersection was performing at a poor level of service and that traffic signal warrants were met.

Under authorization by the Common Council on May 2, 2017 the project was awarded to MP Systems as part of the Capital Improvement Program. This project involved the installation of traffic signals, left turn lane extensions, addition of a right turn lane and crosswalks.

Options/Alternatives: none

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Matthew J. Sullivan, PE
Design Engineer

Fiscal Review:

Bridget M. Souffrant
Finance Director/Comptroller

Approved:

Michael C. Simmons, PE
City Engineer

Attachments: Project 17021 Final Project Payment Cost Breakdown

RESOLUTION NO. 11960-071718

BY: _____

**RESOLUTION ACCEPTING THE WORKMANSHIP OF
MP SYSTEMS, INC.
AND AUTHORIZING FINAL PAYMENT**

**W. DREXEL AVENUE AND S. 10TH STREET
INTERSECTION SIGNALIZATION**

PROJECT NO. 117021

(1ST & 2ND ALDERMANIC DISTRICTS)

WHEREAS, the City of Oak Creek, hereinafter referred to as the City, and MP Systems, Inc., hereinafter referred to as the contractor, entered into a contract whereby the Contractor agreed to perform certain public works under Project No. 17021 for the installation of traffic signals in the City of Oak Creek, in accordance with plans and specifications prepared by the City Engineer for the agreed price of \$285,500.00; and,

WHEREAS, said total final contract price has been determined to be \$284,281.35 as computed by the City Engineer using actual quantities, as measured, additions and deletions to the contract, and contract unit prices; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications; and,

WHEREAS, the City Engineer has submitted his final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account, the sum of \$3,500.00.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineer be accepted.

BE IT FURTHER RESOLVED that the City of Oak Creek does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Oak Creek hereby reserves, if any, and subject to the right of the City of Oak Creek to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Oak Creek as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that in order to guarantee said workmanship and materials on the traffic signal installation for a period of 12 months after the acceptance of the work, the performance or contract bond, which has been made a part of the contract, shall be in effect until 12 months after the passage of the resolution.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$3,500.00 to the Contractor in full and final payment of the City's obligations under this contract.

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

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

President, Common Council

Approved this 17th day of July, 2018.

Mayor, City of Oak Creek

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

FINAL PROJECT PAYMENT COST BREAKDOWN

CITY PROJECT NO. **17021**

PROJECT LOCATION: 10th & Drexel

PROJECT DESCRIPTION: Traffic Signals

GENERAL CONTRACTOR: MP Systems Inc.

COUNCIL MEETING DATE: **July 17, 2018**

COUNCIL RESOLUTION NO. **11960-071718**

| | | |
|---|----|------------|
| CONTRACT BID AMOUNT: | \$ | 285,500.00 |
| AUTHORIZED ADDITIONS TO ORIGINAL CONTRACT AMOUNT: | \$ | 675.00 |
| REVISED CONTRACT AMOUNT: | \$ | 286,175.00 |
| AS-BUILT PROJECT COST: | \$ | 284,281.35 |
| AMOUNT OVER/UNDER ORIGINAL CONTRACT AMOUNT: | \$ | - |
| AMOUNT PAID TO DATE: | \$ | 280,781.35 |
| AMOUNT DUE FINAL PAYMENT: | \$ | 3,500.00 |

PREPARED BY: Matthew J. Sullivan, PE
Design Engineer

DATE PREPARED: July 9, 2018

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. **17021**
 LOCATION: 10th & Drexel
 DESCRIPTION: Traffic Signals

PREPARED BY: David Maier
 Engineering Technician
 DATE PREPARED: November 16, 2017

| BID ITEM | BID ITEM DESCRIPTION | BID AMOUNT | AS-Built AMOUNT | UNIT PRICE | BID PRICE | AS-BUILT COST | OVER/ UNDER |
|----------|---|------------|-----------------|-------------|---------------|---------------|---------------|
| 201.0105 | CLEARING | 9 | 9 | \$ 55.24 | \$ 497.16 | \$ 497.16 | \$ - |
| 201.0205 | GRUBBING | 9 | 9 | \$ 55.24 | \$ 497.16 | \$ 497.16 | \$ - |
| 204.0100 | REMOVING PAVEMENT | 400 | 400 | \$ 5.52 | \$ 2,208.00 | \$ 2,208.00 | \$ - |
| 204.0120 | REMOVING ASPHALTIC SURFACE MILLING | 90 | 80 | \$ 35.35 | \$ 3,181.50 | \$ 2,828.00 | \$ (353.50) |
| 204.0150 | REMOVING CURB & GUTTER | 930 | 926 | \$ 3.31 | \$ 3,078.30 | \$ 3,065.06 | \$ (13.24) |
| 204.0155 | REMOVING CONCRETE SIDEWALK | 70 | 70 | \$ 5.52 | \$ 386.40 | \$ 386.40 | \$ - |
| 204.0195 | REMOVING CONCRETE BASE | 2 | 2 | \$ 168.98 | \$ 337.96 | \$ 337.96 | \$ - |
| 204.0205 | REMOVING UTILITY POLE | 2 | 2 | \$ 179.28 | \$ 358.56 | \$ 358.56 | \$ - |
| 205.0100 | EXCAVATION COMMON | 350 | 350 | \$ 27.62 | \$ 9,667.00 | \$ 9,667.00 | \$ - |
| 305.0120 | BASE AGGREGATE DENSE 1 1/4-INCH | 140 | 147.73 | \$ 19.88 | \$ 2,783.20 | \$ 2,936.88 | \$ 153.68 |
| 415.0090 | CONCRETE PAVEMENT 9-INCH | 620 | 578.2 | \$ 41.98 | \$ 26,027.60 | \$ 24,272.84 | \$ (1,754.76) |
| 416.0610 | DRILLED TIE BARS | 635 | 226 | \$ 7.74 | \$ 4,914.90 | \$ 1,749.24 | \$ (3,165.66) |
| 416.0620 | DRILLED DOWEL BARS | 14 | 0 | \$ 11.05 | \$ 154.70 | \$ - | \$ (154.70) |
| 455.0605 | TACK COAT | 2 | 1.5 | \$ 11.05 | \$ 22.10 | \$ 16.58 | \$ (5.52) |
| 460.6424 | HMA PAVEMENT 4 MT 58-28 H | 11 | 13.5 | \$ 596.53 | \$ 6,561.83 | \$ 8,053.16 | \$ 1,491.33 |
| 601.0331 | CONCRETE CURB & GUTTER 31-INCH | 890 | 848.5 | \$ 15.47 | \$ 13,768.30 | \$ 13,126.30 | \$ (642.00) |
| 601.0405 | CONCRETE CURB & GUTTER 18-INCH TYP A | 10 | 16 | \$ 15.47 | \$ 154.70 | \$ 247.52 | \$ 92.82 |
| 602.0410 | CONCRETE SIDEWALK 5-INCH | 1260 | 1332.75 | \$ 4.42 | \$ 5,569.20 | \$ 5,890.76 | \$ 321.56 |
| 602.0515 | CURB RAMP DETECTABLE WARNING FIELD NATURAL PA | 90 | 86 | \$ 38.67 | \$ 3,480.30 | \$ 3,325.62 | \$ (154.68) |
| 619.1000 | MOBILIZATION | 1 | 1 | \$ 9,031.40 | \$ 9,031.40 | \$ 9,031.40 | \$ - |
| 620.0300 | CONCRETE MEDIAN SLOPED NOSE | 55 | 55 | \$ 11.05 | \$ 607.75 | \$ 607.75 | \$ - |
| 625.0100 | TOPSOIL | 575 | 762.17 | \$ 4.42 | \$ 2,541.50 | \$ 3,368.80 | \$ 827.30 |
| 628.7020 | INLET PROTECTION TYPE D | 9 | 9 | \$ 89.26 | \$ 803.34 | \$ 803.34 | \$ - |
| 629.0210 | FERTILIZER TYPE B | 37 | 19 | \$ 2.99 | \$ 110.63 | \$ 56.81 | \$ (53.82) |
| 631.0300 | SOD WATER | 15 | 0 | \$ 66.94 | \$ 1,004.10 | \$ - | \$ (1,004.10) |
| 631.1000 | SOD LAWN | 575 | 762.18 | \$ 4.42 | \$ 2,541.50 | \$ 3,368.84 | \$ 827.34 |
| 634.0814 | POSTS TUBULAR STEEL 2X2-INCH 14-FT | 12 | 12 | \$ 150.68 | \$ 1,808.16 | \$ 1,808.16 | \$ - |
| 634.0816 | POSTS TUBULAR STEEL 2X2-INCH 16-FT | 4 | 4 | \$ 172.99 | \$ 691.96 | \$ 691.96 | \$ - |
| 637.2210 | SIGNS TYPE II REFLECTIVE H | 246.08 | 246.08 | \$ 19.00 | \$ 4,675.52 | \$ 4,675.52 | \$ - |
| 638.2602 | REMOVING SIGNS TYPE II | 8 | 8 | \$ 11.16 | \$ 89.28 | \$ 89.28 | \$ - |
| | | | | | \$ 107,554.01 | \$ 103,966.06 | \$ (3,587.95) |

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. **17021**
 LOCATION: 10th & Drexel
 DESCRIPTION: Traffic Signals

PREPARED BY: David Maier
 Engineering Technician
 DATE PREPARED: November 16, 2017

| BID ITEM | BID ITEM DESCRIPTION | BID AMOUNT | AS-Built AMOUNT | UNIT PRICE | BID PRICE | AS-BUILT COST | OVER/ UNDER |
|-------------|---|------------|-----------------|-------------|--------------|---------------|---------------|
| 646.0106 | PAVEMENT MARKING EPOXY 4-INCH | 955 | 902 | \$ 0.94 | \$ 897.70 | \$ 847.88 | \$ (49.82) |
| 646.0126 | PAVEMENT MARKING EPOXY 8-INCH | 920 | 1042 | \$ 1.66 | \$ 1,527.20 | \$ 1,729.72 | \$ 202.52 |
| 647.0160 | PAVEMENT MARKING ARROWS EPOXY TYPE 2R | 2 | 2 | \$ 281.69 | \$ 563.38 | \$ 563.38 | \$ - |
| 647.0166 | PAVEMENT MARKING ARROWS EPOXY TYPE 2 | 7 | 8 | \$ 281.69 | \$ 1,971.83 | \$ 2,253.52 | \$ 281.69 |
| 647.0170 | PAVEMENT MARKING ARROWS EPOXY TYPE 3R | 2 | 2 | \$ 359.02 | \$ 718.04 | \$ 718.04 | \$ - |
| 647.0356 | PAVEMENT MARKING WORDS EPOXY | 1 | 1 | \$ 314.83 | \$ 314.83 | \$ 314.83 | \$ - |
| 647.0506 | PAVEMENT MARKING CURB EPOXY | 120 | 66 | \$ 10.49 | \$ 1,258.80 | \$ 692.34 | \$ (566.46) |
| 647.0606 | PAVEMENT MARKING ISLAND NOSE EPOXY | 2 | 2 | \$ 149.14 | \$ 298.28 | \$ 298.28 | \$ - |
| 647.0556 | PAVEMENT MARKING STOP LINE EPOXY 12-INCH | 135 | 133 | \$ 9.39 | \$ 1,267.65 | \$ 1,248.87 | \$ (18.78) |
| 647.0786 | PAVEMENT MARKING CROSSWALK EPOXY 18-INCH | 235 | 150 | \$ 13.54 | \$ 3,181.90 | \$ 2,031.00 | \$ (1,150.90) |
| 652.0225 | CONDUIT RIGID NONMETALLIC SCHEDULE 40 2-INCH | 65 | 70 | \$ 4.25 | \$ 276.25 | \$ 297.50 | \$ 21.25 |
| 652.0235 | CONDUIT RIGID NONMETALLIC SCHEDULE 40 3-INCH | 390 | 390 | \$ 4.85 | \$ 1,891.50 | \$ 1,891.50 | \$ - |
| 652.0615 | CONDUIT SPECIAL 3-INCH | 770 | 770 | \$ 14.11 | \$ 10,864.70 | \$ 10,864.70 | \$ - |
| 653.0140 | PULL BOXES STEEL 24X42-INCH | 10 | 10 | \$ 646.39 | \$ 6,463.90 | \$ 6,463.90 | \$ - |
| 654.0101 | CONCRETE BASES TYPE 1 | 5 | 5 | \$ 646.92 | \$ 3,234.60 | \$ 3,234.60 | \$ - |
| 654.0217 | CONCRETE CONTROL CABINET BASES TYPE 9 SPECIAL | 1 | 1 | \$ 1,388.14 | \$ 1,388.14 | \$ 1,388.14 | \$ - |
| 655.0230 | CABLE TRAFFIC SIGNAL 5-14 AWG | 670 | 690 | \$ 0.85 | \$ 569.50 | \$ 586.50 | \$ 17.00 |
| 655.0240 | CABLE TRAFFIC SIGNAL 7-14 AWG | 410 | 475 | \$ 1.00 | \$ 410.00 | \$ 475.00 | \$ 65.00 |
| 655.0260 | CABLE TRAFFIC SIGNAL 12-14 AWG | 1505 | 1583 | \$ 1.56 | \$ 2,347.80 | \$ 2,469.48 | \$ 121.68 |
| 655.0320 | CABLE TYPE UF 2-10 AWG GROUNDED | 370 | 423 | \$ 0.88 | \$ 325.60 | \$ 372.24 | \$ 46.64 |
| 655.0515 | ELECTRICAL WIRE TRAFFIC SIGNALS 10 AWG | 1125 | 1679 | \$ 0.64 | \$ 720.00 | \$ 1,074.56 | \$ 354.56 |
| 655.0615 | ELECTRICAL WIRE LIGHTING 10 AWG | 470 | 600 | \$ 0.60 | \$ 282.00 | \$ 360.00 | \$ 78.00 |
| 655.0630 | ELECTRICAL WIRE LIGHTING 4 AWG | 1350 | 1500 | \$ 1.47 | \$ 1,984.50 | \$ 2,205.00 | \$ 220.50 |
| 656.0200.01 | ELECTRICAL SERVICE METER BREAKER PEDESTAL | 1 | 2 | \$ 862.13 | \$ 862.13 | \$ 1,724.26 | \$ 862.13 |
| 657.0100 | PEDESTAL BASES | 5 | 5 | \$ 195.21 | \$ 976.05 | \$ 976.05 | \$ - |
| 657.0420 | TRAFFIC SIGNAL STANDARDS ALUMINUM 13-FT | 2 | 2 | \$ 502.05 | \$ 1,004.10 | \$ 1,004.10 | \$ - |
| 657.0425 | TRAFFIC SIGNAL STANDARDS ALUMINUM 15-FT | 2 | 2 | \$ 525.07 | \$ 1,050.14 | \$ 1,050.14 | \$ - |
| 657.0430 | TRAFFIC SIGNAL STANDARDS ALUMINUM 10-FT | 1 | 1 | \$ 376.34 | \$ 376.34 | \$ 376.34 | \$ - |
| 658.0110 | TRAFFIC SIGNAL FACE 3-12 INCH VERTICAL | 16 | 16 | \$ 359.80 | \$ 5,756.80 | \$ 5,756.80 | \$ - |
| 658.0115 | TRAFFIC SIGNAL FACE 4-12 INCH VERTICAL | 4 | 4 | \$ 428.85 | \$ 1,715.40 | \$ 1,715.40 | \$ - |
| | | | | | \$ 54,499.06 | \$ 54,984.07 | \$ 485.01 |

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. **17021**
 LOCATION: 10th & Drexel
 DESCRIPTION: Traffic Signals

PREPARED BY: David Maier
 Engineering Technician
 DATE PREPARED: November 16, 2017

| BID ITEM | BID ITEM DESCRIPTION | BID AMOUNT | AS-Built AMOUNT | UNIT PRICE | BID PRICE | AS-BUILT COST | OVER/ UNDER |
|-------------|--|------------|-----------------|--------------|---------------|---------------|---------------|
| 658.0215 | BACKPLATES SIGNAL FACE 3 SECTION 12-INCH | 16 | 16 | \$ 63.90 | \$ 1,022.40 | \$ 1,022.40 | \$ - |
| 658.0220 | BACKPLATES SIGNAL FACE 4 SECTION 12-INCH | 4 | 4 | \$ 75.41 | \$ 301.64 | \$ 301.64 | \$ - |
| 658.0416 | PEDESTRIAN SIGNAL FACE 16-INCH | 4 | 4 | \$ 203.73 | \$ 814.92 | \$ 814.92 | \$ - |
| 658.0500 | PEDESTRIAN PUSH BUTTONS | 4 | 4 | \$ 260.19 | \$ 1,040.76 | \$ 1,040.76 | \$ - |
| 658.0600 | LED MODULES 12-INCH RED BALL | 12 | 12 | \$ 52.93 | \$ 635.16 | \$ 635.16 | \$ - |
| 658.0605 | LED MODULES 12-INCH YELLOW BALL | 12 | 12 | \$ 54.08 | \$ 648.96 | \$ 648.96 | \$ - |
| 658.0610 | LED MODULES 12-INCH GREEN BALL | 12 | 12 | \$ 55.23 | \$ 662.76 | \$ 662.76 | \$ - |
| 658.0615 | LED MODULES 12-INCH RED ARROW | 8 | 8 | \$ 52.93 | \$ 423.44 | \$ 423.44 | \$ - |
| 658.0620 | LED MODULES 12-INCH YELLOW ARROW | 16 | 16 | \$ 54.08 | \$ 865.28 | \$ 865.28 | \$ - |
| 658.0625 | LED MODULES 12-INCH GREEN ARROW | 4 | 4 | \$ 55.23 | \$ 220.92 | \$ 220.92 | \$ - |
| 658.0635 | LED MODULES PEDESTRIAN COUNTDOWN TIMER 16-INCH | 4 | 4 | \$ 223.04 | \$ 892.16 | \$ 892.16 | \$ - |
| 658.5069.01 | SIGNAL MOUNTING HARDWARE | 1 | 1 | \$ 3,423.74 | \$ 3,423.74 | \$ 3,423.74 | \$ - |
| 659.1125 | LUMINAIRES UTILITY LED C | 4 | 4 | \$ 529.37 | \$ 2,117.48 | \$ 2,117.48 | \$ - |
| 690.0150 | SAWING ASPHALT | 25 | 25 | \$ 3.31 | \$ 82.75 | \$ 82.75 | \$ - |
| 690.0250 | SAWING CONCRETE | 950 | 1080 | \$ 3.31 | \$ 3,144.50 | \$ 3,574.80 | \$ 430.30 |
| SPV.0060.01 | CONCRETE BASES TYPE 10 CONTRACTOR SUPPLIED ANCHORS | 4 | 4 | \$ 4,027.51 | \$ 16,110.04 | \$ 16,110.04 | \$ - |
| SPV.0060.02 | POLES TYPE 9 | 2 | 2 | \$ 4,232.78 | \$ 8,465.56 | \$ 8,465.56 | \$ - |
| SPV.0060.03 | POLES TYPE 10 | 2 | 2 | \$ 4,514.71 | \$ 9,029.42 | \$ 9,029.42 | \$ - |
| SPV.0060.04 | MONOTUBE ARMS 30-FT | 4 | 4 | \$ 2,032.38 | \$ 8,129.52 | \$ 8,129.52 | \$ - |
| SPV.0060.05 | LUMINAIRE ARMS STEEL 6-FT | 4 | 4 | \$ 375.59 | \$ 1,502.36 | \$ 1,502.36 | \$ - |
| SPV.0060.06 | QUAZITE PULL BOX | 2 | 2 | \$ 523.22 | \$ 1,046.44 | \$ 1,046.44 | \$ - |
| SPV.0060.07 | MATCH CURB & GUTTER | 18 | 18 | \$ 110.47 | \$ 1,988.46 | \$ 1,988.46 | \$ - |
| SPV.0060.08 | REPAIR STORM INLET | 4 | 4 | \$ 552.35 | \$ 2,209.40 | \$ 2,209.40 | \$ - |
| SPV.0060.09 | ADJUSTING SANITARY MANHOLE | 1 | 1 | \$ 1,104.69 | \$ 1,104.69 | \$ 1,104.69 | \$ - |
| SPV.0105.01 | EMERGENCY VEHICLE PREEMPTION SYSTEM | 1 | 1 | \$ 8,448.99 | \$ 8,448.99 | \$ 8,448.99 | \$ - |
| SPV.0105.02 | FURNISH AND INSTALL TRAFFIC SIGNAL CABINET, CONTROLLER | 1 | 1 | \$ 19,799.80 | \$ 19,799.80 | \$ 19,799.80 | \$ - |
| SPV.0105.03 | VIDEO VEHICLE DETECTION SYSTEM | 1 | 1 | \$ 21,664.97 | \$ 21,664.97 | \$ 21,664.97 | \$ - |
| SPV.0105.04 | TRAFFIC CONTROL | 1 | 1 | \$ 4,750.16 | \$ 4,750.16 | \$ 4,750.16 | \$ - |
| SPV.0195.01 | UNDERCUT, UNDISTRIBUTED | 75 | 0 | \$ 38.67 | \$ 2,900.25 | \$ - | \$ (2,900.25) |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| | | | | | \$ 123,446.93 | \$ 120,976.98 | \$ (2,469.95) |

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 17021
 LOCATION: 10th & Drexel
 DESCRIPTION: Traffic Signals

PREPARED BY: David Maier
 Engineering Technician
 DATE PREPARED: November 16, 2017

| BID ITEM | BID ITEM DESCRIPTION | BID AMOUNT | AS-Built AMOUNT | UNIT PRICE | BID PRICE | AS-BUILT COST | OVER/ UNDER |
|----------|------------------------------|------------|-----------------|------------|-------------|---------------|-------------|
| 415.0190 | CONCRETE PAVEMENT HES 9-INCH | 90 | 88 | \$ 49.48 | \$ 4,453.20 | \$ 4,354.24 | \$ (98.96) |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| 0.0000 | 0 | 0 | 0 | \$ - | \$ - | \$ - | \$ - |
| | | | | | \$ 4,453.20 | \$ 4,354.24 | \$ (98.96) |

COMMON COUNCIL REPORT

Item: Certified Survey Map - Richard Ruvin, R.W. Howell, LLC - 8355 S. Howell Ave.

Recommendation: That the Council adopts Resolution No. 11957-071718, a resolution approving a Certified Survey Map for Richard Ruvin, R.W. Howell, LLC, for the property at 8355 S. Howell Ave.

Fiscal Impact: The division of the property will create two (2) conforming commercial lots. Lot 2 is currently developed with a multitenant commercial building. Lot 1 is not proposed for development at this time; however, future development will yield positive fiscal impact in terms of assessed value, permit fees, and impact fees. This property is not part of a TID.

Critical Success Factor(s):

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

Background: The Applicant, Richard Ruvin, R.W. Howell, LLC, is requesting approval of a Certified Survey Map for the property at 8355 S. Howell Ave. The proposal is to divide a single conforming lot for future commercial development on the eastern portion of the parcel. Wetlands are delineated and included on the map, as is a cross-access easement over Lot 2 for the benefit of Lot 1. There are no other changes or lots proposed.

The Plan Commission reviewed this CSM at their meeting on June 26, 2018, and recommended approval with the condition that all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the conditions of Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the property to remain.

Respectfully submitted:



Andrew J. Vickers, MPA

Prepared:

Kari Papelbon, CFM, AICP

City Administrator

Planner


Fiscal Review:



Bridget M. Souffrant

Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP

Director of Community Development

Attachments:

Resolution 11957-071718

Location Map

Certified Survey Map

RESOLUTION NO. 11957-071718

BY: _____

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR
RICHARD RUVIN, R.W. HOWELL, LLC

8355 S. Howell Ave.
(2nd Aldermanic District)

WHEREAS, RICHARD RUVIN, R.W. HOWELL, LLC, hereinafter referred to as the subdivider, has submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved, subject to the condition that all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the condition that all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

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

President, Common Council

Approved this 17th day of July, 2018.

Mayor

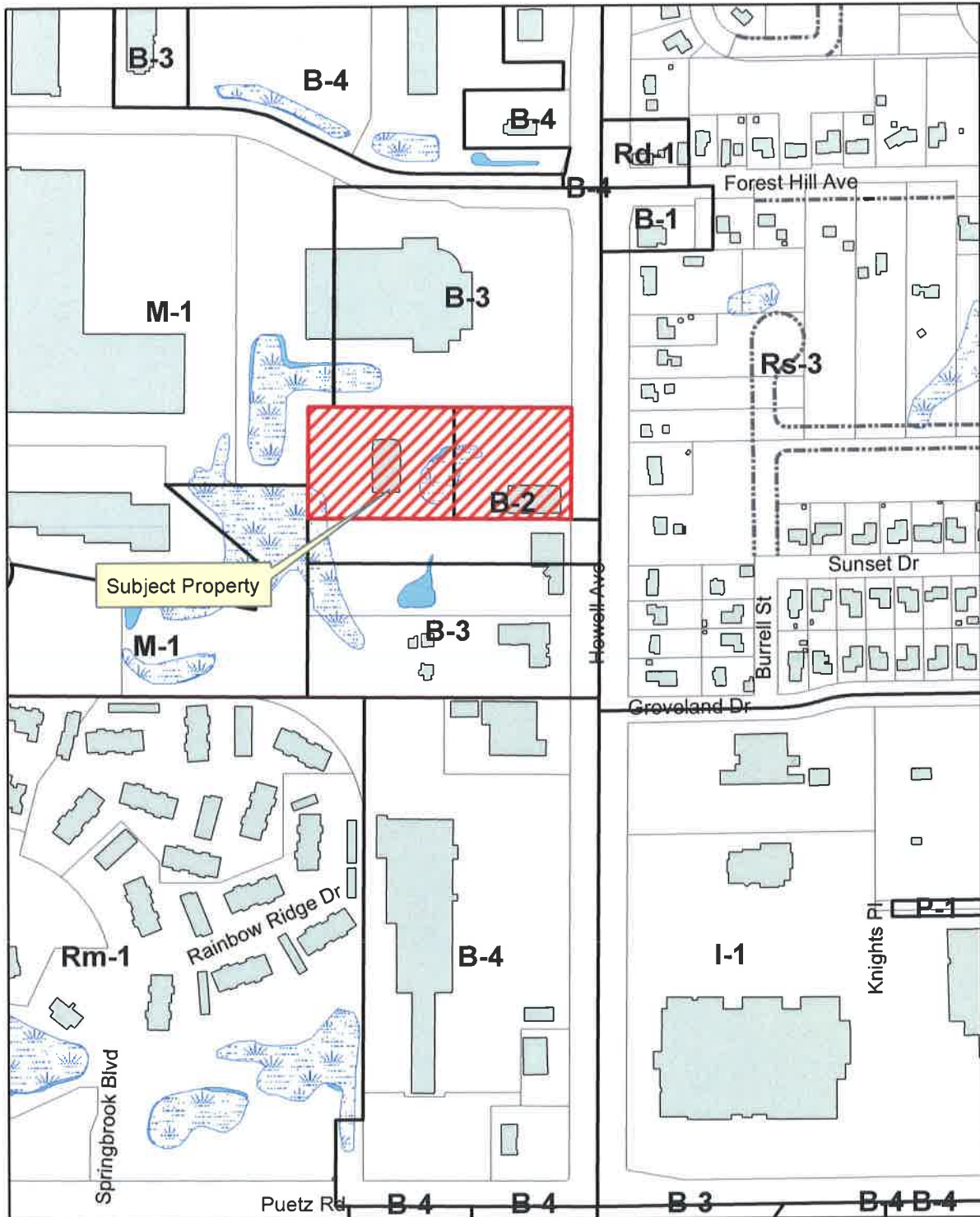
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

8355 S Howell Ave



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



Department of Community Development



Legend

- Officially Mapped Streets
- Subject Property
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

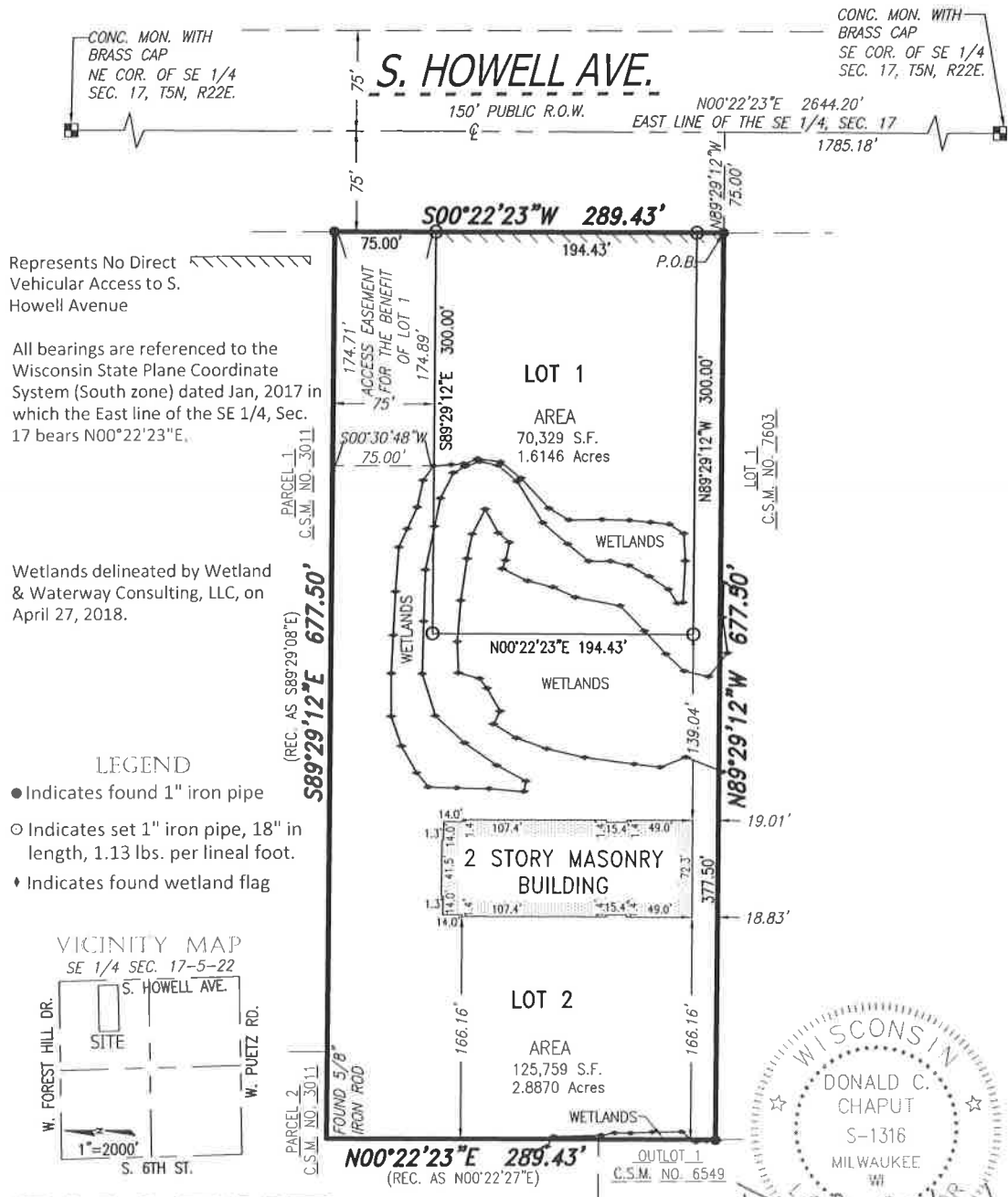
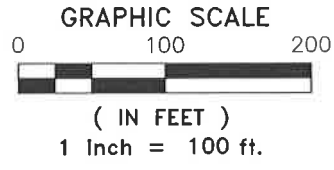
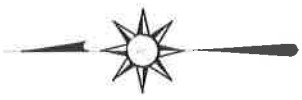
Zoning Overlays

- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast 1/4 of the Southeast 1/4 of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

Owner : RW Howell LLC
1445 E. Goodrich Lane
Fox Point, WI 53217



Represents No Direct Vehicular Access to S. Howell Avenue

All bearings are referenced to the Wisconsin State Plane Coordinate System (South zone) dated Jan, 2017 in which the East line of the SE 1/4, Sec. 17 bears N00°22'23"E.

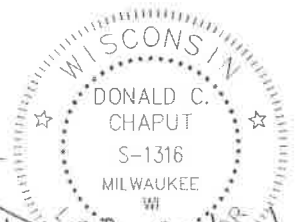
Wetlands delineated by Wetland & Waterway Consulting, LLC, on April 27, 2018.

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204

414-224-8068
www.chaputlandsurveys.com

This instrument was drafted by Donald C. Chaput Professional Land Surveyor S-1316



Date: February 14, 2018
Revised: June 12, 2018
Revised: July 10, 2018
Survey No. 2785-dmb
Sheet 1 of 4 Sheets

COMMON COUNCIL REPORT

- Item:** Certified Survey Map - Ay Lin Sok and Sotthy Koeling - 6616 & 6622 S. 27th St.
- Recommendation:** That the Council adopts Resolution No. 11958-071718, a resolution approving a Certified Survey Map for Ay Lin Sok for the properties at 6616 & 6622 S. 27th St.
- Fiscal Impact:** The division of the property will create two (2) conforming commercial lots. Lot 2 is currently developed with a multitenant commercial building. Lot 1 is not proposed for development at this time; however, future development will yield positive fiscal impact in terms of assessed value, permit fees, and impact fees. This property is not part of a TID.
- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Applicants, Ay Lin Sok & Sotthy Koeling, are requesting approval of a Certified Survey Map to combine the adjacent properties into one (1) conforming commercial lot. No other changes or development are proposed at this time.

The Plan Commission reviewed this CSM at their meeting on June 26, 2018, and recommended approval with the condition that all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the conditions of Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the property to remain.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Planner

Fiscal Review:


Bridget M. Souffrant
Finance Director/Comptroller

Approved:


Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 11958-071718

Location Map

Certified Survey Map

RESOLUTION NO. 11958-071718

BY: _____

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR
AY LIN SOK AND SOTTHY KOELING

6616 and 6622 S. Howell Ave.
(2nd Aldermanic District)

WHEREAS, AY LIN SOK AND SOTTHY KOELING, hereinafter referred to as the subdividers, have submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdividers have complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved, subject to the condition that all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the condition that all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

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

President, Common Council

Approved this 17th day of July, 2018.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

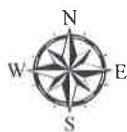
6622 & 6616 S. 27th St



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



Department of Community Development



Legend

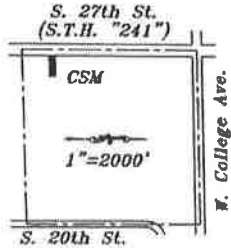
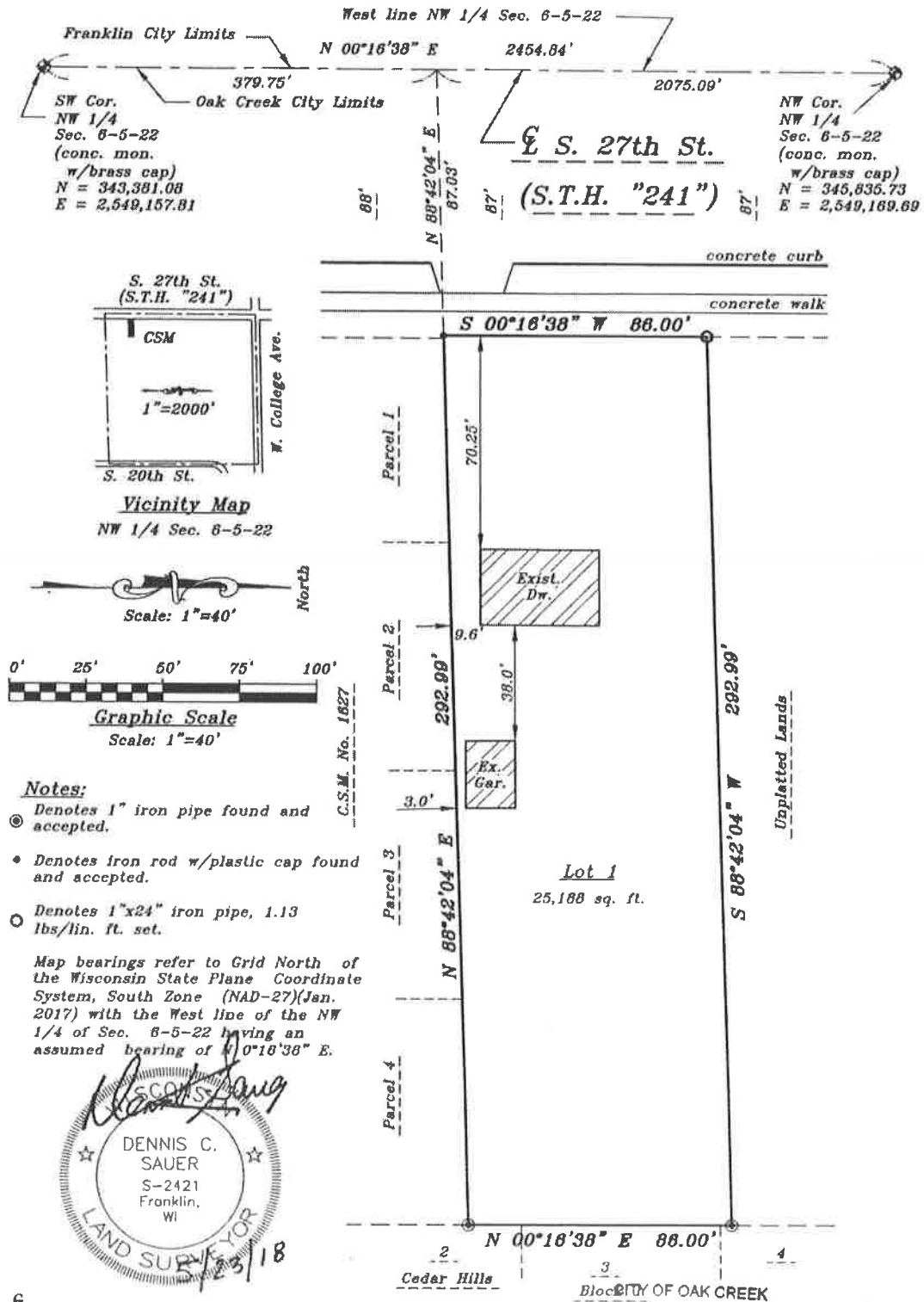
- Officially Mapped Streets
- Subject Properties
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

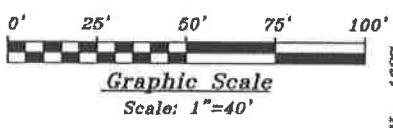
- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



Vicinity Map
NW 1/4 Sec. 6-5-22



- Notes:**
- ⊙ Denotes 1" iron pipe found and accepted.
 - Denotes iron rod w/plastic cap found and accepted.
 - Denotes 1"x24" iron pipe, 1.13 lbs/lin. ft. set.
- Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-27)(Jan. 2017) with the West line of the NW 1/4 of Sec. 6-5-22 having an assumed bearing of N 0°18'38" E.



Q:\CSM's\OakCreek\109461(AyLinSok).dwg

MAY 29 2018

RECEIVED

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Southwest 1/4 of the Northwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin; bounded & described as follows: Commencing at the Southwest corner of said Northwest 1/4; thence N 00°16'36" E along the West line of said Northwest 1/4 and the centerline of South 27th Street, 379.75 feet to a point; thence N 88°42'04" E, 87.03 feet to a point on the East line of South 27th Street, said point being the point of beginning of the lands to be described; thence continuing N 88°42'04" E, 292.99 feet to a point; thence N 00°16'38" E, 86.00 feet to a point; thence S 88°42'04" W, 292.99 feet to a point on the East line of South 27th Street; thence S 00°16'38" W along said East line, 86.00 feet to the point of beginning. Said lands containing 25,188 square feet.

That I have made such survey, land division and map by the direction of Ay Lin Sok, 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 the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek in surveying, dividing and mapping the same.

MAY 23, 2018
Date



Dennis C. Sauer
Professional Land Surveyor S-2421



PREPARED FOR:
Ay Lin Sok
4602 W Layton Avenue
Oak Creek, WI 53154

PREPARED BY: Dennis C Sauer
Metropolitan Survey Service, Inc.
9415 W Forest Home Ave, #202
Hales Corners, WI 53130

CITY OF OAK CREEK

MAY 29 2018

RECEIVED

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Ay Lin Sok, as owner, do hereby certify that I have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek.

WITNESS the hand and seal of said owners this _____ day of _____, 20__.

Ay Lin Sok, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20__, Ay Lin Sok, _____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION APPROVAL

APPROVED by the Plan Commission of the City of Oak Creek on this _____ day of _____, 20__.

Daniel J Bukiewicz, Chairman
City of Oak Creek

Douglas W. Seymour, Corresponding
Secretary, City of Oak Creek

COMMON COUNCIL APPROVAL

APPROVED and accepted by the Common Council of the City of Oak Creek on this _____ day of _____, 20__, by Resolution No. _____.

Daniel J Bukiewicz, Mayor
City of Oak Creek

Catherine A. Roeske, Clerk
City of Oak Creek

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, P.L.S. S-2421

Dennis C. Sauer
DENNIS C. SAUER
S-2421
FRANKLIN, WI
CITY OF OAK CREEK
SURVEYOR
MAY 29 2016
5/23/18
RECEIVED



COMMON COUNCIL REPORT

Item: Comprehensive Plan Amendment - Michael Faber, Ryan Business Park, LLC - 9600 & 9700 S. 13th St. and 1001 W. Ryan Rd.

Recommendation: That the Council adopts Ordinance No. 2906, an ordinance adopting an amendment to the Comprehensive Plan for the properties at 9600 & 9700 S. 13th St. and 1001 W. Ryan Rd.

Fiscal Impact: The amendment to the Comprehensive Plan would give the Council the discretion to approve land uses at these locations that may enhance the tax base. Impact fees and permit application fees from the redevelopment of the properties would provide additional positive fiscal impact for the City. These properties are included in the proposed boundaries of TID 16 (in progress).

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

Background: The Applicant, Ryan Business Park, LLC, is requesting that the Planned Land Use category and map in the Comprehensive Plan for the properties at 9600 & 9700 S. 13th St. and 1001 W. Ryan Rd. are amended from “Planned Business,” “Resource Protection Area,” and “Limited Development Area” to “Planned Industrial” and “Resource Protection Area” in consideration of future industrial business park redevelopment plans for the properties. Rezoning of several of the properties involved is in process.

Parcels in the area of the subject parcels in this request are currently identified in the Comprehensive Plan as “Planned Business,” “Planned Industrial,” “Resource Protection Area,” and “Limited Development Area.” Existing uses in the immediate area include quick-service restaurants with drive-through facilities to the northwest and west; a gas station, natural area, retail, and business park to the west; small industrial and agricultural/park-zoned land to the south; agriculture and rail lines to the east; agricultural/park, residential, industrial/self-storage, and grocery distribution and warehousing to the north. Planned Industrial would allow for the development of a business park on a majority of the properties. Changes to those areas identified as Resource Protection Area and Limited Development Area would reflect the land exchange with Milwaukee County Parks (in progress), but would not include the existing south branch of the Oak Creek or impact the regulatory floodway areas at this time.

The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objectives, goals, and policies contained within the comprehensive plan.

Approval of these changes to the Comprehensive Plan would bring the Comprehensive Plan in line with the intent and goals for future development of the properties at 9600 & 9700 S. 13th St. and 1001 W. Ryan Road.

The Plan Commission has held a public hearing on this request and has recommended that the Comprehensive Plan and future land use map be amended as requested.

Options/Alternatives: Amendment to the Comprehensive Plan is the first step in the process for development and redevelopment of these properties. Rezoning the properties to allow for industrial uses is dependent upon this crucial step. Without the Amendment, the properties may remain in their current underutilized and vacant conditions, and the zoning will remain P-1, Park District and A-1, Limited Agricultural.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:

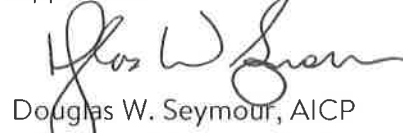
Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2898

Location Map

Hearing Notice

Applicant Narrative

Existing and Proposed Land Use Maps

Plan Commission Resolution 2018-05

ORDINANCE NO. 2906

BY: _____

AN ORDINANCE ADOPTING AN AMENDMENT TO THE COMPREHENSIVE
PLAN FOR THE CITY OF OAK CREEK, WISCONSIN

9600 & 9700 S. 13th St. and 1001 W. Ryan Rd.

(5th Aldermanic District)

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

SECTION 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Oak Creek is authorized to prepare and adopt a comprehensive plan and an amendment to a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2: The Common Council, by the enactment of Ordinance No. 2090, formally adopted the document titled "A Comprehensive Plan for the City of Oak Creek" on April 1, 2002.

SECTION 3: The City of Oak Creek published a Class 1 public notice on May 23, 2018, and held a public hearing before the Plan Commission on June 26, 2018.

SECTION 4: The Plan Commission, by a majority vote of the entire Commission at a meeting held on June 26, 2018, adopted Resolution No. 2018-05, amending the adopted Comprehensive Plan for the City of Oak Creek from "Planned Business," "Resource Protection Area," and "Limited Development Area" to "Planned Industrial" and "Resource Protection Area" for the properties at 9600 & 9700 S. 13th St. and 1001 W. Ryan Rd., and recommending that the Common Council adopt the amendment to the Comprehensive Plan by ordinance.

SECTION 5: The Common Council hereby adopts the proposed amendment to the Comprehensive Plan for the City of Oak Creek from "Planned Business," "Resource Protection Area," and "Limited Development Area" to "Planned Industrial" and "Resource Protection Area" for the properties at 9600 & 9700 S. 13th St. and 1001 W. Ryan Rd..

SECTION 6: Except as herein modified, the Comprehensive Plan dated April 1, 2002 shall remain in full force and effect.

SECTION 7: The City Clerk is directed to send a copy of this ordinance and the Comprehensive Plan amendment to the parties listed in Section 66.1001(4)(b) of the Wisconsin Statutes.

SECTION 8: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced this 17th day of July, 2018.

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

President, Common Council

Approved this 17th day of July, 2018.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

CAPSTONE QUADRANGLE



Narrative Request

Comprehensive Plan Amendment: Attachment 2 for the creation of Ryan Business Park

18 May 2018

Location: Generally, the Ryan Business Park will be located in the SE corner of the intersection of Ryan Road (STH 100) and 13th Street (CTH V). Attached is a map showing the intended Ryan Business Park boundaries. The specific parcels which are the subject of this request are 1001 W. Ryan Road (the “Evershine Parcel”), 9600 S. 13th Street (“the County Parcel”), and 9700 S. 13th Street (the “Tischendorf Parcel”).

Description: Capstone Quadrangle and its partner General Capital Group (together, “RBP LLC”) have already purchased or have under contract all the land to create the business park with the exception of the County Parcel. With regard to the County Parcel, on March 22, 2018 RBP LLC obtained Milwaukee County Board of Supervisors approval for a Land Swap with other land fully controlled by RBP LLC, and the binding agreement for the Land Swap has been drafted and is expected to be executed prior to this matter being considered by the Oak Creek Plan Commission. The Oak Creek Common Council passed a resolution authorizing staff to begin work on a proposed TID to support the creation of this business park, and in addition passed a resolution on March 6, 2018 approving a term sheet for the Land Swap with Milwaukee County due to City of Oak Creek involvement in the future creation of a joint City County neighborhood park utilizing some of the land involved in the Land Swap. The Ryan Business Park is projected to have primarily industrial and compatible uses with approximately 1,100,000 square feet of buildings and an ultimate market value of approximately \$80 to \$90 million (not including retail facing Ryan Road).

Scope: The proposed Ryan Business Park will need rezoning to M-1 with a PUD overlay; most of the current zoning is Agricultural. Much of the current Comp Plan designated use for the land proposed to become the business park is Planned Industrial, which is a perfect fit, but the uses on the 3 subject parcels needs to change to be consistent and to enable the rezoning. The specifics are: the use for the County Parcel should be changed from Resource Protection to Planned Industrial; all of the Evershine Parcel should be changed from Planned Business to Planned Industrial, and the approximately north half of the Tischendorf Parcel should be changed from Planned Business to Planned Industrial. These changes would shrink the amount of Planned Business use in this quadrant and enlarge the Planned Industrial, thereby changing proportion only. This change will enhance the feasibility of the City’s vision of a business park in this quadrant, due to configuration and creating a critical mass that represents the larger size of modern Class A business parks. In our opinion, it is consistent with the overall City vision, and amounts to tweaking the sizes, shapes, and proportion of the uses.

Capstone Quadrangle

Chicago Milwaukee Kansas City San Francisco
N17 W24222 Riverwood Drive, Suite 160, Waukesha WI 53188-1134
(262) 523-1122 www.capstonequadrangle.com

Land Use. The three parcels in question are currently indicated for Planned Business or Resource Protection in the City's Comprehensive Plan, but all of the land for the business park is currently utilized as agricultural fields, growing either corn or soybeans. The change to Planned Industrial will enable the creation of the business park.

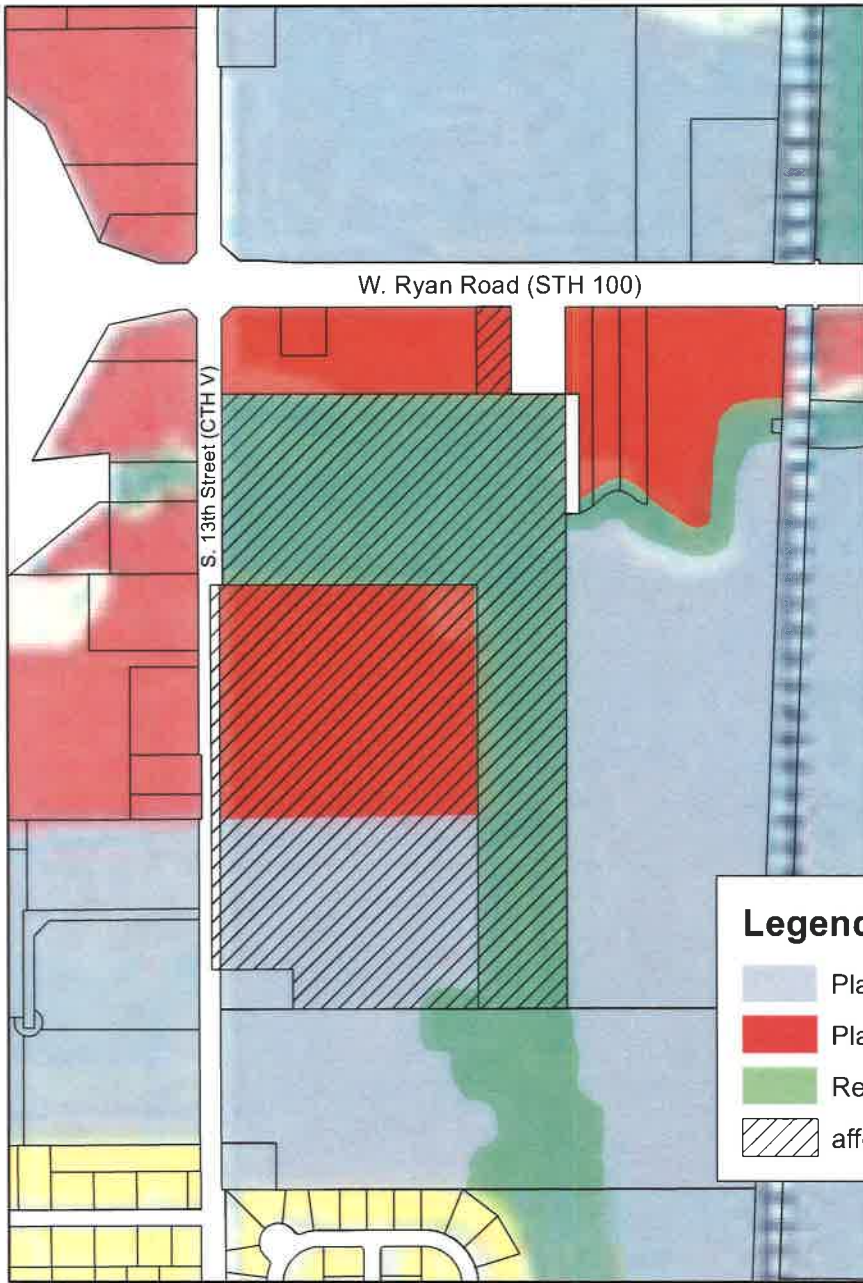
Request. Ryan Business Park LLC requests the Plan Commission recommend approval of the requested amendments to the City's Comprehensive Plan for the 3 properties as submitted.

Sincerely,

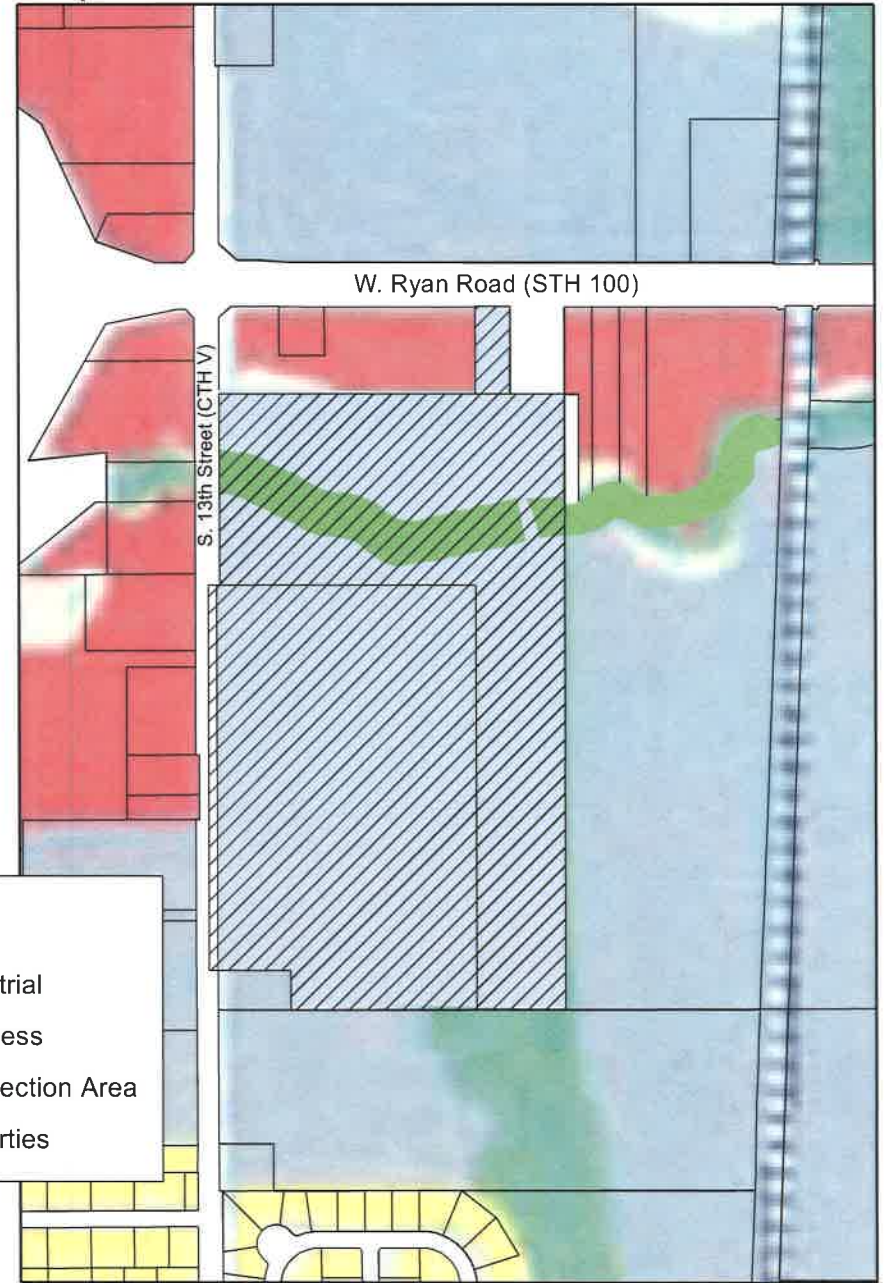
A handwritten signature in black ink, appearing to read "Michael Faber". The signature is written in a cursive, flowing style.

Michael Faber
Ryan Business Park, LLC

Existing

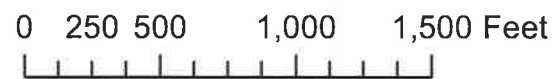


Proposed



Legend

- Planned Industrial
- Planned Business
- Resource Protection Area
- affected properties





COMMON COUNCIL REPORT

- Item:** Certified Survey Map - John Thomsen, Highgate, LLC - 7781, 7811, & 7869 S. 13th St.
- Recommendation:** That the Council adopts Resolution No. 11962-071718, a resolution approving a Certified Survey Map for John Thomsen for the properties at 7781, 7811, & 7869 S. 13th St.
- Fiscal Impact:** The reconfiguration of the properties will add approximately two (2) acres to the existing Lot 1, and create one (1) new conforming lot of 2.1365 acres (Lot 2). Lot 2 is proposed for a future medical use, which will be presented for Council review at a public hearing on August 6, 2018. Lot 1 is currently in the planning stages for a mixed-use Planned Unit Development. Future development of both lots will yield positive fiscal impact in terms of assessed value, permit fees, and impact fees. These properties are not part of a TID.
- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Applicant, John Thomsen, Highgate, LLC, is requesting approval of a Certified Survey Map to combine the properties at 7781, 7811, and 7869 S. 13th St. Council may recall that a CSM was approved last year combining the properties at 7705, 7725, 7751, 7831, and 7869 S. 13th St. That CSM has yet to be recorded, and a condition of approval is included above requiring recording prior to or concurrently with the proposed CSM.

Two lots of conforming size are proposed: Lot 1 will be in excess of 24 acres following consolidation, and Lot 2 will be just over 2 acres in size. While development plans for the larger parcel are in progress, Lot 2 is anticipated for future development of a medical user. Rezoning the parcels will be presented for Council review at a public hearing scheduled for August 6, 2018.

As with the previously-approved CSM, the same conditions requiring “no access” along Drexel Ave. and a portion of S. 13th Street will be required to be shown on the map. There should also be a “no access” restriction shown along the west property line shared with the I-94 right-of-way. The Applicants are aware of the requirement, and staff will continue to work with their consultants on this requirement.

Wetlands have been delineated and are shown on the northeast side of the proposed parcel on Sheet 2. However, wetlands should be shown on all pages of the CSM prior to recording, and a condition of approval for such is recommended above. Coordinate geometry errors between Sheets 1 and 3 for the northeast portion of the parcel were also provided to the Applicants' consultants for correction. A condition that such errors be corrected prior to recording is included in the attached resolution.

The Plan Commission reviewed this CSM at their meeting on July 10, 2018, and recommended approval with the following conditions:

1. That the CSM approved by the Common Council December 19, 2017 is submitted for recording prior to or concurrently with submission of this CSM for recording.
2. That the CSM is revised to incorporate the "no access" restrictions along Drexel Avenue, a portion of 13th St., and along I-94.
3. That the CSM is revised to incorporate all wetland areas on all sheets.
4. That easements (access, utilities, etc.) are depicted on the map prior to recording.
5. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections (as provided), and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the conditions of Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the properties to remain.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:

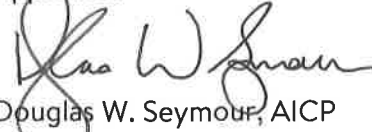
Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 11962-071718

Location Map

Certified Survey Map

RESOLUTION NO. 11962-071718

BY: _____

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR
JOHN THOMSEN, HIGHGATE, LLC

7781, 7811, and 7869 S. 13th St.
(1st Aldermanic District)

WHEREAS, JOHN THOMSEN, HIGHGATE, LLC, hereinafter referred to as the subdivider, has submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved, subject to the following conditions:

1. That the CSM approved by the Common Council December 19, 2017 is submitted for recording prior to or concurrently with submission of this CSM for recording.
2. That the CSM is revised to incorporate the "no access" restrictions along Drexel Avenue, a portion of 13th St., and along I-94.
3. That the CSM is revised to incorporate all wetland areas on all sheets.
4. That easements (access, utilities, etc.) are depicted on the map prior to recording.
5. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections (as provided), and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the following conditions:

1. That the CSM approved by the Common Council December 19, 2017 is submitted for recording prior to or concurrently with submission of this CSM for recording.
2. That the CSM is revised to incorporate the "no access" restrictions along Drexel Avenue, a portion of 13th St., and along I-94.
3. That the CSM is revised to incorporate all wetland areas on all sheets.
4. That easements (access, utilities, etc.) are depicted on the map prior to recording.
5. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections (as provided), and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

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

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

President, Common Council

Approved this 17th day of July, 2018.

Mayor

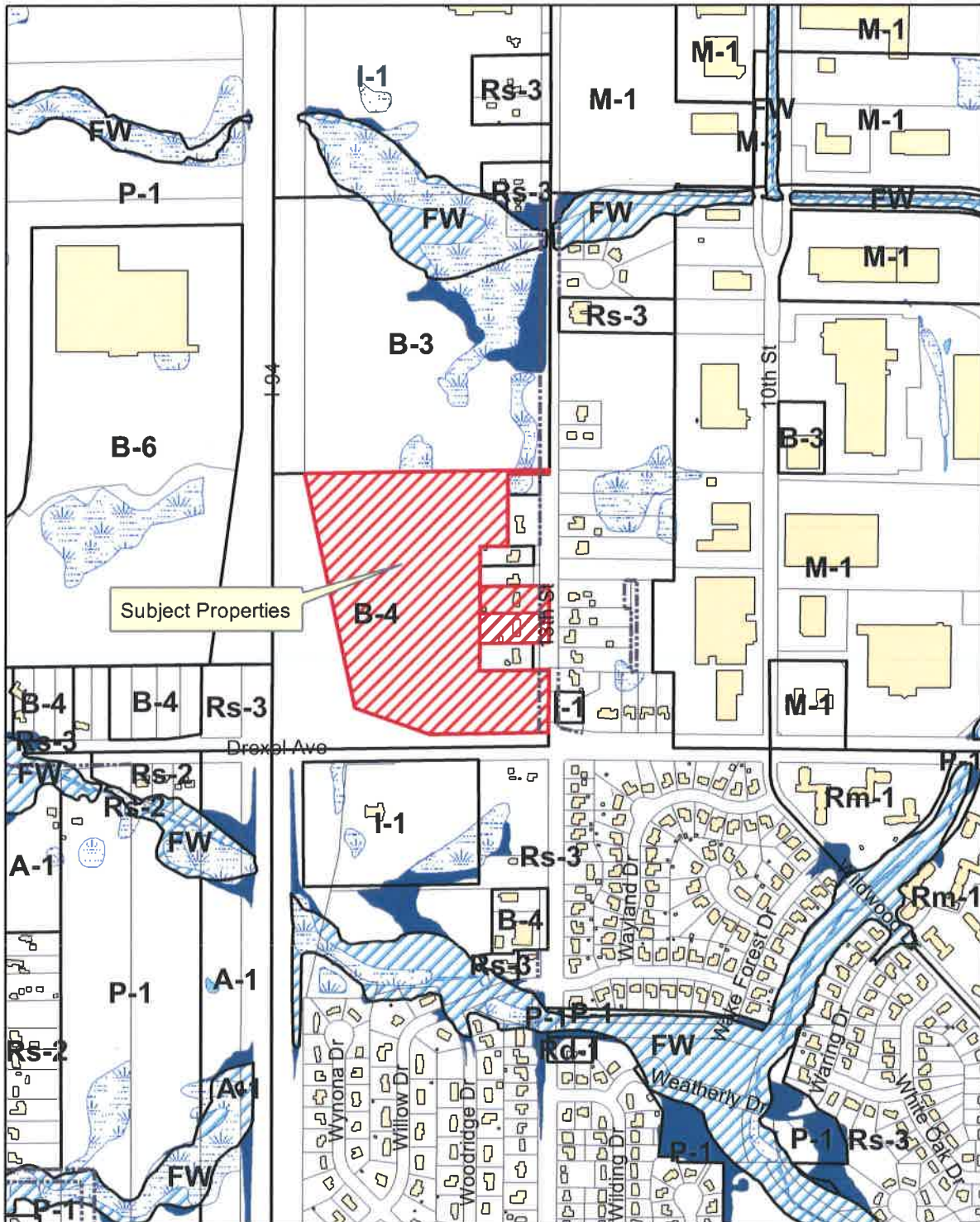
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

7781, 7811, & 7869 S. 13th Street



Subject Properties

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



Department of Community Development



Legend

- Officially Mapped Streets
- Subject Properties
- DNR Wetlands Inventory
- Floodplain 2008
- Waterbodies

Zoning Overlays

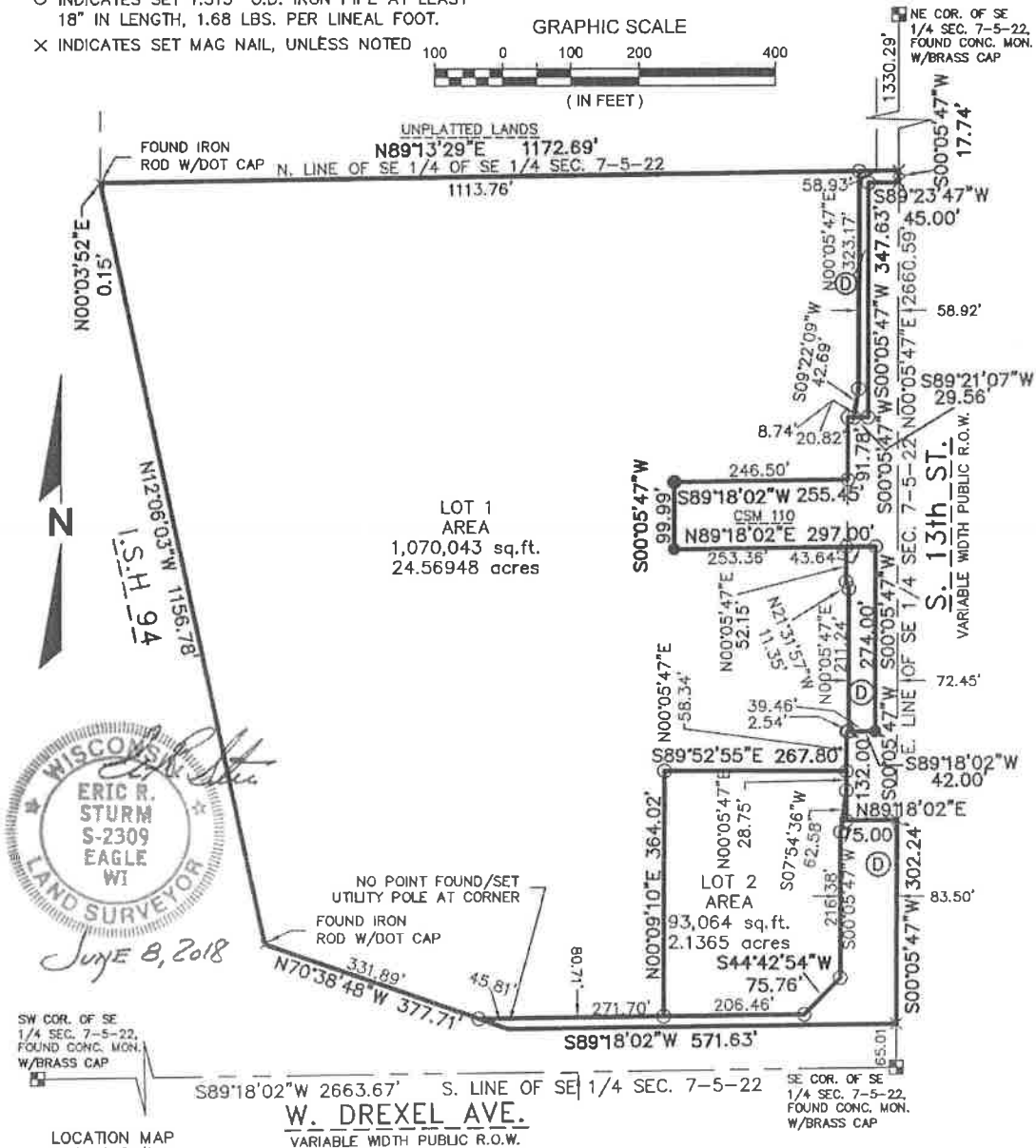
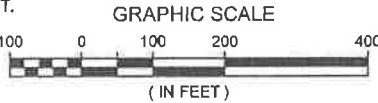
- C-1-Shoreland Wetland
- FF-Flood Fringe
- Lakefront Overlay
- NO-Mixed Use Neighborhood
- OO-Mixed Use Office
- RR-Regional Retail

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 271, Lot 1 of Certified Survey Map No. 130, Lots 1 and 2 of Certified Survey Map No. 7578, and lands, being part of the Southeast 1/4 of the Southeast 1/4 of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- × INDICATES SET MAG NAIL, UNLESS NOTED

Ⓧ INDICATES LANDS DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC ROAD PURPOSES.



WISCONSIN LAND SURVEYOR
ERIC R. STURM
S-2309
EAGLE
WI
JUNE 8, 2018



SEE SHEET 2 FOR EASEMENT DETAILS
ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SE 1/4 OF SECTION 7, T 5 N, R 22 E, WHICH BEARS N00°05'47"E.

OWNER:
SOMERSTONE LLC
19035 W. CAPITOL DR. STE. 108
BROOKFIELD, WI 53186

raSmith
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 761-1000
rasmith.com



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 7/17/18 License Committee Report.

Fiscal Impact: License fees in the amount of \$1,140 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 7/17/18 council meeting. Tentative recommendations are as follows:

1. Grant an Operator's license to:

- * Sophia S. Billings, 811 S. 34th St., Milwaukee (South Shore Cinema)
- * Gurinderdeep S. Dhillon, 3061 Linnerud Dr., Stoughton (Ryan Road Mobil)
- * Natalie J. Swanson, 10882 S. 76th St., Franklin (Sidetracked)
- * Amanda H. Barna, 1708 Beech St., South Milwaukee (Classic Lanes)
- * Kristine B. Wilke-Oliden, 6536 Charles St., Racine (Meijer)
- * Paden R. Sabo, 3945 E. High St., Oak Creek (Meijer)
- * Kristen E. Abbrederis, 4336 S. 43rd St., Greenfield (Water Street Brewery)
- * Robert J. Walusay, 8177 7 Mile Rd., Franksville (South Shore Cinema)
- * Tonya L. Windschanz, 4611 W. Wilbur Ave., Greenfield (Classic Lanes)
- * Andrew J. Yetka, 3911 E. Elm Rd., Oak Creek (no employer)

2. Grant a Change of Premise request from Mega Marts, LLC dba Pick 'n Save #6862, 8770 S. Howell Avenue, to grant the addition of the following "In addition, extension is permitted from the main entrance of the store to the exterior pathway and parking stalls on the northwest corner of the building specifically utilized and designated for online merchandise orders and pickup service between the hours of 8:00 a.m. - 8:00 p.m."

3. Grant a Change of Premise request from Mega Marts, LLC dba Pick 'n Save #6342, 6462 S. 27th St., to grant the addition of the following "In addition, extension is permitted from the north entrance of the store to the exterior pathway and parking stalls on the west side of the building specifically utilized and designated for online merchandise orders and pickup service between the hours of 8:00 a.m. - 8:00 p.m."

4. Grant a Temporary Class "B" Beer / Class "B" Wine license, with a waiver of fees, to Bill Krueck, agent on behalf of the Oak Creek OJ's for the Oak Creek OJ's 51st Annual Softball Tournament to be held at Shephard Hills Softball Complex on August 4-5, 2018 (rain dates August 11-12, 2018).

Options/Alternatives: None

Respectfully submitted:



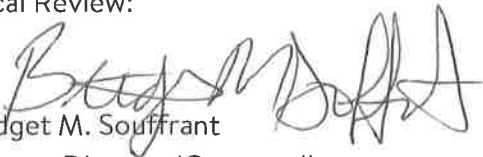
Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: None