



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

COMMON COUNCIL MEETING AGENDA

JANUARY 16, 2024

7:00 P.M.

Daniel Bukiewicz - Mayor
Steven Kurkowski – 1st District
Greg Loreck – 2nd District
James Ruetz – 3rd District
Lisa Marshall – 4th District
Kenneth Gehl – 5th District
Chris Guzikowski – 6th District

The City's Vision

Oak Creek: A dynamic regional leader driving the future of the south shore.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance.
3. Approval of Minutes: 12/19/23.

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.

4. **Official Map Amendment:** Consider a proposal by John Schlueter, Frontline CRE, to amend the Official Map for portions of the northeast 1/4, northwest 1/4, and southeast 1/4 of Section 30 (mapped, unimproved right-of-way affecting the properties at 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St. and 1800 and 1850 W. Oakwood Rd.) (5th District).
5. **Ordinance:** Consider Ordinance No. 3091, amending Section 6.01 of the Municipal Code of Oak Creek, amending the Official Map for portions of the northeast 1/4, northwest 1/4, and southeast 1/4 of Section 30 (mapped, unimproved right-of-way affecting the properties at 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St.; and 1800 and 1850 W. Oakwood Rd.) (5th District).
6. **Conditional Use Permit:** Consider a request submitted by AVG Intermediate Holdings d/b/a UrgentVet, for a Conditional Use Permit for a veterinary clinic within an existing multitenant commercial building on the property at 8907 S. Howell Ave. (3rd District).
7. **Ordinance:** Consider Ordinance No. 3092, approving a Conditional Use Permit for a veterinary clinic on the property at 8907 S. Howell Ave. (3rd District).

New Business

FIRE

8. **Motion:** Consider a motion to approve the purchase of 49 sets of Innotex Energy structural firefighting turnout gear (by Committee of the Whole).

Visit our website at www.oakcreekwi.org for the agenda and accompanying common council reports.
This meeting will be live streamed on the City of Oak Creek YouTube page via <http://ocwi.org/livestream>.

ENGINEERING

9. **Resolution:** Consider Resolution No. 12469-011624, granting a WE Energies 6-ft wide permanent underground electric easement at 530 E. Shepard Hills Dr. (Tax Key No. 907-9040-000) (3rd District).

LICENSE COMMITTEE

10. **Motion:** Consider a motion to approve the various license requests as listed on the 1/16/24 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

11. **Motion:** Consider a motion to approve the December 27, 2023 Vendor Summary Report in the amount of \$501,086.46. (Of this total, \$224,922.65 will affect the 2023 fiscal year, with the remaining \$276,163.81 affecting 2024.) (by Committee of the Whole).
12. **Motion:** Consider a motion to approve the January 10, 2024 Vendor Summary Report in the amount of \$2,650,293.80. (Of this total, \$2,331,623.11 will affect the 2023 fiscal year, with the remaining \$318,670.69 affecting 2024.) (by Committee of the Whole).

Adjournment.

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 414-766-7000, by fax at 414-766-7976, or by mail at 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 attend 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.

TO BE PUBLISHED DECEMBER 27, 2023 & JANUARY 3, 2024

OFFICIAL NOTICE

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

PURPOSE:

The purpose of this public hearing is to consider a proposal by John Schlueter, Frontline CRE, to amend the Official Map for portions of the northeast ¼, northwest ¼, and southeast ¼ of Section 30 (mapped, unimproved right-of-way affecting the properties at 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St.; & 1800 and 1850 W. Oakwood Rd).

Hearing Date:

January 16, 2024

Time:

7:00 PM

Place:

Oak Creek Civic Center (City Hall)
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant(s):

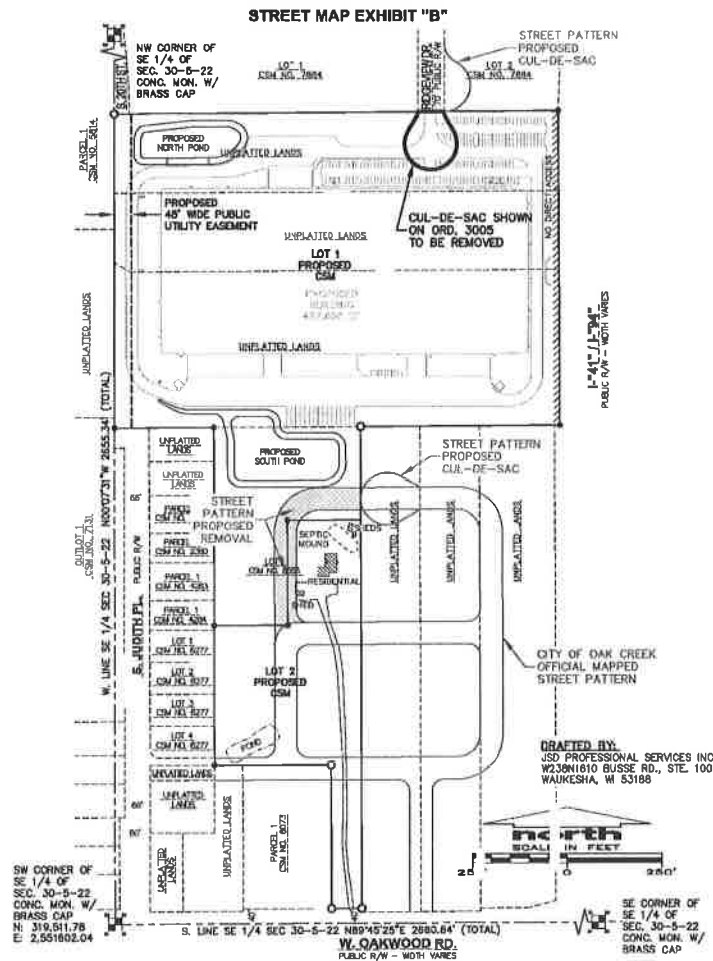
John Schlueter, Frontline CRE

Legal Description:

Affecting the following properties

- 9900 S. Ridgeview Dr. (CSM NO 7884 LOT 2 NE & SE 1/4 SEC 30-5-22 (3.9199 ACS)
- 9970 S. 20th St. (N 177.06 FT OF S 832.06 FT OF NW 1/4 OF SEC 1/4 SEC 30-5-22 EXC PART FOR INTER HWY & INCL PT OF VAC STR ADJ ON E, S & W (5.583 ACS)
- 10020 S. 20th St. (S 180 FT OF N 417.06 FT OF S 832.06 FT OF NW 1/4 OF SE 1/4 SEC 30-5-22 INCL PART OF VAC STR ADJ ON E & W & EXC PART FOR INTER HWY (5.664 ACS)
- 10040 S. 20th St. (S 415 FT OF S 832.06 FT OF NW 1/4 OF SE 1/4 SEC 30-5-22, INCL VAC PUBLIC SERVICE STREETS BUT EXC PART FOR INTERSTATE HWY. CONT. 11.241 ACRES)
- 1800 W. Oakwood Rd. (W 157.50 FT OF E 678 FT OF SW1/4 OF SE1/4 SEC 30-5-22. 4.75 ACS)
- 1850 W. Oakwood Rd. (CSM NO 8555 LOT 1 SE 1/4 SEC 30-5-22)

Amendments as per the map below:



The Common Council has scheduled other public hearings for January 16, 2024 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

A copy of the proposed map amendment is available for review at the Department of Community Development.

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

Date of Notice: December 20, 2023
CITY OF OAK CREEK COMMON COUNCIL
 By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

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COMMON COUNCIL REPORT

- Item:** Official Map Amendment - 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St.; & 1800 and 1850 W. Oakwood Rd. - John Schlueter, Frontline Commercial Real Estate
- Recommendation:** That the Council adopts Ordinance 3091, an ordinance to amend Section 6.01 of the Municipal Code of Oak Creek amending the Official Map for portions of the northeast $\frac{1}{4}$, northwest $\frac{1}{4}$, and southeast $\frac{1}{4}$ of Section 30 (mapped, unimproved right-of-way affecting the properties at 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St.; & 1800 and 1850 W. Oakwood Rd). (5th Aldermanic District).
- Fiscal Impact:** While there would be no direct fiscal impact the proposal would allow for the development of a 427,680 square-foot manufacturing facility on the properties at 9970, 10020, and 10040 S. 20th St., and a portion of 1850 W. Oakwood Rd. The proposed permanent, public cul-de-sac on the property at 9900 S. Ridgeview Dr. may require additional investment to be determined. These properties are part of TID 7.
- Critical Success Factor(s):**
- Active, Vibrant, and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe, and Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Applicant is requesting amendments to the future road pattern on the Official Map as it relates to the properties at 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St.; & 1800 and 1850 W. Oakwood Rd. Council may recall that the properties at 9970, 10020, and 10040 S. 20th St. were subject to an Official Map Amendment in 2021. Below is brief historical summary of the Official Map pertaining to these properties, which will provide the necessary context for consideration of this request.

Oak Creek Manor subdivision was platted in 1957/1958. These three properties were included in the plat for single-family residential development, including public streets, but the only portion constructed was on the east side of I-94 (Lois Lane and Daniel Lane between S. 15th Street and S. 13th Street). Part of Oak Creek Manor subdivision was vacated by the courts, and discussions of the Official Map occurred at the local level when the properties were purchased and proposed for non-residential development in the late 1980s. Several reconfiguration options were presented for Plan Commission and Common Council consideration, all of which intended to maintain the future public street connections within Southbranch. Ultimately, the configuration that showed a connection between Ridgeview Drive and S. 20th St. was adopted by Ord. 1300 in 1988.

Development proposals in the more recent past have attempted to address connecting S. 20th Street to S. Ridgeview Drive as previously depicted on the Official Map. Topography, environmental features (e.g., wetlands), and ownership of multiple parcels affected by the Official Map have all contributed to the existing

condition – the subject properties remained vacant and the road connections were never constructed. Staff have had multiple conversations over the years with prospective developers interested in the subject properties and adjacent properties along the future extension of S. 20th Street regarding these challenges. Connecting S. 20th Street to S. Ridgeview Drive was determined to be impractical given the economics of development and the diverse ownership. Therefore, the previous property owner (Truck Country) proposed the termination of S. Ridgeview Drive in a cul-de-sac, designed in conformance with local requirements, on the property at 9970 S. 20th Street. This configuration was adopted by the Common Council (Ord. 3005) in 2021.

Frontline Commercial Real Estate is proposing two (2) changes to the Official Map in this area related to their proposals for a Certified Survey Map and future Planned Unit Development of the 20th Street properties.

Amendment 1 – Future Residential Road (see Exhibit B)

As part of the division and reconfiguration of the property at 1850 W. Oakwood Rd., the Applicant is proposing to remove the future street pattern along the shared property lines and around the existing home (green hatched area). Instead of the “figure-8” pattern, the road is proposed to terminate in a cul-de-sac on the northern portion of the property at 1800 W. Oakwood Rd. Connections to Judith Place and Oakwood Road, and through the middle of the affected properties, remain unchanged in the proposal. No feedback from the affected neighbors regarding the proposal has been received as of writing this report.

Amendment 2 – Ridgeview Drive Cul-de-Sac (see Exhibit B)

Most pertinent to the development of the Frontline parcels, however, affects Ridgeview Drive. As approved by Ord. 3005, a public cul-de-sac would provide access to and terminate on the property at 9970 S. 20th St. The Applicant is proposing that the future cul-de-sac be constructed on the property immediately to the north at 9900 S. Ridgeview Drive. While a temporary cul-de-sac is currently located on this property, it is not constructed to public street standards nor has it been dedicated to the City for public street purposes. Per CSM 7844, the easement was only for a temporary cul-de-sac.

Should the proposed amendment to the Official Map be approved as presented and the development move forward, coordination of the future permanent, public cul-de-sac would be required as discussed during the hearing for the Planned Unit Development on December 17, 2023.

When considering a proposal to amend the Official Map, the Council should consider the impact on the ability to logically develop adjacent properties in accordance with the existing Official Map. Nearby property owners may have an interest in maintaining certain aspects of an Official Map if it provides them the future opportunity to subdivide their property in a cost-effective manner. If a person is proposing to remove this opportunity, or to alter it, they need to demonstrate that any adverse effects on the property owners involved would be offset by the benefit to the neighborhood. In other words, a property owner should not be able to amend the Official Map to maximize the development potential of their property at the detriment of surrounding properties.

The Plan Commission reviewed the Official Map Amendment proposal at the December 10, 2023 meeting, and recommended approval.

Options/Alternatives: Council has the discretion to approve, modify, or deny the request. Denial of the request would require the Applicant to construct the cul-de-sac on the property at 9970 S. 20th St. in accordance with Ord. 3005.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Fiscal Review:



Maxwell Gagin, MPA
Deputy City Administrator / Finance Officer

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ord. 3091

Location Map

Narrative (3 pages)

Proposed CSM (1 page)

Exhibit A (1 page)

Exhibit B (1 page)

CSM 7844 (4 pages)

Draft Plan Commission Minutes - Excerpted (6 pages)

ORDINANCE NO. 3091

BY: _____

AN ORDINANCE TO AMEND SECTION 6.01 OF THE MUNICIPAL CODE OF THE CITY OF OAK CREEK AMENDING THE OFFICIAL MAP FOR PORTIONS OF THE NORTHEAST ¼, NORTHWEST ¼, AND SOUTHEAST ¼ OF SECTION 30 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING THE PROPERTIES AT 9900 S. RIDGEVIEW DR.; 9970, 10020, AND 10040 S. 20TH ST.; & 1800 AND 1850 W. OAKWOOD RD)

(5th Aldermanic District)

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

SECTION 1: Section 6.01 of the Municipal Code of the City of Oak Creek enacted and adopted pursuant to Section 62.23(6)(b), Wisconsin Statutes, creating the Official Map of the City of Oak Creek, is hereby amended so as to establish the exterior lines of planned new streets, highways, parkways, parks and playgrounds and to widen, narrow, extend and close existing streets, highways, parkways, parks and playgrounds, as more fully shown on the map attached hereto and declared to be a part thereof (EXHIBIT "A"), the same affecting the Section 28, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

SECTION 2: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of January, 2024.

Passed and adopted this 16th day of January, 2024.

President, Common Council

Approved this 16th day of January, 2024.

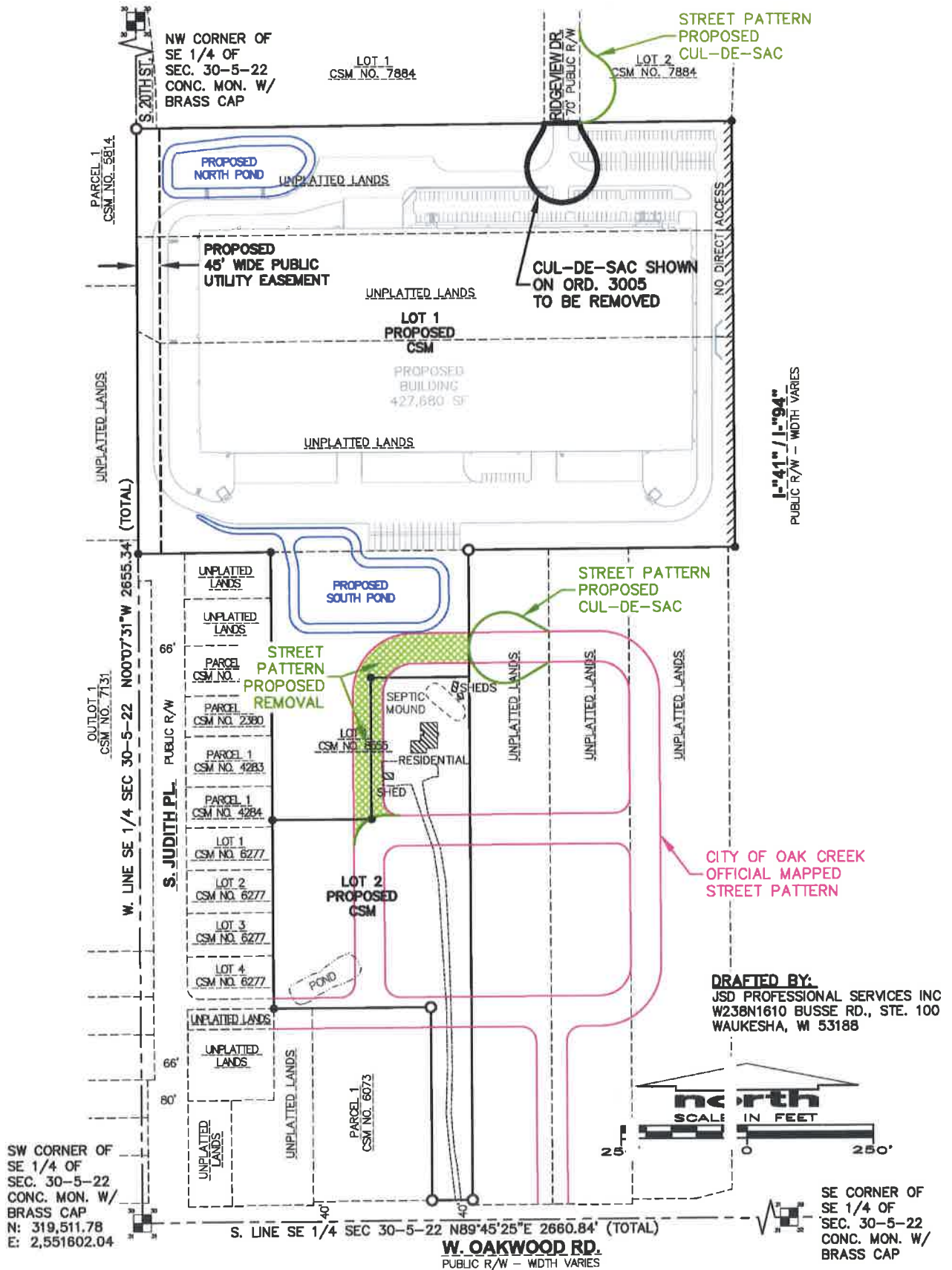
Mayor

ATTEST:

City Clerk

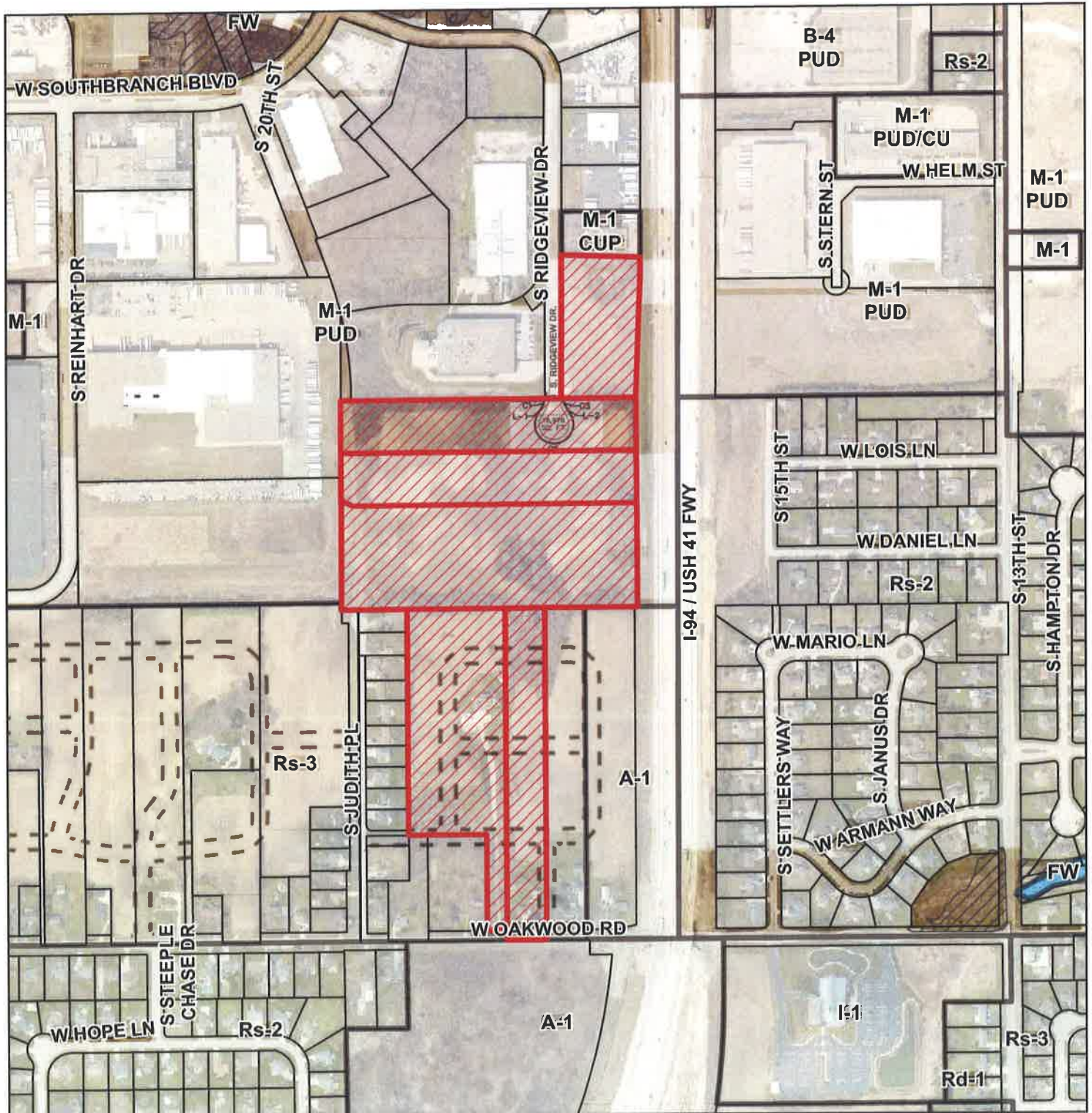
VOTE: Ayes: _____ Noes: _____

EXHIBIT A



LOCATION MAP

9900 S. Ridgeview Dr.; 9970, 10020, & 10040 S. 20th St.; 1800 & 1850 W. Oakwood Rd.



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

Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- Subject Properties



Community Development



Attachment to Plan Commission Application (Narrative Description of Project) for Official Map Amendment

November 20, 2023

This Attachment to the Plan Commission Application (Narrative Description of Project) is submitted by Frontline Commercial Real Estate, LLC (the "Applicant") through its attorneys Amundsen Davis, LLC, architects Stephen Perry Smith Architects, Inc., and civil engineers JSD Professional Services, Inc., in support of its application for an Official Map Amendment (the "OMA") pursuant to § 6.01(c), Oak Creek Municipal Code.

The OMA is applicable to the parcels located at **9970 South 20th Street** (Tax Key No.: 9269977001), **10020 South 20th Street** (Tax Key No.: 9269978001), **10040 South 20th Street** (Tax Key No.: 9269979000), and **1850 W. Oakwood Road** (Tax Key No.: 9269036000). All of the subject parcels will be reconfigured by Certified Survey Map filed separately but concurrent hereto. CSM Lot 1 will be the "Development Property" totaling 1,139,135 square feet (26.1509 acres) and CSM Lot 2 will remain and be the "Residential Property" totaling 230,536 square feet (5.2924 acres).

The Applicant will develop Lot 1 consistent with the M-1/ PUD zoning (the "Project") but the new building to be constructed will be limited to the northern portion of Lot 1. The Residential Property will be retained by the current owner for residential use

I. History of the Properties

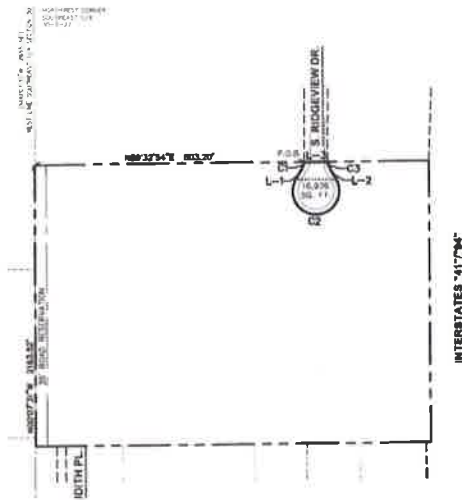
The northern portion of Lot 1 is located in the Southbranch Industrial Park at the end of Ridgeview Drive along the western side of I-94/41. Frontline purchased that land in 2023 and it will purchase the southern portion of Lot 1 to become part of the Development Property.

II. Request for Official Map Amendment

The OMA will reconfigure the now-obsolete future road pattern. The OMA will reflect the as-built current configuration of Lot 2 and its use as a residence. Further, because the road pattern shown on the Official Map will not be built, the OMA will remove certain of the now-obsolete elements of the future road pattern as they still exist on the 1850 W. Oakwood Road parcel.

a. Amending the Ridgeview Drive cul-de-sac (Ordinance 3005)

As shown on the graphic from Exhibit A to Ordinance 3005, below, the current Official Map depicts Ridgeview Drive terminating in a cul-de-sac on the Development Property.



This OMA will remove the future cul-de-sac from the Development Property such that Ridgeview Drive will terminate at the north property line.

b. Amending the Oakview Road Now-Obsolete Street Grid

According to the City’s Geographic Information System Map (*see GIS graphic, below*), a street grid of roadways appears on the 1850 W. Oakwood Road parcel from east to west before curving south through the parcel (affecting both CSM Lot 1 and CSM Lot 2).



This OMA will remove the now-obsolete street grid from the properties since such roadways will never be constructed.

III. CONCLUSION

The Official Map Amendment will promote the development of the Development Property. Specifically, the new building to be constructed will be limited to the northern portion of Lot 1 but the southern portion of Lot 1 will be subject to use restrictions by the PUD. *See PUD Amendment application, on file.* However, the Official Map Amendment will not affect the residential use of

the Residential Property. Frontline Commercial Real Estate respectfully requests approval of the Official Map Amendment.

Respectfully Submitted,

Frontline Commercial Real Estate, LLC
John Schlueter, President

Stephen Perry Smith Architects, Inc.
Matthew Mano, AIA, LEED AP

Architects for Frontline

Amundsen Davis, LLC
Brian C. Randall, Esq.
Katherine M. Hampel, Esq.

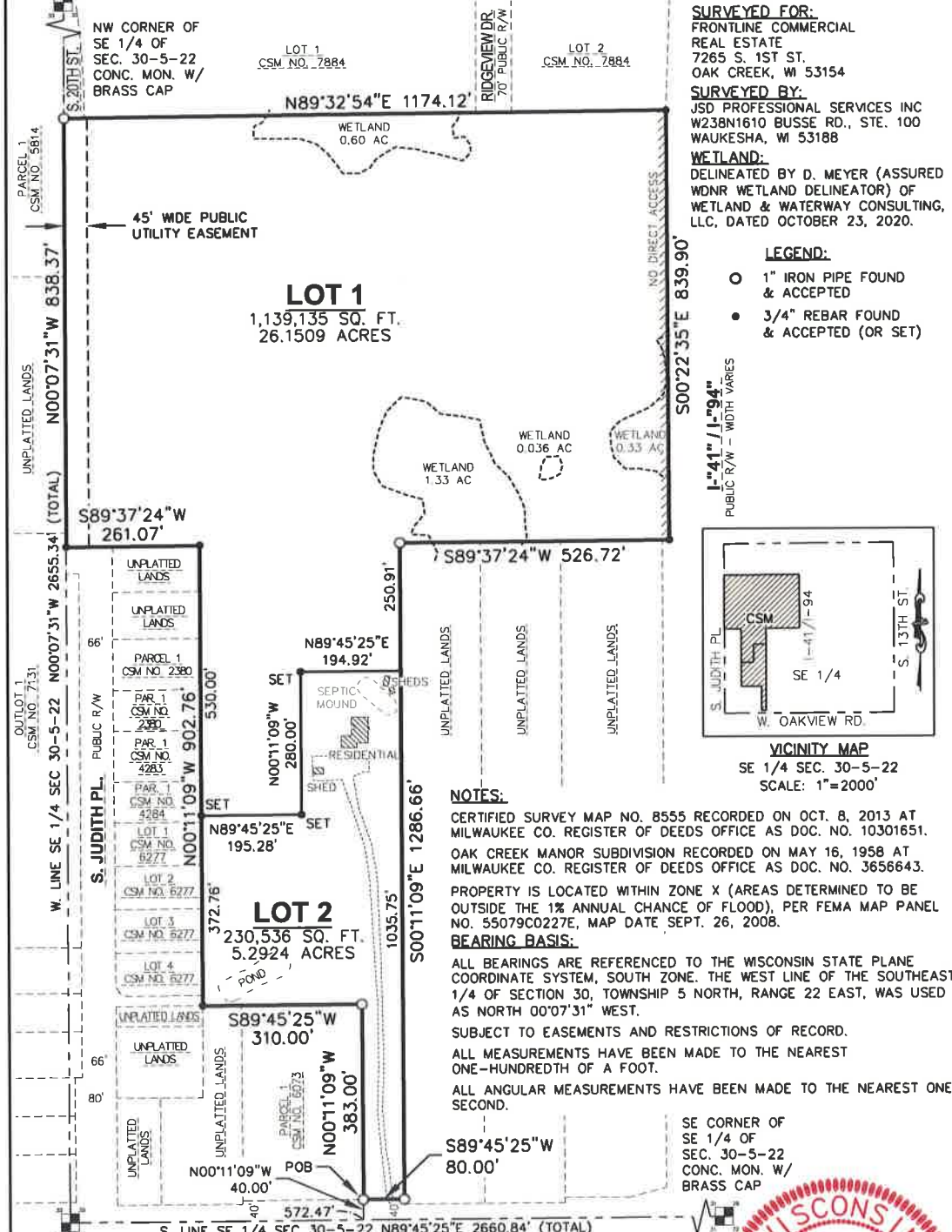
JSD Professional Services, Inc.
Rizal W. Iskandarsjach, P.L.S., P.E.
Andrew Mertz, P.E.

Attorneys for Frontline

Civil Engineers for Frontline

CERTIFIED SURVEY MAP No.

BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8555; VACATED BLOCKS 1, 2, AND 3 IN OAK MANOR SUBDIVISION; VACATED LOIS LANE; VACATED DANIEL LANE; VACATED SOUTH 17TH STREET; AND VACATED SOUTH 20TH STREET; LOCATED IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



SURVEYED FOR:
FRONTLINE COMMERCIAL
REAL ESTATE
7265 S. 1ST ST.
OAK CREEK, WI 53154

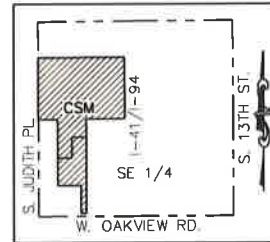
SURVEYED BY:
JSD PROFESSIONAL SERVICES INC
W238N1610 BUSSE RD., STE. 100
WAUKESHA, WI 53188

WETLAND:
DELINEATED BY D. MEYER (ASSURED
WONR WETLAND DELINEATOR) OF
WETLAND & WATERWAY CONSULTING,
LLC, DATED OCTOBER 23, 2020.

LEGEND:

- 1" IRON PIPE FOUND & ACCEPTED
- 3/4" REBAR FOUND & ACCEPTED (OR SET)

1"-41" / 1"-94"
PUBLIC R/W - WIDTH VARIES



VICINITY MAP
SE 1/4 SEC. 30-5-22
SCALE: 1"=2000'

NOTES:

CERTIFIED SURVEY MAP NO. 8555 RECORDED ON OCT. 8, 2013 AT MILWAUKEE CO. REGISTER OF DEEDS OFFICE AS DOC. NO. 10301651. OAK CREEK MANOR SUBDIVISION RECORDED ON MAY 16, 1958 AT MILWAUKEE CO. REGISTER OF DEEDS OFFICE AS DOC. NO. 3656643.

PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE OF FLOOD), PER FEMA MAP PANEL NO. 55079C0227E, MAP DATE SEPT. 26, 2008.

BEARING BASIS:

ALL BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 22 EAST, WAS USED AS NORTH 00°07'31" WEST.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

SE CORNER OF
SE 1/4 OF
SEC. 30-5-22
CONC. MON. W/
BRASS CAP

SW CORNER OF
SE 1/4 OF
SEC. 30-5-22
CONC. MON. W/
BRASS CAP
N: 319,511.78
E: 2,551,602.04

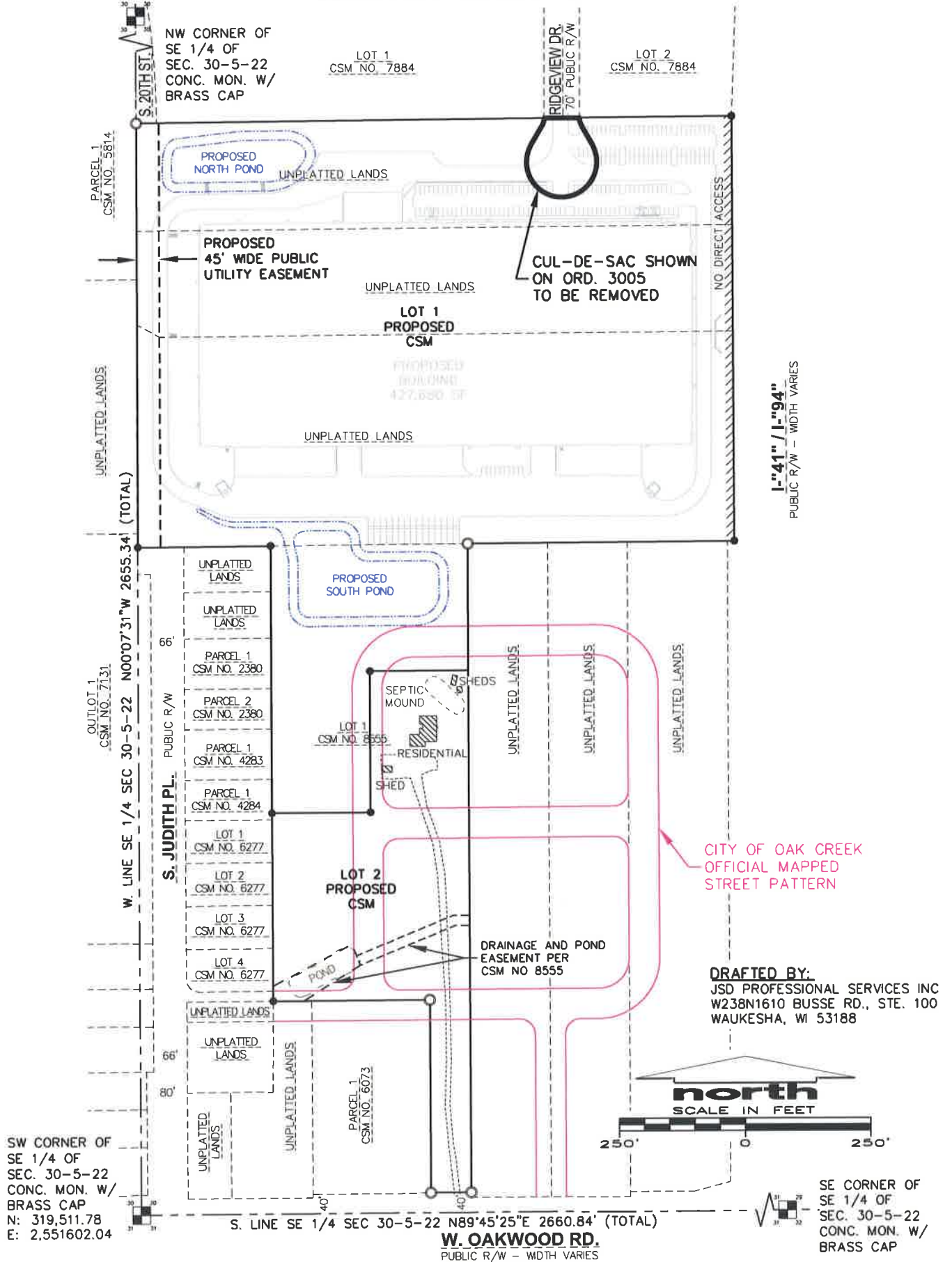


W. OAKWOOD RD.
PUBLIC R/W - WIDTH VARIES

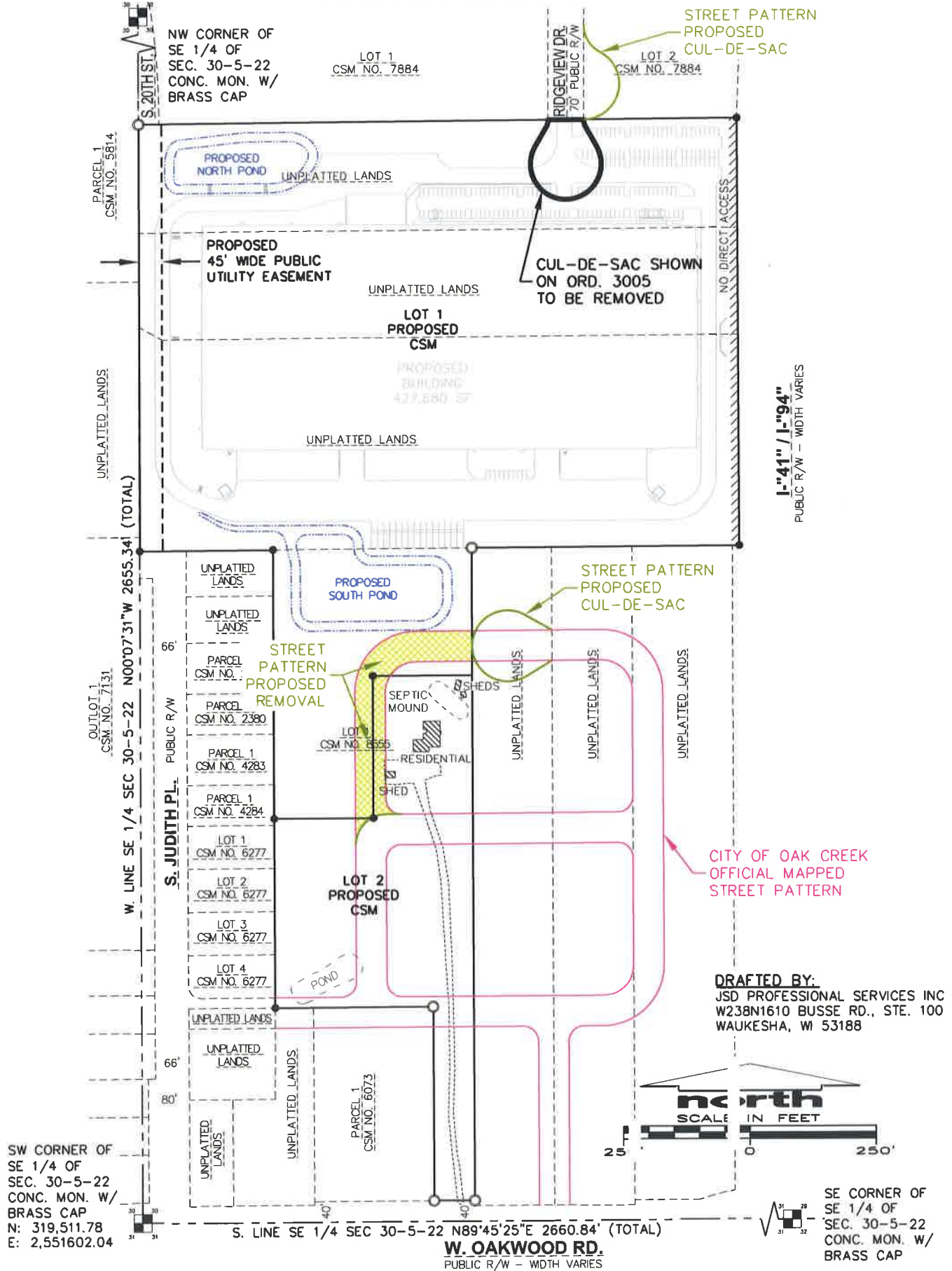


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STREET MAP EXHIBIT "A"



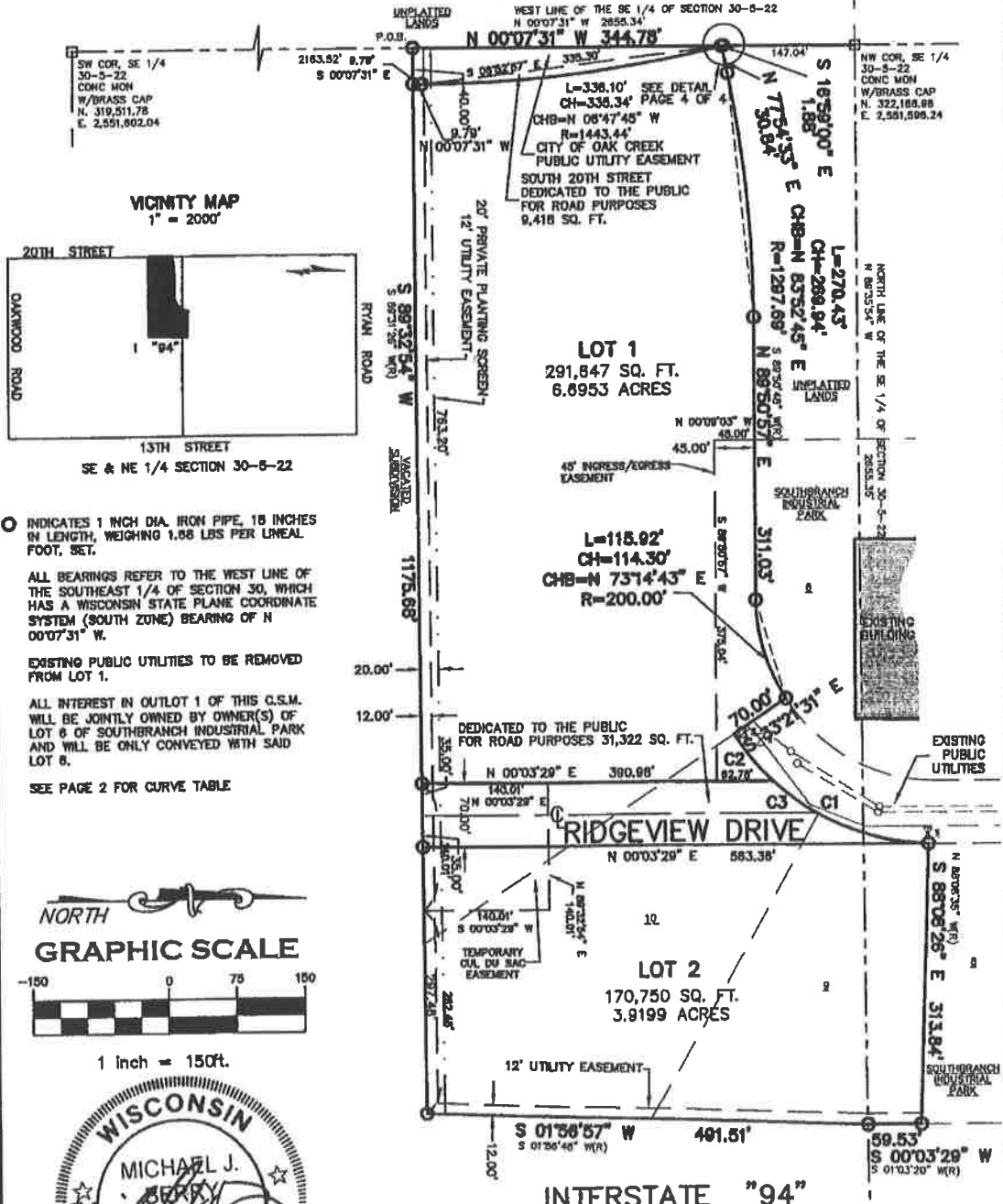
STREET MAP EXHIBIT "B"



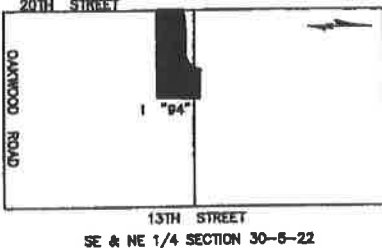
#7884

CERTIFIED SURVEY MAP NO. 7884

A REDIVISION OF LOTS 9 AND 10 IN BLOCK 5 IN SOUTHBRANCH INDUSTRIAL PARK, THAT PORTION OF VACATED RIDGEVIEW DRIVE AND LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



VICINITY MAP
 1" = 2000'



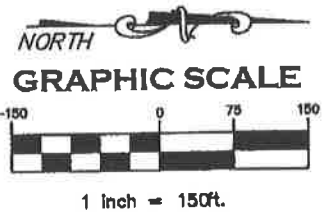
○ INDICATES 1 INCH DIA. IRON PIPE, 18 INCHES IN LENGTH, WEIGHING 1.88 LBS PER LINEAL FOOT. SET.

ALL BEARINGS REFER TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 30, WHICH HAS A WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) BEARING OF N 00°07'31" W.

EXISTING PUBLIC UTILITIES TO BE REMOVED FROM LOT 1.

ALL INTEREST IN OUTLOT 1 OF THIS C.S.M. WILL BE JOINTLY OWNED BY OWNER(S) OF LOT 8 OF SOUTHBRANCH INDUSTRIAL PARK AND WILL BE ONLY CONVEYED WITH SAID LOT 8.

SEE PAGE 2 FOR CURVE TABLE



REVISED 11/07/06
 REVISED 1/10/07
 REVISED 1/18/07
 REVISED 2/7/07

PREPARED FOR:
 WALTER J. YAKICH REVOCABLE TRUST
 1640 E. ELM ROAD
 OAK CREEK, WI 53154

CSE
 CAPITOL SURVEY & ENGINEERING
 11430 W BLUEMOUND ROAD, SUITE 11
 WAUWATOSA, WISCONSIN 53226
 PH: (414) 208-8900
 FAX: (414) 208-8908
 WWW.CAPITOLSURVEY.COM

CERTIFIED SURVEY MAP NO. 7884

A REDIVISION OF LOTS 9 AND 10 IN BLOCK 5 IN SOUTHBRANCH INDUSTRIAL PARK, THAT PORTION OF VACATED RIDGEVIEW DRIVE AND LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, MICHAEL J. BERRY, A REGISTERED LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, MAPPED AND DEDICATED A REDIVISION OF LOTS 9 AND 10 IN BLOCK 5 IN SOUTHBRANCH INDUSTRIAL PARK, THAT PORTION OF VACATED RIDGEVIEW DRIVE AND LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4; THENCE N 00°07'31" W ALONG THE WEST LINE OF SAID 1/4 SECTION 2163.52 FEET TO THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE CONTINUING N 00°07'31" W 344.78 FEET; THENCE S 18°59'00" E 1.88 FEET; THENCE N 77°54'33" E 30.84; THENCE EASTERLY 270.43 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTH, WHOSE RADIUS IS 1297.89 FEET AND WHOSE CHORD BEARS N 83°52'45" E 289.94 FEET THENCE N 89°50'57" E AND ALONG THE SOUTH LINE OF SOUTHBRANCH INDUSTRIAL PARK 311.03' TO THE SOUTHERLY END OF RIDGEVIEW DRIVE; THENCE S 33°21'31" E 70.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID DRIVE; THENCE NORTHEASTERLY 258.15 FEET ALONG SAID DRIVE AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTHWEST, WHOSE RADIUS IS 270.00 FEET AND WHOSE CHORD BEARS N 29°15'04" E 248.43 FEET; THENCE S 88°08'28" E ALONG THE SOUTH LINE OF LOT 8 OF SAID INDUSTRIAL PARK 313.84 FEET; THENCE S 00°03'29" W 59.53 FEET; THENCE S 01°58'57" W 491.51 FEET; THENCE S 89°32'54" W ALONG THE SOUTH LINE OF SAID INDUSTRIAL PARK AND ITS EXTENSION 1175.68 FEET TO THE POINT OF BEGINNING.

LANDS CONTAINING 503,138 SQUARE FEET OR 11.5505 ACRES.

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF WALTER J. YAKICH REVOCABLE TRUST, OWNER OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE STATUTES OF THE STATE OF WISCONSIN AND CHAPTER 14 OF THE CITY OF OAK CREEK MUNICIPAL CODE IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS 30TH DAY OF OCTOBER, 2006.



MICHAEL J. BERRY
REGISTERED LAND SURVEYOR, S-2545
STATE OF WISCONSIN

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	258.15'	270.00'	248.43'	N29°15'04"E
C2	67.61'	270.00'	67.43'	N49°28'05"E
C3	190.54'	270.00'	186.61'	N22°04'39"E

REVISED 11/07/06
REVISED 1/10/07
REVISED 1/18/07
REVISED 2/7/07

CERTIFIED SURVEY MAP NO. 1884

A REDIVISION OF LOTS 9 AND 10 IN BLOCK 5 IN SOUTHBRANCH INDUSTRIAL PARK, THAT PORTION OF VACATED RIDGEVIEW DRIVE AND LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

WALTER J. YAKICH REVOCABLE TRUST, DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCES OF THE CITY OF OAK CREEK.

WITNESS THE HAND AND SEAL OF WALTER J. YAKICH, PRESIDENT, ON THIS 9 DAY FEBRUARY 2007

Walter J. Yakich
WALTER J. YAKICH

STATE OF WISCONSIN)
COUNTY) SS

ON THIS 9 DAY OF February, 2007, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SUCH COUNTY AND STATE, PERSONALLY APPEARED WALTER J. YAKICH, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH INSTRUMENT IS A FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE SUCH INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL HERETO, AFFIXED THE DAY, MONTH AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

DATED THIS 9 DAY OF February, 2007



Ann Ludwiczal
NOTARY PUBLIC
STATE OF WISCONSIN
MY COMMISSION EXPIRES: 12-30-2007

- REVISED 11/07/06
- REVISED 1/10/07
- REVISED 1/18/07
- REVISED 2/7/07

CERTIFIED SURVEY MAP NO. 1584

A REDIVISION OF LOTS 9 AND 10 IN BLOCK 5 IN SOUTHBRANCH INDUSTRIAL PARK, THAT PORTION OF VACATED RIDGEVIEW DRIVE AND LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

PLANNING COMMISSION APPROVAL

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF OAK CREEK ON THIS 14 DAY OF November, 2006

Richard R. Bolender
 RICHARD R. BOLENDER, CHAIRMAN
 CITY OF OAK CREEK

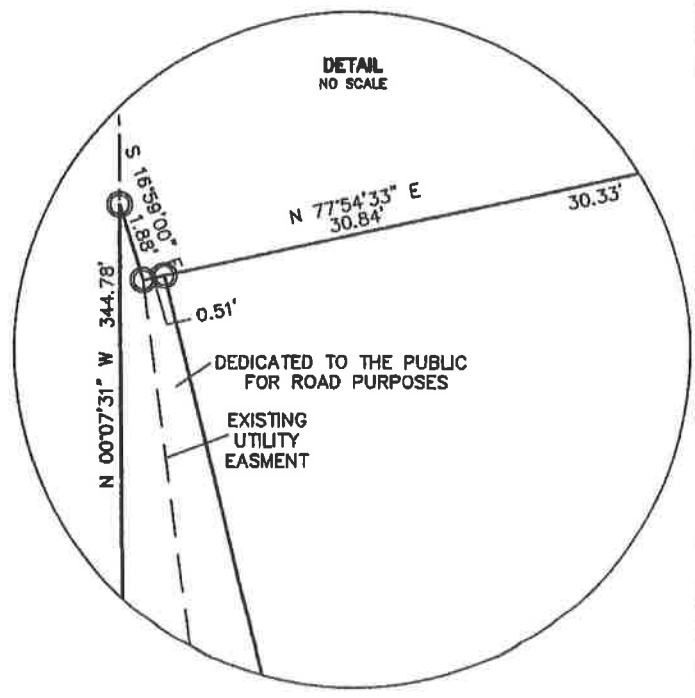
Douglas Seymour
 DOUGLAS SEYMOUR, SECRETARY
 CITY OF OAK CREEK

COMMON COUNCIL APPROVAL

THIS CERTIFIED SURVEY MAP, AND THE DEDICATION OF RIDGEVIEW DRIVE AND SOUTH 20TH STREET, BEING A REDIVISION OF LOTS 9 AND 10 IN BLOCK 5 IN SOUTHBRANCH INDUSTRIAL PARK, THAT PORTION OF VACATED RIDGEVIEW DRIVE AND LANDS IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, HAVING BEEN APPROVED BY THE PLANNING COMMISSION BEING THE SAME, IS HEREBY APPROVED AND ACCEPTED BY THE COMMON COUNCIL OF THE CITY OF OAK CREEK ON THIS 10 DAY OF February, 2007 per resolution No. 10733-020607

Richard R. Bolender
 RICHARD R. BOLENDER, MAYOR
 CITY OF OAK CREEK

Beverly A. Boretta
 BEVERLY A. BURETTA, CITY CLERK
 CITY OF OAK CREEK



REVISED 11/07/06
 REVISED 1/10/07
 REVISED 1/18/07
 REVISED 2/7/07

**DRAFT EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, DECEMBER 12, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 PM. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Chandler. Commissioner Siefert and Alderman Loreck were excused. Also present: Senior Planner Kari Papelbon, Planning Intern Melanie Perez, and Assistant Fire Chief Mike Havey.

OFFICIAL MAP AMENDMENT

JOHN SCHLUETER, FRONTLINE CRE,

**9900 S. RIDGEVIEW; 9970, 10020, AND 10040 S. 20TH ST.; 1800 AND 1850 W.
OAKWOOD RD.**

TAX KEY NO. 926-9977-001, 926-9978-001, 926-9979-000, AND 926-9036-000

Senior Planner Papelbon provided an overview of the proposed amendment to the Official Map affecting the parcels at 9900 S. Ridgeview; 9970, 10020, and 10040 S. 20th St.; 1800 and 1850 W. Oakwood Rd. (see staff report for details).

Commissioner Oldani asked for confirmation the green etched street pattern in Exhibit B will be what is removed from the city's official map and the residence shown in Street Map Exhibit B is private property, of which to both, Senior Planner Papelbon answered in the affirmative. Senior Planner Papelbon went on to state the owner of the private property is selling this portion of their property to the applicant, going on to explain where the owner's property lines will now be. Commissioner Chandler asked what the green line at the south end of Ridgeview Rd. shows in Street Map Exhibit B. Senior Planner Papelbon explained the green line shows the proposed new location of the required permanent cul-de-sac; the applicant's proposed site plan would require the existing planned cul-de-sac location be removed from their property. Commissioner Chandler stated her understanding for removing the northwest corner of the planned street pattern to the south of the property, but wondered if the larger planned street pattern in the area would impact other, local private properties as well. Senior Planner Papelbon answered in the affirmative, explaining up to nine (9) properties could be affected by the current official map. Commissioner Chandler then asked why just the northwest corner would be eliminated, instead of the entire western planned street to which Senior Planner Papelbon explained access to S. Judith Pl. and W. Oakwood Rd. are the reason the remaining planned streets will stay on the official map. Commissioner Chandler then asked if the owners of the surrounding properties have had any feedback to which Senior Planner Papelbon answered in the negative.

Commissioner Hanna asked if the owners of the properties have been notified of the changes to which Senior Planner Papelbon answered in the affirmative. Commissioner Hanna then asked if there have been any concerns or comments from the owners. Senior Planner Papelbon stated no comments have been received from the landowners, apart from the owner of the private property that will be acquired by the applicant who supports the amendment. Commissioner Hanna asked if the division will be zoned residential to which Senior Planner Papelbon answered the existing residential properties will remain as such, apart from the property the applicant is acquiring. Commissioner Carrillo voiced her concern

regarding making the changes to the official map without feedback from residents. Mayor Bukiewicz explained what the planned street pattern is and how both amendments to the official map would affect the owners. Many of the comments made by Mayor Bukiewicz and Commissioner Carrillo were inaudible.

Senior Planner Papelbon explained that what the official map shows for future planned streets or cul-de-sacs does not have to be built; if any of the property owners that may be affected by this change would like to, they could also request a change to the official map. However, the Code requires the applicant provide an alternative to what they are proposing to change or remove. Senior Planner Papelbon reiterated no concerns have been brought forward.

Commissioner Chandler asked if the applicant has heard anything from the residents to which Senior Planner Papelbon explained the applicant would have that information and reiterated that any one of the property owners that have a proposed street pattern on their property can request a change.

John Schlueter, 7265 S. 1st St., Oak Creek WI, 53154, the applicant, stated he and his sons stopped at eight (8) houses on December 9th, to meet and answer questions from the neighbors. Mr. Schlueter stated all the residents were excited the planned road was going to be removed, had no concerns, and confirmed the notice from the city of the request was received. Attorney Brian Randall, Amundsen and Davis, 111 E. Kilbourn Ave., Milwaukee WI, 53202, representing the applicant, stated the challenge of this project is that the planned roads do not exist and the neighbors Mr. Schlueter met with were shocked to know there were planned roads in their area. Atty. Randall went on to state when the development was being designed, with the storm pond to the south and the newly acquired land to be used for trees and landscaping, it was very important to ensure a potential road that may take out the trees in the future would be removed to protect the pond, trees, and landscaping. Atty. Randall explained that the reason the new planned cul-de-sac is there is to provide alternative access to those roadways, as required, if they are ever built. Atty. Randall acknowledged the strong neighborhood in the area and stated the request to amend the official map is being sought to meet city ordinance.

Regarding the planned cul-de-sac to the north of the property, Atty. Randall then stated the original placement for the planned cul-de-sac would take important parking space from the wanted location of the development, noting the location of the parking is expected on the north side, to stay as far away from the residential homes in the area as possible. Atty. Randall went on to explain that Ridgeview Drive ends at their parking lot and the request for the permanent cul-de-sac be planned for just north of the property line would be for the public to turn around on the road, without having to enter the developments property. Atty. Randall stated the applicant is agreeable to the public using their parking lot to turn around if need be and confirmed the existing temporary cul-de-sac already follows the location of where the proposed permanent cul-de-sac would be. Atty. Randall concluded by stating that building a permanent cul-de-sac is a condition the applicant cannot commit to but is working to find other solutions citing working with the property owner to the north, where the existing cul-de-sac is and how the property falls into a Tax Increment Finance (TIF) District.

Mayor Bukiewicz clarified that the period of the TIF has expired.

Atty. Randall understood and acknowledged the requested conditions must be approved by the Common Council and all elected officials as well and respects the Plan Commission's careful review. Atty. Randall then stated an existing 20-year-old temporary cul-de-sac would still remain if a permanent one is not built, going on to re-iterate the applicant being unable to commit to all of the conditions presented.

Mark Verhalen, 9330 S. Nicholson Rd.:

"I own some property on Judith Lane, and I touched base with some of the staff and the mayor after the meeting a couple of weeks ago. And I asked if it would be possible - and I talked to John as well. Talked with Mike Havey from the Fire Department as well. I was wondering, since I do own property on Judith Lane - and Judith Lane, at one point was proposed to go all the way through to 20th street to the north, but because there is private property in the way the road could never go all the way through. So, in lieu of having a dead end there, where it really doesn't benefit anybody, I asked if it would be a better idea not to continue the road through, because Oak Creek has done this in a number of different developments through the years, having an emergency access point for Mr. Schlueter's property at the end of Judith Lane. Which would be like a gravel access driveway in with a gate that would be padlocked and locked and the only people that would have access to the property would be fire and police departments for emergency use only. But that gives Mr. Schlueter an extra access - egress for emergency vehicles for his property, kind of a better safety thing for everybody involved I would say, and it may give myself, as a property owner on Judith Lane some options in the future."

Assistant Fire Chief Havey stated to look at other future developments on Judith Place is premature. Ridgeview Dr. had been reviewed with a previous proposal and it was found that Ridgeview Dr. met the requirements for the Fire Department to be a primary access road, based on Code. Assistant Fire Chief Havey concluded by saying the current proposed development's primary access road requirements have been satisfied.

Mayor Bukiewicz suggested discussion begin with the southern amendment to the official map first and then discuss the northern cul-de-sac. Mayor Bukiewicz stated vacating the portion of northwest corner of the proposed street pattern makes sense.

Commissioner Hanna stated her understanding for the reason the cul-de-sac to the north and is in favor of having it to make the end of the road feel more residential and then asked Senior Planner Papelbon if there would be a 'dead end' sign for the road. Senior Planner Papelbon stated she wasn't sure if the road is already signed for that, going on to state there would be no future through - access if the property were to develop as proposed: a permanent cul-de-sac will be needed per the requirements. Commissioner Kiepczynski stated she is unsure of the current signage for Ridgeview Dr., but said there could be, at least, a 'no through traffic' sign put up. Commissioner Hanna stated it could be to the service of any future residents then asked who would maintain the new local roads. Senior Planner Papelbon explained Ridgeview Dr. and the cul-de-sac, once dedicated, would be maintained by the city.

Commissioner Kiepczynski confirmed the engineering department would require the cul-de-sac to be permanent to terminate the end of Ridgeview Dr., not just for local traffic but for the turning radius of larger city vehicles like snowplows. Commissioner Kiepczynski then

explained temporary cul-de-sacs are allowed if there is a potential for the roadway to extend through an area, but because the proposed development will no longer be extending the road, a permanent cul-de-sac is required. Alderman Guzikowski stated his understanding for needing the larger, permanent cul-de-sac and clarified there are currently no private residences along Ridgeview Dr. Commissioner Oldani stated for clarification there is an existing temporary cul-de-sac at the end of Ridgeview Dr. which would need to be rebuilt to which Senior Planner Papelbon confirmed, adding the permanent structure will need to also be dedicated to the city.

Mayor Bukiewicz stated his understanding of the applicant wanting to move to proposed cul-de-sac to the north and asked if the owners of the property the permanent cul-de-sac will be built on will be affected from this. Senior Planner Papelbon explained Seville Flexpack Corporation owns this property and they could dedicate the right of way to the city and divide the lot as a part of a CSM, to develop the remaining land. Mayor Bukiewicz stated his support for moving the planned cul-de-sac north, wondered who will acquire the land, and confirmed there will be a cost for installing the permanent structure. Senior Planner Papelbon stated the city does not build public streets that are part of a private development; usually, the city will acquire and take over the street for maintenance purposes through dedication. Senior Planner Papelbon went on to state she cannot speak to the ability of the city to acquire or construct the cul-de-sac.

Mr. Verhalen:

"The statement I made before, about emergency access through the end of Judith Lane, my question is - if that secondary emergency access point is provided, is a cul-de-sac even necessary on Ridgeview?"

Mayor Bukiewicz answered in the affirmative, the code requires it.

Mr. Verhalen:

"Alright."

Discussion occurred relating to the responsibility for building the permanent cul-de-sac, communication with the owner of the affected parcel, and the steps and options the applicant may take if the owner of the property where the cul-de-sac may be constructed does not want on their land.

A representative from Suedpack, 9900 S. Ridgeview Dr., stated that the applicant did reach out to explain their plan. Suedpack concluded that having the permanent structure built on their land would affect their future development; however, more information is needed.

Discussion continued regarding the location of the permanent cul-de-sac should the agenda item move forward. Commissioner Oldani and Commissioner Hanna wanted to ensure the owner of the northern property would not be responsible for finding a secondary location for the permanent structure if they denied it going in the proposed location.

Mr. Schlueter confirmed the owner was shown plans for the development, discussed the pros and cons, the cost of acquiring a dedicated roadway and stated the responsibility of possibly re-locating the permanent structure would be the applicants.

Commissioner Hanna reiterated her concern for proceeding forward without the approval of the owner of the northern property. Mayor Bukiewicz agreed and explained the two parties are still able to have discussions and if the proposed plans or map changes, the applicant will be back for approval. Mayor Bukiewicz also offered the motion be altered to let the vacation of the proposed road on the map to move forward and hold the location of the cul-de-sac. Senior Planner Papelbon confirmed this suggestion and further informed the Commission the next date of the Common Council public hearing is mid-January, giving the applicant time to find a resolution. Senior Planner Papelbon then stated if no resolution is made at that time, the Common Council could also put the project on hold. Commissioner Hanna mentioned the extra time would aid in a resolution, as there is no planned schedule for development, to which Senior Planner Papelbon added there are additional steps in the city's approval process that may have time constraints.

Atty. Randall stated the development is planned to begin in the spring, so the importance of finding a solution to the location of the cul-de-sac is great, knowing the responsibility of finding that solution will be on himself and the applicant to continue working with the other owner to do that, but explained there are many approvals the development will need from the city to ensure that spring deadline.

Commissioner Oldani asked if the applicant had a secondary plan for the project to which Atty. Randall answered that absorbing the proposed cul-de-sac into their site map would be the plan and a hold to this item would put pressure on the spring schedule. Commissioner Hanna asked where talking with the other property owners fell in the design process. Atty. Randall thought the existing cul-de-sac would be sufficient. Commissioner Hanna asked if the applicant wanted the cul-de-sac larger in expectation of larger trucks using the roadway. Atty. Randall stated that the City is requesting the cul-de-sac be rebuilt bigger, not the applicant.

Mayor Bukiewicz made comments regarding the presented motion that were inaudible. Senior Planner Papelbon stated the motion that is being presented both amendments to the official city map. Commissioner Hanna asked if confirmation from the property owner to the north should be added to the motion. Senior Planner Papelbon explained the Common Council will still need to consider the proposal, and if a resolution regarding the location of the city-requested permanent cul-de-sac is not found by that time, the Council can hold the item at that time. Commissioner Hanna voiced her concern for approving the item, citing potential lack of understanding by the Common Council of the discussion during the Plan Commission meeting. Commissioner Oldani stated he is comfortable with the motion because three (3) members of the Common Council are also part of the Plan Commission and will be very informed of the concerns the Plan Commission has with the project. Mayor Bukiewicz and Senior Planner Papelbon then briefly explained what information the Common Council receives regarding items approved by the Plan Commission. Commissioner Chandler asked the property owner to the north if they are okay with meeting with the applicant about the cul-de-sac to which they answered that his concerns have been discussed and thanked the commission.

Commissioner Hanna moved that the Plan Commission recommends to the Common Council that the Official Map for a portion of the mapped, unimproved future rights-of-way affecting properties at 9900 S. Ridgeview Dr.; 9970, 10020, and 10040 S. 20th St.; & 1800 and 1850 W. Oakwood Rd. be amended as presented after a public hearing.

Commissioner Oldani seconded. On roll call: all voted aye. Motion carried.

ATTEST:

Kari Papelbon, Plan Commission Secretary

Date

DRAFT

TO BE PUBLISHED DECEMBER 27, 2023 & JANUARY 3, 2024

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 AVG Intermediate Holdings, d/b/a UrgentVet, for a Conditional Use Permit for a veterinary clinic within an existing multitenant commercial building on the property at 8907 S. Howell Ave.

Hearing Date:

January 16, 2024

Time:

7:00 PM

Place:

Oak Creek Civic Center (City Hall)
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant(s):

AVG Intermediate Holdings, d/b/a UrgentVet

Property Owner(s):

GP-PCD Partners, LLC

Property Location(s):

8907 S. Howell Ave.

Tax Key(s):

859-9042-001

Legal Description:

CSM NO 7627 NE 1/4 SEC 20-5-22 PARCEL 1 (2.5704 ACS) EXC PTS CONV TO DOT IN DOC NO 10306978 FOR ST.

The Common Council has scheduled other public hearings for January 16, 2024 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: December 20, 2023
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 414-766-7000, or by writing to City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

- Item:** Conditional Use Permit - 8907 S. Howell Ave. - AVG Intermediate Holdings, LLC d/b/a UrgentVet
- Recommendation:** That the Council considers Ordinance 3092, an ordinance to approve a Conditional Use Permit for a veterinary clinic on the property at 8907 S. Howell Ave. (3rd Aldermanic District)
- Fiscal Impact:** Approval will allow for the occupancy of an existing vacant tenant space within the existing multitenant commercial building on the property. Approval of the proposed use will yield positive fiscal impacts in terms of review and permit fees. This property is not currently part of a TID.
- Critical Success Factor(s):**
- Active, Vibrant and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe & Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Applicant is requesting approval for a Conditional Use Permit for a veterinary clinic within a portion of the existing multitenant retail building on the property at 8907 S. Howell Avenue. Veterinary clinics are Conditional Uses in the B-4, General Business zoning district.

Per the submitted information, the proposed UrgentVet's operation would be within a 2,451 square-foot space within the existing multitenant retail building at the southeast corner of Howell Avenue and Centennial Drive. The redesign of this space would include five (5) exam rooms and in-house laboratory, as well as a comfort room for owners and their pets. A pet relief area will be designated and signed appropriately within the existing landscape area east of the parking lot adjacent to Howell Avenue. Staff do not anticipate negative impacts on adjacent businesses or properties associated with this use.

After careful consideration at their November 28 and December 12, 2023 meetings, the Plan Commission recommended Common Council approval of the request subject to attached Conditions and Restrictions.

Options/Alternatives: Council has the discretion to approve or not approve the proposed Conditional Use Permit request. Per Section 17.0804(e)(3) of the Municipal Code: A conditional use permit may be granted upon finding in the review of the application that all applicable use specific provisions per Article 4 of [this] Zoning Ordinance as well as the following criteria are met. A negative finding of fact on any of the following criteria shall require a negative vote on the application as a whole.

- o Section 17.0804(e)(3)(a) - The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
-

- o Section 17.0804(e)(3)(b) - The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- o Section 17.0804(e)(3)(c) - Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, and other necessary site improvements have been or are being provided.
- o Section 17.0804(e)(3)(d) - Measures have been or will be taken to provide adequate ingress and egress and designed to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.
- o Section 17.0804(e)(3)(e) - The conditional use conforms to all applicable regulations of the district in which it is located.

Should the Council determine that the proposed request for a Conditional Use Permit on the property at 8907 S. Howell Ave. is acceptable, the suggested motion is to approve Ordinance 3092 as stated. Disapproval would likely result in the existing vacant tenant space to remain vacant.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



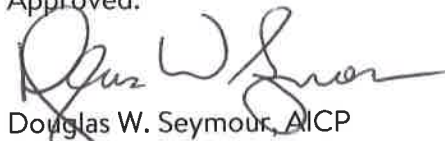
Kari Papelbon, CFM, AICP
Senior Planner

Fiscal Review:



Maxwell Gagin, MPA
Deputy City Administrator / Finance Officer

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ord. 3092

Location Map

Narrative and Addenda (7 pages)

Draft Conditions and Restrictions (4 pages)

Excerpted Plan Commission Minutes (2 pages)

Excerpted Draft Plan Commission Minutes (1 page)

ORDINANCE NO. 3092

By: _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR
A VETERINARY CLINIC ON THE PROPERTY AT 8907 S. HOWELL AVE.

(3rd Aldermanic District)

WHEREAS, AVG INTERMEDIATE HOLDINGS, LLC, D/B/A URGENTVET, has applied for a Conditional Use Permit that would allow a veterinary clinic within a portion of the existing multitenant commercial building on the property at 8907 S. Howell Ave.; and

WHEREAS, the property is more precisely described as follows:

CSM NO 7627 NE 1/4 SEC 20-5-22 PARCEL 1 (2.5704 ACS) EXC PTS CONV TO DOT IN DOC NO 10306978 FOR ST.

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

WHEREAS, the Common Council held a public hearing on this matter on January 16, 2024, at which time all interested parties appeared and were heard; and

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

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

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for a veterinary clinic on the property at 8907 S. Howell Ave., which shall include the aforementioned conditions and restrictions (see Exhibit A).

SECTION 2: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for the veterinary clinic on the property at 8907 S. Howell Ave.

SECTION 3: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 4: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

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

Passed and adopted this 16th day of January, 2024.

President, Common Council

Approved this 16th day of January, 2024.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A: CONDITIONS AND RESTRICTIONS

City of Oak Creek – Conditional Use Permit (CUP) Conditions and Restrictions		
Applicant:	AVG Intermediate Holdings, LLC d/b/a UrgentVet	Approved by Plan Commission: 12-12-23
Property Address(es):	8907 S. Howell Ave.	Approved by Common Council: 1-16-24 (Ord. 3092)
Tax Key Number(s):	859-9042-001	
Conditional Use:	One (1) veterinary clinic	

1. LEGAL DESCRIPTION

CSM NO 7627 NE 1/4 SEC 20-5-22 PARCEL 1 (2.5704 ACS) EXC PTS CONV TO DOT IN DOC NO 10306978 FOR ST.

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. All requirements of Ord. 3041 (as amended) are in effect.

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

- | | |
|---|--|
| <p>1) General Development Plan</p> <ul style="list-style-type: none">a) Detailed building/structure location(s) with setbacksb) Square footage of all buildings/structures
c) Area(s) for future expansion/phasesd) Area(s) to be pavede) Access drive(s) (width and location)f) Sidewalk location(s)g) Parking layout and traffic circulation<ul style="list-style-type: none">i) Location(s) and future expansionii) Number of employeesiii) Number of all parking spacesiv) Dimensionsv) Setbacks & buffersh) 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 | <p>2) Landscape Plan</p> <ul style="list-style-type: none">a) Screening plan, including parking lot screening/berming & buffer areasb) Number, initial & mature sizes, and types of plantings; tree inventory & retention/replacement planc) Percentage open/green space <p>3) Building Plan</p> <ul style="list-style-type: none">a) Architectural elevations (w/dimensions)b) Building floor plans (w/dimensions)c) Materials of construction (including colors) <p>4) Lighting Plan</p> <ul style="list-style-type: none">a) Types & color temperature(s) of fixturesb) Mounting heightsc) Types & color of polesd) Photometrics of proposed fixtures <p>5) Grading, Drainage and Stormwater Management Plan</p> <ul style="list-style-type: none">a) Contours (existing & proposed)b) Location(s) of storm sewer (existing and proposed)c) Location(s) of stormwater management structures and basins/green infrastructure (if required) <p>6) Fire Protection</p> <ul style="list-style-type: none">a) Locations of existing & proposed fire hydrantsb) Interior floor plan(s)
c) Materials of constructiond) Materials to be stored (interior & exterior) |
|---|--|

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 or occupancy permit.

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the B-4, General Business zoning district, Ord. 3041 (as amended), these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. There shall be no 24/7 operations per Ord. 3041 (as amended).
- C. One (1) pet relief area shall be provided. The location shall meet all applicable Code requirements and shall not result in the net loss of required landscaping. Landscaping shall be maintained per Ord. 3041 (as amended).
- D. There shall be no outdoor storage, rental, sale/display of equipment, vehicles, merchandise, or any other materials on the property.
- E. All parking areas shall be striped, screened, and landscaped in conformance with Ord. 3041 (as amended), approved site plans, and Sec. 17.0505 of the Municipal Code (as amended).
- F. All signs shall conform to the requirements of Ord. 3041 (as amended), the Master Sign Plan approved July 26, 2005, and Sec. 17.0601 – 17.0609 of the Municipal Code (as amended).
- G. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- H. Solid waste collection and recycling shall be the responsibility of the owner.
- I. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

Access and parking for this development shall be provided in accordance with Ord. 3041 (as amended), Sections 17.0403 & 17.0404 of the Municipal Code (as amended), and the Site Plans approved by the Plan Commission February 22, 2005.

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in conformance with Ord. 3041 (as amended) and Sec. 17.0509 of the Municipal Code (as amended).

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	30,000 sf
Lot Width	150 ft
Yard Setbacks (Minimum) (1)	
Front (per Ord. 3041)	25 ft
Street Facing Side (per Ord. 3041)	25 ft
Interior Side (per Ord. 3041)	20 ft
Rear (per Ord. 3041)	25 ft
Building Standards (Maximum)	
Height	50 ft
Building Coverage	40%
Lot Coverage	70%
Parking	
Setbacks (per Ord. 3041)	10 ft front / 5 ft other
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed buffer.	

7. TIME OF COMPLIANCE

The operator of the Conditional Use Permit shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use Permit approval shall expire twelve (12) months after the date of adoption of the ordinance if building permits have not been issued for this use. The applicant shall re-apply for Conditional Use Permit approval prior to recommencing work or construction.

8. DURATION OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to ten (10) years from the date of issuance of the Conditional Use Permit. The owner may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

9. 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.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit 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 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

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.

11. REVOCACTION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. 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.

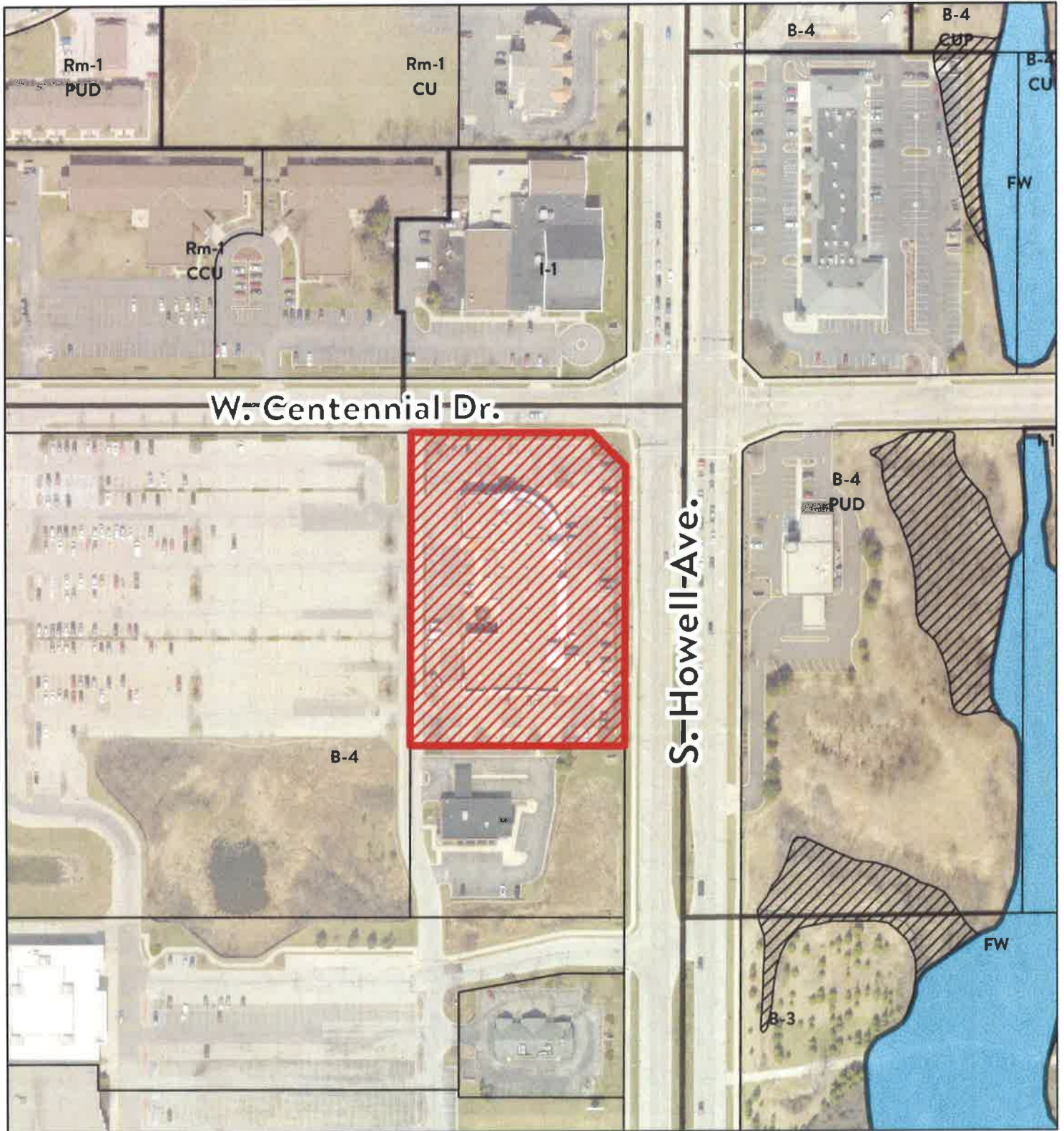
Owner / Authorized Representative Signature

Date

(please print name)

Location Map

8907 S. Howell Ave.



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



- Parcels
- Zoning
- Official Map

Legend

- Flood Fringe
- Floodway
- 8907 S. Howell Ave

HUSCH BLACKWELL

Rodney W. Carter, Partner
Dimitri Zografi, Attorney

511 North Broadway, Suite 1100
Milwaukee, WI 53202-5502
Direct: 414-273-2100
Fax: 414-223-5000
Rodney.Carter@huschblackwell.com
Dimitri.Zografi@huschblackwell.com

October 27, 2023

VIA HAND DELIVERY

Mayor Bukiewicz and Members of Plan Commission
City of Oak Creek
8040 S. 6th Street
Oak Creek, WI 53154

Re: Application for Conditional Use Permit
Property Address: 8907 S. Howell Ave, Oak Creek, WI 53154.
Zoning District: B-4
Conditional Use requested: Veterinary Clinic
Applicant: AVG Intermediate Holdings LLC d/b/a UrgentVet
Parcel Owner: GP-OCD Partners LLC

Dear Mayor Bukiewicz and Members of the Plan Commission:

We represent AVG Intermediate Holdings, LLC d/b/a UrgentVet (“UrgentVet”) in its application for a Conditional Use Permit (“CUP”) in the City of Oak Creek (the “City”). We are pleased to present the following narrative on behalf of UrgentVet (<https://urgentvet.com>) for approval of its CUP to operate a veterinary clinic at 8907 S. Howell Ave, Oak Creek, WI 53154 (the “Property”). Enclosed and attached are the required submittals for the CUP.

The Property is located at the SE intersection of Puetz Road and Howell Avenue in an outlot at the shopping center anchored by Pick n Save. UrgentVet is enthusiastic about the potential to become a business partner in Oak Creek with this new business initiative. It believes the proposed location will serve the residents of Oak Creek. The Property is uniquely suitable for the proposed development, and that UrgentVet’s business model fills an underserved need within the City.

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 2

I. CONTACT INFORMATION

Applicant:	Contact Individuals:
AVG Intermediate Holdings LLC d/b/a Urgent Vet 4301 Anchor Plaza Pkwy., Ste 350 Tampa, FL 33634	Rodney W. Carter 511 North Broadway, Suite 1100 Milwaukee, WI 53202-5502 Rodney.Carter@huschblackwell.com Dimitri Zografi 511 North Broadway, Suite 1100 Milwaukee, WI 53202-5502 Dimitri.Zografi@huschblackwell.com

II. NARRATIVE DESCRIPTION

A. Plan of Operation

UrgentVet is an affordable alternative to the emergency vet, offering treatment of mild illnesses and minor injuries that occur in domesticated dogs and cats. It is important to note that UrgentVet does not handle critical cases nor provide any type of animal boarding. As such, UrgentVet does not fall under the regulatory scope of Zoning Code § 17.0406.

In essence, UrgentVet serves as a crucial intermediary between traditional veterinarians and pet emergency hospitals, delivering significant cost savings of up to 40% for pet owners compared to visiting a standard pet emergency hospital. In addition to offering high savings, UrgentVet provides online check-in so owners can wait at home rather than in an overcrowded waiting room. UrgentVet is eager to make an investment in Oak Creek and provide local, skilled jobs at the facility.

B. Proposed Use

The Property for UrgentVet's operation is within a retail center owned by GP-OCD Partners LLC. UrgentVet intends to lease around 2,451 square feet of space, as outlined in Exhibit A. UrgentVet plans to thoughtfully redesign the premises to suit its veterinary practice needs, as illustrated in Exhibit B. These renovations will encompass an in-house laboratory with state-of-the-art equipment (digital radiography and ultrasound), five examination rooms, and a dedicated comfort room designed to provide a reassuring environment for pet owners.

Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 3

The proposed operations will mirror those of UrgentVet facilities across the nation. It will have no outstanding impact on noise, traffic, light pollution. UrgentVet will designate a pet relief in the grassy area located across the lot from the veterinary clinic's front door, as depicted in Exhibit C. To direct pet owners to the designated pet relief area, UrgentVet will place signs in the parking lot, as shown in Exhibit D. Finally, UrgentVet will place a waste station in the area, as illustrated in Exhibit E, to ensure cleanness.

C. Hours of Operation

UrgentVet's hours of operation will be:

Monday – Friday	3:00PM – 11:00PM
Saturday and Sunday	10:00AM – 8:00PM
All Holidays	12:00PM – 8:00PM

D. Statutory Requirements for CUP

The Property is zoned as B-4 under the Zoning Code, allowing general business use. However, veterinary clinics within a B-A zone are subject to a Conditional Use Permit. UrgentVet will meet, and likely exceed, all criteria for obtaining a Conditional Use Permit as outlined in §17.0804(e).

First, under § 17.0804(e)(3)(a), the veterinary clinic poses no risk to public health, safety, or general welfare. Rather, it serves the welfare of the general public—most of whom own dogs or cats—during times of heightened anxiety when their beloved pets are unwell, and their regular veterinarians are unavailable.

Second, under § 17.0804(e)(3)(b), UrgentVet's presence will not hinder but rather complement the orderly development of the surrounding properties by adding another national tenant in a general business district already occupied by national tenants, as shown in the attached Site Plan Exhibit, contributing positively to the local business landscape. The proposal will not have a negative impact on property values, nor with the proposal impact the use and enjoyment of neighboring properties.

Third, in compliance with § 17.0804(e)(3)(c) and (d), granting UrgentVet a conditional use permit will not lead to increased traffic congestion or deficiencies in infrastructure such as utilities, parking, roadways, etc. Rather, UrgentVet's provision of online check-in is expected to

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 4

mitigate traffic and parking issues, as owners can wait at home until it is their turn. Finally, UrgentVet will follow all other applicable regulations as required under § 17.0804(e)(3)(e).

III. CONCLUSION

For the above reasons, we believe it is appropriate for the City to issue a CUP authorizing UrgentVet's proposal. We hope the Commission will agree that UrgentVet's proposed use will be an asset to the Howell Avenue corridor.

Thank you for reviewing the application in consideration of approving the CUP. We look forward to continuing the approval process with the City. We look forward to further discussing the application with you at the upcoming Plan Commission meeting.

Respectfully and sincerely,



Rodney W. Carter, *Partner*
Dimitri Zografi, *Attorney*
HUSCH BLACKWELL LLP

RWC/wp
Enclosures

cc: AVG Intermediate Holdings, LLC d/b/a UrgentVet

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
October 27, 2023
Page 7

EXHIBIT C

10/24/23, 9:28 PM

Google Maps

Google Maps



Map data ©2023, Map data ©2023 20 ft

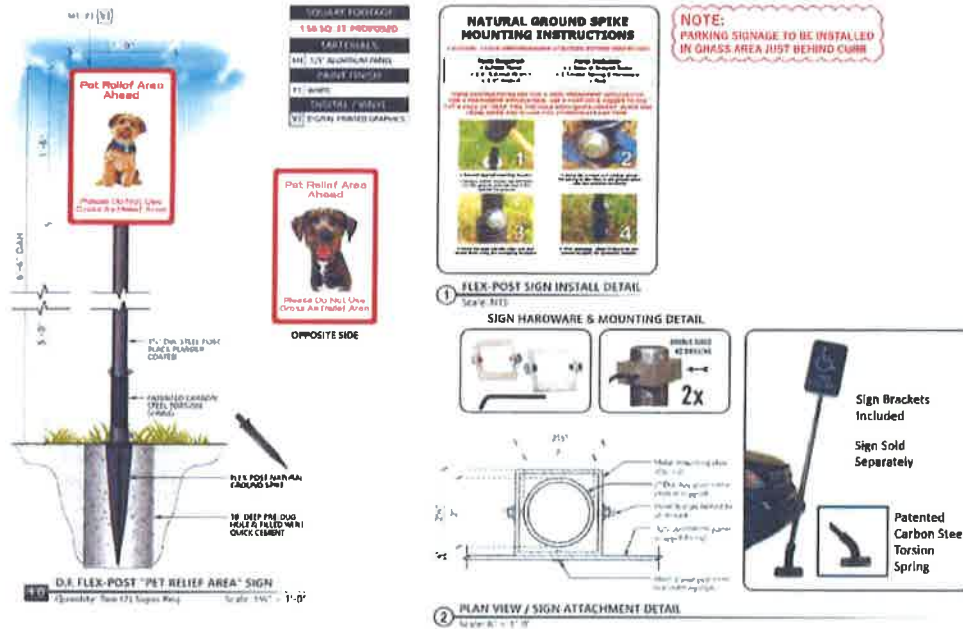
<https://www.google.com/maps/@42.8823186,-87.9126823,40m/data=!3m1!1e3?entry=bu>

1/3

HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
 October 27, 2023
 Page 8

EXHIBIT D



W&M CONSULTING
 2231 S. Dupont Drive
 Anaheim, CA 92805
 949-451-0887

Project Name: Urgent Vet
 Address: 1780 W 121st Ave 11nd Fl
 City, State, Zip: Brownsville, TX 77801

Client Approval:
 Landlord Approval
 Designer: George

Safety: (blank)

Notes:
 1. See plan view for sign location.
 2. See plan view for sign orientation.



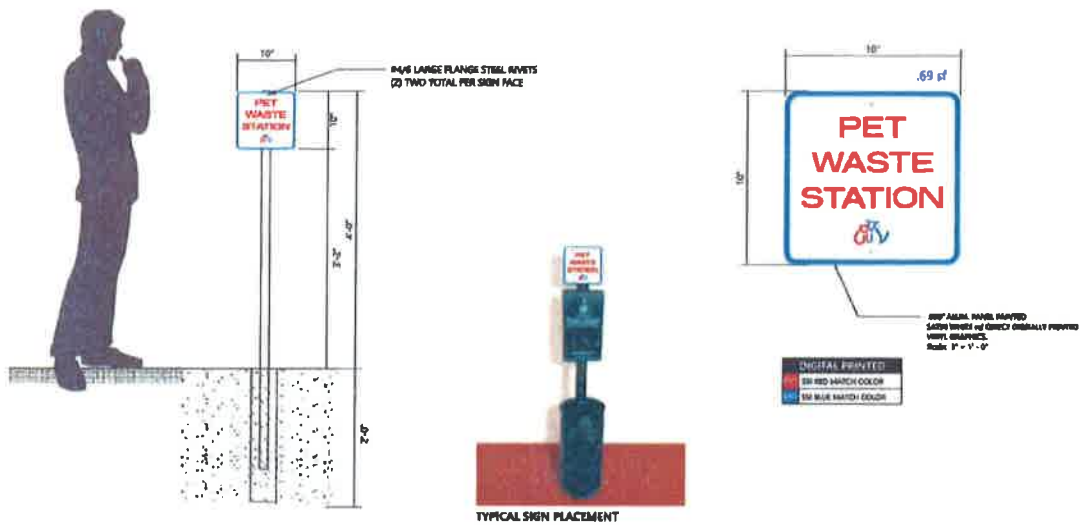
230290-02

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HUSCH BLACKWELL

Mayor Bukiewicz and Members of Plan Commission
 October 27, 2023
 Page 9

EXHIBIT E



5.0 POST AND PANEL SIGN (PET WASTE STATION)
 quantity (1) SCALE: 1"=1'-0"

 <p>WEST COAST INC. 2231 S. Durant Drive Anaheim, CA 92806 949-455-9572</p>	<p>PROJECT</p> <p>Project Name: Urgent Vet Address: 4900 W 121st Ave, Unit 1 City, State, Zip: Aurora, CO 80010</p>	<p>Client Approval: Landlord Approval: Designer: Justin D. Sals</p>	<p>DATE: 10/27/23 TIME: 10:00 AM LOCATION: 4900 W 121st Ave, Unit 1, Aurora, CO 80010</p>	<p>URGENT VET  We get you back to the office.</p>	<p>10/27/2023 10:00 AM 220651-06 Page 15 of 16</p>
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City of Oak Creek – Conditional Use Permit (CUP)
DRAFT Conditions and Restrictions

Applicant:	AVG Intermediate Holdings, LLC d/b/a UrgentVet	Approved by Plan Commission: 12-12-23
Property Address(es):	8907 S. Howell Ave.	Approved by Common Council: TBD
Tax Key Number(s):	859-9042-001	(Ord. TBD)
Conditional Use:	One (1) veterinary clinic	

1. LEGAL DESCRIPTION

CSM NO 7627 NE 1/4 SEC 20-5-22 PARCEL 1 (2.5704 ACS) EXC PTS CONV TO DOT IN DOC NO 10306978 FOR ST.

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. All requirements of Ord. 3041 (as amended) are in effect.

C. A precise detailed site plan for the area affected by the Conditional Use Permit shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. 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/phases
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number of employees
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks & buffers
- 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 & buffer areas
- b) Number, initial & mature sizes, and types of plantings; tree inventory & retention/replacement plan
- c) Percentage open/green space

3) **Building Plan**

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

4) **Lighting Plan**

- a) Types & color temperature(s) 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/green infrastructure (if required)

6) **Fire Protection**

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
- c) Materials of construction
- d) Materials to be stored (interior & exterior)

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 or occupancy permit.

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the B-4, General Business zoning district, Ord. 3041 (as amended), these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. There shall be no 24/7 operations per Ord. 3041 (as amended).
- C. One (1) pet relief area shall be provided. The location shall meet all applicable Code requirements and shall not result in the net loss of required landscaping. Landscaping shall be maintained per Ord. 3041 (as amended).
- D. There shall be no outdoor storage, rental, sale/display of equipment, vehicles, merchandise, or any other materials on the property.
- E. All parking areas shall be striped, screened, and landscaped in conformance with Ord. 3041 (as amended), approved site plans, and Sec. 17.0505 of the Municipal Code (as amended).
- F. All signs shall conform to the requirements of Ord. 3041 (as amended), the Master Sign Plan approved July 26, 2005, and Sec. 17.0601 – 17.0609 of the Municipal Code (as amended).
- G. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- H. Solid waste collection and recycling shall be the responsibility of the owner.
- I. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

Access and parking for this development shall be provided in accordance with Ord. 3041 (as amended), Sections 17.0403 & 17.0404 of the Municipal Code (as amended), and the Site Plans approved by the Plan Commission February 22, 2005.

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in conformance with Ord. 3041 (as amended) and Sec. 17.0509 of the Municipal Code (as amended).

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	30,000 sf
Lot Width	150 ft
Yard Setbacks (Minimum) (1)	
Front (per Ord. 3041)	25 ft
Street Facing Side (per Ord. 3041)	25 ft
Interior Side (per Ord. 3041)	20 ft
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Building Standards (Maximum)	
Height	50 ft
Building Coverage	40%
Lot Coverage	70%
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Setbacks (per Ord. 3041)	10 ft front / 5 ft other
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed buffer.	

7. TIME OF COMPLIANCE

The operator of the Conditional Use Permit shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use Permit approval shall expire twelve (12) months after the date of adoption of the ordinance if building permits have not been issued for this use. The applicant shall re-apply for Conditional Use Permit approval prior to recommencing work or construction.

8. DURATION OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to **ten (10) years** from the date of issuance of the Conditional Use Permit. The owner may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

9. 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.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit 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 11 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.

11. REVOCATION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature _____
Date

(please print name)

DRAFT

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 28, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 PM. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Alderman Loreck, Mayor Bukiewicz, Commissioner Oldani. Alderman Guzikowski, Commissioner Siefert, and Commissioner Chandler were excused. Also present: Senior Planner Kari Papelbon, Planning Intern Melanie Perez, and Assistant Fire Chief Mike Havey.

**CONDITIONAL USE PERMIT
AVG INTERMEDIATE HOLDINGS D/B/A URGENT VET
8907 S. HOWELL AVE.
TAX KEY NO. 859-9042-001**

Senior Planner Papelbon provided an overview of the request for a Conditional Use Permit for a veterinary clinic/animal hospital within the existing multitenant commercial building on the property at 8907 S. Howell Ave. (see staff report for details).

Rod Carter and Dimitri Zografi, attorneys with Husch Blackwell, 511 N. Broadway, Suite 1100, Milwaukee, WI 53202, representing the applicant stated their happiness to answer any questions and that staff correctly articulated the intent and framework of the proposed operation.

Commissioner Hanna asked how many veterinarians will be on call during operating hours to which Senior Planner Papelbon explained staffing amounts were not included in the presentation. Att. Zografi stated at least one staff and one doctor would be available, but the exact number is unknown. Commissioner Hanna stated the importance of that information as time is limited. Att. Zografi further explained, the proposed online scheduling system allows for the appropriate number of patients to be seen given the number of staff available that day. Commissioner Hanna then asked how a situation in which a patient needs to be seen but there is only one doctor available would be handled to which Att. Zografi explained the online scheduling portal will show wait time and suggested time to be seen by the doctor, but staffing information can be provided at the next Commission meeting.

Alderman Loreck stated his approval for the use in the area, there is a need for an urgent care veterinary clinic. Alderman Loreck went on to express a concern regarding the location of the pet relief area, as it is very close to a pedestrian sidewalk and Howell Avenue, going on to acknowledge the provided baggies for pet owners to use and asked if the clinic will be monitoring the area to ensure the area remains picked up. Att. Zografi answered in the affirmative, both the facility and the landlord will be expected to ensure the area remains clean. Mayor Bukiewicz mirrored Alderman Loreck's concerns and suggested a second pet-relief area to which Att. Carter explained that location would be difficult place to get to for the animals in urgent situations. Senior Planner Papelbon stated the proposed relief area is where the monument sign is located and a street yard so fencing will not be allowed. Mayor Bukiewicz restated his concern for the area being properly maintained.

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit to allow a veterinary clinic on the property at 8907 S.

Howell Avenue after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (December 12, 2023).

Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

ATTEST:



Kari Papelbon, Plan Commission Secretary

12-13-23

Date

**DRAFT EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, DECEMBER 12, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 PM. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Chandler. Commissioner Siefert and Alderman Loreck were excused. Also present: Senior Planner Kari Papelbon, Planning Intern Melanie Perez, and Assistant Fire Chief Mike Havey.

**CONDITIONS AND RESTRICTIONS
ROD CARTER, AVG INTERMEDIATE HOLDINGS D/B/A URGENTVET
8907 S. HOWELL AVE.
TAX KEY NO. 859-9042-001**

Senior Planner Papelbon provided an overview of the conditions and restrictions as part of a request for a Conditional Use Permit for a veterinary facility at the existing multitenant building on the property at 8907 S. Howell Ave. (see staff report for details).

Senior Planner Papelbon presented the following Conditions and Restrictions:

- | | |
|---------------------------------------|----------------------------|
| Section 2 | Section 4 |
| – Requirements of PUD in effect | – Parking per PUD and Code |
| Section 3 | Section 5 |
| – Uses allowed per Code | – Lighting per Code |
| – No 24/7 operations per PUD | Section 6 |
| – One (1) pet relief area | – Setbacks per PUD |
| – No outdoor storage, sales, etc. | Section 8 |
| – Parking areas per PUD and Code | – Duration = 10 years |
| – Signs per Master Sign Plan and Code | |

Mayor Bukiewicz stated the importance of maintaining the pet relief area.

Commissioner Hanna moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit to allow a veterinary clinic on the property at 8907 S. Howell Avenue.

Commissioner Oldani seconded. On roll call: all voted aye. Motion carried.

ATTEST:

Kari Papelbon, Plan Commission Secretary

Date



COMMON COUNCIL REPORT

Item: Structural Firefighting Gear Purchase

Recommendation: That the Common Council approves the purchase of 49 sets of Innotex Energy structural firefighting turnout gear.

Fiscal Impact: \$158,037.25, funded by the \$168,400 available in Capital Improvement Program account #40-20-40-00970-20009.

- Critical Success Factor(s):**
- Active, Vibrant, and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe, and Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Oak Creek Fire Department maintains a 5-year replacement program for structural firefighting turnout gear. Each member of the department is issued a primary and back-up set of gear, with the primary set rotating into back-up service after 5-years. After a total of 10-years of service life, department turnout gear is taken out of service, either through disposal or issuance to cadets and interns who do not have structural firefighting responsibilities. The department’s current primary sets of gear reach the five-year service mark in June of 2024, this purchase request represents the replacement of those primary sets of gear and the decommissioning of the existing back-up sets of gear.

In preparations for this year’s turnout gear replacement, a department committee investigated 3 different turnout gear models: Honeywell Morning Pride, Globe, and Innotex Energy. Each set of gear was evaluated against criteria including protective features, weight, flexibility, feedback from other departments, available options, and cost. The Innotex Energy was recommended for purchase by the committee due to its performance, available options/configurations, and reputation. In terms of cost, the Innotex Energy was also the lowest priced of the 3 sets of gear evaluated, with a price point approximately \$150 to \$750 per set below the cost of the other models.

Options/Alternatives: NA

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Michael A. Kressuk, Jr
Fire Chief

Fiscal Review:

Maxwell Gagin

Maxwell Gagin, MPA

Deputy City Administrator / Finance Officer

Attachments:

Quote – Gear Configuration

Sales Quote



Tél.: 819-826-5971
 Fax: 819-826-5195

Quote

Quote : QUO-85420-J3X7N

www.innotexprotection.com

To

Company JEFFERSON FIRE & SAFETY, INC.
 Name of the Quote Oak Creek Fire Department
 Contact Tyler Jefferson
 Phone (800) 697-3473
 Fax (608) 836-4927

YOUR QUOTATION

USD

COAT ENERGY - INNOTEX ENERGY™	QTY	MSRP	SUB TOTAL
NFPA 1971-2018			
32" STYLE - SINGLE COLOR OUTER SHELL - WITH SINGLE METABOLIC ZONE (THERMAL BARRIER)	1		
Armor AP™, 80% Nomex®/Kevlar® spun yarns with 20% 400 denier Kevlar® filament 6.5 osy - Black			
Stedair© 4000, 5.5 osy			
Glide Ice™ 2-layer (2.3 osy & 1.5 osy E89™), 7.4 osy			
3M Scotchlite® 3" (triple trim) - Yellow Grey MICRO PERFORATED			
Trim Pattern: NFPA Style	1		
Zipper closure system (VISLON®)	1		
Full bellows pockets (pair) - (8" x 9" x 2") - Lined with Kevlar® twill reinforcement	1		
Radio pocket (unit) - Regular	1		
Energy flap with hole on left and right with Grabber™	1		
POSITION: Radio Pocket: H: 8 x L: 4 x D: 2 (dimensions in inches) - POSITION B -			
Inside pocket (7.5" x 8") with hook & loop (1" x 3") (unit) - Regular	1		
Nomex®Spandex handguard with thumbloop - Black	1		
WITHOUT eyelets at the end of the sleeves	1		
Vented back protection Airflow™	1		
Vented shoulders protection Airflow™	1		
Mic loop / P.A.S.S. loop / 2 UNITS / Right chest / Left chest	2		
Flashlight Holder - Clip with Hook & Loop Fastener (SL-90) / 1 UNITS / Right chest	1		
PERSO: Right sleeve (E) - Nomex® Embroidered American flag / Sewn on shell	1		
PERSO: Hem of coat (M) - Lettering - Different for each unit ([2]-Name - see list) / Average 10 letters / Scotchlite® 2" - Lime yellow / Straight / Sewn on fixed patch / 4" X 17" / Outer Shell	1		
"Maltese cross" Embroidery - CUSTOMER SPEC	1		

Polymer coated aramid Color: BLACK

POSITION: Inside pocket:

SPECIAL NOTES: Department Crest on Name plate before name on Tail

COAT SPECIAL PRODUCTION RUN	1
N-STD: Hand-warmer pockets with Nomex FR polar fleece (ON TOP AND BOTTOM) (pair)	1
NOT AVAILABLE POSITION: D-Ring on shell strap / 1 UNIT / Align in height with flap of right bellow pocket (near back)	1
Limited 2-year Warranty	1

PANTS ENERGY - INNOTEX ENERGY™	QTY	MSRP	SUB TOTAL
NFPA 1971-2018			
Mobility - Regular waist - SINGLE COLOR OUTER SHELL - WITH SINGLE METABOLIC ZONE (THERMAL BARRIER)	1		
Armor AP™, 80% Nomex®/Kevlar® spun yarns with 20% 400 denier Kevlar® filament 6.5 osy - Black			
Stedair© 4000, 5.5 osy			
Glide Ice™ 2-layer (2.3 osy & 1.5 osy E89™), 7.4 osy			
3M Scotchlite® 3" (triple trim) - Yellow Grey MICRO PERFORATED			
Trim Pattern: Standard NFPA	1		
Zipper closure system (VISLON®)	1		
Full bellows pockets (pair) - (10" X 10" X 2") - Lined with Kevlar® twill reinforcement	1		
Divider pocket for full bellow pockets only (unit)	1		
POSITION: Pocket divider 1: Right pocket 50 / 50			
EMK™ (Enhanced Mobility Knee) in Polymer coated aramid - With closed cell FR blend sponge foam (BLACK REINFORCEMENT)	1		
DELUXE Cotton suspenders ("H style")	1		
Escape Belt ** WARNING** available for sizes 28 to 52 only	1		
Belt loops (4" x 2") (6 units)-(4" x 2")	1		
Polymer coated aramid Color: BLACK			
PANTS SPECIAL PRODUCTION RUN	1		
N-STD: Kit of 2 anti-sway belt loops added on back center belt (4"x2")	1		
Limited 2-year Warranty	1		

Because of our ongoing commitment to product quality and development, we reserve the right to change, cancel, discontinue or alter any specification, price, design or feature without prior notice and without incurring any obligation.



Jefferson Fire and Safety, Inc.
 7620 Donna Drive
 Middleton, WI, 53562
 Phone: 608-836-0068
 Web: www.jeffersonfire.com

Quote

Order No: 211112
Order Date: 11/22/2023
Due Date: 11/22/2023
Salesperson: Tyler Jefferson
Customer ID: 03314

BILL TO:		SHIP TO:		
Oak Creek Fire Department 7000 S. 6th Street Oak Creek WI 53154		Oak Creek Fire Department 7000 S. 6th Street Oak Creek WI 53154		
CUSTOMER P.O. NO.	TERMS	CONTACT		
	Net 20 Days	Jeff Mallas		
FOB POINT	SHIPPING TERMS	SHIP VIA		
		UPS		
ITEM	ITEM DESCRIPTION	QTY.	UNIT PRICE	EXT PRICE
INN ENERGY-AP-CB	Innotex Energy Armor AP Nom. / Kev. Coat Black	1.00	1,949.25	1,949.25
INN ENERGY-AP-PB	Innotex Energy Armor AP Nom. / Kev. Pants Black	1.00	1,276.00	1,276.00

 Signature Date

All returns must be received within 30 days of delivery and may be subject to a 25% restocking fee. Custom orders cannot be returned.
 Visit our website for complete details: www.jeffersonfire.com

*** Credit card payments will incur a 3% processing fee ***

	Sales Total:	3,225.25
	Freight:	0.00
	Tax Total:	0.00
	Total (USD):	3,225.25

COMMON COUNCIL REPORT

Item: We Energies Electric Easement

Recommendation: That the Common Council adopts Resolution No. 12469-011624, a resolution granting a We Energies 6-ft wide permanent underground electric easement at 530 E. Shepard Hills Drive (Tax Key No. 907-9040-000) (3rd Aldermanic District.)

Fiscal Impact: None

Critical Success Factor(s):

- Active, Vibrant, and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe, and Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The easement area is described as a strip of land 6-feet in width being a part of Parcel 1, of Certified Survey Map No. 6870, as recorded in the office of the Register of Deeds for Milwaukee County on September 22nd, 2000, as Document No. 7964748. The proposed easement is located along the eastern property line, and extends the entire length of the eastern property line. The work is to replace a mid-1970's buried cable that serves the Shepard Hills neighborhood. The current buried cable is located on the four residential properties abutting on the east, and because of obstructions on the abutting properties, We Energies is proposing to replace the buried cable a few feet west, and onto (and along) the east property line of 530 E. Shepard Hills Drive. In an effort to minimize disturbance, the proposed buried cable will be installed via directionally boring.

Options/Alternatives: If the easement is not granted, the electrical service to the surrounding Shepard Hills neighborhood will be impacted.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Ashley Kiepczynski, PE
Assistant City Engineer

Fiscal Review:



Maxwell Gagin, MPA
Deputy City Administrator / Finance Officer

Approved:



Matthew J. Sullivan, PE
Assistant City Administrator / Engineer

RESOLUTION NO. 12469-011624

BY: _____

RESOLUTION GRANTING TO WE ENERGIES A 6-FOOT WIDE PERMANENT UNDERGROUND ELECTRIC EASEMENT AT 530 E. SHEPARD HILLS DRIVE

(TAX KEY NO. 907-9040-000)

(3RD ALDERMANIC DISTRICT)

WHEREAS, WE Energies requires a 6-foot wide permanent underground electric easement to replace buried electric cable that serves the Shepard Hills Neighborhood, and;

WHEREAS, the proposed permanent underground electric easement would be located across the City property at 530 E. Shepard Hills Drive, and;

WHEREAS, the WE Energies buried line would provide an electric feeder to the Shepard Hills Neighborhood and WE Energies requires all of its underground electrical cable to be located within permanent easements;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the 6-foot wide permanent underground electric easement at 530 E. Shepard Hills Drive be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit the executed easement to WE Energies for their recording of the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of January, 2024.

Passed and adopted this 16th day of January, 2024.

President, Common Council

Approved this 16th day of January, 2024.

Mayor

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

**DISTRIBUTION EASEMENT
UNDERGROUND**

Document Number

WR NO. **4921584** IO NO. **CR1145**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF OAK CREEK**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a strip of land six (6) feet in width being a part of **Parcel 1**, of that certain **Certified Survey Map No. 6870**, as recorded in the office of the Register of Deeds for Milwaukee County on September 22nd, 2000, as **Document No. 7964748**; also being a part of the **Northwest ¼ of Section 28, Township 5 North, Range 22 East**, City of Oak Creek, Milwaukee County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P129
PO BOX 2046
MILWAUKEE, WI 53201-2046

907-9040-000
(Parcel Identification Number)

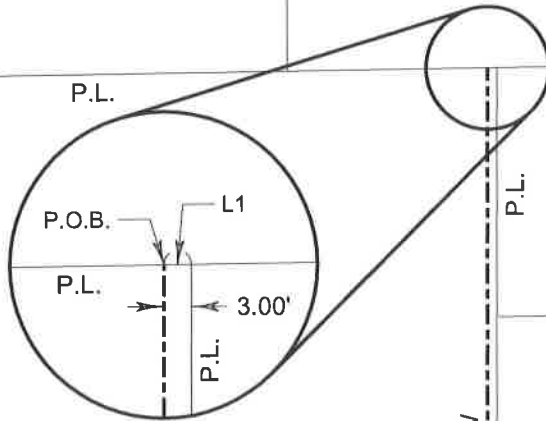
1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, together with all necessary and appurtenant equipment under ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

KEY

 CENTERLINE OF A 6 FOOT
 WIDE EASEMENT AREA

LINE	LENGTH	BEARING
L1	3.00'	S89°30'26"W

LOT 1
 CSM 186



DETAIL
 1" = 20'

PARCEL 1
 CSM 6870

339.17' S00°10'00"W

SHEPARD HILLS PARK
 BLOCK 1

LOT 4

LOT 3

LOT 2

LOT 1

S. VERONICA DR
 (60' R.O.W.)

3.00'

P.O.E.

R.O.W.

SHEPARD HILLS DR
 (66' R.O.W.)

BEARINGS REFERENCED TO
 WISCONSIN STATE PLANE COORDINATE SYSTEM,
 SOUTH ZONE (NAD 27)

SCALE, FEET



7711 N. Port Washington Road
 Milwaukee, Wisconsin 53217
 Kapurinc.com

EXHIBIT "A"



PART OF THE PARCEL 1, CSM 6870
 LOCATED IN THE NW 1/4 OF
 SEC. 28, T5N, R22E, CITY OF OAK CREEK,
 MILWAUKEE COUNTY, WISCONSIN

WR NUMBER:	4921584
DATE:	12/11/2023
DRAWN BY:	CWW
SCALE:	1" = 60'
PAGE 1 of 1	

COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 1/16/24 License Committee Report.

Fiscal Impact: License fees in the amount of \$3,227.50 were collected.

Critical Success Factor(s):

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

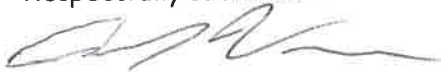
Background:

1. Grant an Operator's license to (favorable background reports received):
 - * Paul F. Hauser (The Cellar)
 - * Kimberly I. Burdick (Route 41/Sidetracked)
 - * Olivia J. Diaz (Milwaukee Yard)
 - * Loralie Dobrowolski (Fairfield Inn)
 - * Tarun R. Gaddamedi (Ryan Road Mobil)
 - * Jennifer C. Villanueva (BP W Discount Liquor)
 - * Theresa L. Porter (Classic Lanes)
 - * Kayli E. Miller (Milwaukee Yard)
 - * Angela M. Rossol (Walgreens)
 - * Didier Z. Flores Cruz (Fairfield Inn)
2. Grant a 2024 Secondhand Article license to Sean Flaherty, ecoATM, LLC for kiosks to purchase used consumer electronic devices inside the following locations, with release of license subject to final departmental approval:
 - * Pick 'n Save, 8870 S. Howell Ave.
 - * Pick 'n Save, 6462 S. 27th St.
3. Grant a 2024 Secondhand Jewelry Dealer license to Julie Ann Turner, Ruby & Jewels, 8811 S. Charmaine Cir.
4. Grant a 2024 Secondhand Article Dealer / Jewelry Dealer license to Richard Radtke, Oak Creek Currency & Coin, 616 E. Ryan Rd., with release of license subject to final departmental approval.
5. Grant a 2024 Mobile Home Park license to the following, with release of license subject to final departmental approval:
 - * ACG Oak Creek, LLC dba ACG Oak Creek, 2301 W. College Ave.
 - * TCSC LLC dba HyView Mobile Home Park, 2331 W. College Ave.
 - * Sunrise Shores WI MHC, LLC dba Sunrise Shores MHC, 8481 S. Fifth Ave.

-
6. Grant a 2024 Dog Kennel license to the following, with release of license subject to final departmental approval.
- * Jacob Dorst, Leo's Playland LLC dba Central Bark Oak Creek, 1075 W. Northbranch Dr., Unit B.
 - * Brett Ippolite, DDA Oak Creek dba Camp Bow Wow, 8411 S. Liberty Ln.
 - * Bradley Osgood, Brentwood Animal Hospital, 318 W. Ryan Rd.
7. Grant a 2024 Transient Merchant company license to Weed Man Lawn Care, 1425 Commerce Ave., Suite A, Brookfield, WI, and to the following solicitors (favorable background reports received):
- * Michael T. Ross
 - * Sebastian E. Maestre Miranda
 - * Hayden A. Frym
 - * Samuel A. Irizarry
 - * Nicholas T. Nestor
 - * Matthew J. Stokman
8. Grant a 2024 Transient Merchant company license to Everlight Solar, 1155 Clarity St., #203, Verona, WI, and to the following solicitors (favorable background reports received):
- * James Hansen
 - * Cristian Carrero
 - * Ethan Smith
 - * Derek Brellenthin
 - * Alex Listrom

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller CMC/WCMC
Deputy City Clerk

Fiscal Review:



Maxwell Gagin, MPA
Deputy City Administrator / Finance Officer

Attachments: none



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the December 27, 2023 Vendor Summary Report in the total of \$501,086.46.

Fiscal Impact: Total claims paid of \$501,086.46. Of this grand total paid, \$224,922.65 will affect fiscal year 2023. The remaining amount of \$276,163.81 will affect fiscal year 2024.

- Critical Success Factor(s):c**
- Active, Vibrant and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe & Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: Of note are the following payments:

1. \$7,188.00 to Archive Social (pg #15) for 2024 archiving subscription.
2. \$5,027.82 to AT&T (pgs #1-2) for monthly phone and VOIP services.
3. \$8,725.00 to Best Technology Systems, Inc. (pg #2) for range cleaning and disposal of hazardous waste.
4. \$69,771.68 to Bestco UA (pg #15) for January retiree insurance.
5. \$8,756.40 to CDW Government, Inc. (pg #3) for Cisco phone server. Project #21023.
6. \$7,410.00 to City of Oak Creek (pg #15) for stormwater fees.
7. \$5,320.00 to Digicorp, Inc. (pg #15) for 2024 EXACQ support renewal.
8. \$43,100.00 to ESRI, Inc. (pg #15) for enterprise agreement fee.
9. \$18,460.75 to Graef (pg #4) for Puetz/Liberty Intersection Improvements. Project #22006.
10. \$6,832.50 to Land Services Company (pg #7) for services related to acquisition of 4301 E. Depot Rd.
11. \$7,410.99 to Living Inspired LLC (pg #7) for tax overpayment refund.
12. \$9,077.46 to Medical Expense Reimbursement Account (pg #15) for WI HRA VEBA Plan.
13. \$61,035.98 to Parking Lot Maintenance LLC (pg #9) for S. 13th St. sidewalk construction. Project #18021
14. \$103,772.08 to ProPhoenix (pg #15) for 2024 support and netmotion.
15. \$5,435.01 to Ramboll America Engineering Solutions, Inc. (pg #10) for professional services related to Lakeshore Commons and Peter Cooper. Project #23006.
16. \$10,289.71 to Ray O'Herron Co., Inc. (pg #9) for ammo, training mags, and body armor replacement. Project #19011.

-
17. \$11,524.00 to Titan Public Safety Solutions, LLC (pg #15) for 2024 court software support.
 18. \$7,745.00 to Tritech Software Systems (pg #15) for Unify annual maintenance fee.
 19. \$6,595.19 to Vermont Systems, Inc. (pg #16) for RecTrac system support.
 20. \$24,648.85 to WE Energies (pgs #18-19) for street lighting, electricity & natural gas.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory T. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gagrin, MPA
Deputy City Administrator / Finance Officer

Attachments: 12/27/2023 Invoice GL Distribution Report



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the January 10, 2024 Vendor Summary Report in the total of \$2,650,293.80

Fiscal Impact: Total claims paid of \$2,650,293.80. Of this grand total paid, \$2,331,623.11 will affect fiscal year 2023. The remaining amount of \$318,670.69 will affect fiscal year 2024.

Critical Success Factor(s):c

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Of note are the following payments:

1. \$15,705.78 to ADK Design, Inc. (pg #16) for bond refunds.
2. \$25,151.48 to CDW Government, Inc. (pg #3) for Office 365 licenses and Yubikeys.
3. \$19,358.00 to E. H. Wolf & Sons, Inc. (pg #4) for fuel inventory.
4. \$1,868,504.00 to Edgerton Contractors, Inc. (pg #4) for work on Lakefront Bluff Stabilization. Project #23005.
5. \$14,473.15 to Enterprise FM Trust (pg #19) for DPW vehicle lease monthly payment. Project #19024.
6. \$6,023.89 to Galls, LLC (pg #5) for uniforms.
7. \$103,502.88 to GFL Environmental (pg #6) for December trash and recycling.
8. \$35,566.91 to Graef (pg #6) for Puetz/Liberty Intersection Improvements and Drexel Ave. Streetscape - Phase 1. Projects #22006 & #23002.
9. \$5,243.43 to Jean A. Fenelon (pg #7) for tax overpayment refund.
10. \$7,800.00 to MGT of America Consulting (pg #9) for professional fees relating to recruitment of Community Development Director.
11. \$128,121.00 to Municipal Property Insurance Co. (pg #21) for 2024 insurance payment.
12. \$67,216.08 to Oak Creek - Franklin Joint School District (pg #21) for 50% of joint platform for 2024.
13. \$14,245.08 to Ramboll America Engineering Solutions, Inc. (pg #11) for professional services related to Beazer & Connell.
14. \$24,064.71 to Santander Bank, NA (pg #22) for utility tractor payment. Project #21014.

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15. \$9,200.00 to TLC Carpet Care (pgs #13 & #23) for carpet cleaning.
 16. \$17,375.00 to Tyler Technologies, Inc. (pg #13) for consulting services.
 17. \$58,180.75 to US Bank (pgs #25-35) 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.
 18. \$43,786.97 to WE Energies (pg #32) for street lighting, electricity & natural gas.
 19. \$9,272.88 to WI Court Fines & Surcharges (pg #14) for December court fines.
 20. \$14,533.20 to Zoho Corporation (pg #23) for 2024 subscription fees.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory T. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gagin, MPA
Deputy City Administrator / Finance Officer

Attachments: 01/10/2024 Invoice GL Distribution Report