NOTICE OF MEETING AND PUBLIC HEARING
VILLAGE OF FOX POINT
VILLAGE BOARD MEETING

SCHWEMER HALL – MUNICIPAL BUILDING
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217

TUESDAY
FEBRUARY 9, 2021
7:00 P.M.

NOTE: THE VILLAGE BOARD WILL BE MEETING ENTIRELY VIRTUALLY VIA TELEPHONIC AND VIDEO CONFERENCING. THE GOVERNING BODY WILL NOT BE PRESENT AT VILLAGE HALL. THIS MEETING IS OPEN TO ALL CITIZENS THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT sbotcher@villageoffoxpoint.com.

Zoom Participant Information
https://us02web.zoom.us/j/87554940040
Dial: (312) 626-6799
Meeting ID: 875 5494 0040

AGENDA

1. **Roll Call**

2. **Persons desiring to be heard**

   At this time, individuals can address the Village Board on one or more topics for up to three-minutes with time extensions at the Village President's discretion. Per Fox Point Emergency Proclamation No. 3, there will be no citizen comments received during this meeting other than during this "persons desiring to be heard" agenda item, and during the public hearing noted in item 4, below, to avoid confusion and preserve order during the virtual meeting. In connection with non-agenda items, no action will be taken except for possible referrals to individuals or committees.

3. **Committee Reports**

   a. **Plan Commission**

      1. The Village Board will receive a report concerning the Plan Commission's review and recommendation to the Village Board regarding the Certified Survey Map, which includes a proposed land combination of eleven parcels submitted by Applicant Fox Point Lutheran Church, located at 7510 North Santa Monica Blvd.

      2. Consideration of Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) and 745-17 B. (6) of the Village of Fox Point Zoning Code Concerning Residence Districts.

      3. Plan Commission's recommendation to Village Board regarding the request for a Conditional Use Permit from Spring North Corp., d/b/a Pantry 41, 8000 N. Port Washington Road, Fox Point, for a Convenience Store and Gas Station.
         (Page 1)

4. **Public Hearings**

a. **Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) and 745-17 B. (6) of the Village of Fox Point Zoning Code Concerning Residence Districts**

   The Village Board will hear comments and input regarding an Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) and 745-17 B. (6) of the Village of Fox Point Zoning Code Concerning Residence Districts.
   (Page 2)

b. **Conditional Use Permit for Spring North Corporation, d/b/a, Pantry 41, 8000 North Port Washington Road, Fox Point**

   The Village Board will hear comments and input regarding a proposed Conditional Use Permit for Spring North corporation, d/b/a, Pantry 41, 8000 North Port Washington, Fox Point, for a gas station and convenience store.
   (Page 3)

5. **Consent Agenda –** All items listed under the Consent Agenda will be approved in one motion without discussion unless any Board member requests that the item be removed for individual discussion and possible action. Any item(s) so removed shall be considered individually prior to consideration of any New Business agenda items in the same order in which they were originally listed in the Consent Agenda.

   a. Approve the minutes of the January 12, 2021 Village Board meeting.
      (Pages 4-8)
   b. Approve the Land Combination and Certified Survey Map submitted by Applicant Fox Point Lutheran Church for the property located at 7510 North Santa Monica Blvd upon all terms and conditions recommended by the Plan Commission.
      (Pages 9-15)
   c. Approve payment of the bills in the amount of $1,040,073.35 for the period January 1, 2021 through January 31, 2021per the report submitted by the Village Manager.
      (Pages 16-30)

6. **Unfinished Business**

   a. **Consideration of Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) And 745-17 B. (6) of the Village of Fox Point Zoning Code Concerning Residence Districts**

      The Village Board will consider and may act on an Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6), And 745-17 B. (6) of the Village of Fox Point Code Concerning Residence Districts.
      (Pages 31-36)

   b. **Conditional Use Permit to Spring North Corp., d/b/a Pantry 41, 8000 North Port Washington Road, Fox Point, for a Convenience Store and Gas Station**

      Consider and possible action on a Conditional Use Permit to Spring North Corp., d/b/a Pantry 41, 8000 North Port Washington Road, Fox Point, for a Convenience Store and Gas Station (Pages 37-149)

7. **Future Agenda Items**

   The Village Board will act on any Trustee requests to place additional matters on an upcoming agenda, without discussion.

8. **Announcements**

The following individuals will be given the opportunity to make announcements at the meeting in regard to (i) actions taken since the previous Village Board meeting on behalf of the Village, (ii)

future Village activities and (iii) communications received from citizens. These matters will not be discussed or acted on, and Board members shall not comment on matters announced by others. Referrals may be made to committees and/or individuals.

a. Village President Frazer
b. Trustee Fonstad
c. Trustee Symchych
d. Trustee Sumner
e. Trustee Tirado
f. Trustee Kravit
g. Trustee Ollman
h. Village Manager Scott Botcher

9. Closed Session

It is anticipated the Village Board will convene into closed session for the following reason(s):

a. Pursuant to Wisconsin Statutes Section 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved with regard to existing and potential sinkholes in the Village, affected Village infrastructure, liabilities and potential claims. Participating in the closed session will be the Village Board, Village Manager, Assistant Village Manager, Public Works Director Scott Brandmeier, Village Clerk, and Village Attorney.

b. Pursuant to Wisconsin Statutes Section 19.85(1)(e) to Deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Specifically, discuss possible acquisition opportunities for municipally owned properties, and related property transfers. Participating in the closed session will be the Village Board, Village Manager, Assistant Village Manager, Village Clerk, and Village Attorney.

10. Reconvene and Possible Action on Closed Session Items

The Village Board will reconvene into open session and may take action by duly adopted motion or resolution on the above-described matters which were considered in closed session.

11. Adjourn

NEXT REGULAR VILLAGE BOARD MEETING: March 9, 2021 7:00 P.M.

PLEASE NOTE:
Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. Also, upon reasonable notice, best efforts will be used to ensure that members of the public lacking access to the virtual meeting platform are provided alternative reasonable methods to attend. For additional information or to request these services, contact the Village Clerk at (414) 351-8900. "Persons requiring an interpreter or other assistance should contact the Village Clerk's office 72 hours prior to the meeting. Notice is hereby given that a majority any other board, commission or committee may be present at the meeting to gather information about a subject in which they are interested. This constitutes a meeting of any other board, commission or committee pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 2d 408 (1993), and must be noticed as such, although said boards, commissions or committees will not take any formal action at this meeting."

VILLAGE OF
FOX POINT

To: Village Board

From: Scott A. Botcher, Village Manager

cc: Michael Pedersen, Assistant Village Manager; Kelly Meyer, Clerk-Treasurer

Date: February 4, 2021

Re: Agenda Review

I just wanted to offer a brief overview prior to the reports to be given at the meeting, primarily about the Plan Commission.

The Plan Commission unanimously recommended for approval the lot combination submitted by the Fox Point Lutheran Church as well as the recreation of various parts of the zoning code (Item 6a).

The Plan Commission voted 4-0 to recommend denial of the application for the gas station and convenience store at 8000 N. Port Washington Road. I have included several items in the agenda packet, including the memo written for the Plan Commission, the application, letters from interested parties, and the Small Area Planning Study from 2015.

Please contact me if you have any further questions. Thank you.

VILLAGE HALL
7200 North Santa Monica Blvd.
Fox Point, Wisconsin 53217-3505
414-351-8900 | Fax 414-351-8909

OFFICIAL NOTICE
VILLAGE OF FOX POINT
NOTICE OF PUBLIC HEARING
PROPOSED ORDINANCE TO REPEAL AND RE-CREATE SECTION 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) AND 745-17 B. (6) OF THE VILLAGE OF FOX POINT VILLAGE ZONING CODE
CONCERNING RESIDENCE DISTRICTS

NOTICE IS HEREBY GIVEN that the Village Board of the Village of Fox Point will hold a public hearing on Tuesday, February 9, 2021, to receive comments and input on the proposal to Repeal and Re-Create certain terms and conditions within the Village of Fox Point code residence districts. This ordinance is described in the preamble as not modifying the substance of the regulations applicable to each zoning district, but only making the provisions more clear, more user friendly, and less susceptible to misinterpretation, by eliminating certain internal code references and instead directly describing the regulations that apply in each residential district. The Village Board meeting starts at 7:00 p.m. and the public hearing will be held immediately after the agenda item entitled "Persons Desiring to Be Heard".

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Zoom Participant Information
https://us02web.zoom.us/j/87554940040

Dial: (312) 626-6799
Meeting ID: 875 5494 0040

The draft ordinance is available in the office of the Village Clerk and may be viewed during Village office hours (M-TH 8:00 a.m. until 4:00 p.m. and FRI 8:00 a.m. until noon).

Any interested persons may attend this meeting and voice their comments or concerns. If it is inconvenient to appear at the hearing, you may file your comments, by letter, containing your name and address, stating fully what the comments are, to the Fox Point Village Board, 7200 N. Santa Monica Blvd., Fox Point, WI 53217.

Kelly A. Meyer, Village Clerk Treasurer

Posted (C2 Notice): 01/18/2021

OFFICIAL NOTICE
VILLAGE OF FOX POINT
NOTICE OF VILLAGE BOARD PUBLIC HEARING ON CONDITIONAL USE PERMIT

SPRING NORTH CORPORATION, D/B/A, PANTRY 41
8000 NORTH PORT WASHINGTON ROAD

NOTICE IS HEREBY GIVEN that the Village Board of the Village of Fox Point, Milwaukee County, is scheduled to hold a public hearing in the Schwemer Hall Board Room of Village Hall, 7200 N. Santa Monica Blvd, Fox Point, Wisconsin, on Tuesday, December 8, 2020 to receive comments and input regarding a proposed Conditional Use Permit to Spring North Corporation, d/b/a, Pantry 41, 8000 North Port Washington Road, Fox Point, for a gas station and convenience store, as required per Wis. Stats. Section 62.23(7) (de) (3) and Wis. Stats. 61.35.

The Village Board meeting begins at 7:00 p.m. This public hearing is scheduled to take place immediately following Committee Reports. This hearing shall be public and citizens and interested persons shall then be heard.

The specific proposed conditional use permit application and related materials are available for viewing in the office of the Village Clerk Monday through Thursday from 8:00 a.m. - 4:00 p.m. and on Friday from 8:00 a.m. to 12:00 noon. Please feel free to contact the Village Clerk at (414) 351-8900 if you have any questions.

Dated this 11th day of November, 2020.

By order of the Fox Point Village Board

Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer

***NOTE:**
THIS PUBLIC HEARING HAS BEEN POSTPONED BY VILLAGE BOARD REGARDING THE CONDITIOINAL USE PERMIT FOR SPRING NORTH CORPORATION, D/B/A, PANTRY 41, 8000 NORTH PORT WASHINGTON RD UNTIL AFTER THE VILLAGE BOARD MEETING FEBRUARY 9, 2021 AT 7:00 PM

C2 Published/Posted: *November 24, 2020
*December 1, 2020
* Postponed and Posted through February 10, 2021

Posted to Village Website and VH Posting Board

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING AND PUBLIC HEARING MINUTES
JANUARY 12, 2021

A meeting and public hearing Fox Point Village Board was held virtually via telephonic and video conferencing on Tuesday, January 12, 2020 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Frazer called the meeting to order at 7:00 p.m. and asked the Village Clerk-Treasurer to take roll call. Roll Call of the Village Board present included:

Village President Douglas H. Frazer
Trustee Eric Fonstad
Trustee Christine Symchych
Trustee Liz Sumner-(Joined at 7:05 p.m.)
Trustee Marty Tirado
Trustee Greg Ollman
Trustee Bill Kravit

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, Public Works Director Scott Brandmeier, and Village Clerk Treasurer Kelly Meyer.

Notice of the meeting was provided to the North Shore Now and to all others as required by State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard, as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

Persons desiring to be heard

President Frazer opened Persons desiring to be heard and clarified the rules, including the matter of the Conditional Use Permit Public Hearing for Spring North Corporation; no comments will be heard on the matter. Comments should be reserved for the Public Hearing with the applicant present, after referral from the Plan Commission to the Village Board. This may potentially be at the February 9, 2021 Village Board meeting.

Elizabeth Aelion 210 W Bergen Court

Ms. Aelion commented on two 2021 capital budget projects: Lake Drive and Beach Drive.

Sami Stein Avner, 502 E Bradley Road

Ms. Avner is attending in support of the Resolution regarding the Village's support and recognition of Martin Luther King Day for January 18, 2021 (item 5d); this is an important first step in addressing the issue of racial justice and beginning conversation in the Village of Fox Point in particular. There is a new North Shore Coalition being created that includes both individuals, non-profit organizations, and municipalities to educate and inform about these issue.

Without objection and hearing no other remarks, President Frazer closed the public comment period.

Committee Reports – Plan Commission

Trustee Fonstad informed the public and Village Board on the January 4, 2021 Plan Commission meeting. Trustee Fonstad reported the only item on the agenda was a report concerning the Comprehensive Plan Special Committee. The Committee officially delivered to the Plan Commission a current copy of the draft Comprehensive Plan. The draft Plan has been posted on the Village website. The Comprehensive Plan Special Committee has concluded its work.

President Frazer explained the Village Board's and Plan Commission's upcoming role in connection with the adoption of the new comprehensive plan.

DRAFT

Public Hearing: Conditional Use Permit for Spring North Corporation, d/b/a, Pantry 41, 8000 North Port Washington Road, Fox Point

Motion by President Frazer, seconded by Trustee Sumner, and carried by roll call vote (7-0) to postpone the Public Hearing regarding the Conditional Use Permit for Spring North Corporation, d/b/a, Pantry 41, 8000 North Port Washington Road until the Village Board meeting February 9, 2021 at 7:00 p.m.

Consent Agenda

a. Approve the minutes of the December 8, 2020 Village Board meeting.

b. Accept the quotes from multiple vendors in an amount not to exceed $25,850 for the spring tree order purchase and authorize the Village Manager to execute the necessary purchase orders per the Village Forester's memorandum dated January 4, 2021.

c. Approve Change Order No. 1 from Kapur & Associates in an amount not to exceed $7,987 for additional design activities related to the 2021 road and utility project and authorize the Village President and Village Clerk/Treasurer to sign the change order per the Director of Public Works' memorandum dated January 6, 2021.

d. Adopt Resolution to recognize and support Martin Luther King Day in Memory of Rev. Dr. Martin Luther King, Jr. in the Village of Fox Point.

e. Approve payment of the bills in the amount of $335,518.92 for the period December 1, 2020 through December 31, 2020 per the report submitted by the Village Manager.

Trustee Ollman requested the removal of consent agenda item 5c.

Motion made by President Frazer, seconded by Trustee Sumner, and carried by roll call vote (7-0), the Village Board approved the consent agenda, absent consent agenda item 5c.

UNFINISHED BUSINESS

Proposal of Marek Landscaping with regard to product safety of herbicides that Marek Landscaping proposes to use, in addition to possible action regarding the proposal of Marek Landscaping in the amount not to exceed $16,652 for maintenance activities along Indian Creek

Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried by roll call vote to approve the proposal of Marek Landscaping in the amount not to exceed $16,652 for maintenance activities along Indian Creek.

Consideration and possible action on Lake Drive design considerations

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to place this agenda item back on the agenda for the Feb 9, 2021 Village Board meeting with cost estimates for the various elements of the report and recommendations concerning the water main replacements.

DRAFT

Change Order No. 1 from Kapur & Associates in an amount not to exceed $7,987 for additional design activities related to the 2021 road and utility project (5c)

Motion made by President Frazer, seconded by Trustee Ollman, and carried by roll call vote (7-0) to approve Change Order No. 1 from Kapur & Associates in an amount not to exceed $7,987 for additional design activities related to the 2021 road and utility project and authorize the Village President and Village Clerk/Treasurer to sign the change order per the Director of Public Works' memorandum dated January 6, 2021.

Consideration of Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) And 745-17 B. (6) of the Village of Fox Point Zoning Code Concerning Residence Districts

Motion made by Trustee Fonstad, seconded by President Frazer, and carried by roll call vote (7-0) to refer the Consideration of Ordinance to Repeal and Re-Create Section 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) And 745-17 B. (6) of the Village of Fox Point Zoning Code Concerning Residence Districts to the Plan Commission on February 1, 2021 and set the Public Hearing for the Village Board meeting on February 9, 2021 after persons desiring to be heard.

Consideration and possible action on the Beach Drive coastal resiliency design proposals.

Motion modified by Trustee Fonstad, seconded by President Frazer, to accept the contract proposal of Smith Group, subject to the review and approval of the Village Attorney.

Discussion followed.

President Frazer called the question.

Motion passed, 4-3 (Opposed-Trustee Sumner, Trustee Ollman, Trustee Kravit).

Discussion and possible action concerning dissolving the Special Comprehensive Plan Committee

Motion made by Trustee Fonstad, seconded by Trustee Symchych, and carried by roll call vote (7-0) to dissolve the Special Comprehensive Plan Committee.

President Frazer recognized the five Special Comprehensive Plan Committee members for their hard work, and commended Assistant Village Manager and Chairman of the Special Comprehensive Plan Committee Michael Pedersen. President Frazer acknowledged that Trustee Fonstad attended every meeting (except one) as a citizen.

Village Facilities Master Plan

President Frazer gave a brief background regarding the initiative to create and advance a comprehensive master plan for the Village facilities at the current site of Village Hall and at Longacre Pavilion.

Village Manager Scott Botcher gave a brief report on initializing the comprehensive master plan for village facilities guidance.

DRAFT

Modified motion by President Frazer, seconded by Trustee Kravit, and carried by roll call vote (7-0) to direct staff to prepare and present at the March 2021 Village Board meeting a village facilities master plan, consistent with agenda item 7d and tonight's discussion, for (a) a new Village Hall, (b) a new DPW complex, and (c) the repurposing of Longacre North (pavilion, pool or splash pad, and ice rink) as the Village "community heart." In creating a plan staff is invited to propose project options (with cost estimates). Staff is directed to focus on and make recommendations concerning village priorities. As to funding, staff should be prepared to describe to the Board the options for borrowing, levying, and fundraising.

Future Agenda Items – None.

Announcements

Trustee Fonstad recognized the Village Trustee Candidates, Liz Sumner and Catie Anderson Knight; he offered an early welcome to Catie Anderson Knight.

Trustee Tirado acknowledged the village staff for the work they did on the ice rink. He remarked the ice rink was open during holiday break, in great shape and well used during that time.

Trustee Kravit recapped what Trustee Tirado stated regarding the ice rink. Trustee Kravit also commented Trustee Tirado will be missed.

Trustee Ollman reported on the COVID-19 vaccinations through the North Shore Health Department. Individuals 65 and over can call the North Shore Health Department to be placed on a list for the COVID-19 vaccinations.

President Frazer remarked the Village Manager and Department of Public Works Superintendent watched the weather carefully to maintain the ice for the ice rink on a daily basis. President Frazer remarked much attention is paid by the professional staff to keep the ice rink open.

President Frazer echoed prior comments that Marty Tirado will be missed and he welcomed Catie Anderson Knight.

Village Manager Scott Botcher announced the ice rink was well-received by the residents. In the 2022 budget, the staff is considering shaving the berms around the ice rink; there is more depth than needed for an ice rink. Only four to seven inches is necessary. Even if the weather is very cold, it takes a long time for the rink to set up. He also pointed out Fox Points residents need to stay off the ice until it sets up.

Village Manager Scott Botcher also informed those present two invited guests will be attending the February 9, 2021 Village Board meeting and will be introduced in February 2021, our new Assembly Representative Deb Andraca and Milwaukee County Office on African American Affairs (OAAA) Executive Director Jeffery Roman.

DRAFT

Adjourn

Motion made by President Frazer, seconded by Greg Ollman, and carried by roll call vote (7-0); the Village Board adjourned the Village Board meeting at 9:13 p.m.

Respectfully submitted,

Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer

DRAFT

VILLAGE OF
FOX POINT

To:	Village of Fox Point Plan Commission
From:	Scott Brandmeier, Director of Public Works
Through:	Scott Botcher, Village Manager
Date:	January 25, 2021
Re:	Land Combination – 7510 North Santa Monica Boulevard

An application was submitted by Fox Point Lutheran Church, owner of the parcels located at 7510 North Santa Monica Boulevard, to combine the lots on the properties. More specifically, the Applicant is requesting that Lots 1 through 10 and the north 45 feet of Lot 11 as depicted on the Plat of Survey (Attachment A) be combined and that one lot be created as shown on the Certified Survey Map (CSM) (Attachment B). The Applicant has submitted this application in accordance with Section 738 of the Village Code.

Based upon correspondence from the Village Attorney, it is my understanding that the application requires a filing fee ($300) and the appropriate CSM but does not require an appraisal as it is a land combination nor notice to property owners within 500 feet of the proposed land combination. As the filing fee has been paid and the CSM has been submitted depicting the land combination, it appears that the requirements for the land combination have been met and, therefore, is referred to the Plan Commission for action on the matter.

VILLAGE HALL
7200 North Santa Monica Blvd.
Fox Point, Wisconsin 53217-3505
414-351-8900 | Fax 414-351-8909

Attachment A

Plat of Survey

Plat of Survey
for
Fox Point Lutheran Church

Lots 1 through 10 and the North 45 feet of Lot 11, in NORTHGATE, being a subdivision of part of the Southwest 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin.

State of Wisconsin)
Ozaukee County)s.

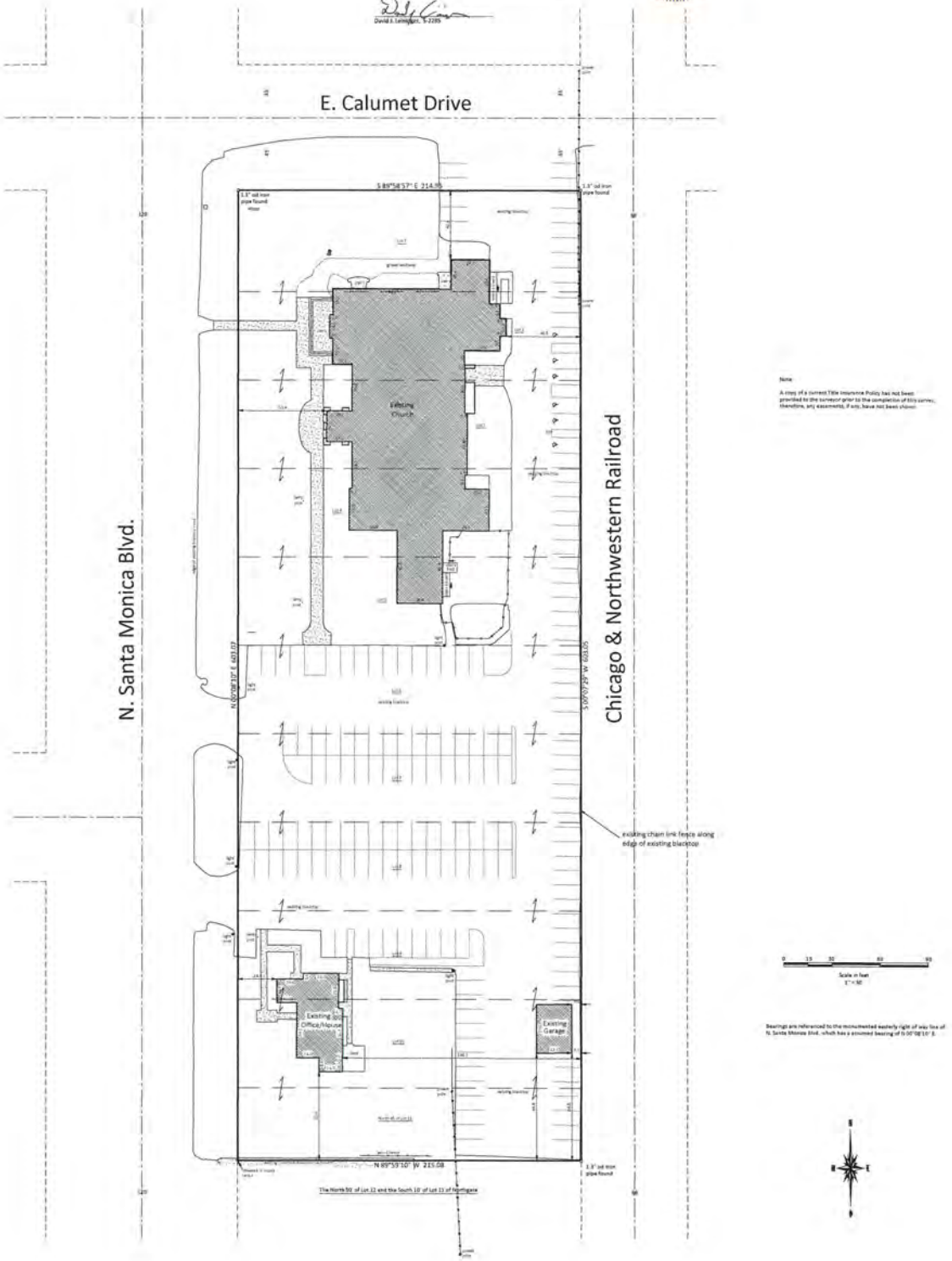
I certify that I have surveyed the above described Property; and this map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements, and roadways and visible encroachments, if any, to the best of my knowledge and belief.

This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.

Dated this 31st day of December, 2010. (Field work done on December 24, 2010)

David J. Lemanger, S-2285

WISCONSIN DAVID J. LEMANGER S-2285 SAUKVILLE WI LAND SURVEYOR



Note

A copy of a current Title Insurance Policy has not been provided to the surveyor prior to the completion of this survey; therefore, any easements, if any, have not been shown.

Scale in feet
1" = 30'

Bearings are referenced to the monumented easterly right of way line of N. Santa Monica Blvd. which has a assumed bearing of N 00°08'10" E.

Homeland Surveying, LLC 2079 Cold Springs Rd. Saukville, WI 53080 Phone:(262)889-6881 email: homeland2079@gmail.com

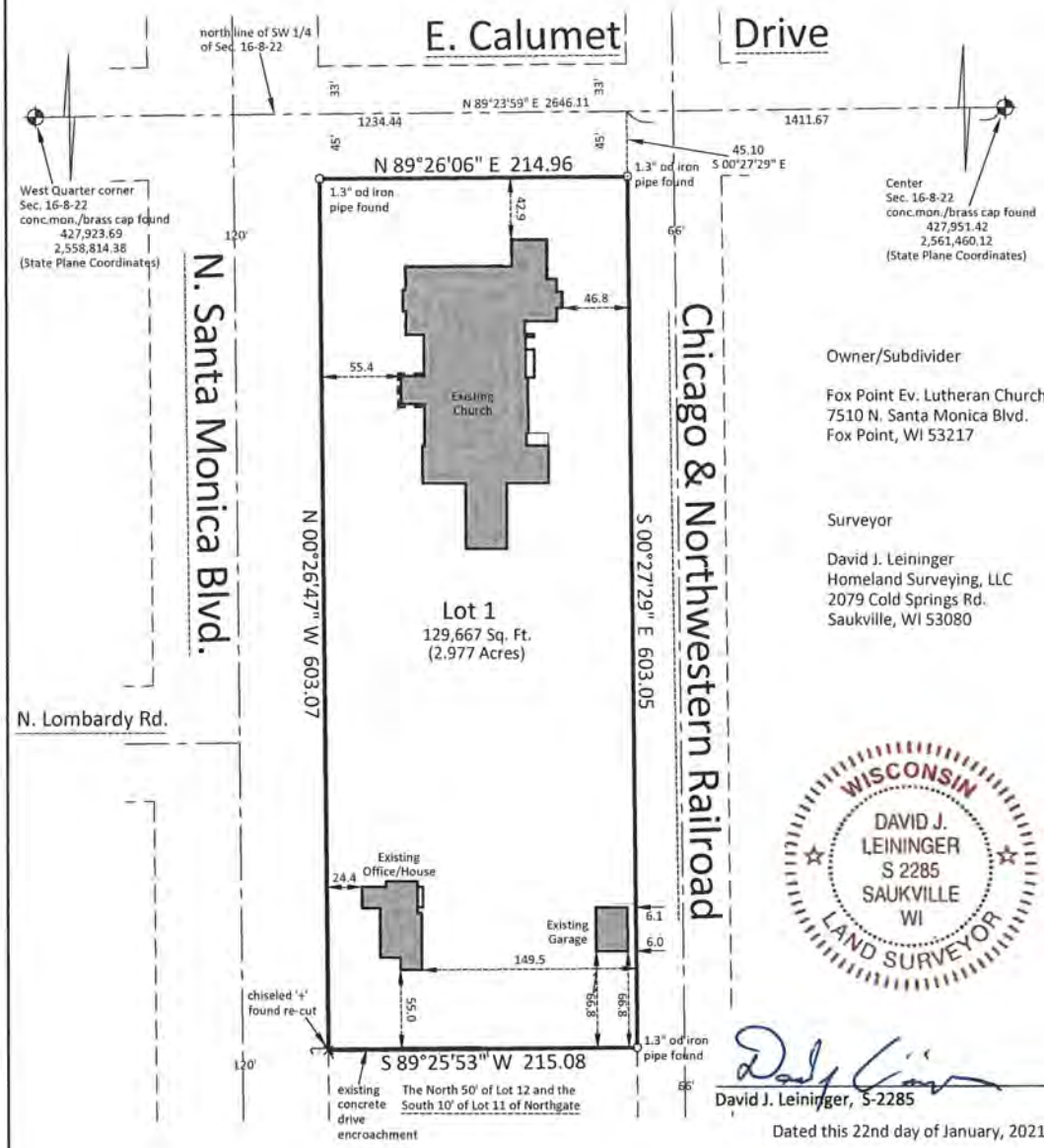
Attachment B

Certified Survey Map

Sheet 1 of 3

Certified Survey Map

Lots 1 through 10 and the North 45 feet of Lot 11, in NORTHGATE, being a subdivision of part of the Southwest 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin.



Owner/Subdivider

Fox Point Ev. Lutheran Church
7510 N. Santa Monica Blvd.
Fox Point, WI 53217

Surveyor

David J. Leininger
Homeland Surveying, LLC
2079 Cold Springs Rd.
Saukville, WI 53080

WISCONSIN
DAVID J. LEININGER
S 2285
SAUKVILLE
WI
LAND SURVEYOR

David J. Leininger, S-2285

Dated this 22nd day of January, 2021.

Horizontal datum is based on the Wisconsin State Plane Coordinate System Grid, South Zone (NAD 27), and all bearings are referenced to Grid North. The north line of the SW 1/4 of Sec. 16-8-22 has a grid bearing of N 89°23'59" E.

0 50 100 200 300

Scale in feet
1" = 100'

This instrument was drafted by David J. Leininger, S-2285

Certified Survey Map

Lots 1 through 10 and the North 45 feet of Lot 11, in NORTHGATE, being a subdivision of part of the Southwest 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin.

Surveyor's Certificate:

I, David J. Leininger, professional land surveyor, hereby certify that by the direction of Fox Point Ev. Lutheran Church, that I have surveyed, divided, and mapped the land shown and described hereon, being Lots 1 through 10 and the North 45 feet of Lot 11, in NORTHGATE, being a subdivision of part of the Southwest 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin which is described as follows:

Lots 1 through 10 and the North 45 feet of Lot 11, in NORTHGATE, being a subdivision of part of the Southwest 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Village of Fox Point Land Division Ordinance in surveying, dividing, and mapping said land, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 22nd day of January, 2021.

David J. Leininger, S-2285

WISCONSIN
DAVID J.
LEININGER
S 2285
SAUKVILLE
WI
LAND SURVEYOR

Village of Fox Point Plan Commission Approval:

This land division is hereby approved by the Village of Fox Point Plan Commission this _____ day of

_____, 2021.

Douglas H. Frazer - President

Kelly Meyer- Secretary

This instrument was drafted by David J. Leininger, S-2285

Certified Survey Map

Lots 1 through 10 and the North 45 feet of Lot 11, in NORTHGATE, being a subdivision of part of the Southwest 1/4 of Section 16, in Township 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin.

Corporate Owner's Certificate:

Fox Point Ev. Lutheran Church, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped, and dedicated as represented on this plat.

Fox Point Ev. Lutheran Church, does further certify that this Certified Survey Map is required by s.236.34 to be submitted to the following for approval or objection:

Village of Fox Point

IN WITNESS WHEREOF, the said (Corporate Name) has caused these presents to be signed by

_____, its president, and countersigned by _____, its secretary

(cashier), at _____ Wisconsin, and its corporate seal to be hereunto affixed on this _____,

day of _____, 2021.

In the presence of:

_____ _____
Corporate Name

_____ _____
(Corporate Seal) President

Countersigned: _____
Secretary or Cashier

STATE OF WISCONSIN)

_____ COUNTY) SS

Personally came before me this _____ day of _____, 2021, _____,

President, and _____, Secretary (cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary (cashier) of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) _____ Notary Public, _____, Wisconsin

My commission expires _____.

WISCONSIN
DAVID J.
LEININGER
S 2285
SAUKVILLE
WI
LAND SURVEYOR

David J. Leininger, S-2285

Dated this 22nd day of January, 2021.

This instrument was drafted by David J. Leininger, S-2285

This is to certify that the attached is true and correct list of bills due for a period from January 1- 31, 2021, in the total amount of $1,040,073.35. Each bill has been approved in writing by the official department head or employee authorized to incur the obligations and which bills have been audited by the undersigned pursuant to resolution of the Village Board.

Scott Botcher
Village Manager
Village of Fox Point

This is to certify that the above listed accounts and demands have been presented and allowed and ordered paid by the Village Board at a meeting thereof held on February 9, 2021.

Douglas H. Frazer
Village President

Kelly A. Meyer
Village Clerk/Treasurer
Village of Fox Point

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
10-21520 GROUP LIFE						
18	SECURIAN FINANCIAL GROUP I	FEBRUARY 2021	LIFE INSURANCE	01/14/2021	809.57	01/15/2021
Total 10-21520 GROUP LIFE:					809.57	
10-21525 UNION DUES						
185	FOX POINT POLICE PROT. ASS	JAN 2021	POLICE DUES	01/14/2021	495.00	01/15/2021
Total 10-21525 UNION DUES:					495.00	
10-21530 DEFERRED COMPENSATION						
375	NORTH SHORE BANK, FSB	PR0107212	Deferred Comp NICHOLAS Pay	01/08/2021	450.00	01/08/2021
375	NORTH SHORE BANK, FSB	PR0107212	Deferred Comp NORTH SHORE	01/08/2021	3,115.00	01/08/2021
375	NORTH SHORE BANK, FSB	PR0121212	Deferred Comp NICHOLAS Pay	01/20/2021	50.00	01/22/2021
375	NORTH SHORE BANK, FSB	PR0121212	Deferred Comp NORTH SHORE	01/20/2021	1,115.00	01/22/2021
814	GREAT-WEST TRUST COMPAN	PR0107211	Deferred Comp WI DEFER - PRE	01/08/2021	13,804.14	01/08/2021
814	GREAT-WEST TRUST COMPAN	PR0107211	Deferred Comp WI DEFER - RO	01/08/2021	437.31	01/08/2021
814	GREAT-WEST TRUST COMPAN	PR0121211	Deferred Comp WI DEFER - PRE	01/20/2021	4,534.14	01/22/2021
814	GREAT-WEST TRUST COMPAN	PR0121211	Deferred Comp WI DEFER - RO	01/20/2021	562.31	01/22/2021
101991	VANTAGEPOINT TRANSFER AG	PR0107211	Deferred Comp ICMA-PRETAX	01/08/2021	1,616.43	01/08/2021
101991	VANTAGEPOINT TRANSFER AG	PR0121211	Deferred Comp ICMA-PRETAX	01/20/2021	1,016.43	01/22/2021
Total 10-21530 DEFERRED COMPENSATION:					26,700.76	
10-23000 WORKERS COMPENSATION						
1658	R & R INSURANCE SERVICES, I	2378343	WORKERS COMP	01/07/2021	26,189.00	01/08/2021
Total 10-23000 WORKERS COMPENSATION:					26,189.00	
10-24990 DUE TO OTHER GOVT'L UNITS						
330	MILWAUKEE COUNTY TREASU	2020 UNCLAIMED	UNCLAIMED PROPERTY	12/31/2020	678.10	01/08/2021
330	MILWAUKEE COUNTY TREASU	2020 UNCLAIMED	UNCLAIMED PROPERTY	12/31/2020	2,223.06	01/08/2021
330	MILWAUKEE COUNTY TREASU	UNCLAIMED 2020	UNCLAIMED PROPERTY	12/31/2020	678.10	01/08/2021
330	MILWAUKEE COUNTY TREASU	UNCLAIMED 2020	UNCLAIMED PROPERTY	12/31/2020	2,223.06	01/08/2021
Total 10-24990 DUE TO OTHER GOVT'L UNITS:					5,802.32	
10-26400 PREPAYMENT - R.E. TAX						
4195	VILLAGE OF FOX POINT	26942	059-0303-00 8311 GREENVALE	01/11/2021	1,025.63	01/15/2021
Total 10-26400 PREPAYMENT - R.E. TAX:					1,025.63	
10-51100-321 PROFESSIONAL DUES/MEETINGS						
275	LEAGUE OF WI MUNICIPALITIE	2021 dues id 10189	DUES ID#10189	01/07/2021	3,868.29	01/08/2021
Total 10-51100-321 PROFESSIONAL DUES/MEETINGS:					3,868.29	
10-51200-395 COUNTY COURT FEES						
330	MILWAUKEE COUNTY TREASU	2020DECEMBER	DRIVER SUR/JAIL FEE	12/31/2020	800.90	01/15/2021
330	MILWAUKEE COUNTY TREASU	DECEMBER 2020	DRIVER SUR/JAIL FEE	12/31/2020	800.90	01/08/2021
552	WISCONSIN, STATE OF - COUR	DECEMBER 2020	DECEMBER	12/31/2020	1,721.57	01/08/2021
Total 10-51200-395 COUNTY COURT FEES:					3,323.37	
10-51300-218 VILLAGE ATTORNEY						
535	MUNICIPAL LAW & LITIGATION	4984	VILLAGE ATTORNEY	12/31/2020	2,210.40	01/08/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
Total 10-51300-218 VILLAGE ATTORNEY:					2,210.40	
10-51410-321 PROFESSIONAL DUES/MEETINGS						
1135	WISCONSIN CITY/COUNTY	01182021	PEDERSON	01/18/2021	50.00	01/22/2021
Total 10-51410-321 PROFESSIONAL DUES/MEETINGS:					50.00	
10-51420-310 SUPPLIES/EXPENSES						
1766	CONFLUENCE GRAPHICS	72889	TAX BILLS	12/31/2020	1,212.88	01/08/2021
Total 10-51420-310 SUPPLIES/EXPENSES:					1,212.88	
10-51420-321 PROFESSIONAL DUES/MEETINGS						
91	IIMC	IIMCKMJO-2021	MEMBERSHIP	01/18/2021	290.00	01/22/2021
339	METRO MUNICIPAL CLERK'S A	01312021-02	JEANNE O'BRIEN	01/11/2021	30.00	01/15/2021
Total 10-51420-321 PROFESSIONAL DUES/MEETINGS:					320.00	
10-51440-310 SUPPLIES/EXPENSES						
127	A. RIFKIN CO.	4206951	ELECTION SUPPLIES	12/31/2020	480.35	01/15/2021
Total 10-51440-310 SUPPLIES/EXPENSES:					480.35	
10-51520-210 SOFTWARE SUPPORT						
102273	CIVIC SYSTEMS, LLC	CVC20037	SEMI ANNUAL JAN-JUNE	12/10/2020	7,372.00	01/15/2021
Total 10-51520-210 SOFTWARE SUPPORT:					7,372.00	
10-51530-210 CONTRACT SERVICES						
2706	ASSOCIATED APPRAISAL CON	152079	MONTHLY	01/07/2021	2,748.29	01/08/2021
Total 10-51530-210 CONTRACT SERVICES:					2,748.29	
10-51600-210 CONTRACT SERVICES						
477	TAYLOR COMPUTER SERVICES	21394	SERV AND EQUIP	12/31/2020	1,018.75	01/29/2021
755	GCS SOFTWARE- ACCOUNTS R	206619	WEB PORTAL	01/19/2021	1,000.00	01/22/2021
789	DO IT NOW CLEANING LLC	232	MONTHLY CLEANING	01/28/2021	1,583.37	01/29/2021
905	MARCO TECHNOLOGIES, LLC	INV8307875	YEARLY	01/04/2021	4,664.00	01/08/2021
940	ONTECH SYSTEMS, INC.	52674	ONSITE/REMOTE	12/31/2020	140.00	01/29/2021
940	ONTECH SYSTEMS, INC.	53455	AGREEMENT RMM	12/31/2020	1,185.00	01/08/2021
940	ONTECH SYSTEMS, INC.	54066	STORAGECRAFT	12/31/2020	186.00	01/22/2021
5778	OFFICE COPYING EQUIPMENT	AR131366	VLG HALL COPIES	01/20/2021	196.77	01/22/2021
Total 10-51600-210 CONTRACT SERVICES:					9,973.89	
10-51600-220 GAS-HEAT						
536	WE-ENERGIES	11/18-12/21/20	3298-754-812	12/31/2020	513.42	01/08/2021
Total 10-51600-220 GAS-HEAT:					513.42	
10-51600-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	11/18-12/21/20	3298-754-812	12/31/2020	1,192.28	01/08/2021
Total 10-51600-221 ELECTRIC UTILITIES:					1,192.28	
10-51600-222 TELEPHONE UTILITIES						
848	WINDSTREAM	73393704	ACCT #205607369	01/01/2021	164.92	01/15/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
2691	CENTURYLINK-BUSINESS SVC.	190350646	87619173	01/01/2021	.56	01/15/2021
5312	AT & T- VILLAGE	12/22/2020	414 351-8909 758 7	12/31/2020	38.30	01/08/2021
	Total 10-51600-222 TELEPHONE UTILITIES:				203.78	
10-51600-231 ELEVATOR MAINTENANCE						
382	OTIS ELEVATOR COMPANY	100400193317	ANNUAL	01/07/2021	2,513.52	01/08/2021
	Total 10-51600-231 ELEVATOR MAINTENANCE:				2,513.52	
10-51600-234 VILLAGE HALL MAINTENANCE						
360	NASSCO INC.	S2706601.001	SUPPLIES	01/13/2021	494.13	01/15/2021
483	BADGER OIL EQUIPMENT	6128A	SERVICE/REPAIR	01/14/2021	609.30	01/15/2021
502	VILLAGE HARDWARE - VH	2031331	VH	12/31/2020	14.39	01/08/2021
502	VILLAGE HARDWARE - VH	2031581	VH	12/31/2020	44.91	01/08/2021
502	VILLAGE HARDWARE - VH	2032011	VLG HALL SUPPLIES	12/31/2020	30.01	01/08/2021
502	VILLAGE HARDWARE - VH	204605/1	VH	01/28/2021	2.18	01/29/2021
651	AUTOMATED LOGIC CONTR. S	298288	WI21200044P	12/31/2020	4,032.00	01/08/2021
651	AUTOMATED LOGIC CONTR. S	306493	WI21200044P	12/31/2020	3,368.00	01/08/2021
733	NATIONAL ELEVATOR INSPECTI	0413896	ELEVATOR INSPECTION	01/26/2021	96.00	01/29/2021
742	NELCO ELECTRIC INC	18185	REPLACE FIXTURE	12/31/2020	253.83	01/15/2021
892	SPECTRUM	1/8/2021	10404-060459401-5001	01/14/2021	8.83	01/15/2021
1710	UP NORTH SERVICES	4071	PEST CONTROL VLG	12/31/2020	50.00	01/15/2021
1751	ACTION HEATING COOLING & P	114779	REPAIRS VLG	12/31/2020	416.55	01/15/2021
1751	ACTION HEATING COOLING & P	114784	REPAIRS VLG	12/31/2020	1,167.78	01/15/2021
	Total 10-51600-234 VILLAGE HALL MAINTENANCE:				10,587.91	
10-51600-310 SUPPLIES/MISC EXPENSES						
1766	CONFLUENCE GRAPHICS	73132	VLG ENVELOPES	01/13/2021	240.00	01/15/2021
5033	OFFICE DEPOT -US COMMUNIT	146565972001	37360205-VLG	12/31/2020	71.39	01/08/2021
	Total 10-51600-310 SUPPLIES/MISC EXPENSES:				311.39	
10-51700-156 UNEMPLOYMENT COMPENSATION						
181	UNEMPLOYMENT INSURANCE	000010547246	VLG	12/31/2020	135.26	01/15/2021
	Total 10-51700-156 UNEMPLOYMENT COMPENSATION:				135.26	
10-51700-510 INSURANCE						
485	CHUBB	CYBER ERM 2021	OOOD95759075- CYBER ERM	01/14/2021	4,780.00	01/15/2021
1658	R & R INSURANCE SERVICES, I	2378339	COMMERCIAL	01/07/2021	20,010.00	01/08/2021
1658	R & R INSURANCE SERVICES, I	2378341	LWMMI	01/07/2021	24,367.00	01/08/2021
1658	R & R INSURANCE SERVICES, I	2378344	CRIME	01/07/2021	1,105.00	01/08/2021
1658	R & R INSURANCE SERVICES, I	2378345	STORAGE TANK	01/07/2021	551.00	01/08/2021
	Total 10-51700-510 INSURANCE:				50,813.00	
10-51700-511 GROUP HEALTH - RETIREES						
433	RESNICK, AMY	13	HEALTH INSURANCE REIMBUR	01/01/2021	481.12	01/15/2021
435	RIES, DANIEL	29	HEALTH	01/01/2021	834.56	01/15/2021
638	KRIEFALL, DONALD A	57	HEALTH INSURANCE REIMBUR	01/01/2021	323.21	01/15/2021
	Total 10-51700-511 GROUP HEALTH - RETIREES:				1,638.89	
10-52100-210 POLICE MAINTENANCE CONTRACTS						
707	FIRST RESPONDERS PSYCHOL	1220FPPD	INDV THERAPY	12/31/2020	200.00	01/22/2021
1710	UP NORTH SERVICES	4070	POLICE PEST CONTROL	12/31/2020	50.00	01/15/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
1751	ACTION HEATING COOLING & P	115385	MAINTENANCE	12/31/2020	1,550.00	01/15/2021
4942	TITAN PUBLIC SAFETY SOLUTI	5059	PHOENIX ANNUAL	01/08/2021	896.00	01/15/2021
4942	TITAN PUBLIC SAFETY SOLUTI	5179	COURT ANNUAL SUPPORT	01/08/2021	3,947.00	01/15/2021
5152	JAMES IMAGING SYSTEMS, IN	1038055	POLICE DEPARTMENT	12/31/2020	114.42	01/08/2021
	Total 10-52100-210 POLICE MAINTENANCE CONTRACTS:				6,757.42	
10-52100-217 DISPATCHING CONTRACT SERVICES						
61	BAYSIDE, VILLAGE OF	4494	DISPATCH	01/08/2021	74,743.63	01/15/2021
	Total 10-52100-217 DISPATCHING CONTRACT SERVICES:				74,743.63	
10-52100-222 TELEPHONE UTILITIES						
848	WINDSTREAM	73393704	ACCT #205607369	01/01/2021	103.07	01/15/2021
892	SPECTRUM	20210101OTA	10404038090401-6001	01/13/2021	17.67	01/15/2021
2136	VERIZON WIRELESS	9870575146	786223225-00001 POLICE	01/15/2021	225.14	01/22/2021
2691	CENTURYLINK-BUSINESS SVC.	190350646	87619173	01/01/2021	.56	01/15/2021
2973	TIME WARNER CABLE	70433001010121	07043001	01/08/2021	456.28	01/15/2021
5312	AT & T- VILLAGE	12/22/2020	414 351-8909 758 7	12/31/2020	23.94	01/08/2021
	Total 10-52100-222 TELEPHONE UTILITIES:				826.66	
10-52100-232 VEHICLE MAINTENANCE						
172	Gordie Boucher Ford	40597	PART	12/31/2020	23.30	01/08/2021
	Total 10-52100-232 VEHICLE MAINTENANCE:				23.30	
10-52100-233 EQUIPMENT MAINTENANCE						
671	AIRGAS	9108757155	OXYGEN POLICE DEPT	01/26/2021	135.07	01/29/2021
2620	SIRCHIE FINGER PRINT LAB, IN	477426	TEST KITS	01/26/2021	15.75	01/29/2021
2620	SIRCHIE FINGER PRINT LAB, IN	477943	SUPPLIES	01/28/2021	63.00	01/29/2021
4135	KUSTOM SIGNALS, INC.	580226	IR REMOTE	12/31/2020	138.00	01/15/2021
5839	LEXISNEXIS	1246411-20201231	MONTHLY	12/31/2020	30.00	01/15/2021
102114	RAY O'HERRON CO, INC	2074886	40 S & W	12/31/2020	100.00	01/08/2021
	Total 10-52100-233 EQUIPMENT MAINTENANCE:				481.82	
10-52100-234 BUILDING MAINTENANCE						
503	VILLAGE HARDWARE - DPS	204094	MISC	01/08/2021	4.93	01/15/2021
1560	FP SOLUTIONS	16778	REPAIR	12/31/2020	250.00	01/08/2021
1751	ACTION HEATING COOLING & P	40026	HEAT EXCHANGER	12/31/2020	2,911.13	01/08/2021
	Total 10-52100-234 BUILDING MAINTENANCE:				3,166.06	
10-52100-310 SUPPLIES/EXPENSES						
2142	FBINNA	48167-2021	DUES	01/21/2021	110.00	01/22/2021
2214	MCLEEA	2021-005	DUES	01/15/2021	135.00	01/22/2021
5033	OFFICE DEPOT -US COMMUNIT	144692579001	37360205 POLICE	12/31/2020	55.18	01/15/2021
5033	OFFICE DEPOT -US COMMUNIT	146050031001	37360205 POLICE	01/28/2021	11.72	01/29/2021
5033	OFFICE DEPOT -US COMMUNIT	147703265001	37360205 POLICE	01/28/2021	7.35	01/29/2021
	Total 10-52100-310 SUPPLIES/EXPENSES:				319.25	
10-52100-330 CLOTHING ALLOWANCE						
473	STREICHER'S	1471144	ARENDT	12/31/2020	104.87	01/22/2021
473	STREICHER'S	1472706	WALKER	12/31/2020	94.99	01/08/2021
473	STREICHER'S	1475764	MORELLI	01/13/2021	109.98	01/15/2021
473	STREICHER'S	1477711	WALKER	01/21/2021	94.98	01/22/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
909	THE UNIFORM SHOPPE OF GR	306264	DUBNICKA	12/31/2020	66.95	01/15/2021
Total 10-52100-330 CLOTHING ALLOWANCE:					471.77	
10-52100-334 JANITORIAL SUPPLIES						
393	PACKERLAND RENT-A-MAT INC.	2740895	POLICE 10586-10586	12/31/2020	103.22	01/08/2021
393	PACKERLAND RENT-A-MAT INC.	2744753	10586-10586 POLICE DEPARTM	12/31/2020	103.22	01/15/2021
393	PACKERLAND RENT-A-MAT INC.	2750953	10586-10586 POLICE DEPARTM	01/15/2021	103.22	01/22/2021
393	PACKERLAND RENT-A-MAT INC.	2754775	POLICE 10586-10586	01/28/2021	103.22	01/29/2021
Total 10-52100-334 JANITORIAL SUPPLIES:					412.88	
10-52100-335 SCHOOL EXPENSES						
490	HILTON GARDEN INN ST. PAUL/	3135341170	3135341170-PAUL	01/21/2021	178.00	01/22/2021
490	HILTON GARDEN INN ST. PAUL/	3135341170-1	3135341170-PAUL	01/28/2021	12.69	01/29/2021
945	HOLIDAY INN HOTEL STEVENS	WTSOA2021	LODGING ARENDT	01/15/2021	246.00	01/22/2021
1295	WI ASSOC FOR ID	2021 DUES WICHM	DUES	01/04/2021	20.00	01/08/2021
2988	WI TRAFFIC SAFETY OFFICERS	2021KA	CONFERENCE	01/15/2021	200.00	01/22/2021
5626	KALAHARI RESORT & CONVEN	B7D9AEB8	MORELLI LODGING	01/13/2021	182.00	01/15/2021
Total 10-52100-335 SCHOOL EXPENSES:					838.69	
10-52100-336 TELETYPE						
727	WI DEPT. OF JUSTICE	455TIME-10038	TIME ACCESS	01/21/2021	1,587.00	01/22/2021
Total 10-52100-336 TELETYPE:					1,587.00	
10-52200-224 NORTH SHORE FIRE DEPARTMENT						
54	NORTH SHORE FIRE DEPARTM	202107	OPERATING	01/07/2021	292,842.00	01/08/2021
Total 10-52200-224 NORTH SHORE FIRE DEPARTMENT:					292,842.00	
10-53100-233 GIS MAINTENANCE						
39	RUEKERT MIELKE, INC.	135096	GIS CORE SERVICES	01/12/2021	7,990.00	01/15/2021
Total 10-53100-233 GIS MAINTENANCE:					7,990.00	
10-53200-400 MATERIALS						
327	MENARD'S - MILWAUKEE	24813	MAILBOX	01/22/2021	176.50	01/22/2021
Total 10-53200-400 MATERIALS:					176.50	
10-53300-221 STREET LIGHTS - ELECTRIC						
536	WE-ENERGIES	12/02/20-1/6/21	3449-647-735	12/31/2020	187.43	01/15/2021
536	WE-ENERGIES	12/07/20-1/11/21	7083-911-529	12/31/2020	20.96	01/22/2021
Total 10-53300-221 STREET LIGHTS - ELECTRIC:					208.39	
10-53300-495 MISCELLANEOUS SUPPLIES & TOOLS						
502	VILLAGE HARDWARE - VH	204200/1	NUTS/BOLTS	01/13/2021	14.36	01/15/2021
502	VILLAGE HARDWARE - VH	204220/1	NUTS/BOLTS	01/13/2021	.61	01/15/2021
Total 10-53300-495 MISCELLANEOUS SUPPLIES & TOOLS:					14.97	
10-53310-400 MATERIALS						
2830	COMPASS MINERALS	739063	SEASON FILL	01/11/2021	10,823.50	01/15/2021
4888	CARLIN SALES	393232-00	SHOVELS	01/22/2021	168.72	01/29/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
Total 10-53310-400 MATERIALS:					10,992.22	
10-53400-221 BUS STOP-ELECTRIC						
536	WE-ENERGIES	12/6/20-1/10/21	3217-867-834	12/31/2020	18.96	01/15/2021
536	WE-ENERGIES	12/7/20-1/11/21	6865-091-092	12/31/2020	18.96	01/22/2021
536	WE-ENERGIES	12/7/20-1/11/21	7018-222-713	12/31/2020	21.51	01/22/2021
536	WE-ENERGIES	12/7/20-1/11/21	9024-478-778	12/31/2020	18.96	01/22/2021
Total 10-53400-221 BUS STOP-ELECTRIC:					78.39	
10-53630-370 LANDFILL FEES						
1298	WASTE MANAGEMENT OF WI-M	0000537-1996-9	MSW	12/31/2020	8,460.41	01/22/2021
1298	WASTE MANAGEMENT OF WI-M	0000546-1996-0	MSW	12/31/2020	8,993.16	01/22/2021
Total 10-53630-370 LANDFILL FEES:					17,453.57	
10-53642-400 MATERIALS						
1298	WASTE MANAGEMENT OF WI-M	0060451-2286-5	YARDWASTE	12/31/2020	791.60	01/22/2021
1298	WASTE MANAGEMENT OF WI-M	0060579-286-3	YARDWASTE	12/31/2020	679.56	01/15/2021
1298	WASTE MANAGEMENT OF WI-M	0060689-2286-3	YARDWASTE	12/31/2020	187.98	01/22/2021
1298	WASTE MANAGEMENT OF WI-M	0060782-2286-3	YARDWASTE	01/15/2021	253.68	01/29/2021
Total 10-53642-400 MATERIALS:					1,912.82	
10-53700-300 MISCELLANEOUS EXPENSE						
1074	MATHESON TRI-GAS, INC	51730134	ARGON	12/31/2020	28.50	01/08/2021
1074	MATHESON TRI-GAS, INC	51743321	ARGON	12/31/2020	29.45	01/15/2021
1246	SECURE FIRE & SAFETY LLC	23878 REISSUE	REISSUE CK 122152	12/31/2020	119.20	01/08/2021
2241	ITU ABSORB TECH, INC	7459024	SHOP	12/31/2020	11.51	01/29/2021
2241	ITU ABSORB TECH, INC	7473462	SHOP	12/31/2020	11.51	01/29/2021
2241	ITU ABSORB TECH, INC	7596580	SHOP	12/31/2020	14.44	01/08/2021
2241	ITU ABSORB TECH, INC	7600679	SHOP	12/31/2020	11.51	01/08/2021
2241	ITU ABSORB TECH, INC	7605189	SHOP	12/31/2020	11.51	01/08/2021
2241	ITU ABSORB TECH, INC	76092867	SHOP	12/31/2020	11.51	01/08/2021
2241	ITU ABSORB TECH, INC	7613554	SHOP	12/31/2020	11.51	01/15/2021
2241	ITU ABSORB TECH, INC	7613556	TOWELS/ROLL/BAR	12/31/2020	26.73	01/15/2021
2241	ITU ABSORB TECH, INC	7617924	SORBITS	01/11/2021	146.29	01/15/2021
2241	ITU ABSORB TECH, INC	7622142	SHOP	01/14/2021	11.51	01/29/2021
2241	ITU ABSORB TECH, INC	7626290	SHOP	01/21/2021	11.51	01/29/2021
3292	OSI ENVIROMENTAL INC.	1053110	FILTERS	01/26/2021	45.00	01/29/2021
Total 10-53700-300 MISCELLANEOUS EXPENSE:					501.69	
10-53700-341 REPAIR PARTS						
43	AUTO PARTS & SERVICE	832125	CABLE	12/31/2020	10.99	01/08/2021
43	AUTO PARTS & SERVICE	833376	MISC	12/31/2020	7.59	01/15/2021
43	AUTO PARTS & SERVICE	834033	BATTERY	01/13/2021	52.96	01/15/2021
43	AUTO PARTS & SERVICE	8344972	MISC	01/26/2021	54.52	01/29/2021
43	AUTO PARTS & SERVICE	834768	MISC	01/25/2021	4.56	01/29/2021
43	AUTO PARTS & SERVICE	834911	BATTERY	01/26/2021	117.96	01/29/2021
43	AUTO PARTS & SERVICE	834937	BATTERY	01/26/2021	117.96	01/29/2021
52	BRAKE & EQUIPMENT	622698	MISC	01/11/2021	22.52	01/15/2021
52	BRAKE & EQUIPMENT	622714	LIGHTS	01/11/2021	376.00	01/15/2021
89	FABICK CAT	PIMK0085118	HOSE	01/26/2021	230.06	01/29/2021
89	FABICK CAT	PIMK0085119	COUPLING	01/26/2021	35.57	01/29/2021
89	FABICK CAT	PIMK0085120	MISC	01/26/2021	169.52	01/29/2021
327	MENARD'S - MILWAUKEE	24524	MISC	01/11/2021	87.10	01/15/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
349	MONROE TRUCK EQUIPMENT	830730	CABLE	12/31/2020	100.80	01/15/2021
547	ROLAND MACHINERY	40093392	LUBE SPIN	12/31/2020	113.31	01/15/2021
547	ROLAND MACHINERY	40094488	LUBE SPIN	01/26/2021	48.31	01/29/2021
581	SNOW PLOW SOLUTIONS	28543	PARTS	01/12/2021	146.29	01/15/2021
591	CUMMINS INC.	F471965	PARTS	12/31/2020	14.28	01/08/2021
597	BROOKS TRACTOR INC.	M49264	MISC	01/26/2021	1,230.68	01/29/2021
631	FACTORY MOTOR PARTS	160082797	PARTS	12/31/2020	40.77	01/08/2021
631	FACTORY MOTOR PARTS	160084348	BRAKE	12/31/2020	164.65	01/08/2021
631	FACTORY MOTOR PARTS	160084588	FILTER	12/31/2020	3.50	01/08/2021
631	FACTORY MOTOR PARTS	160084697	PARTS	12/31/2020	32.59	01/08/2021
631	FACTORY MOTOR PARTS	160085300	FILTER	12/31/2020	5.25	01/08/2021
631	FACTORY MOTOR PARTS	160085324	PARTS	12/31/2020	10.49	01/08/2021
631	FACTORY MOTOR PARTS	160085325	PARTS	12/31/2020	50.16	01/08/2021
776	GRAINGER, INC.	97609655781	FLASH LIGHT	01/13/2021	45.26	01/15/2021
1132	BURRIS EQUIPMENT CO.	PS10020321	CABLE	12/31/2020	185.89	01/15/2021
1178	R.N.O.W., INC	202159340	PARTS	12/31/2020	1,365.00	01/15/2021
1178	R.N.O.W., INC	33249	TRANSMISSION/PUMP	12/31/2020	4,734.65	01/15/2021
1261	INTERSTATE POWER SYSTEMS	CO4104421901	PARTS	12/31/2020	17.22	01/08/2021
1405	JX PETERBUILT- WAUKESHA	12130568P	HEATER	12/31/2020	70.99	01/08/2021
1405	JX PETERBUILT- WAUKESHA	1231527S	PETERBILT 2011	12/31/2020	2,087.98	01/08/2021
1629	CASPER'S TRUCK EQUIPMENT	0046691IN	CYLINDER	12/31/2020	549.19	01/08/2021
3259	HYQUIP, LLC- WAUKESHA	00175768	HOSE	01/11/2021	56.46	01/15/2021
3259	HYQUIP, LLC- WAUKESHA	00453894	HOSE	12/31/2020	35.68	01/15/2021
4389	BOBCAT PLUS, INC.	IB10608	PARTS	12/31/2020	17.92	01/08/2021
4554	TERMINAL SUPPLY CO.	1031600	RELAY	01/26/2021	51.71	01/29/2021
4777	BATTERIES PLUS -	P35786786	BATTERY	01/26/2021	72.95	01/29/2021
5528	TODD A GAULKE AUTHORIZE D	12152057424	1 1/2 DR12 PT	12/31/2020	34.00	01/08/2021
5980	MILWAUKEE TRACTOR & EQUIP	396664	PARTS	01/11/2021	212.60	01/15/2021
102169	TRUCK COUNTRY OF WISCON	20703388001	PUMP	12/31/2020	202.75	01/08/2021
102169	TRUCK COUNTRY OF WISCON	X207034112:01	GEAR STEERING	01/12/2021	1,743.28	01/15/2021
102169	TRUCK COUNTRY OF WISCON	X207034159:01	CREDIT	01/12/2021	600.00-	01/15/2021
	Total 10-53700-341 REPAIR PARTS:				14,131.92	
10-53700-342 TIRES						
413	POMP'S TIRE SERVICE, INC.	60229044	TIRES	12/31/2020	446.20	01/15/2021
413	POMP'S TIRE SERVICE, INC.	60231071	CREDIT	12/31/2020	40.00-	01/15/2021
615	PERFECT CIRCLE TIRE LLC	82985	ORING/DISMOUNT	12/31/2020	143.39	01/15/2021
	Total 10-53700-342 TIRES:				549.59	
10-53700-343 FUEL						
43	AUTO PARTS & SERVICE	833376	DEF	12/31/2020	41.96	01/15/2021
43	AUTO PARTS & SERVICE	8344972	DEF	01/26/2021	62.94	01/29/2021
1337	HERBST OIL, INC	76008	FUEL	12/31/2020	649.78	01/08/2021
1337	HERBST OIL, INC	76009	FUEL	12/31/2020	984.14	01/08/2021
1337	HERBST OIL, INC	76011	FUEL	12/31/2020	905.35	01/15/2021
1337	HERBST OIL, INC	76073	FUEL	12/31/2020	747.83	01/15/2021
1337	HERBST OIL, INC	76404	FUEL	12/31/2020	906.27	01/08/2021
1337	HERBST OIL, INC	76405	FUEL	12/31/2020	840.99	01/08/2021
1337	HERBST OIL, INC	76461	FUEL	01/11/2021	858.03	01/15/2021
1337	HERBST OIL, INC	76477	FUEL	01/26/2021	920.97	01/29/2021
1337	HERBST OIL, INC	76591	FUEL	01/11/2021	516.53	01/15/2021
1337	HERBST OIL, INC	76677	FUEL	01/26/2021	798.13	01/29/2021
	Total 10-53700-343 FUEL:				8,232.92	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
10-53700-344 OIL						
631	FACTORY MOTOR PARTS	160085301	OIL	12/31/2020	30.72	01/08/2021
1099	HYDROTEX	442393	ACCULUBE	01/13/2021	268.40	01/15/2021
3234	WALDSCHMIDT'S TOWN & COU	739451	OIL	12/31/2020	167.72	01/08/2021
3292	OSI ENVIROMENTAL INC.	1053140	USED OIL	01/26/2021	125.00	01/29/2021
Total 10-53700-344 OIL:					591.84	
10-53700-346 MISC DPW SHOP TOOLS						
43	AUTO PARTS & SERVICE	834496	SMALL TOOLS	01/25/2021	372.85	01/29/2021
5528	TODD A GAULKE AUTHORIZE D	11182056073	TOOL KIT	12/31/2020	437.00	01/15/2021
5528	TODD A GAULKE AUTHORIZE D	12012056711	NAVISTAR	12/31/2020	970.00	01/15/2021
Total 10-53700-346 MISC DPW SHOP TOOLS:					1,779.85	
10-53800-220 GAS UTILITIES						
536	WE-ENERGIES	11/18-12/21/20	3298-754-812	12/31/2020	513.42	01/08/2021
Total 10-53800-220 GAS UTILITIES:					513.42	
10-53800-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	11/18-12/21/20	3298-754-812	12/31/2020	1,192.29	01/08/2021
Total 10-53800-221 ELECTRIC UTILITIES:					1,192.29	
10-53800-222 TELEPHONE UTILITIES						
848	WINDSTREAM	73393704	ACCT #205607369	01/01/2021	144.30	01/15/2021
5312	AT & T- VILLAGE	12/22/2020	414 351-8909 758 7	12/31/2020	33.52	01/08/2021
Total 10-53800-222 TELEPHONE UTILITIES:					177.82	
10-53800-300 MISCELLANEOUS EXPENSE						
297	MAJESTIC ENGRAVING CORP.	60266	NAME PLATE	01/20/2021	35.00	01/22/2021
2241	ITU ABSORB TECH, INC	7441646	DPW	12/31/2020	26.73	01/29/2021
2241	ITU ABSORB TECH, INC	7446119	DPW	12/31/2020	26.73	01/29/2021
2241	ITU ABSORB TECH, INC	7459026	DPW	12/31/2020	26.73	01/29/2021
2241	ITU ABSORB TECH, INC	7463464	DPW	12/31/2020	26.73	01/29/2021
2241	ITU ABSORB TECH, INC	7596582	DPW	12/31/2020	26.73	01/08/2021
2241	ITU ABSORB TECH, INC	7600681	DPW	12/31/2020	26.73	01/08/2021
2241	ITU ABSORB TECH, INC	7605191	DPW	12/31/2020	209.15	01/08/2021
2241	ITU ABSORB TECH, INC	7609289	DPW	12/31/2020	26.73	01/08/2021
2241	ITU ABSORB TECH, INC	7617926	DPW	01/11/2021	26.73	01/15/2021
2241	ITU ABSORB TECH, INC	7622144	TOWELS/MATS	01/14/2021	209.15	01/29/2021
2241	ITU ABSORB TECH, INC	7626292	DPW	01/21/2021	26.73	01/29/2021
2241	ITU ABSORB TECH, INC	A000072460	DPW	12/31/2020	189.19	01/08/2021
Total 10-53800-300 MISCELLANEOUS EXPENSE:					883.06	
10-53800-333 SAFETY PROGRAM						
671	AIRGAS	9108948560	GLOVES/EYEWARE	01/28/2021	217.40	01/29/2021
1547	SOS TECHNOLOGIES	176206	DPW	12/31/2020	129.15	01/15/2021
Total 10-53800-333 SAFETY PROGRAM:					346.55	
10-53900-324 DRUG TESTING						
902	FROEDTERT HEALTH/WORFOR	7971-00	PHYSICAL/DRUG	12/31/2020	90.00	01/29/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
Total 10-53900-324 DRUG TESTING:					90.00	
10-54100-214 HUMANE SOCIETY/MADACC						
619	MADACC	1981	CAPITAL PROJECTS	01/07/2021	12.90	01/08/2021
619	MADACC	1981	1ST QTR OPERATING	01/07/2021	983.55	01/08/2021
Total 10-54100-214 HUMANE SOCIETY/MADACC:					996.45	
10-54100-215 CONTRACT - HEALTH						
619	MADACC	SEPT-DEC 2020	DOG/CAT LICENSE	12/31/2020	.90	01/08/2021
Total 10-54100-215 CONTRACT - HEALTH:					.90	
10-55100-210 CONTRACT SERVICES						
61	BAYSIDE, VILLAGE OF	4422	QUARTERLY LIBRARY	01/07/2021	64,712.28	01/08/2021
Total 10-55100-210 CONTRACT SERVICES:					64,712.28	
10-55200-435 PLAYGROUND MATERIALS						
4591	VERMEER-WISCONSIN, INC.	20239427	PARTS	12/31/2020	158.85	01/08/2021
Total 10-55200-435 PLAYGROUND MATERIALS:					158.85	
10-55440-220 GAS UTILITIES						
536	WE-ENERGIES	12/6/20-1/10/21	5214-367-035	12/31/2020	649.23	01/15/2021
Total 10-55440-220 GAS UTILITIES:					649.23	
10-55440-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	12/6/20-1/10/21	5630-222-440	12/31/2020	218.96	01/15/2021
Total 10-55440-221 ELECTRIC UTILITIES:					218.96	
10-55440-450 SKATE RINK MATERIALS						
4745	WHITLOW'S SECURITY SPECIA	157423	KEYS	12/31/2020	88.74	01/08/2021
Total 10-55440-450 SKATE RINK MATERIALS:					88.74	
10-56100-125 FORESTRY CONSULTANT						
5933	WACHTEL TREE SCIENCE & SE	77474	FORESTY REQUESTS	12/31/2020	3,965.00	01/08/2021
Total 10-56100-125 FORESTRY CONSULTANT:					3,965.00	
10-56100-465 TREE MAINTENANCE						
846	MIDWEST ARBORIST SUPPLIES	61958	HOLDER	12/31/2020	189.95	01/15/2021
4591	VERMEER-WISCONSIN, INC.	20239258	PARTS	12/31/2020	69.90	01/08/2021
Total 10-56100-465 TREE MAINTENANCE:					259.85	
21-72000-220 GAS UTILITIES						
536	WE-ENERGIES	12/6/20-1/10/21	2417--882-521	12/31/2020	12.20	01/15/2021
Total 21-72000-220 GAS UTILITIES:					12.20	
21-72000-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	12/6/20-1/10/21	1670-928-034	12/31/2020	36.55	01/15/2021
536	WE-ENERGIES	12/6/20-1/10/21	2417--882-521	12/31/2020	212.56	01/15/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
Total 21-72000-221 ELECTRIC UTILITIES:					249.11	
21-73000-400 MATERIALS						
101806	USA BLUEBOOK	456672	HYD HOSE VALVE ASSEM	12/31/2020	108.47	01/22/2021
Total 21-73000-400 MATERIALS:					108.47	
21-91000-575 PRIVATE LATERAL PROGRAM (MMSD)						
256	KAPUR & ASSOCIATES, INC.	105582	PPII PROGRAM	12/31/2020	5,354.00	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105941	SANITARY LATERIAL	12/31/2020	3,946.00	01/29/2021
Total 21-91000-575 PRIVATE LATERAL PROGRAM (MMSD):					9,300.00	
21-91000-840 update the CMOM PLAN						
117	SUPERIOR ENGINEERING	20204403	CMOM AUDIT & UPDATE	12/31/2020	710.00	01/15/2021
Total 21-91000-840 update the CMOM PLAN:					710.00	
21-91000-866 STREET RECONSTRUCTION						
849	WOOD SEWER & EXCAVATING,	PAY 6	2019 ROAD & UTILITY	12/31/2021	735.00	01/15/2021
Total 21-91000-866 STREET RECONSTRUCTION:					735.00	
21-91000-888 SEWER SYSTEM IMPROVEMENTS						
256	KAPUR & ASSOCIATES, INC.	105937	GENERAL PROF.SVCS	12/31/2020	570.05	01/29/2021
Total 21-91000-888 SEWER SYSTEM IMPROVEMENTS:					570.05	
22-53650-210 CONTRACT SERVICES						
1299	WASTE MANAGEMENT OF WI-M	6578575-2275-6	MONTHLY	12/31/2020	21,731.72	01/22/2021
1299	WASTE MANAGEMENT OF WI-M	6589471-2275-5	MONTHLY	12/31/2020	21,731.72	01/22/2021
Total 22-53650-210 CONTRACT SERVICES:					43,463.44	
23-55420-220 GAS UTILITIES						
536	WE-ENERGIES	12/07/20-1/11/21	8294-368-584	12/31/2020	11.55	01/22/2021
Total 23-55420-220 GAS UTILITIES:					11.55	
23-55420-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	12/07/20-1/11/21	8294-368-584	12/31/2020	18.96	01/22/2021
Total 23-55420-221 ELECTRIC UTILITIES:					18.96	
24-52400-210 CONTRACT SERVICES						
535	MUNICIPAL LAW & LITIGATION	4984	VILLAGE ATTORNEY	12/31/2020	100.00	01/08/2021
2256	SAFEBUILT	74296-IN	DEC INSPECTIONS	12/31/2020	255.00	01/15/2021
Total 24-52400-210 CONTRACT SERVICES:					355.00	
24-52400-321 PROFESSIONAL DUES/MEETINGS						
1089	PLUMBING INSPECTOR'S ASSO	2021	DUES	01/27/2021	40.00	01/29/2021
2058	EIASEW	2021	DUES	01/27/2021	15.00	01/29/2021
2323	BIASEW	2021 DUES	DUES	01/28/2021	50.00	01/29/2021
Total 24-52400-321 PROFESSIONAL DUES/MEETINGS:					105.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
25-53800-210 CONTRACT SERVICES						
535	MUNICIPAL LAW & LITIGATION	4984	VILLAGE ATTORNEY	12/31/2020	1,649.50	01/08/2021
Total 25-53800-210 CONTRACT SERVICES:					1,649.50	
25-53800-233 GIS MAINTENANCE						
39	RUEKERT MIELKE, INC.	134679	GIS DATA MAINT	12/31/2020	1,036.00	01/15/2021
Total 25-53800-233 GIS MAINTENANCE:					1,036.00	
25-53800-234 INDIAN CREEK PARK MAINTENANCE						
2824	MAREK LANDSCAPING	4632	MIXED INVASIVES	12/31/2020	910.80	01/08/2021
Total 25-53800-234 INDIAN CREEK PARK MAINTENANCE:					910.80	
25-91500-833 STORM SEWER SYSTEM IMPROVE.						
256	KAPUR & ASSOCIATES, INC.	105934	GREENVALE STORM WATER	12/31/2020	1,763.75	01/29/2021
Total 25-91500-833 STORM SEWER SYSTEM IMPROVE.:					1,763.75	
25-91500-835 STORM SEWER SYSTEM (MISC)						
256	KAPUR & ASSOCIATES, INC.	105939	GENERAL PROF.SVCS	12/31/2020	1,395.00	01/29/2021
Total 25-91500-835 STORM SEWER SYSTEM (MISC):					1,395.00	
25-91500-845 STORM SEWER-CLUB/LILAC/POPLAR						
849	WOOD SEWER & EXCAVATING,	PAY 6	2019 ROAD & UTILITY	12/31/2021	6,718.25	01/15/2021
Total 25-91500-845 STORM SEWER-CLUB/LILAC/POPLAR:					6,718.25	
25-91500-848 STORM SEW-SPOONER/SANTA MONICA						
256	KAPUR & ASSOCIATES, INC.	105938	STORM SEWER INSPECTION	12/31/2020	1,482.00	01/29/2021
732	HIGHWAY LANDSCAPERS, INC.	PAY 3	STORM WATER DRAINAGE	12/31/2020	2,607.50	01/15/2021
Total 25-91500-848 STORM SEW-SPOONER/SANTA MONICA:					4,089.50	
40-91200-830 DISPATCH - CAPITAL						
61	BAYSIDE, VILLAGE OF	4494	CAPITAL DISPATCH	01/08/2021	22,050.00	01/15/2021
Total 40-91200-830 DISPATCH - CAPITAL:					22,050.00	
40-91400-801 DUMP TRUCK						
51	BADGER TRUCK CENTER, INC.	793533	EXTENSION	01/26/2021	28.54	01/29/2021
349	MONROE TRUCK EQUIPMENT	831726	LED	01/26/2021	370.56	01/29/2021
5305	EWALD AUTOMOTIVE GROUP	37188	1FDRF3H68LEE12346	12/31/2020	44,934.00	01/15/2021
Total 40-91400-801 DUMP TRUCK:					45,333.10	
40-91400-806 PICKUP TRUCK - W/PLOW						
904	CKC GRAPHICS & SIGNS	4279	VINYL	01/13/2021	325.00	01/15/2021
Total 40-91400-806 PICKUP TRUCK - W/PLOW:					325.00	
40-91500-801 STREET RESURFACING						
256	KAPUR & ASSOCIATES, INC.	105335	ROAD UTILITY DESIGN	12/31/2020	1,343.00	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105336	ROAD PROJEC INSPECT	12/31/2020	210.00	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105935	ROAD UTILITY DESIGN	12/31/2020	2,961.00	01/29/2021
256	KAPUR & ASSOCIATES, INC.	105940	ROAD PROJEC INSPECT	12/31/2020	980.00	01/29/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
357	MUNSON INC.	0055032	INDIAN CREEK PARK	12/31/2020	7,360.00	01/22/2021
535	MUNICIPAL LAW & LITIGATION	4984	VILLAGE ATTORNEY	12/31/2020	658.00	01/08/2021
849	WOOD SEWER & EXCAVATING,	PAY 6	2019 ROAD & UTILITY	12/31/2021	6,827.18	01/15/2021
Total 40-91500-801 STREET RESURFACING:					20,339.18	
40-91500-825 PROJECT MANAGEMENT						
256	KAPUR & ASSOCIATES, INC.	105939	GENERAL PROF.SVCS	12/31/2020	441.00	01/29/2021
Total 40-91500-825 PROJECT MANAGEMENT:					441.00	
40-91600-800 STORMWATER ROAD PROJECT						
256	KAPUR & ASSOCIATES, INC.	105333	GREENVALE STORM WATER	12/31/2020	2,444.00	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105335	ROAD UTILITY DESIGN	12/31/2020	500.00	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105609	CONSTRUCTION MANAGE UTIL	12/31/2020	2,938.38	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105935	ROAD UTILITY DESIGN	12/31/2020	2,961.00	01/29/2021
256	KAPUR & ASSOCIATES, INC.	105936	BARNETT LANE BIO-RETENTIO	12/31/2020	350.00	01/29/2021
256	KAPUR & ASSOCIATES, INC.	105940	ROAD PROJEC INSPECT	12/31/2020	2,354.80	01/29/2021
4195	VILLAGE OF FOX POINT	26942	059-0303-00 8311 GREENVALE	01/11/2021	287.95	01/15/2021
Total 40-91600-800 STORMWATER ROAD PROJECT:					11,836.13	
40-91600-833 TREE REPLACEMENT						
69	WALLACE TREE & LANDSCAPE	170	TREE WORK	12/31/2020	24,700.00	01/29/2021
69	WALLACE TREE & LANDSCAPE	175	STORM DAMAGE REMOVAL	12/31/2020	4,530.00	01/15/2021
2824	MAREK LANDSCAPING	4633	VEGETATION MAINTENANCE	12/31/2020	686.00	01/08/2021
Total 40-91600-833 TREE REPLACEMENT:					29,916.00	
40-91700-801 NSFD CAPITAL EXPENSE						
54	NORTH SHORE FIRE DEPARTM	202107	CAPITAL	01/07/2021	3,751.00	01/08/2021
Total 40-91700-801 NSFD CAPITAL EXPENSE:					3,751.00	
40-91700-802 NSFD EXPENSE 2010 AND BEYOND						
54	NORTH SHORE FIRE DEPARTM	202107	DEBT	01/07/2021	11,817.00	01/08/2021
Total 40-91700-802 NSFD EXPENSE 2010 AND BEYOND:					11,817.00	
50-53100-233 GIS MAINTENANCE						
39	RUEKERT MIELKE, INC.	134679	GIS DATA MAINT	12/31/2020	2,599.70	01/15/2021
Total 50-53100-233 GIS MAINTENANCE:					2,599.70	
50-81000-601 SOURCE OF WATER SUPPLY						
378	NORTH SHORE WATER COMMI	57	MONTHLY	01/01/2021	20,946.20	01/15/2021
Total 50-81000-601 SOURCE OF WATER SUPPLY:					20,946.20	
50-81000-640 OPERATIONS LABOR WATER MAINS						
101806	USA BLUEBOOK	456672	HYD HOSE VALVE ASSEM	12/31/2020	108.48	01/22/2021
Total 50-81000-640 OPERATIONS LABOR WATER MAINS:					108.48	
50-81000-651 MAINTENANCE OF MAINS						
281	LINCOLN CONTRACTORS SUP	N18351	BLADE	12/31/2020	153.99	01/08/2021
281	LINCOLN CONTRACTORS SUP	N19461	OIL FUEL MIX WATER DEPT	01/11/2021	84.28	01/22/2021
281	LINCOLN CONTRACTORS SUP	N20521	PRIME PUMP	01/20/2021	575.00	01/29/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
281	LINCOLN CONTRACTORS SUP	N20548	COUPLER	01/21/2021	8.46	01/29/2021
281	LINCOLN CONTRACTORS SUP	N20728	BOOTS	01/22/2021	65.97	01/29/2021
327	MENARD'S - MILWAUKEE	23670	WATER DEPT	12/31/2020	66.91	01/08/2021
458	SHERWIN INDUSTRIES, INC.	SC046172	FIBER BULK	01/20/2021	708.51	01/22/2021
458	SHERWIN INDUSTRIES, INC.	SC046187	FIBER BULK	01/28/2021	786.24	01/29/2021
474	CORE & MAIN LP	N284738	REPAIR CPLG	01/08/2021	103.75	01/22/2021
474	CORE & MAIN LP	N502673	ARGONICS TOP	12/31/2020	288.00	01/08/2021
474	CORE & MAIN LP	N508348	ALPHA/ BODY	12/31/2020	1,430.00	01/08/2021
474	CORE & MAIN LP	N568677	HYMAX	01/08/2021	863.36	01/22/2021
474	CORE & MAIN LP	N573941	MAG ANODE	01/11/2021	582.52	01/29/2021
474	CORE & MAIN LP	N587509	EXT PIECES	01/13/2021	1,541.41	01/29/2021
776	GRAINGER, INC.	9757340121	LADDER	12/31/2020	189.69	01/15/2021
2241	ITU ABSORB TECH, INC	7459025	WATER DEPT	12/31/2020	8.34	01/29/2021
2241	ITU ABSORB TECH, INC	7463463	WATER DEPT	12/31/2020	8.34	01/29/2021
2241	ITU ABSORB TECH, INC	7519553	WATER	12/31/2020	44.80	01/29/2021
2241	ITU ABSORB TECH, INC	7523809	WATER DEPT	12/31/2020	8.34	01/29/2021
2241	ITU ABSORB TECH, INC	7596581	WATER DEPT	12/31/2020	8.34	01/08/2021
2241	ITU ABSORB TECH, INC	7600680	WATER DEPT	12/31/2020	8.34	01/08/2021
2241	ITU ABSORB TECH, INC	7605190	WATER	12/31/2020	44.80	01/08/2021
2241	ITU ABSORB TECH, INC	7609288	WATER DEPT	12/31/2020	8.34	01/08/2021
2241	ITU ABSORB TECH, INC	7613555	WATER DEPT	12/31/2020	8.34	01/15/2021
2241	ITU ABSORB TECH, INC	7617925	WATER DEPT	01/11/2021	8.34	01/15/2021
2241	ITU ABSORB TECH, INC	7622143	WATER	12/31/2020	44.80	01/29/2021
2241	ITU ABSORB TECH, INC	7626291	WATER DEPT	01/25/2021	8.34	01/29/2021
5293	LANNON STONE PRODUCTS	1280220	STONE	01/22/2021	281.74	01/29/2021
5293	LANNON STONE PRODUCTS	1280221	STONE	01/22/2021	832.87	01/29/2021
	Total 50-81000-651 MAINTENANCE OF MAINS:				8,772.16	
50-81000-800 CAPITAL OUTLAY						
256	KAPUR & ASSOCIATES, INC.	105335	ROAD UTILITY DESIGN	12/31/2020	500.00	01/08/2021
256	KAPUR & ASSOCIATES, INC.	105935	ROAD UTILITY DESIGN	12/31/2020	2,961.00	01/29/2021
256	KAPUR & ASSOCIATES, INC.	105940	ROAD PROJEC INSPECT	12/31/2020	980.00	01/29/2021
849	WOOD SEWER & EXCAVATING,	PAY 6	2019 ROAD & UTILITY	12/31/2021	41,080.82	01/15/2021
4542	SEH, INC.	398643	LAKE DR DESIGN	12/31/2020	3,258.06	01/15/2021
	Total 50-81000-800 CAPITAL OUTLAY:				48,779.88	
50-81000-844 NSWC CAPITAL PROJECTS						
378	NORTH SHORE WATER COMMI	2020 -01/13/2021	RESERVOIR UPGRADE	12/31/2020	10,394.99	01/15/2021
	Total 50-81000-844 NSWC CAPITAL PROJECTS:				10,394.99	
50-81000-903 SUPPLIES AND EXPENSE						
50	BADGER METER, INC.	80066264	SERV UNIT	12/31/2020	149.63	01/15/2021
	Total 50-81000-903 SUPPLIES AND EXPENSE:				149.63	
50-81000-923 OUTSIDE SERVICES EMPLOYED						
194	BAKER TILLY VIRCHOW KRAUS	BT1734912	TEST YEAR WATER/SEWER ST	12/31/2020	2,400.00	01/08/2021
2839	CITY WATER LLC	746	MONTHLY	12/31/2020	6,000.00	01/08/2021
	Total 50-81000-923 OUTSIDE SERVICES EMPLOYED:				8,400.00	
70-12100 TAXES RECEIVABLES						
186	FOX POINT, VILLAGE OF - W/U	22407-12/30/20	390 DAPHNE RD-	12/31/2020	308.20	01/08/2021
484	JUAREZ, REBECA OR BRETT	23164	OVERPAYMENT TAXES	01/11/2021	71.61	01/15/2021
572	FISCHER OR, ANNA E	23068	OVERPAYMENT TAXES	01/06/2021	636.43	01/15/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
580	KROLL, DONALD OR PAULETTE	23040	OVERPAYMENT	01/06/2021	314.64	01/15/2021
652	ROBBINS, CAROLINE OR JUSTI	22969	OVERPAYMENT TAXES	12/31/2020	607.52	01/15/2021
680	DAVIDSON, CHAD OR MIKAYLA	22914	OVERPAYMENT TAXES	01/04/2021	109.37	01/15/2021
683	CASEY, SHEILA	22437 12/31/20	OVERPAYMENT TAXES	12/31/2020	1.10	01/08/2021
684	BALISTRERI, BRIAN OR AMAND	22244 12/29/20	OVERPAYMENT TAXES	12/31/2020	627.44	01/08/2021
792	HOELZLE, JAMES B OR JESSIC	058-9976-00 23601	OVERPAYMENT	01/27/2021	760.06	01/29/2021
793	CORE LOGIC, INC.	50812392	058-9976-00 HOELZLE	01/29/2021	14,754.54	01/29/2021
1082	ZIZZO, ANNE M	23224	OVERPAYMENT TAXES	01/13/2021	1,097.64	01/15/2021
1096	EHRHARDT, REBECCA	22327 12/30/20	OVERPAYMENT TAXES	12/31/2020	1.48	01/08/2021
1862	KIRCHNER, ADAM D	22173 12/29/20	OVERPAYMENT TAXES	12/31/2020	107.57	01/08/2021
2283	MARTIN, MATTHEW J AND JAC	23015	OVERPAYMENT OF TAXES	01/05/2021	63.89	01/15/2021
	Total 70-12100 TAXES RECEIVABLES:				19,461.49	
70-24100	**DUE TO MIL COUNTY TREASURER**					
330	MILWAUKEE COUNTY TREASU	2020 UNCLAIMED	UNCLAIMED PROPERTY	12/31/2020	9,810.54	01/08/2021
330	MILWAUKEE COUNTY TREASU	UNCLAIMED 2020	UNCLAIMED PROPERTY	12/31/2020	9,810.54	01/08/2021
	Total 70-24100 DUE TO MIL COUNTY TREASURER:				19,621.08	
	Grand Totals:				1,040,073.3	

Date Approved: _____

Village Manager: _____

Village Board: _____

VILLAGE OF
FOX POINT

To: Village Board

From: Scott A. Botcher, Village Manager SAB

cc: Mike Rakow, Inspector

Date: January 6, 2021

Re: Inspector Code Updates

In your packet you will find some proposed code changes drafted by Mr. Larson following discussions with the Building Inspector.

In a nutshell, currently our code (in this portion) is cumbersome, citing other codes as cross reference, requiring the user to go back and forth and making utilization and comprehension more difficult.

The Inspector has recommended inserting the actual language in each section where this intersectional referencing is occurring.

No change in the actual code is recommended nor would be accomplished should you approve this ordinance.

Thank you.

VILLAGE HALL
7200 North Santa Monica Blvd.
Fox Point, Wisconsin 53217-3505
414-351-8900 | Fax 414-351-8909

STATE OF WISCONSIN VILLAGE OF FOX POINT MILWAUKEE COUNTY

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RE-CREATE SECTIONS 745-13 B. (6), 745-14, 745-15, 745-16 B. (6) AND 745-17 B. (6) OF THE VILLAGE OF FOX POINT ZONING CODE CONCERNING RESIDENCE DISTRICTS

WHEREAS, the Village of Fox Point Village Board has initiated this zoning amendment pursuant to Section 745-35 of the Village of Fox Point Zoning Ordinance and Wisconsin Statutes Sections 61.35 and 62.23(7), upon the recommendation of the Village Building Inspector, and has referred the matter to the Village Plan Commission for report and recommendation; and

WHEREAS, the Village Building Inspector, in consultation with the Village Attorney, has recommended revisions be made to the residential zoning district regulations of the Village Code, to make the provisions more user friendly, and less susceptible to misinterpretation, by eliminating certain internal code references and instead directly describing the regulations that apply in each residential district; and

WHEREAS, the changes contemplated herein do not modify the substance of the regulations applicable to each zoning district, these changes only make the provisions more clear; and

WHEREAS, the Plan Commission of the Village of Fox Point has recommended to the Village Board of the Village of Fox Point that said amendments to the Zoning Code be made; and

WHEREAS, a public hearing was conducted by the Village Board of the Village of Fox Point on _____, after due notice was provided pursuant to Section 745-35 of the Village of Fox Point Village Code and Wisconsin Statutes Section 61.35 and 62.23; and

WHEREAS, the Village Board finds that this change to the Village Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, the Village Board of the Village of Fox Point having carefully reviewed the recommendation of the Plan Commission of the Village of Fox Point, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration and having based its determination on the effect of the granting of such a zoning amendment on the health, safety and welfare of the community and having given due consideration to the municipal problems involved as well as the impact on the affected properties hereby determines that the public necessity, convenience, general welfare and good zoning practice requires that the zoning amendment be granted.

NOW, THEREFORE, the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 745 of the Village of Fox Point Village Code entitled "Zoning," Section 745-13 entitled "A-1 Residence District," Subsection B entitled, "Areas and Yards," Subsection (6), the introductory paragraph only, and not the subsections that follow is hereby repealed and recreated as follows:

(6) No single-family residence built or existing in this district shall have a height greater than ~~35 feet above the lowest point of the lot grade abutting the structure, except if located in the A-1, A-2, A-3, or B District. Any single-family residence located in the A-1, A-2, A-3, or B District shall not have a height greater than~~ 40 feet from the grade abutting the structure on the front side of the structure, with the exception ~~in the A-1 District~~ that, upon application to the Board of Appeals, the Board of Appeals may grant a special exception ~~under the conditions as further set forth in this subsection. Any single-family residence located in the A-1 District and constructed~~ on a lot of not less than 80,000 square feet in total area ~~may apply to the Board of Appeals for a special exception from any height limitation~~ upon the following criteria:

SECTION 2: Chapter 745 of the Village of Fox Point Village Code entitled "Zoning," Section 745-14 entitled "A-2 Residence District," is hereby repealed and recreated as follows:

§ 745-14 A-2 Residence District.

~~A. The provisions of this chapter in respect to an A-1 Residence District above set forth shall apply to an A-2 Residence District, except that the open area required by § **745-13B(1)** above shall be 30,000 square feet; the side yard required by § **745-13B(3)** above shall be 15 feet, and the width required by § **745-13B(5)** above shall be 100 feet.~~

~~B. The height limitations of single-family residence structures shall be governed by § **745-13B(6)**.~~

A. Uses. In an A-2 Residence District, no building or premises, unless otherwise provided in this chapter, shall be erected or used except for dwelling, together with accessory uses incident to the permitted use, provided always accessory use does not constitute or become a public or private nuisance.

B. Areas and yards. In an A-2 Residence District, no building may be erected, enlarged or altered except in conformity with the following:

(1) The open area of a lot on which a dwelling is erected or proposed to be erected, together with the area of abutting land reserved for highway purposes, whether private or public, to the center line thereof, shall not be reduced to less than 30,000 square feet for each family. No building not erected for a dwelling shall occupy more than 10% of the gross area of the lot or exceed a height of 25 feet.

(2) A front yard of not less than 30 feet shall be provided for every building on a lot for which a setback is not hereinafter provided for. Every building shall be set back from the center line of each adjoining street or area reserved for highway purposes, or any extension or separated portion thereof hereafter established, not less than the street setback specified upon the

Official Zoning Map, except that the following reductions may be made for corner lots from the setbacks specified on the Official Zoning Map: five feet when width of lot is more than 80 feet but less than 90 feet; 10 feet when width of lot is more than 70 feet but less than 80 feet; and 15 feet when the width of lot is 70 feet or less; provided, however, that no setback will be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes.

(3) A side yard of not less than 15 feet shall be provided for on each side of every building.

(4) A rear yard of not less than 20 feet shall be provided for every building.

(5) Every lot on which a building is erected shall have ~~an average~~ a minimum width of 100 feet.

(6) No single-family residence built or existing in this district shall have a height greater than 40 feet from the grade abutting the structure on the front side of the structure. For purposes of this subsection, the height of the building shall include the highest roof point of any interior portion of the structure which can be occupied, including but not limited to attic and storage structures and observatories which accommodate entry or occupancy by a person, but shall not include roof attachments such as chimneys, antennas or decorative cupolas.

SECTION 3: Chapter 745 of the Village of Fox Point Village Code entitled "Zoning," Section 745-15 entitled "A-3 Residence District," is hereby repealed and recreated as follows:

§ 745-15 A-3 Residence District.

~~A. The provisions of this chapter in respect to an A-1 Residence District above set forth shall apply to an A-3 Residence District, except that the open area required by § **745-13B(1)** above shall be 20,000 square feet; the side yard required by § **745-13B(3)** above shall be 12 feet, and the width required by § **745-13B(5)** above shall be 90 feet.~~

~~B. The height limitations of single-family residence structures shall be governed by § **745-13B(6)**.~~

A. Uses. In an A-3 Residence District, no building or premises, unless otherwise provided in this chapter, shall be erected or used except for dwelling, together with accessory uses incident to the permitted use, provided always accessory use does not constitute or become a public or private nuisance.

B. Areas and yards. In an A-3 Residence District, no building may be erected, enlarged or altered except in conformity with the following:

(1) The open area of a lot on which a dwelling is erected or proposed to be erected, together with the area of abutting land reserved for highway purposes, whether private or public, to the center line thereof, shall not be reduced to less than 20,000 square feet for each family. No building not erected for a dwelling shall occupy more than 10% of the gross area of the

lot or exceed a height of 25 feet.

(2) A front yard of not less than 30 feet shall be provided for every building on a lot for which a setback is not hereinafter provided for. Every building shall be set back from the center line of each adjoining street or area reserved for highway purposes, or any extension or separated portion thereof hereafter established, not less than the street setback specified upon the Official Zoning Map, except that the following reductions may be made for corner lots from the setbacks specified on the Official Zoning Map: five feet when width of lot is more than 80 feet but less than 90 feet; 10 feet when width of lot is more than 70 feet but less than 80 feet; and 15 feet when the width of lot is 70 feet or less; provided, however, that no setback will be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes.

(3) A side yard of not less than 12 feet shall be provided for on each side of every building.

(4) A rear yard of not less than 20 feet shall be provided for every building.

(5) Every lot on which a building is erected shall have ~~an average~~ a minimum width of 90 feet.

(6) No single-family residence built or existing in this district shall have a height greater than 40 feet from the grade abutting the structure on the front side of the structure. For purposes of this subsection, the height of the building shall include the highest roof point of any interior portion of the structure which can be occupied, including but not limited to attic and storage structures and observatories which accommodate entry or occupancy by a person, but shall not include roof attachments such as chimneys, antennas or decorative cupolas.

SECTION 4: Chapter 745 of the Village of Fox Point Village Code entitled "Zoning," Section 745-16 entitled "B Residence District," Subsection B entitled, "Areas and Yards," Subsection (6) is hereby repealed and recreated as follows:

(6) ~~The height limitations of single-family residence structures shall be governed by § **745-13B(6)**.~~ No single-family residence built or existing in this district shall have a height greater than 40 feet from the grade abutting the structure on the front side of the structure. For purposes of this subsection, the height of the building shall include the highest roof point of any interior portion of the structure which can be occupied, including but not limited to attic and storage structures and observatories which accommodate entry or occupancy by a person, but shall not include roof attachments such as chimneys, antennas or decorative cupolas.

SECTION 5: Chapter 745 of the Village of Fox Point Village Code entitled "Zoning," Section 745-17 entitled "C Residence District," Subsection B entitled, "Areas and Yards," Subsection (6) is hereby repealed and recreated as follows:

(6) ~~The height limitations of single-family residence structures shall be governed by § **745-13B(6)**.~~ No single-family residence built or existing in this district shall have

a height greater than 35 feet above the lowest point of the lot grade abutting the structure. ~~from the grade abutting the structure on the front side of the structure.~~ For purposes of this subsection, the height of the building shall include the highest roof point of any interior portion of the structure which can be occupied, including but not limited to attic and storage structures and observatories which accommodate entry or occupancy by a person, but shall not include roof attachments such as chimneys, antennas or decorative cupolas.

SECTION 6: CONTINUATION OF EXISTING PROVISIONS.

The provisions of this ordinance, to the extent that they are substantively the same as those of the ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance for the time that such provision was in effect, and the repeal of any such provisions is stayed pending the final resolution of such actions, including appeals.

SECTION 7: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 8: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this _____ day of _____, 2020.

VILLAGE OF FOX POINT

_____

Douglas H. Frazer, Village President

ATTEST:

_____

Kelly Meyer, Village Clerk

Published and/or posted this _____ day of _____, 2020.

VILLAGE OF
FOX POINT

To: Fox Point Plan Commission

From: Scott A. Botcher, Village Manager

cc: Chief Christopher Freedy, Fox Point Police Department

Date: January 25, 2021

Re: Proposed Bradley and Port Washington Road(s) Development aka BP Pantry 41

At its December 2020 meeting, the Plan Commission heard the initial presentation and review of the proposed Spring North dba BP Pantry 41 development at the corner of Bradley and Port Washington Roads. Following its initial review, the Commission took the following action:

> *On motion of Langhoff, seconded by Yauck, and carried the Commission tabled the Conditional Use Permit application from Spring North Corp., d/b/a Pantry 41, 8000 N. Port Washington Road, Fox Point, formally requesting clarification on:* ***meeting the parking requirements without including the transient spaces by the pumps; detail on liquor sales including types and qualities of items sold; clarification on the necessity of the hours of operation proposed; and a more detailed lighting plan.***

Staff offered the applicant the opportunity to meet and review the updated submittals prior to this meeting; unfortunately, the materials were not received by the Village until January 22, 2021, so this is our first and only feedback to date.

Reviewing the motion and the applicant's response thereto:

PARKING REQUIREMENTS: The plan appears to meet the parking requirements. The applicant shall provide 5 spots for every 1,000 square feet of building area; with 1,681 sf of building, they need 8.4 spots (rounded up to nine). The plan depicts 9 spots, each meeting the 9-foot wide by 19-foot-long sizing requirement. (Reviewed by Mr. Brandmeier)

DETAIL ON LIQUOR SALES: The Plan Commission requested detail on the liquor sales, including types and quantities of items sold. The applicant provided detail on the "Location of Liquor", but did not appear to address the request of the Commission in this regard.

VILLAGE HALL
7200 North Santa Monica Blvd.
Fox Point, Wisconsin 53217-3505
414-351-8900 | Fax 414-351-8909

CLARIFICATION ON THE NECESSITY OF THE HOURS OF OPERATION PROPOSED: The applicant has modified his hours of operation from the initial application. The current request is to be open between 6am and 11:45 pm, seven days a week, offering liquor sales from 9 am until 9 pm.

DETAILED LIGHTING PLAN: As reviewed and confirmed by the Village Engineer, the plan does not appear to meet the lighting requirements based on the limited information provided. The applicant provided a photometrics drawing, but no detail(s) of the size(s) of the light fixtures. Per Village Code 670-52, any light fixture is limited to a height of 12 feet. Further, staff does not see any detail(s) on the size(s) of the light fixtures. Additionally, Village Code 670-55 defines the allowable light trespass beyond the property line as 0.2 foot-candle; there are a number of locations around the parcel where the light trespass is far greater than 0.2 foot-candle and no measurements are provided for areas beyond the property line. Based on their submitted information, I do not believe they meet the code requirements in this regard.

I asked Inspector Rakow to review the submitted site plan from his perspective. His comments are listed below.

- The structure appears to be a legal nonconforming structure.
- The southeast section of canopy is in the 85-foot setback from the centerline of Bradley Road.
- The northwest section of the canopy and gas pump cover is in the 90-foot setback from the centerline of Port Washington Road
- All setback lines should be shown on site plan. I do not believe they are all shown.

Please review Chapter 745-18, D Business District. This part of the zoning code governs use of this parcel.

This proposed use is an allowed conditional use under 745-18 D (1) (c).

Village code 745-18 D (4) discusses the Plan Commission recommendation.

"The Village Plan Commission shall review the application and make recommendations to the Village Board on the following areas:

(a) Whether conditions, if any, as found in Subsection **D (5)** should be recommended;

(b) Whether there will be compliance with all other provisions of this chapter, including Subsection F of this section, except if the project is deemed to be of superior quality by the Plan Commission. Then, in such cases, the front setback shall not be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes;

(c) Whether the approval of the application would impede the normal and orderly development and improvement of the adjoining properties or properties in the same D Business District;

(d) Whether adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

(e) Whether adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;

(f) Whether there will be compliance with all other applicable laws and regulations;

(g) Whether traffic entering or exiting the site is likely to endanger safety or cause congestion on nearby streets."

I want to draw your attention to several of these and offer commentary.

Subsection (c) (above) states **"Whether the approval of the application would impede the normal and orderly development and improvement of the adjoining properties or properties in the same D Business District".**

In this instance, my opinion is that approval of this application WOULD impede the orderly development and improvement of the neighboring properties.

Neither this site nor the restaurant site next to this are substantial enough properties on their own to afford the highest and best use of this corner. Further, I would argue that approval of this application absent the inclusion of the restaurant site could leave the restaurant site as an orphan lot with few development opportunities, impeding its development and improvement. Prospective approval of this application leaves the restaurant site as an ever increasingly blighted lot in the Village with few prospects for reclamation.

In conclusion, I believe approving this application would impede the normal and orderly development and improvement of the adjoining properties or properties in the same D Business District.

Subsection (e) (above) states **"Whether adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets".**

Absent any traffic analysis or representations to the contrary, my opinion is that this standard has not been met.

I have concerns about the location of the curb cuts in both Port Washington Road and Bradley Road and the proximity to the corner. The queuing in this vicinity may create dangerous traffic congestion and impede the orderly flow of traffic on our public streets.

I call your attention to the Mobil gas station at the intersection of Port Washington Road and Green Tree Road. This business has very similar curb cuts and creates untenable, potentially dangerous traffic congestion when busy, perpetuating conflicting traffic movements in several directions.

Subsection (g) states **"Whether traffic entering or exiting the site is likely to endanger safety or cause congestion on nearby streets".**

Similarly, and for the same reasons stated previously pursuant to Subsection (e), I believe this proposal WILL endanger safety OR cause congestion on nearby streets. I will not restate the rational here as you can read them above.

Clearly, there may be other issues the Plan Commission wishes to address with the applicant. I have not addressed the entirety of this Chapter and many remaining parts delineate the powers of the Village Board.

Suffice it to say, staff and I believe these identified issues, at a minimum, should be addressed. I find it difficult to endorse a supportive Plan Commission recommendation at this point.

As always, please contact me should you have any further questions.

AMENDMENT TO

PLAN OF OPERATION

Spring North
Dba
BP Pantry 41
8000 North Port Washington Road
Agent: Ajit (Jay) Walia-414-588-0554
jasonsingh@aol.com

After receiving the feedback from the Planning Commission and the Staff, we are amending our Plan of Operation as follows:

1. OPENING HOURS/7DAYS/a WEEK:

   6 am – 11:45 Pm

   Liquor Sell Time – 9 AM- 9 PM

2. **Location of Liquor:** 4’ rack for all sizes of liquor behind the Cashier area, 3- cooler doors for beer and wine as shown on the plan.

This is a small convenience store of approximately only 1600’.

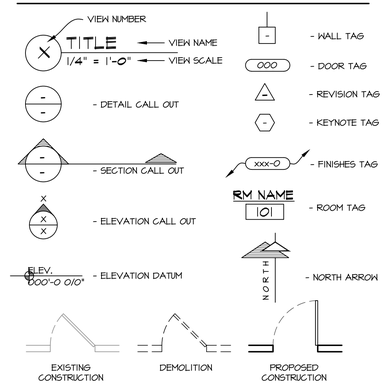
3. Parking :8 Parking including one handicapped as shown in the Plan

4. OPEN COMMUNICATION: Manager will always keep open communication with surrounding neighbors.

ABBREVIATIONS

AFF	Above Finished Floor
ALUM	Aluminum
ARCH	Architect
BLDG	Building
BLKG	Blocking
BRG	Bearing
CLG	Ceiling
CONC	Concrete
CONSTR	Construction
CONT	Continuous
CONTR	Contractor(s)
CTR	Center
DP	Deep
DBL	Double
DET	Detail
DIA	Diameter
DIM	Dimension
DN	Down
DR	Door
DS	Downspout
DWG	Drawing
EA	Each
ELEC	Electrical
ELEV	Elevation
EP	Electrical Panel
EXT	Exterior
FC	Fire Code
FD	Floor Drain
FDN	Foundation
FG	Fiberglass
FIN	Finished
FLR	Floor
FT	Foot or Feet
FTG	Footing
GYP	Gypsum
HT	Height
HC	Handicap
HDR	Header
HR	Hour
HVAC	Heating, Ventilating & Air Conditioning
INCL	Including
INSUL	Insulation
INT	Interior
JST	Joist
KD	Kiln Dried
LAV	Lavatory
LT	Light
LVL	Laminated Veneer Lumber
MAX	Maximum
MC	Moisture Content
MECH	Mechanical
MET	Metal
MFR	Manufacturer
MIN	Minimum
MISC	Miscellaneous
NIC	Not In Contract
NO	Number
NONCOM	Noncombustible
NTS	Not to Scale
O/	On, Over
OC	On Center
OPNG	Opening
OPP	Opposite
OH	Overhead
PLY	Plywood
PROP	Property
PT	Point
PVMT	Pavement
PWR	Power
PSF	Pounds per Square Foot
PSL	Parallam Structure Lumber
PLF	Per linear foot
R	Riser
RAD	Radius
REF	Refrigerator
REINF	Reinforcing
REQD	Required
REV	Revision
RM	Room
RO	Rough Opening
SECT	Section
SHT	Sheet
SHTG	Sheeting
SIM	Similar
SPEC	Specified
STD	Standard
STOR	Storage
SYP	Southern Yellow Pine
T	Tread
T & G	Tongue & Groove
TEMP	Temporary
THK	Thick
TOF	Top of Footing
TRTD	Treated
TV	Television
TYP	Typical
UL DES	Underwriters Laboratory Designation
UNO	Unless Noted Otherwise
VB	Vapor Barrier
VCT	Vinyl Composite Tile
VEN	Veneer
W	Wide
W/	With
WD	Wood
WIN	Window
W/O	Without
WP	Weatherproof
WWF	Welded Wire Fabric
&	And
@	At
℄	Center Line
DIA	Diameter

SYMBOL LEGEND



SCOPE OF DRAWING:

THESE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF ARCHITECTURAL DESIGN INTENT, THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS AND THE TYPE OF STRUCTURAL, MECHANICAL AND ELECTRICAL SYSTEMS. THE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT. ON THE BASIS OF GENERAL SCOPE INDICATED OR DESCRIBED, THE TRADE CONTRACTORS SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK INTENDED.

PLAN NOTES:

1. ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTORS MUST REVIEW ALL DETAILS OF THEIR TRADES AND BE RESPONSIBLE FOR THE SAME.
2. DO NOT SCALE DIMENSIONS FROM DRAWINGS. CONSULT THE ARCHITECT WITH ANY QUESTIONS.
3. ALL INTERIOR WALLS ARE DIMENSIONED FINISH TO FINISH UNLESS NOTED OTHERWISE. (SEE WINDOW TYPES FOR ACTUAL DIMENSIONS)
4. PLACEMENT OF BUILDING COMPONENTS, MECHANICAL EQUIP. APPLIANCES AND ELECTRICAL COMPONENTS IS SUBJECT TO FIELD ADJUSTMENT. ACTUAL CONSTRUCTION MAY NOT CONFORM EXACTLY TO THE LOCATIONS INDICATED ON THESE DRAWINGS

GENERAL NOTES:

1. THE DESIGNER MAINTAINS NO RESPONSIBILITY FOR THE GENERAL CONTRACTOR, SUBCONTRACTORS, OR THOSE WORKING IN SUCH CAPACITIES, FOR THE METHODS USED, OR LACK THEREOF, IN THE EXECUTION OF THE WORK AND SAFETY PROCEDURES AND PRECAUTIONS TAKEN AT THE PROJECT SITE.
2. CONTRACTORS SHALL ASSUME FULL RESPONSIBILITY - UNRELIEVED BY REVIEW OF SHOP DRAWINGS NOR BY SUPERVISION OR PERIODIC OBSERVATION OF CONSTRUCTION FOR COMPLIANCE WITH THE CONTRACT DOCUMENTS - FOR DIMENSIONS TO BE CONFIRMED AND CORRELATED ON THE JOB SITE AND BETWEEN INDIVIDUAL DRAWINGS OR SETS OF DRAWINGS; FOR FABRICATION PROCESSES AND CONSTRUCTION TECHNIQUES (INCLUDING EXCAVATION, SHORING AND SCAFFOLDING, BRACING, ERECTION, FORM WORK, ETC.); FOR COORDINATION OF THE VARIOUS TRADES; FOR SAFE CONDITIONS ON THE JOB SITE; AND FOR THE PROTECTION OF THE PEOPLE AND PROPERTY AT THE JOB SITE.
3. THE INFORMATION CONTAINED ON THE DRAWINGS IS IN ITSELF INCOMPLETE, AND VOID UNLESS USED IN CONJUNCTION WITH ALL THE SPECIFICATIONS, TRADE PRACTICES, OR APPLICABLE STANDARDS, CODES, ETC., INCORPORATED THEREIN BY REFERENCE, OF WHICH THE CONTRACTOR CERTIFIES KNOWLEDGE BY SIGNING THE CONTRACT.
4. UNLESS NOTED OTHERWISE, ALL DETAILS, SECTIONS, AND NOTES ON THE DRAWINGS ARE INTENDED TO BE TYPICAL FOR SIMILAR SITUATIONS ELSEWHERE
5. UNLESS OTHERWISE SHOWN OR NOTED, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE LOCATION AND THE PLACEMENT OF ANY INSERTS, HANGARS, PIPE SLEEVES, HOLES OR ANCHOR BOLTS THAT ARE REQUIRED BY THE MECHANICAL OR ELECTRICAL EQUIPMENT.
6. THE CONTRACTOR SHALL COMPLY WITH THE LATEST OCCUPATIONAL SAFETY HEALTH ACT REQUIREMENTS.
7. ALL STATE OF WISCONSIN, LOCAL AND O.S.H.A. SAFETY CODES SHALL BE A PART OF THESE PLANS, AND IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO SEE THAT ALL PARTIES THAT WORK AT OR VISIT THE JOB SITE COMPLY WITH SAME.

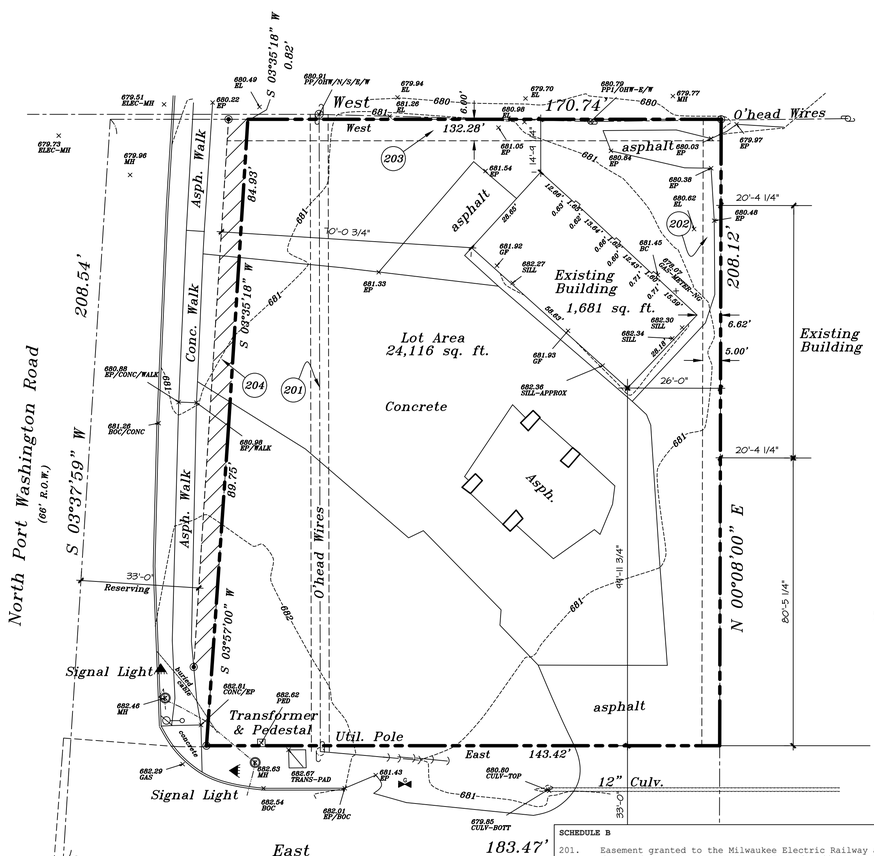
1 SATELLITE IMAGE

BUILDING DATA :

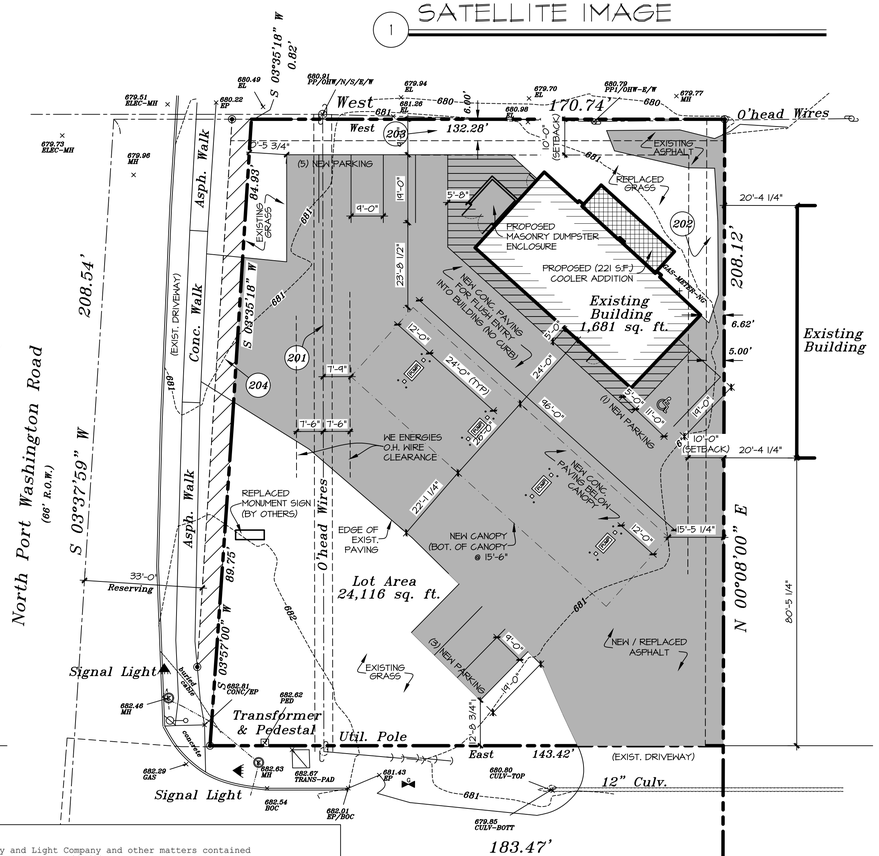
2015 IBC CODE

USE AND OCCUPANCY CLASSIFICATION; (chapter-3)	NON-SEPARATED MIXED USE. "M" GOVERNS "M" - MERCANTILE "S-2" - LOW-HAZARD STORAGE
ALLOWABLE AREA AND HEIGHT;	"M" (V-B)" ONE STORY - 9,000 sq. ft.
ACTUAL AREA;	TOTAL BUILDING AREA: 1,902 sq. ft. EXISTING BUILDING AREA: 1,681 sq. ft. PROPOSED COOLER ADDITION AREA: 221 sq. ft.
SPRINKLERS;	NONE
CONSTRUCTION TYPE; (Table-601)	"V-B"
FIRE RATINGS (per table 601 & 602)	
STRUCTURAL FRAME;	0 - HR. RATING
BEARING WALLS EXTERIOR;	0 - HR. RATING
BEARING WALLS INTERIOR;	0 - HR. RATING
NON-BEARING WALLS EXTERIOR;	0 - HR. RATING
NON- BEARING WALLS INTERIOR;	0- HR. RATING
FLOOR CONSTRUCTION;	0 - HR. RATING
ROOF CONSTRUCTION;	0 - HR. RATING
EXIT TRAVEL DISTANCE; (table 1017.2)	200 feet
COMMON PATH OF TRAVEL; (per 1006.2.1)	75 FEET
TOTAL OCCUPANCY LOADING (per TABLE 1004.1.1)	25 TOTAL (MAX) OCCUPANTS (C-STORE MERCANTILE AREAS = 1 PER 60 S.F) (1,248 S.F. / 60 = 21) (STORAGE / MECH AREAS = 1 PER 300 S.F) (535 S.F. / 300 = 2) (CASHIER (BUSINESS) AREAS = 1 PER 100 S.F) (119 S.F. / 100 = 2)
PLUMBING FIXTURE REQUIREMENTS: (per TABLE 2902.1)	
WATER CLOSETS "M MERCANTILE"	
MALE (1 PER 500)	(13 / 500) = .02 REQUIRED
FEMALE (1 PER 500)	(13 / 500) = .02 REQUIRED — 1 UNISEX REQD (PER 2902.2, EX #3)
LAVATORIES (1 PER 750)	(25 / 750) = .03 REQUIRED

CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND THE EXACT LOCATION OF EXISTING PLUMBING, MECHANICAL, AND STRUCTURAL COMPONENTS AND NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES.



1 EXISTING SITE PLAN
1" = 20'-0"



2 PROPOSED SITE PLAN
1" = 20'-0"

SCHEDULE B

201. Easement granted to the Milwaukee Electric Railway and Light Company and other matters contained in the instrument recorded December 19, 1924 as Document No. 1324609. Amended by Conveyance of Rights in Land recorded March 29, 2005 as Document No. 8982342 is plotted heron.

202. Easement granted to The Milwaukee Electric Railway and Light Company and other matters contained in the instrument recorded December 4, 1928 as Document No. 1663302. Amended by Conveyance of Rights in Land recorded March 29, 2005 as Document No. 8982342 is plotted hereon.

203. Easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company and other matters contained in the instrument recorded August 28, 1958 as Document No. 3680110. Amended by Conveyance of Rights in Land recorded March 29, 2005 as Document No. 8982342 is plotted hereon.

204. Temporary Limited Easement and other matters contained in Warranty Deed recorded July 16, 2004 as Document No. 8823884 is plotted hereon.

SHEET INDEX

T-1	TITLE SHEET, BUILDING DATA, LOCATION PLAN, GENERAL NOTES, & SHEET INDEX
EX-1	PROPOSED & EXISTING SITE PLANS
A-1	STANDARD MOUNTING HEIGHTS & GENERIC ACCESSIBILITY STANDARDS
A.100	LOWER LEVEL & FIRST FLOOR PLANS, & WALL TYPES
A.101	SECOND & THIRD FLOOR PLANS, & WALL TYPES

NOT FOR CONSTRUCTION

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262-786-6776 FAX 262-786-7036

REVISIONS:
10/8/20: PRELIM #1
11/18/20: PROGRESS SET

PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:
FLOOR PLAN, SPECIFICATIONS & DETAILS

T-1

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-374

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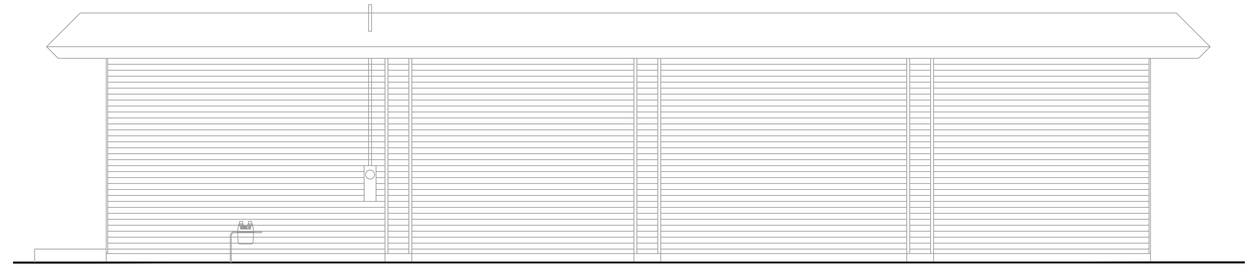
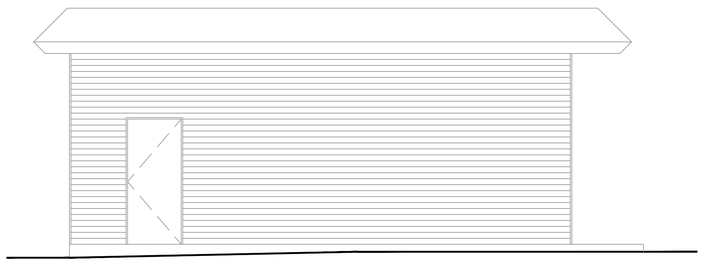
EXISTING / DEMO (EAST ELEVATION

1/4" = 1'-0"



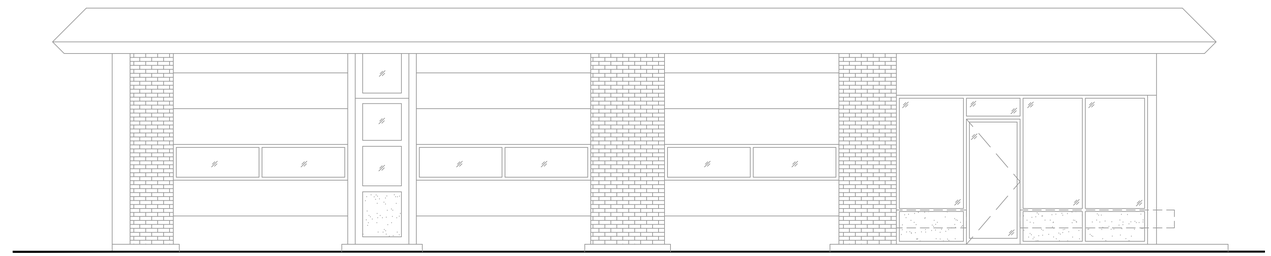
EXISTING / DEMO NORTH ELEVATION

1/4" = 1'-0"



EXISTING / DEMO WEST ELEVATION

1/4" = 1'-0"



EXISTING / DEMO SOUTH ELEVATION

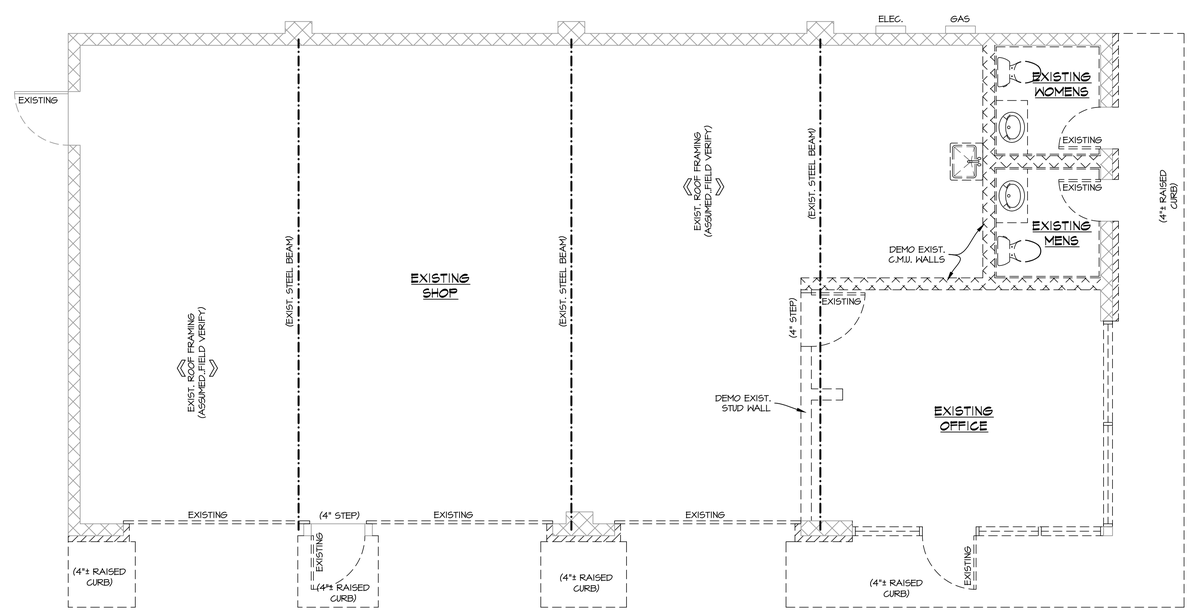
1/4" = 1'-0"

1 EXISTING NORTH PHOTO
N.T.S.

2 EXISTING EAST PHOTO
N.T.S.

3 EXISTING SOUTH PHOTO
N.T.S.

4 EXISTING WEST PHOTO
N.T.S.



NORTH

EXISTING/DEMO FLOOR PLAN

1/4" = 1'-0"

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-

PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:
EXISTING / DEMO PLAN, ELEVATIONS, & PHOTOS

EX-1

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-374

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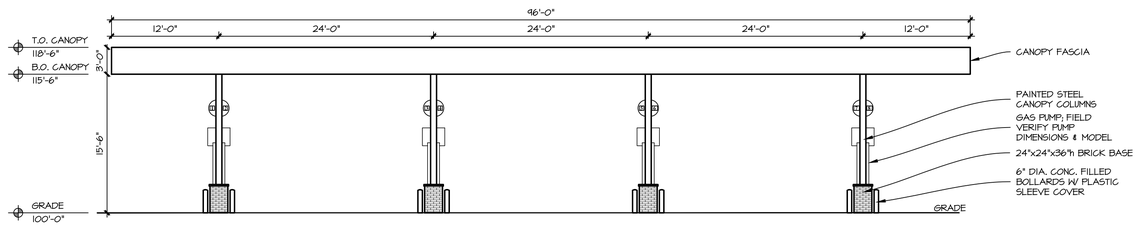
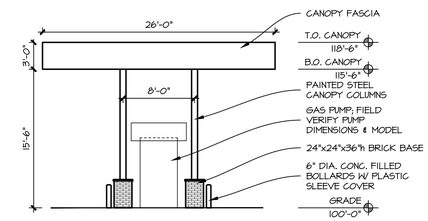


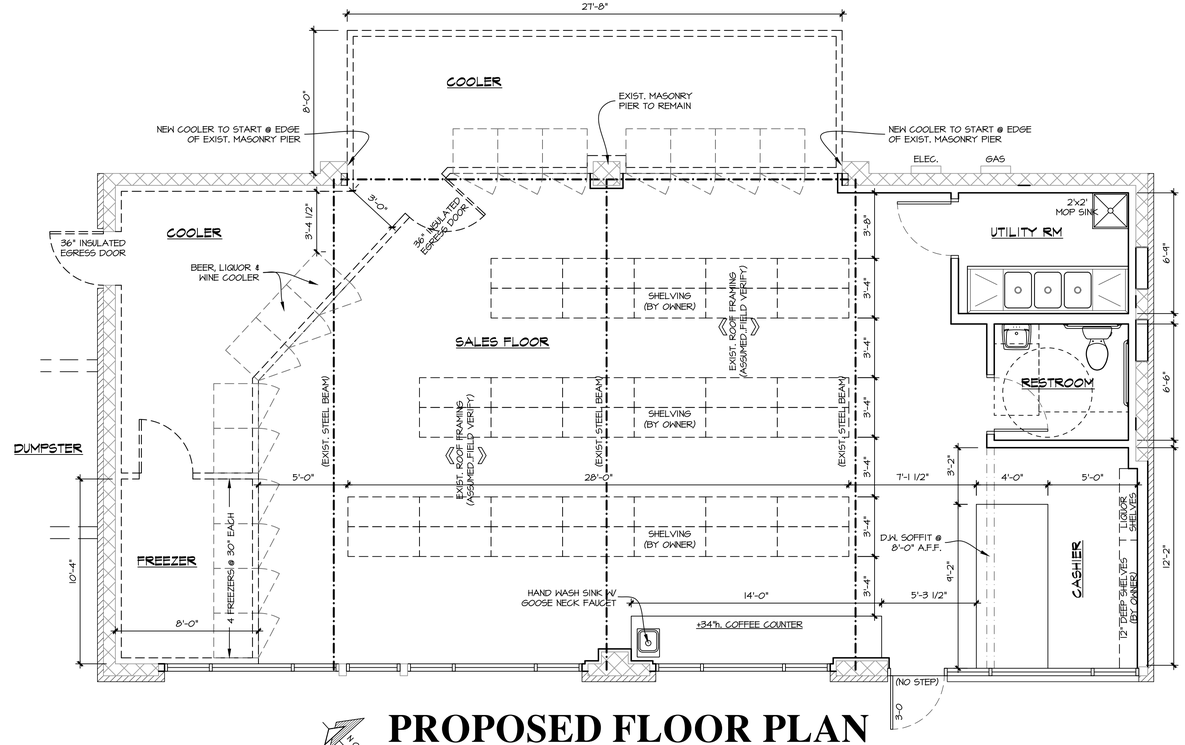
PROPOSED GAS PUMP CANOPY NORTH/SOUTH ELEVATIONS

1/8" = 1'-0"



PROP. GAS PUMP CANOPY EAST/WEST ELEVATIONS

1/8" = 1'-0"



PROPOSED FLOOR PLAN

NORTH 1/4" = 1'-0"

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PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:
PROPOSED FLOOR PLAN & PETROLEUM CANOPY ELEVATIONS

A-1

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-374

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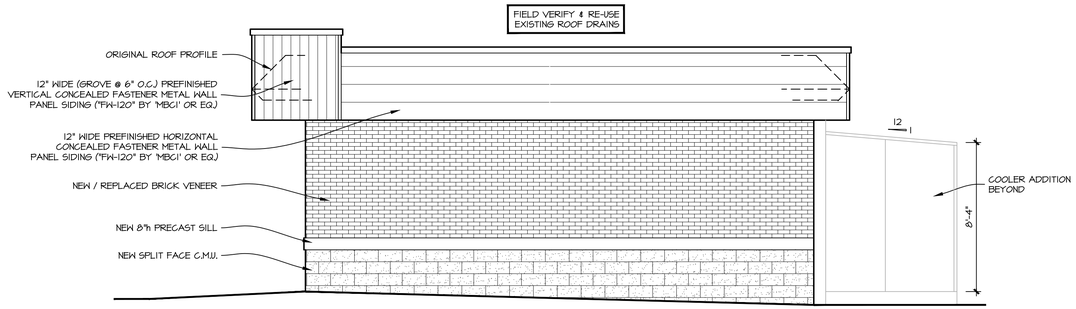
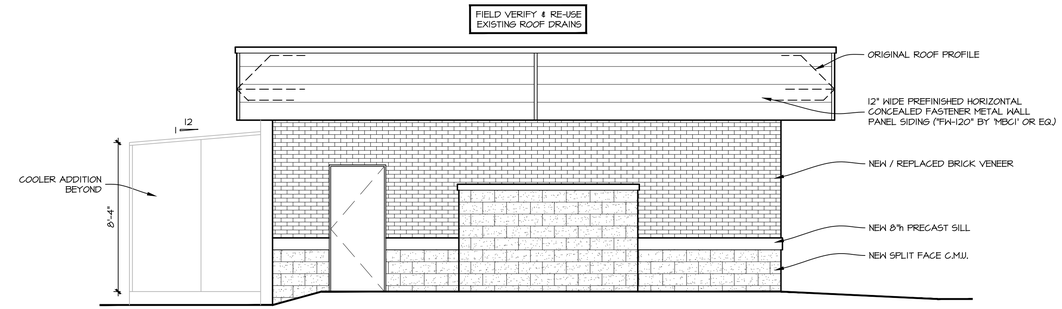


PROPOSED EAST ELEVATION

1/4" = 1'-0"



PROPOSED WEST ELEVATION

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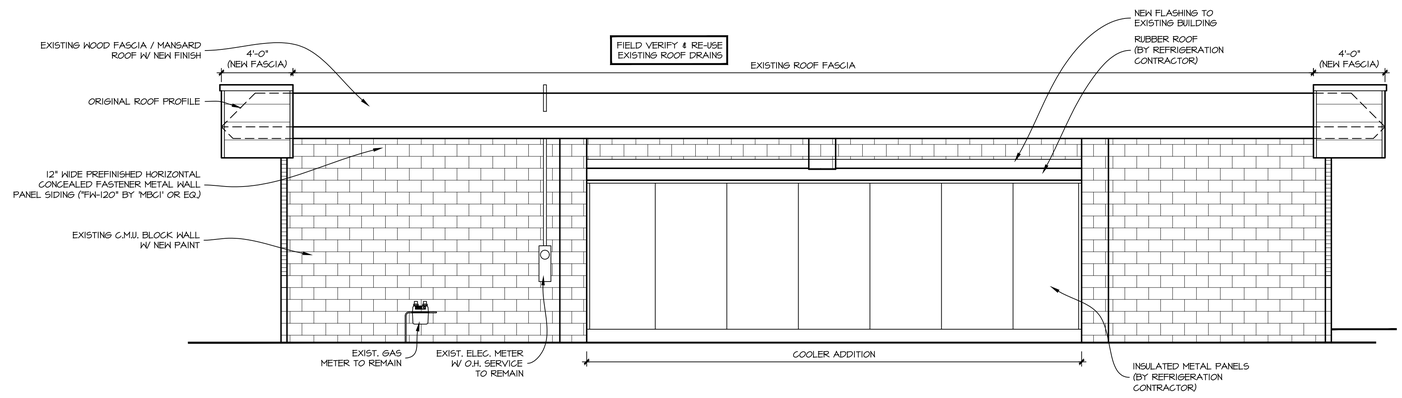
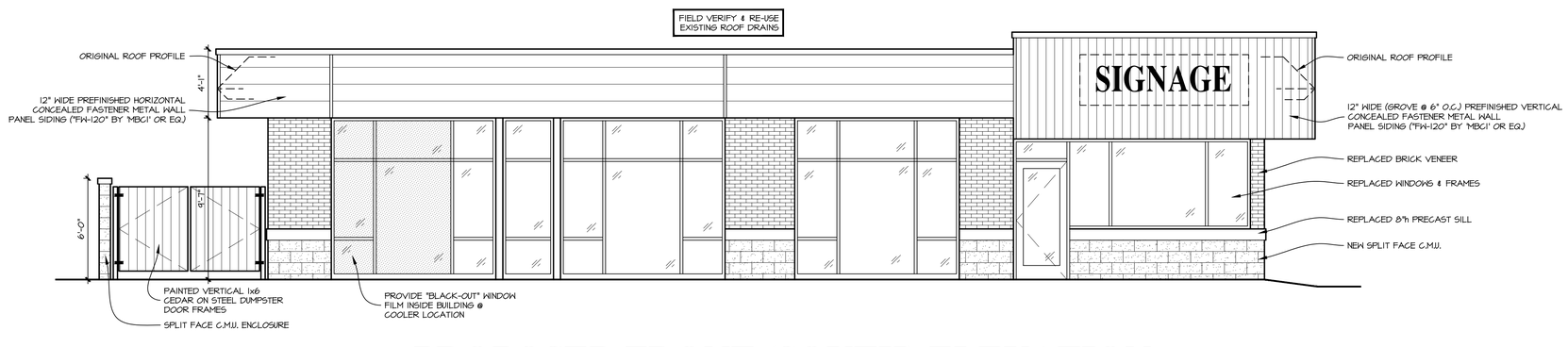


PROPOSED NORTH ELEVATION

1/4" = 1'-0"



PROPOSED FRONT (SOUTH) ELEVATION

1/4" = 1'-0"

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-
-

PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:
PROPOSED ELEVATIONS

A-2

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-374

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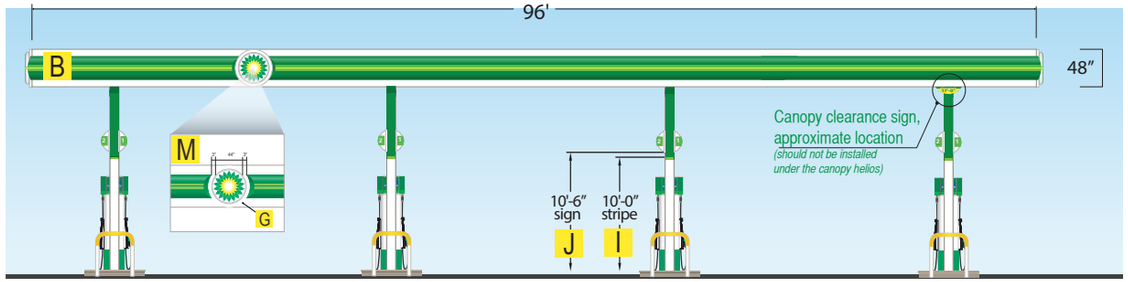
See Site Notes page for specific paint codes and contact info.

REMOVE ALL EXISTING SIGNAGE

NO IMAGE AVAILABLE
NEW CANOPY

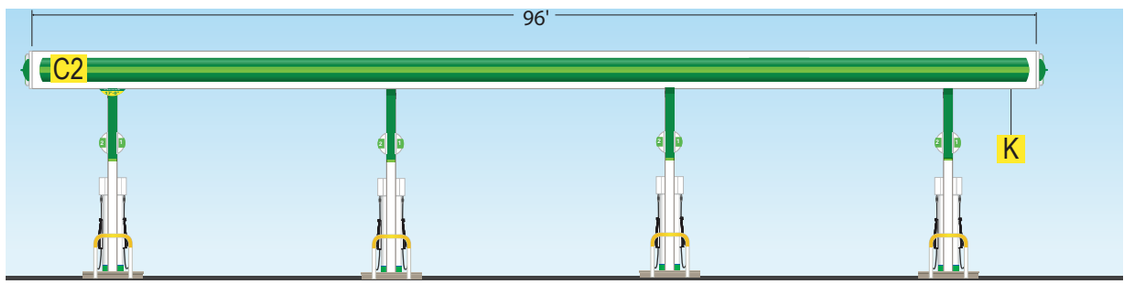


Front Elevation

NO IMAGE AVAILABLE
NEW CANOPY

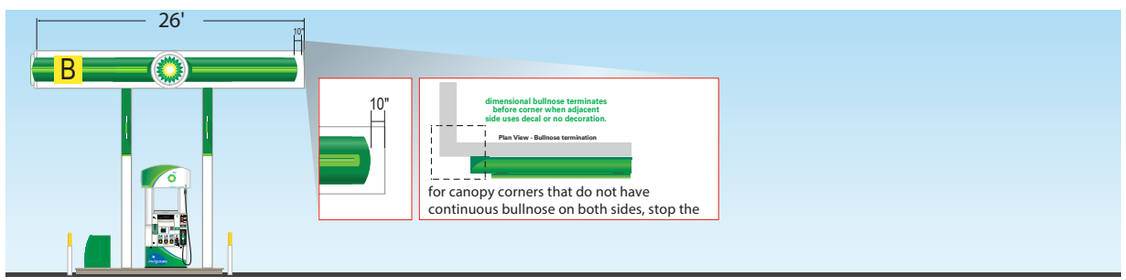
Left Elevation

NO IMAGE AVAILABLE
NEW CANOPY



Back Elevation

NO IMAGE AVAILABLE
NEW CANOPY



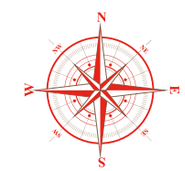
Right Elevion

- B ☒ Install Dimensional Bullnose Fascia With Light Bar
- C1 ☐ Install Dimensional Bullnose Fascia With No Lightbar
- C2 ☒ Install BGB Flat ACM With Decal Applied With No Lightbar
- D ☐ Install New White ACM
  - ☐ Jobber Supplied ☐ Federal Heath Supplied
- E ☐ Paint Existing Flat ACM White
  - ☐ Install Bullnose Decal ☐ Leave White
- F ☒ Install Helios With Arc Kit
  - ☐ 39" Helios ☐ 30" Helios (restricted P&Z only)
  - ☒ 44" Helios ☐ 36" Helios (restricted P&Z only)
- G ☐ Install Helios Without Arc Kit
  - ☐ 39" Helios ☐ 30" Helios (restricted P&Z only)
  - ☐ 44" Helios ☐ 36" Helios (restricted P&Z only)
- H1 ☒ Paint Canopy Columns White/BP Green, & Install Column Decal (Per Standards Shown on Note Page)
- H2 ☐ Paint As Shown In Guide
- I ☒ Install Flag Signs 10'6" From The Ground
- J ☒ Apply BP Light Green Stripe 10'0" From The Ground
- K ☒ Canopy Deck To Be BP White
- L ☒ Canopy Corners: ☒ Are 90° ☐ Are NOT 90°
- M ☒ Canopy Detail (Full Canopy Detail Page After Elevation)

NOTES:

For a two tier fascia, please remove all layers of fascia and take it back to the deck. Then build the fascia height to 36".

MAP:



Signoff indicates that the above product has been permitted with any municipalities involved. By signing this document, the product will be manufactured to these specifications.

Approved By: _____

Date: _____

BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste 211 Northfield, IL 60093

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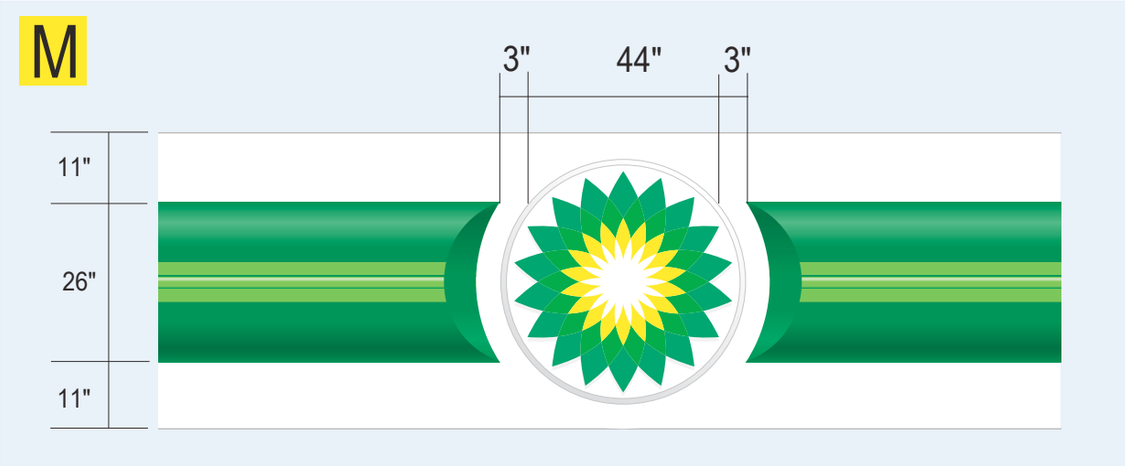
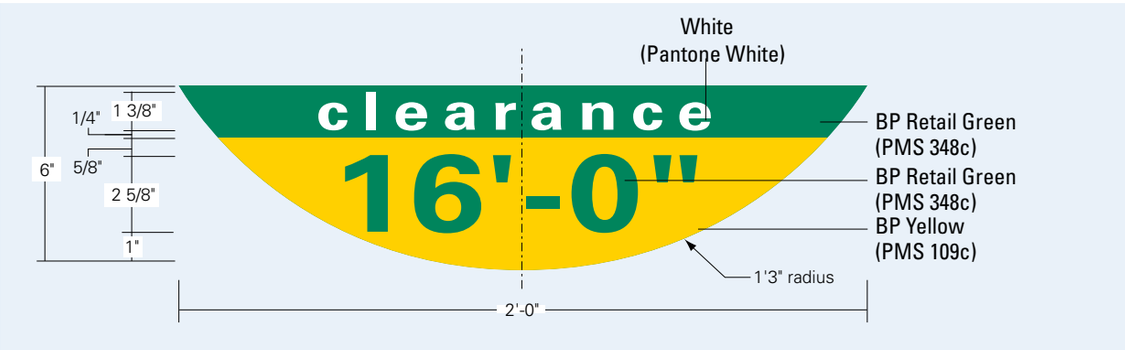
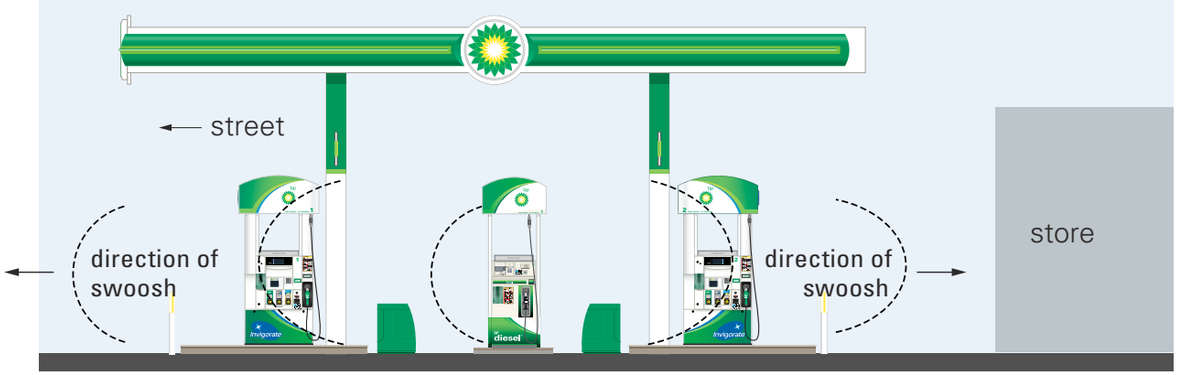
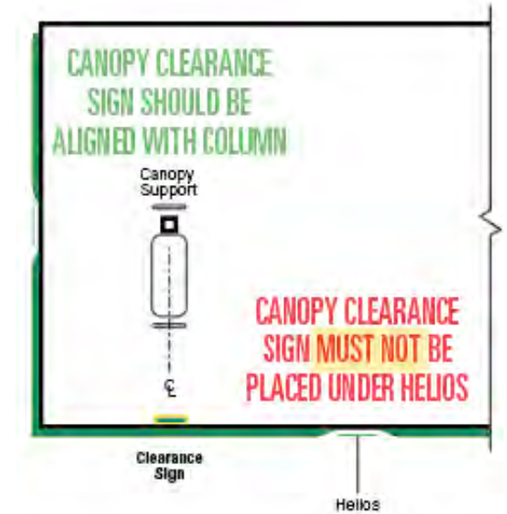


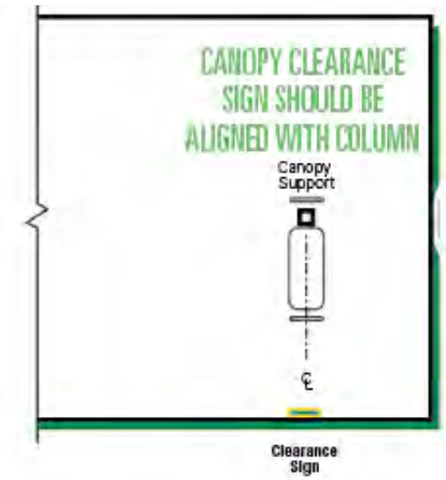


Dispenser graphics should bow out in the direction of the perimeter of the canopy.

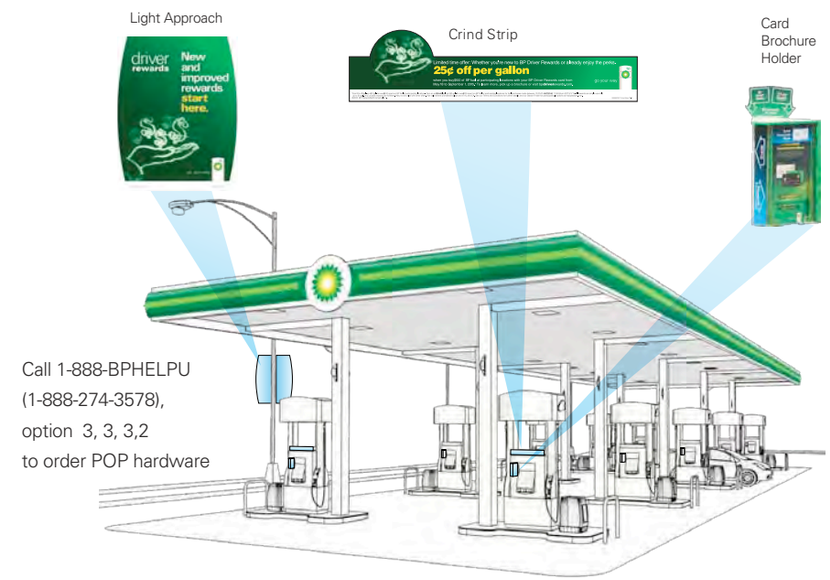




C. plan view - site location - Option 1



D. plan view - site location - Option 2



Approved By _____

Date _____

Signoff indicates that the above product has been permitted with any municipalities involved. By signing this document, the product will be manufactured to these specifications.

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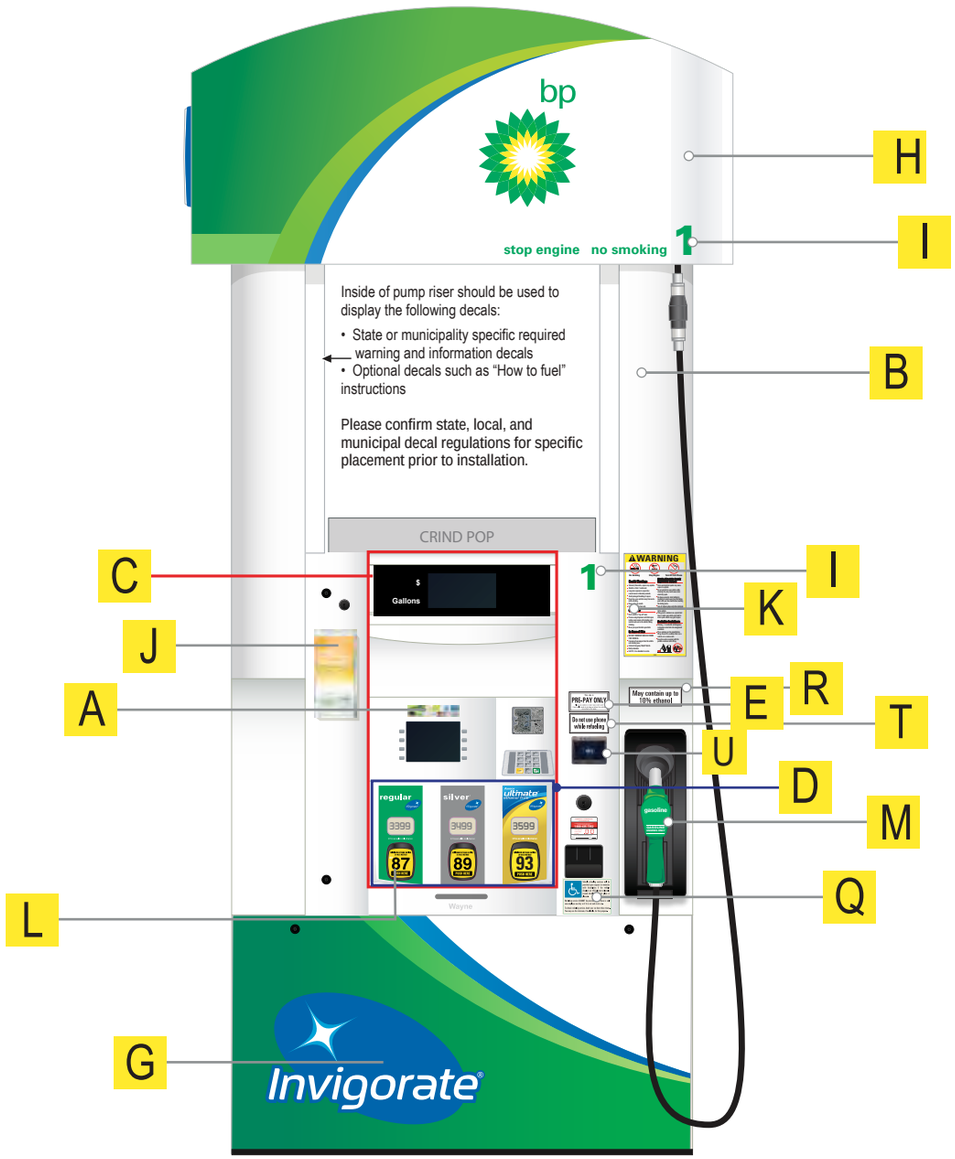
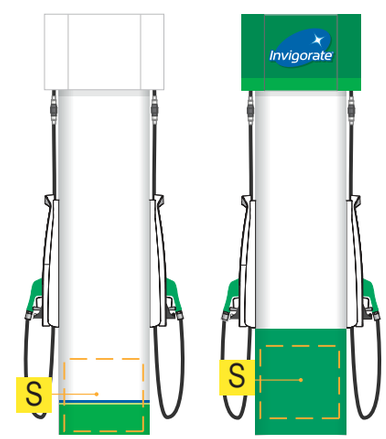
BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste 211 Northfield, IL 60093

Unless prior approval has been given by the BP Image Manager: The decals shown in this rendering are the only decals approved by BP.
The failure to remove existing decals, or the installation of any additional decals will be considered non-compliant with BP Brand Standards.



Riser Decals Come In A Set



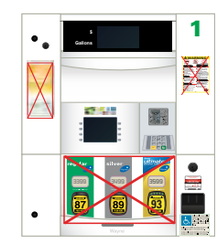
REMOVE ALL UNAPPROVED SIGNAGE FROM DISPENSERS

See Site Notes Page For Specific Paint Codes And Contact Info.

- ■ Crind Hardware
- ☐ Inverted Pump Sign Hardware (NY & NJ ONLY)

- A ■ Install BP Credit Card Acceptance Decal
- B ■ Install BP White Dispenser Riser Panel Overlay
- C ■ Panel Surrounding Electronics Must Be One Of The Following Colors And/or Any Combination Of BP White, Grey, Beige And/or Black. Blue And Red Are Not Approved Amoco Colors.
  - ■ Current electronic panel meets BP Standards
  - ☐ Current electronic panel DOES NOT meet BP standards
- D ■ Apply BP Branded Grade Decals
- E ■ Apply Please Prepay First Decal
- F ☐ Install "This Is Not A BP Product" Decal
- G ■ Install BP Pump Appropriate Skirt
  - ■ Install BP Branded Skirt (as shown) ☐ Install BP Un-Branded Skirt (as shown)
- H ■ Install Spec Valance (as shown)
- I ■ Apply Pump Numbers (Decal supplied should have Amoco Retail Red number with clear background)
- J ■ Install Driver Rewards Brochure Holder
- K ■ Apply Regulatory Graphic Provided By BP (Additional graphics may be required by your state.)
- L ■ Install Applicable Octane Decals
- M ■ Install Correct Nozzle Covers (See Forecourt Notes Page)
- N ☐ Install Nozzle Surround For BP Branded Diesel
- O ☐ Install BP Branded Diesel Actuator Button
- P ☐ Apply Vertical Grade Decal For BP Branded Diesel
- Q ■ Apply Handicap Decal
- R ■ Apply 10% Ethanol Decal (As required by code)
- S ■ Apply Riser Decal
- T ■ Do Not Use Phone While Fueling Decal
- U ■ Tap To Pay Interface

Notes



- All filler panels, excluding those marked with an "X" will need to be purchased through the dispenser manufacturer, Wayne. BP Parts will not provide these on the estimate.

- This is only needed if you are reimaging an existing dispenser and this area is an unapproved dispenser color (Red or Blue).

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BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste 211 Northfield, IL 60093

See Site Notes page for specific paint codes and contact info.
REMOVE ALL EXISTING SIGNAGE OFF FASCIA

No BP image will be applied to the building.
(this includes no Helios or the word "BP")

Note: It Is A Requirement That The Building Have A Store Name On It.

NO IMAGE AVAILABLE

aa YES, this location is receiving a BP "Togo" *image (Qty. 0).
- ☐ Install: Small Illuminated Togo Sign, 52" X 28 5/8" H
- ☐ Install: Medium Illuminated Togo Sign, 77" X 41 3/4" H
- ☐ Install: Large Illuminated Togo Sign, 112" X 60 5/8" H

*Note: ToGo sign to be centered over entry door and centered on the fascia above the gradient stripe.

bb YES, this location is receiving a BP "Service" image. (Qty. 0).
- ☐ Install: 4' Illuminated Service Sign
- ☐ Install: 8' Illuminated Service Sign

cc Exterior Building Walls:
- ☐ To Be Painted Bp White (C.04) ☐ To Be Kept Natural

dd Building Fascia to be
- ☐ Paint Fascia, BP Bright Green (C.06) ☐ Install New ACM
- ☐ Paint Fascia, Neutral

ee Is this location is receiving a Yellow Stripe? ☐ Yes ☐ No
- ☐ Install Yellow Awning Decal ☐ Install Dimensional Yellow Awning
- ☐ Paint Yellow Stripe

The use of ANY color of green is prohibited when the ToGo image is NOT used. If the color green is used on the building without the ToGo treatment, you will need to repaint it before financial settlement can occur. Any prior gasoline brand markings or logos need to be removed.

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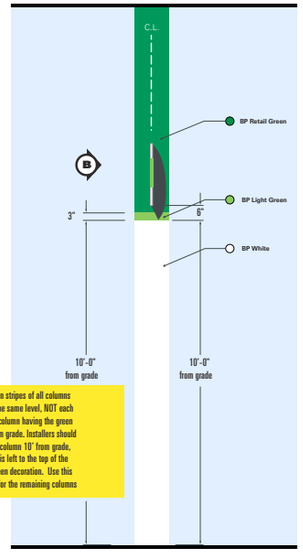
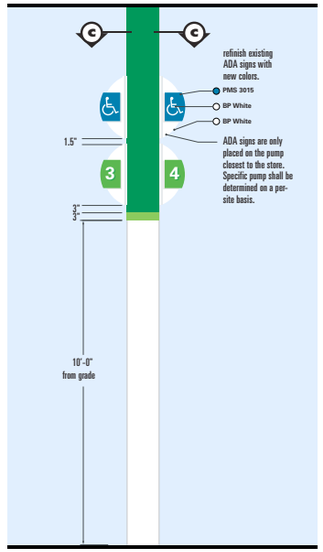
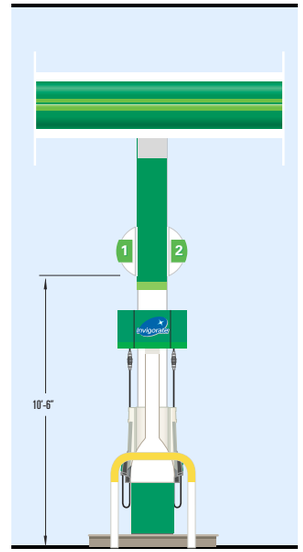
BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste 211 Northfield, IL 60093



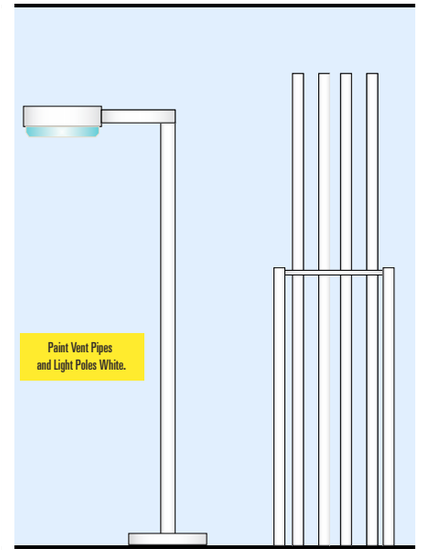
A Side Elevation - Painted column
SCALE: NTS



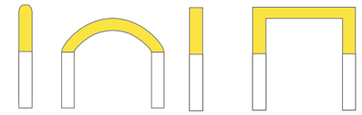
B Front Elevation - Painted column
SCALE: NTS



C Elevation -Typical undercanopy (startergate)
SCALE: NTS



D Elevation -Vent Pipes and Light Poles
SCALE: NTS



Paint Bollards TOP 1/3 BP Yellow (c.03); BOTTOM 2/3 BP White (c.04). If bollards are stainless steel, they do not need to be painted.

Curbs with integrated bollard are to be painted BP Warm Gray (c.02). TOP 1/3 of integrated bollard to be painted BP Yellow (c.03).

Existing painted islands need to be painted Warm Grey (c.12).If islands are unpainted, they may remain unpainted.

Existing painted curbs need to be painted Warm Grey (c.12). If curbing is unpainted, they may remain unpainted.

Checked if included in scope of work. Should be included with material order.

☐ air
Air Decal
Sku #: 820177

☐ air
Air Decal
Sku #: 820179

☐ vacuum
Vacuum Decal
Sku #: 820183

☐ air
Air Decal
Sku #: 820178

☐ water
Water Decal
Sku #: 820181

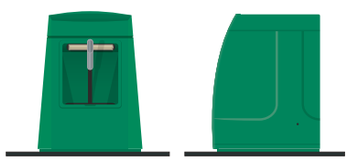
☐ vacuum
Vacuum Decal
Sku #: 820182

Green = Regular or single-nozzle
Silver = Silver (mid-grade)
Gold = Ultimate (premium)
Black = Diesel
Yelllow = E85 (optional for diesel in WI)

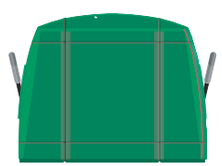
Note: Any deviation form nozzle covers MUST have BP approval.

All existing trash containers must be removed and replaced with BP approved containers. These containers must be BP approved colors.

Waste Container
SKU#: 8002615



All in One - Front View / Side View
SKU#: 8002614



2 DOUBLE SIDED ISLAND CONVENIENCE CNTR
SKU #75823699

Notes

Printing Concepts:

1. Open your PDF file through Adobe Acrobat and click the "File" tab > "Print…" This will cause a popup to appear on your screen. Locate the "Advanced" button to get to the next step.

Select Print as Image

Clicking the 'Advanced' button will cause another popup to appear on your screen, this time you need to click the "Print as Image" button. With this, you are done! Just click "OK" and "Print."

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BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste 211 Northfield, IL 60093

EXTERIOR PAINT SPECIFICATIONS

01 BP Pearl
- **Glidden Professional**, Order #A0083, Spec #38YY 72/117, "Indian Legend"
- **Sherwin Williams**, SW6119, "Antique White"
- **Benjamin Moore**, OC-8, "Elephant Tusk" - P28 DTM (Gallon)
- **Anchor Paint**, BP Pearl - CC3065 (Acrylic), CC3112 (Oil)

02 BP Warm Gray
- **Glidden Professional**, Order #A1860, Spec #40YY 25/074, "Grey Mountain"
- **Sherwin Williams**, SW7053, "Adaptive Shade"
- **Benjamin Moore**, 2137-40, "Desert Twilight" - P28 DTM (Gallon)
- **Anchor Paint**, BP Warm Gray - CC3068 (Acrylic), CC3115 (Oil)

03 BP Yellow (Paint)
- **Glidden Professional**, Order #A0775, Spec #37YY 61/867, "Omega Yellow"
- **Sherwin Williams**, SW6903, "Cheerful"
- **Benjamin Moore**, 2022-10, "Yellow" - P28 DTM (Gallon)
- **Anchor Paint**, BP Yellow - CC3066 (Acrylic), CC3113 (Oil)

BP Yellow (ACM) - Reynobond, "Program Yellow"

04 White (Canopy Deck, Canopy Columns)
- **Glidden Professional**, Order #A0128, Spec #50GY 83/010, "White Wing"
- **Sherwin Williams**, SW7006, "Extra White"
- **Benjamin Moore**, OC-67, "Ice Mist" - P28 DTM (Gallon)
- **Anchor Paint**, BP White - 4900 (Acrylic), 900 (Oil)

05 BP Dark Pearl
- **Glidden Professional**, Order #A0767, Spec #30YY 52/207, "Desert Valley"
- **Sherwin Williams**, SW6121, "Whole Wheat"
- **Benjamin Moore**, HC-24, "Pittsfield Buff" - P28 DTM (Gallon)

06 BP Bright Green (to go fascia paint)
- **Benjamin Moore**, 2030-10, "Lizard Green"
- **Anchor Paint**, BP White - CC3107 (Acrylic), CC3116 (Oil)

BP Bright Green (to go ACM)
- **Duragloss 3000**, CMR# 071013-D, 497G11281 H/G SR Green

09 BP Retail Green
- **Glidden Professional**, Custom Color "BP Retail Green"
- **Sherwin Williams**, Hydrogloss B65GW180, Custom Color
- **Benjamin Moore**, BP Retail Green - PMS 348c, Custom Color
- **Anchor Paint**, BP Retail Green - CC3067 (Acrylic), CC3114 (Oil)

ADA BLUE

10 ADA/Handicap Blue~
- **Glidden Professional**, "Handicap Blue", 25524 traffic paint
- **Sherwin Williams**, TM2133, "Setfast Blue", Setfast marking latex
- **Benjamin Moore**, P58-30, "Handicap Blue", Safety/Zone marking latex

~Handicap Blue paint is used for pavement striping and marking on site (as required).

BP EXTERIOR SIGNAGE

BP Yellow - PMS 109

BP Super Bright Green (to go) - PMS 382

BP Extra Light Green (to go) - PMS 376

BP Light Green - PMS 368

BP Bright Green (to go) - PMS 361

BP Green - PMS 355

BP Retail Green - PMS 348

BP Dark Green (to go) - PMS 356

For all paint inquiries, contact:

Benjamin Moore
855-724-6802
www.benjaminmoore.com

Glidden Professional
888-615-8169
www.gliddenprofessional.com

Sherwin Williams
800-474-3794
www.sherwin-williams.com

Anchor Paint
405-831-9446
www.anchorpaint.com

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BIG RED ROOSTER FLOW
2 Northfield Plaza, Ste 211 Northfield, IL 60093

FIRE

BLUFFDALE CITY HALL

BLUFFDALE CITY HALL
2222
BLUFFDALE CITY OFFICE
COURT HEARINGS:

MADISON
FIRE DEPARTMENT
STATION 1
26 North Center Street

Municipal LAW

& LITIGATION GROUP

DALE W. ARENZ, RETIRED
DONALD S. MOLTER, JR., RETIRED
JOHN P. MACY
H. STANLEY RIFFLE
COURT COMMISSIONER
ERIC J. LARSON
REMZY D. BITAR

730 N. GRAND AVENUE
WAUKESHA, WISCONSIN 53186
Telephone (262) 548-1340
Direct (262) 806-0215
Facsimile (262) 548-9211
Email: elarson@ammr.net

PAUL E. ALEXY
MATTEO REGINATO
LUKE A. MARTELL
SAMANTHA R. SCHMID
STEPHEN J. CENTINARIO, JR.
AMY E. FRY-GALOW
CHRISTOPHER R. SCHULTZ
ANTHONY J. GARCIA
SADIE R. ZURFLUH

October 23, 2020

Scott Botcher, Village Manager
Village of Fox Point
7200 N. Santa Monica Blvd.
Fox Point, WI 53217

Re: 8000 N. Port Washington Road
Convenience Store/Gas Station
Conditional Use Application
Procedure for Review

Dear Mr. Botcher:

I received your request that I describe the necessary procedures for review of the conditional use application for a gas station and convenience store at 8000 N. Port Washington Road. I have had an opportunity to carefully consider this matter.

Based upon my review, I have the following comments, questions, concerns and recommendations in this regard:

1. Plan Commission Recommendation. The first step is that the Plan Commission should review the application and provide a recommendation to the Village Board, pursuant to Section 745-18 D.(4) of the Village Code. The Plan Commission is required to consider a number of standards of the Village Code in making its recommendation. To ensure that Plan Commission's recommendation complies with the applicable requirements of the Village Code, I have prepared a decision matrix, which is attached, to assist in the Plan Commission's review.

2. Notice of Hearing. Class 2 notice of a Village Board public hearing is required.

3. Public Hearing. The conditional use application must be set for a public hearing before the Village Board, per Section 745-18 (6) of the Village Code and Wisconsin Statutes Sections 61.35 and 62.23 (7)(de).

4. Village Board Action. The Village Board then must act on the conditional use permit application. The Village Board also must act in a manner that is consistent with applicable laws, applying the standards of the Village Code. The decision matrix that I have enclosed may also be used by the Village Board in this regard, to focus upon the standards of the Village Code.

5. Background Legal Issues. While conditional uses are a routine part of local zoning, conditional use authority was specifically addressed in the Wisconsin Statutes in 2017, by 2017 Act 67. The impetus for doing so was a controversial decision of the Wisconsin Supreme Court, in *AllEnergy Corporation v Trempealeau County Environment and Land Use Committee*, 375 Wis. 2nd 329 (May 31, 2017). In that case AllEnergy applied for a conditional use permit for nonmetallic mineral mining. At least 368 people were on record at the public hearing. The first controversial issue in the case was: AllEnergy contended that the opponent's arguments were insufficient, because they were all "uncorroborated hearsay." The second controversial issue was: The Zoning Committee denied the application even though they found that all the requirements for the conditional use permit were met.

   On appeal, AllEnergy argued that the court should adopt a new standard that requires decisions to be made based upon substantial evidence, and require the issuance of the permit if the conditions are met. The Wisconsin Supreme Court rejected that standard and upheld the denial of the permit. This legislation followed, and essentially imposed the standard sought by AllEnergy. On both of the key issues in the legislation, 2017 Act 67 requires the opposite of the court's decision: (1) Now decisions must be made upon substantial evidence, and (2) if an applicant demonstrates compliance with the standards of the ordinance, the permit must be issued.

   New Preemptions. The new law imposes the following limitations on your authority:

   a. *Substantial Evidence*. Conditional use decisions must be made on substantial evidence. This term is defined in the new law as follows:

      "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.[1]

   b. *Applicant Must Present Substantial Evidence*. The Applicant bears the burden of proving that they meet the standards. Specifically, the law requires the following:

      The applicant must demonstrate that the application and all requirements and conditions established by the [municipality] relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence.[2]

   c. *Reasonable Conditions*. The substantial evidence test also applies to any conditions that the municipality might impose. The new law says the following:

      Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.[3]

      This is further described in the immediately following this section:

---

[1] §§61.35 and 62.23(7)(de) 1. b., Wisconsin Statutes
[2] §§61.35 and 62.23(7)(de) 2.b., Wisconsin Statutes
[3] §§61.35 and 62.23(7)(de) 2.a., Wisconsin Statutes

> *The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.*[4]

d. *Can Limit Duration, Transfer or Renewal.* Municipalities are given specific authority to limit conditional use permit duration, transfer or renewal, per the section quoted above, and also by this section:

> *Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the [municipality] may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the [municipal] zoning board.*[5]

e. *Public Hearing and Notice.* All conditional use permits now are required to have a public hearing, and class 2 notice is required.

> *Upon receipt of a conditional use permit application, and following publication in the [municipality] of a class 2 notice under ch. 985, the [municipality] shall hold a public hearing on the application.*[6]

f. *Quasi-Judicial Decision to Approve or Deny.* To underscore the obligation for substantial evidence, the statute ultimately requires that the decision must be made on substantial evidence.

> *The [municipality's] decision to approve or deny the permit must be supported by substantial evidence.*[7]

This is the third reference to the defined term "substantial evidence," in two adjacent paragraphs of the statute. There is no legislative decision being made, it is all determined upon substantial evidence. This is a quasi-judicial role, not a legislative role.

g. *Appeal.* The statute says that denial of a conditional use permit application can be appealed to circuit court.

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Yours very truly,

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Eric J. Larson

Eric J. Larson

EJL/
cc: Kelly Meyer, Village Clerk

---

[4] §§61.35 and 62.23(7)(de) 2.b., Wisconsin Statutes
[5] §§61.35 and 62.23(7)(de) 4., Wisconsin Statutes
[6] §§61.35 and 62.23(7)(de) 3, Wisconsin Statutes
[7] §§61.35 and 62.23(7)(de) 2.b., Wisconsin Statutes

Decision Matrix
Village of Fox Point
D-Business District Approval Process

The State of Wisconsin has preempted municipal authority regarding conditional use permits in a number of respects, effective November 29, 2017. Under Wis. Stat. §62.23(7), which applies to Villages under §61.35, decisions concerning conditional use permits must be based upon "substantial evidence," which is defined as follows:

> "'Substantial evidence' means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion."[1]

The statute defines the term "conditional use" broadly as follows:

> "'Conditional use' means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a [Village], but does not include a variance."

Note two additional requirements of the statute:

- If an applicant for a conditional use permit meets or agrees to meet all requirements and conditions specified in the ordinance, the conditional use permit must be granted.
- Any condition imposed must relate to the purpose of the ordinance and be based on substantial evidence.

This decision matrix is provided as a tool to work through the decision-making process in light of the statutory requirements and applicable Village of Fox Point ordinances. As this statute has only been in effect since 2017, we will reserve the ability to proceed differently than outlined in this decision matrix if we find it is appropriate to do so.

Eric J. Larson

[1] §62.23(7)(de) 1. b., Wisconsin Statutes

Attorney Eric J. Larson. Municipal Law & Litigation Group, S.C.
730 N. Grand Avenue, Waukesha WI 53186. elarson@ammr.net 262-548-1340

Criteria	Applicant Provided Substantial Evidence[2]		Opponents Provided Substantial Evidence[3]		Village finds Standard is met[4]	
1. **745-18 D. (1)** Permitted Conditional Use: (a) Bowling alleys. (b) Dance, music or physical health studios. (c) Gasoline Service stations. (d) Greenhouses. (e) Hotels and motels. (f) Personal Wireless service facility (subject to criteria and procedures outlined in § 745-23). (g) Premises licensed to sell alcoholic beverages. (h) Restaurants except drive-ins. (i) Retail and services stores except commercial sale or purchase of guns. (j) Schools and day-care centers. (k) Television, video and photo production studios. (l) Theaters, except outdoor theaters. (m) Video game arcades. (n) Wholesale office or sample rooms. (o) Other uses found to be substantially similar uses to those listed here by the Village Plan Commission.	Yes	No	Yes	No	Yes	No
2. **745-18 D. (4)(b)** Whether there will be compliance with all other provisions of this chapter, including Subsection F of this section*, except if the project is deemed to be of superior quality by the Plan Commission. Then, in such cases, the front setback shall not be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes. [* Subsection F is attached, and criteria are described below.]	Yes	No	Yes	No	Yes	No
3. **745-18 D. (4)(c)** Whether the approval of the application would impede the normal and orderly development and improvement of the adjoining properties or properties in the same D Business District.	Yes	No	Yes	No	Yes	No
4. **745-18 D. (4)(d)** Whether adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.	Yes	No	Yes	No	Yes	No
5. **745-18 D. (4)(e)** Whether adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets.	Yes	No	Yes	No	Yes	No
6. **745-18 D. (4)(f)** Whether there will be compliance with all other applicable laws and regulations.	Yes	No	Yes	No	Yes	No
7. **745-18 D. (4)(g)** Whether traffic entering or exiting the site is likely to endanger safety or cause congestion on nearby streets.	Yes	No	Yes	No	Yes	No

[2] The Village finds that the applicant has provided substantial evidence to show that the applicant meets or agrees to meet this standard.
[3] Opponents of the application have shown substantial evidence that the applicant will not meet this standard.
[4] The Village Board finds, based upon substantial evidence presented, that the applicant meets or has agreed to meet this standard.

Criteria	Applicant Provided Substantial Evidence[2]		Opponents Provided Substantial Evidence[3]		Village finds Standard is met[4]	
8. **745-18 F. (1)(h)** No building or use should have a negative impact on the maintenance of safe and healthful conditions in the Village.						
9. **745-18 F. (1)(c)** No articles, goods, material, finished or unfinished product, incinerators, storage tanks, refuse containers, or like equipment should be kept outdoors, exposed to public view, or exposed to view from adjacent buildings and property. Garbage and refuse containers should be screened from the street and from neighboring facilities. The Village Board may permit the outdoor display of product or merchandise upon finding that such display is essential to a business use.						
10. **745-18 F. (1)(d)** Buildings and uses should serve to implement the Village's existing and planned stormwater drainage systems.						
11. **745-18 F. (1)(e)** Buildings and uses should provide for safe traffic circulation and safe driveway locations.						
12. **745-18 F. (1)(f)** Buildings and uses should provide adequate parking and loading areas. No loading dock or overhead door shall face upon a street right-of-way unless a determination is made by the Village Board to allow the same due to extraordinary circumstances.						
13. **745-18 F. (1)(g)** Buildings and uses should be provided with adequate public services as approved by the appropriate utility.						
14. **745-18 F. (1)(h)** Buildings and uses shall make appropriate use of open spaces and the Village Board may require appropriate landscaping and planting screens.						
15. **745-18 F. (2)** No building shall exceed two stories in height, excluding spires, towers, roofs or other architectural embellishments not usable for business purposes, provided that a balcony or mezzanine floor shall be considered as a story.						
16. **745-18 F. (3)** No such permitted building shall be closer than 20 feet to any adjoining residence district, or closer than 10 feet to any lot line except in the case of "row" type buildings, where by mutual consent common walls are provided between adjoining buildings.						
17. **745-18 F. (4)** Every building shall be set back from the center line of each adjoining street or area reserved for highway purposes, or any extension or separated portion thereof hereafter established, not less than the street setback specified upon the Official Zoning Map; provided, however, that no						

Criteria	Applicant Provided Substantial Evidence[2]		Opponents Provided Substantial Evidence[3]		Village finds Standard is met[4]	
setbacks will be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes.						
18. **745-18 F. (6)** The provision of any exterior lighting shall be subject to Chapter 670, Article XI, of this code regulating exterior lighting and any amendments thereto, or other ordinance enacted regulating exterior lighting.						
19. **745-18 F. (7)(a)** At least five parking stalls for automobiles shall be provided for each 1,000 square feet of gross area of a building exclusive of storage areas. [**745-18 F. (7)(d)** A lesser or greater number of parking stalls may be recommended by the Plan Commission on taking into consideration the location of the parking area, the type and use of building which the parking area is to serve, and other parking areas available in close proximity to the area being considered. Such recommendation will be effective only on approval by the Village Board.]						
20. **745-18 F. (7)(c)** In addition to the required parking stalls, adequate driveways or space required for movement of automobiles on such parking area shall be provided.						
21. **745-18 F. (7)(e)** Such off-street parking area shall be surfaced and maintained reasonably dustless in accordance with standards prescribed by the Director of Public Works/Village Engineer and shall be adequately lighted when in use. In no case shall any portion of the paved parking area be closer than 20 feet to any adjoining residence district or to any street line lying between the business district and residence district, and said 20 feet shall be landscaped and maintained in an attractive manner.						
22. **745-18 F. (7)(f)** An off-street parking area, in addition to the defined off-street parking area, having an area at least 10 feet wide by 25 feet long and with a minimum fourteen-foot height clearance shall be provided for every 20,000 square feet or fraction thereof in excess of 3,000 square feet of building area used for commercial purposes.						
23. **745-18 F. (9)** Adequate screening shall be provided under the circumstances and in the manner as follows: (a) Screening shall be provided along any property line adjoining a property zoned in a Residence District, and along that portion of a street where the opposite frontage is zoned in a Residence District. (b) Such screening shall be of such a nature as to attractively and effectively screen from ordinary view the commercial operation and shall be subject to approval of the Director of Public Works/Village Engineer. (c) If the						

Criteria	Applicant Provided Substantial Evidence[2]		Opponents Provided Substantial Evidence[3]		Village finds Standard is met[4]	
screen is composed entirely of plant materials, it shall be of sufficient initial depth and height and of such plant varieties as to provide adequate visual screening within no more than two years and during all seasons of the year. (d) Where architectural walls or fences are used, sufficient landscaping shall be used in conjunction with such fence or wall to create an attractive view from the residential side. Any wall or fence shall be not less than four feet nor more than six feet in height. (e) Where the screen is for a parking area, it shall be sufficiently opaque to prevent the penetration of headlight glare.						

Approval Conditions.

Section 745-18 D. (5) of the Village of Fox Point Zoning Code states the following regarding conditions that may be imposed:

> "Conditions. Conditions which may be imposed as deemed necessary by the Village Board shall include: (a) Commencement, staging and completion dates. (b) Types of construction. (c) Landscaping. (d) Planting or other screening. (e) Parking. (f) Fencing. (g) Lighting. (h) Hours of operation. (i) Front, rear and side yard setbacks and whether parking within them is permitted. (j) Operational plan. (k) Highway access and loading provisions. (l) Traffic circulation. (m) Highway dedication. (n) restrictions. (o) Sureties. (p) Signs. (q) Noise control. (r) Special requirements characteristic to the use as may be deemed necessary to protect the aggregate property values of adjoining properties or the Village as a whole and/or to protect as provided in Subsection A above.

Should additional conditions be imposed related to the purpose of the ordinance, based on substantial evidence, that are reasonable and to the extent practicable measurable or conditions be added concerning the permit's duration, transfer or renewal?

YES	NO

If yes, name the additional conditions:

_____

_____

Proposed motions:

A. **Motion to Approve:** I move to approve the application for a conditional use in the D-Business District of the Village as presented, subject to the following: [Mark all that apply.]

- ☐ The Village of Fox Point Attorney (alternatively: _____) is directed to prepare a written determination and order based upon this decision matrix and place it in final form consistent with the discussion of at the Village of Fox Point Village Board meeting.
- ☐ The written decision and order shall be circulated to the members of the Village Board who will confirm in writing whether they find the final form to be as decided by the Village Board, and if there is any doubt in the mind of any member of the Village Board in that regard, the matter shall be brought back to a subsequent Village Board meeting for further consideration of the final form of the decision and order.
- ☐ This matter shall be placed upon an upcoming agenda to consider the final form of the decision and order, and for final action in the matter.
- ☐ The record of this determination is clear and is on the tape. The Village Clerk shall preserve the tape of the Village Board's discussion which along with this decision matrix shall serve as the final order in the matter.

B. **Motion to Deny:** I move to deny the D-Business District conditional use application as the applicant has failed to show by substantial evidence that the applicant meets or agrees to meet all of the requirements and conditions specified in the Village of Fox Point Zoning Ordinance or those imposed by the Village of Fox Point Village Board, and substantial evidence in the matter supports the decision to deny, subject to the following: [Mark all that apply.]

- ☐ The Village of Fox Point Attorney (alternatively: _____) is directed to draft a written decision for denial and place it in final form consistent with the discussion of the Village of Fox Point Village Board.
- ☐ The written decision shall be circulated to the members of the Village Board who will confirm in writing whether they find the final form to be as decided by the Village Board, and if there is any doubt in the mind of any member of the Village Board in that regard, the matter shall be brought back to a subsequent Village Board meeting for further consideration of the final form of the written denial.
- ☐ This matter shall be placed upon an upcoming agenda to consider the final form of the written denial, and for final action in the matter.
- ☐ The record of this determination is clear and is on the tape. The Village Clerk shall preserve the tape of the Village Board's discussion which along with this decision matrix shall serve as the final order in the matter.

L. Retail License Periods

1. Duration

Licenses and permits expire on June 30 of each year. Wis. Stat. sec. 125.04(11)(b)2.

2. Exceptions

a. City of Milwaukee — Licenses are valid for one year from date of issuance. Sec. 125.04(11)(b)1.

b. Six-month licenses — Secs. 125.26(5) and 125.51(9)(b).

A six-month license may be issued for any consecutive six-month period in a calendar year. A six-month license may not be renewed within the same calendar year. A calendar year runs from January 1 to December 31, and is thus different from a license year, which runs from July 1 to June 30. A six-month license also may not be issued to extend beyond the end of December. 23 Op. Att'y Gen. 457 (1934).

An alcohol beverage license issued from January 1 through June 30 or for the balance of the license year would not prohibit the applicant from obtaining an annual license as of July 1 of that same year.

The fee for a six-month license is half of the annual license fee. Sec. 125.26(5).

c. Provisional Retail Licenses - A provisional retail license may be issued to a person who applies for a Class "A", Class "B", "Class A", "Class B" or "Class C" license and expires 60 days after its issuance or when the retail license is issued to the holder, whichever is sooner. Sec. 125.185(4).

d. Temporary Class "B" (picnic) beer licenses - The day, or consecutive days, that the specified event is in progress.

e. Temporary "Class B" (picnic) wine licenses - The day, or consecutive days, that the specified event is in progress.

M. Operating Restrictions

1. Closing hours

Establishments with Class A, Class B or "Class C" licenses either are prohibited from selling alcohol or cannot be open for business during the following hours: Wis. Stat. ecs. 125.32(3) and 125.68(4).

	Off-Premises (Carryouts)	On-Premises Consumption
Class "A" beer	midnight to 6 A.M.	Not permitted (limited exception for samples)
Class "B" beer	midnight to 6 a.m.	Mon.- Fri. 2 a.m. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.
"Class A" liquor	9 p.m. to 6 a.m	Not permitted (limited exception for samples)
"Class B" liquor* (if allowed by ordinance)	midnight to 6 a.m.	Mon.- Fri. 2 a.m,. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.
"Class C"	wine not permitted except for opened, purchased bottle, reclosed pursuant to law	Mon. - Fri. 2 a.m. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.

*These closing times are not applicable to a "Class B" license issued to a winery. Sec. 125.68(4)(c). Closing hours for wineries are 9 p.m. to 8 a.m. Sec. 125.68(4)(c)3m.

[NOTE: On January 1, Class "B" beer and "Class B" liquor licensed establishments are not required to close, but the midnight to 6 A.M. prohibition on the sale of alcohol beverages for off-premises consumption remains in effect. Sec. 125.68(4)(c)1 and 3. Also, at 1 A.M. on the first Sunday in April daylight savings begins and the standard of time which licensed establishments must operate under is advanced ahead one hour. Daylight savings ends at 2 a.m. on the last Sunday in October. At that time, the clocks are moved back one hour. Sec. 175.095.]

2. Municipal authority to enact stricter closing hours

Municipalities may not impose different hours from those provided in the statutes for on-premises consumption of alcohol beverages in Class B beer and/or liquor licensed establishments or establishments with a "Class C" license. However, municipalities may impose more restrictive hours on sales by Class B beer and/or liquor licensed establishments for off-premises consumption (carryouts). Municipalities may also impose more restrictive hours for Class A beer and/or liquor carryouts. Secs. 125.32(3)(d), 125.68(4)(c)3 and 5.

3. Liquor store (Class A license) closing time

Unless prohibited by ordinance, a Class A beer and/or liquor licensed establishment may remain open after 9 p.m. for the sale of beer (until midnight), soda water beverages, snack items, or groceries, but no liquor (including wine) may be sold after 9 p.m. Secs. 125.32(3)(b) and 125.68(4)(b).

4. Sunday closing

The State of Wisconsin does not have a "Blue Law" requiring alcohol beverage licensed establishments to close on Sundays. However, since municipalities may enact stricter carryout hours for both Class A and Class B businesses, Sunday carryout hours may be prohibited or shortened locally. See sub.2 above. Intoxicating Liquors 870 (1987).

5. Restaurant hours: Sec. 125.68(4)(c)4

a. A Class B or "Class C" licensed restaurant may be open after hours for the serving of food, if its principal business is the furnishing of food or non-alcohol beverages to patrons.

b. No alcohol beverages may be served, sold, or consumed during the closing hours provided by state law.

APPLICATION FOR CONDITIONAL USE PERMIT

This application must be fully completed to be considered by the Village. A $300.00 fee (non-refundable) must accompany this application.

Section I

Name of Business: PANTRY 41

Fox Point Business Address: 8000 N. Port Washington Rd

Local Telephone Number: 414-588-0554

Email Address: JASONSingh@AOL.Com

Contact Person: Ally Jay WALIA

Name of Former Tenant (if known):

Section II: If the business is a corporation, please complete the following section. If not, skip to the next section.

Legal name of the Corporation: SPring North Corp.

Address of the Corporate Headquarters: 4725 N. 159th St. Brookfield WI-53005

Telephone Number of Corporate Headquarters: 414-588-0554

Email Address for Corporate Headquarters: JASONSingh@AOL.Com

Names and addresses of all Corporate Officers: AJIT S. WALIA

Name and address of the Corporate Agent: AJIT S. WALIA

Section III: If the applicant(s) is an individual or partnership, please complete the following section.

Names, home and business addresses and home and business telephone numbers of all Applicants

Names, addresses and phone numbers of all owners if different from Applicant:

Section IV: All applicants must complete the remaining section.

Applicant's specific interest in site: Accepted OFFER of Purchase

Square footage of site: Lot Area 24,116 Sq. FT

Describe site and attach plan: See directions for the Conditional Use Permit. The site plan must include a layout of the inside of the store. See Attached Plan.

Describe in detail the business activity that will take place on site, including products and services:

Pantry 41 is local Convenience Store/GAS STATION that Serves immediate neighborhood - selling gasoline, Cigs, Snacks, Beverages including Liquor preferably 24 hrs otherwise 6AM to 2AM / 7 DAYS / week.

See details.

Describe all owned fixtures, furniture, and equipment to be used on site: Shelvings, walkers coolers, Coffee machines, Cashier area, Racks, 4-MPD Pumps with GAS Canopy as shown in the attached Plan.

Describe all leased fixtures, furniture, and equipment to be used on site:

N/A

Number of actual or anticipated employees: 6 (2 at a time)

Number of parking spaces to be used by business (employees and customers/clients):

5 + 8 around the pumps - 2 HC

Proposed days and hours of operation: Preferably 24 hrs otherwise 6AM to 2AM

Describe any alterations planned for the site: See Attached Plans

If there are alterations, what is the estimated cost of the renovation? 500,000

Person responsible for obtaining a building permit (if required):

Mr. Jay Walia

Proposed date of occupancy: MAY 1, 2021

Business Owner – Signature

10-13-20
Date

AJIT S. WALIA
Business Owner – PRINTED Name

TO BE COMPLETED BY THE VILLAGE OF FOX POINT

Has sufficient site plan been submitted? (If not, what is needed?) _____

What is the category of proposed use? CONVENIENCE STORE / GAS STATION MA 10-15-20

Does the parking meet code requirements? Approximately 8 required; 4 are shown & per the applicant, 8 are by the pumps. Code is unclear whether the (*)

Is there proper exterior lighting? Insufficient detail to make a determination; applicant shall comply with §§670-49 → 59. SJS 10/19/20

Are there any existing code violations? NONE MA 10-15-20

Additional Comments? PROPOSED CANOPY IS IN SETBACKS, BUILDING IS LEGAL NONCONFORMING, PROPOSED DUMPSTER IN SETBACK MA 10-20-20

Letter of Consent received from owner? 10/14/2020
Comments/Date

Date application/materials received: Oct 14, 2020

Fee Paid: 10/14/2020 Receipt No. L056160

(*) 8 "transient" spots by the pumps fit the definition of a parking space. Dimension of stalls also needs to be provided. SJS 10/19/20

ALTA/NSPS Land Title Survey

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO: Spring North Corp., a Wisconsin limited liability company and Knight Barry Title Group

File Number: 1158138
Commitment Date: August 12, 2020 Revised 8/24/20

That this map or plat and the survey on which it is based were made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA/NSPS and includes Table A Items 1, 2, 3, 4, 7(a), 8, 11, 16 and 17 and Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Wisconsin, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

September 16, 2020
Date

Dennis C. Sauer
Professional Land Surveyor S-2421

WISCONSIN DENNIS C. SAUER S-2421 LAND SURVEYOR

LEGAL DESCRIPTION

That part of the East 43.41 acres of the South 70 acres of the West 1/2 of the Southeast 1/4 of Section 8, Township 8 North, Range 22 East, in the Village of Fox Point, County of Milwaukee, State of Wisconsin, bounded & described as follows:
Commencing at the Southwest corner of said 1/4 Section; thence East along the South line of said 1/4 Section 1000.47 feet to the point of beginning of the land to be described; thence continuing East Along the South line of said 1/4 Section, 183.47 feet to a point, which is 1451.13 feet West of the Southeast corner of said 1/4 Section; thence N 00°08' E on a line parallel to the West line of N. Mohawk Avenue as platted in the Savings Investment Association of Milwaukee's Subdivision No. 24, 208.12 feet to a point; thence West on a line parallel with the South line of said 1/4 Section, 170.74 feet to a point in the center line of the North Port Washington Road; thence S 03°37' W along the center line of said Port Washington Road, 208.42 feet to the point of beginning, reserving the West 33 feet and the South 55 feet for highway purposes.
EXCEPTING therefrom those lands conveyed in Warranty Deed recorded as Document No. 8823884.

Property Address: 8000 North Port Washington Road, Fox Point, Wisconsin

Tax Key Number: 060-9976-000

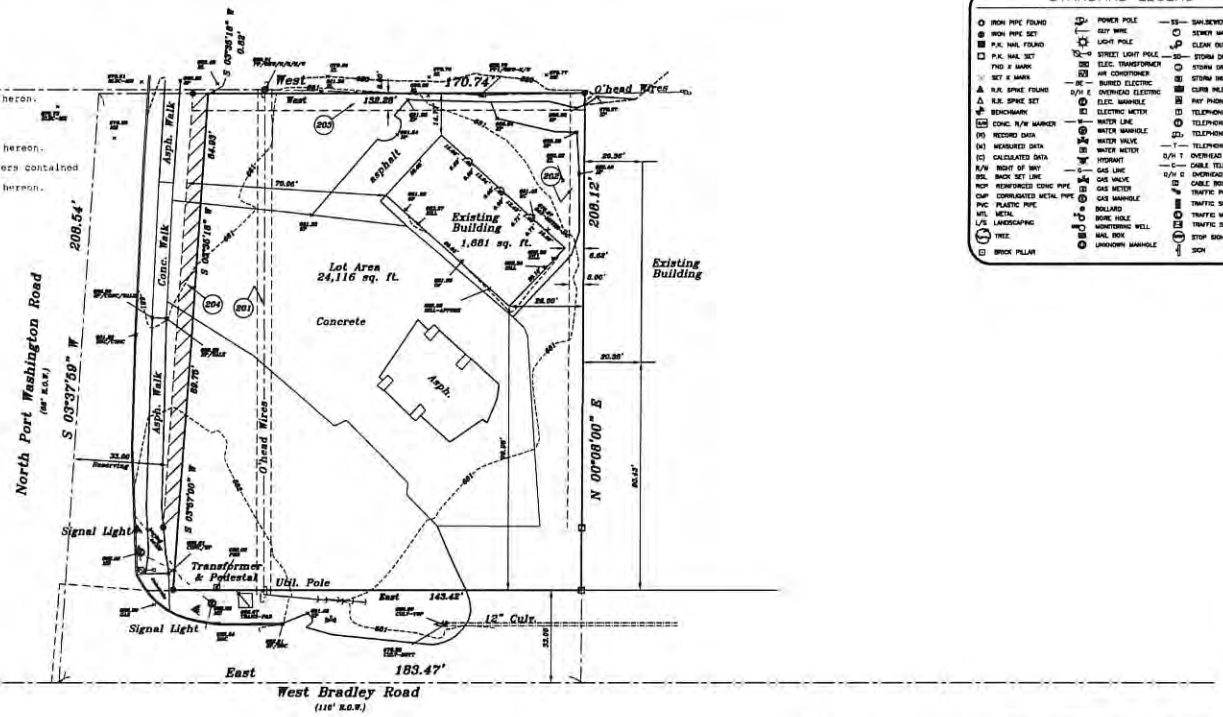
SCHEDULE B

201. Easement granted to the Milwaukee Electric Railway and Light Company and other matters contained in the Instrument recorded December 19, 1924 as Document No. 1324609.
Amended by Conveyance of Rights in Land recorded March 29, 2005 as Document No. 8982342 is plotted hereon.

202. Easement granted to The Milwaukee Electric Railway and Light Company and other matters contained in the Instrument recorded December 4, 1928 as Document No. 1663362.
Amended by Conveyance of Rights in Land recorded March 29, 2005 as Document No. 8982342 is plotted hereon.

203. Easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company and other matters contained in the Instrument recorded August 28, 1958 as Document No. 3680110.
Amended by Conveyance of Rights in Land recorded March 29, 2005 as Document No. 8982342 is plotted hereon.

204. Temporary Limited Easement and other matters contained in Warranty Deed recorded July 16, 2004 as Document No. 8823884 is plotted hereon.



STANDARD LEGEND

GRAPHIC SCALE

Dennis C. Sauer
Registered Land Surveyor S-2421
METROPOLITAN SURVEY SERVICE, INC.
REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS
5415 West Forest Home Avenue, Suite 202
Hales Corners, Wisconsin 53130
PH. (414) 529-5300 FAX (414) 529-5757
email address: survey@metrosurvey.com

PREPARED FOR:
Spring North Corp., a Wisconsin limited liability company and Knight Barry Title Group

PROJECT LOCATION:
Milwaukee County, Wisconsin

PROJECT ADDRESS:
8000 North Port Washington Road, Fox Point, Wisconsin

JOB NUMBER: -111872
File Number: 1158138

PROJECT NAME:
ALTA/NSPS LAND TITLE SURVEY

FLOOD DATA This property is in Zone X of the Flood Insurance Rate Map, Community Panel No. 55079C0041E which has an effective date of 09/26/2008 and IS NOT in a Special Flood Hazard Area. Field surveying was not performed to determine this zone. An elevation certificate may be needed to verify this determination or apply for an amendment from the Federal Emergency Management Agency.

STATEMENT OF ENCROACHMENTS

TO DISPLAY LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN

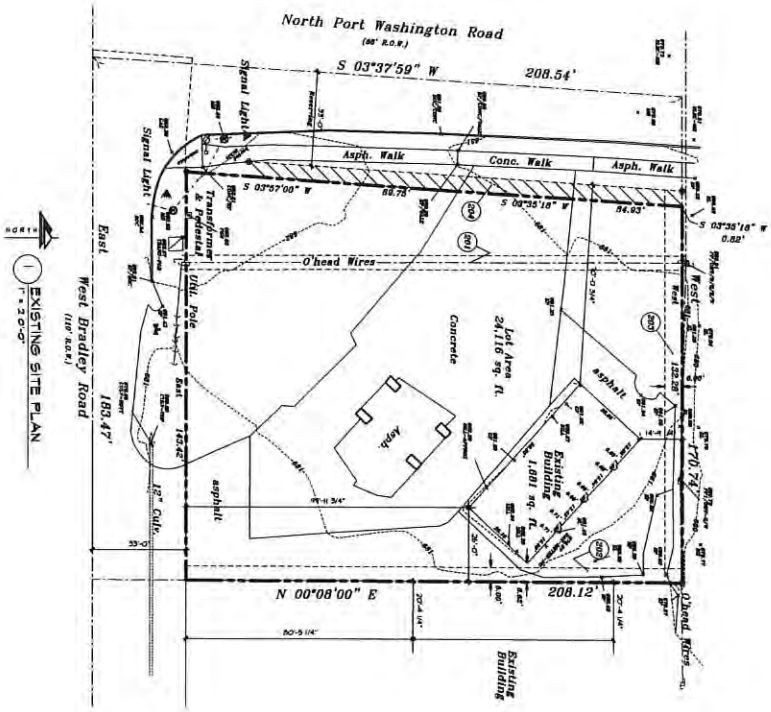
CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE
MIS DIGGERS ISE 0175(1974)
MEETING MIN. 3 WORK DAYS
NOTIFY BEFORE YOU EXCAVATE
1-800-242-8511

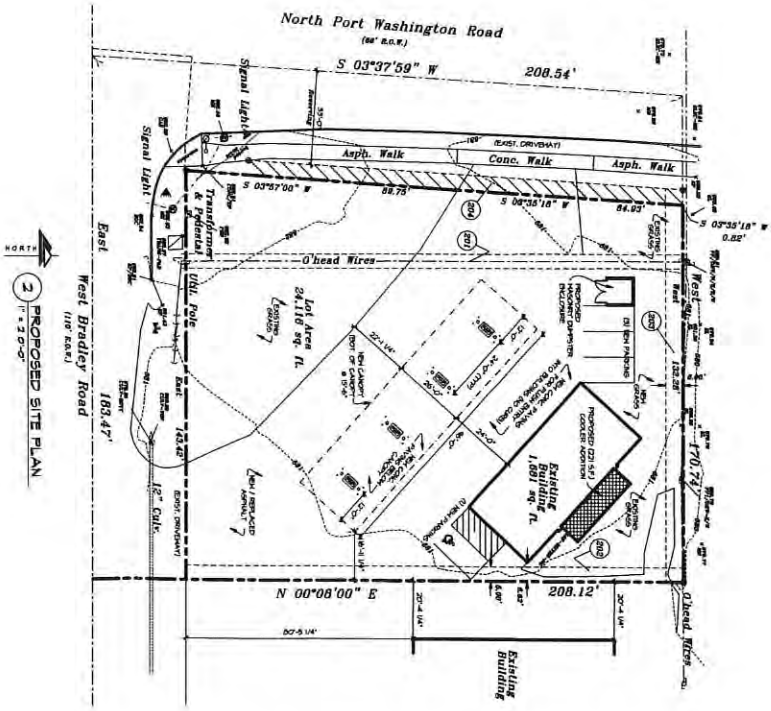
Notes Added to Table A Items 16, 17 and 18

(16) DURING THIS FIELD SITE VISIT, THERE WAS NOT OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILD ADDITIONS WITHIN RECENT MONTHS.

(17) THERE WAS NOT ANY CHANGES IN STREET RIGHT-OF-WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM CONTROLLING JURISDICTION OR EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION REPAIRS.

DATE OF ORIGINAL: September 16, 2020
REVISION: _____ DATE: _____, 2020
REVISION: _____ DATE: _____, 2020
REVISION: _____ DATE: _____, 2020





PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:

EXISTING & PROPOSED SITE PLANS

C-1

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-174

SD210051
10/8/20: PRELIM #1

PATERA LLC
Excellence in Architecture
2601 S. Sunny Slope Rd. • New Berlin, WI 53151
262-786-6776 FAX 262-786-7036

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PROPOSED SIDE (EAST) ELEVATION

1/4" = 1'-0"

PROPOSED REAR (NORTH) ELEVATION

1/4" = 1'-0"

PROPOSED SIDE (WEST ELEVATION

1/4" = 1'-0"

PROPOSED FRONT (SOUTH) ELEVATION

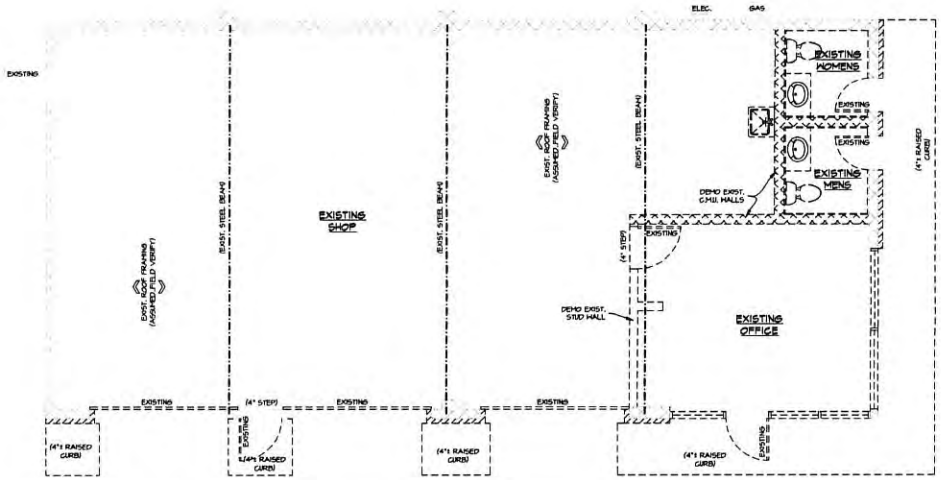
1/4" = 1'-0"

EXISTING NORTH PHOTO
N.T.S.

EXISTING EAST PHOTO
N.T.S.

EXISTING SOUTH PHOTO
N.T.S.

EXISTING WEST PHOTO
N.T.S.



EXISTING/DEMO FLOOR PLAN

1/4" = 1'-0"

PATERA LLC
Excellence in Architecture
2601 S. Sunny Slope Rd. • New Berlin, WI 53151
262-786-6776 FAX 262-786-7036

REVISIONS:
10/8/20: PRELIM #1

PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:
EXISTING / DEMO PLAN, ELEVATIONS, & PHOTOS

EX-1

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-374

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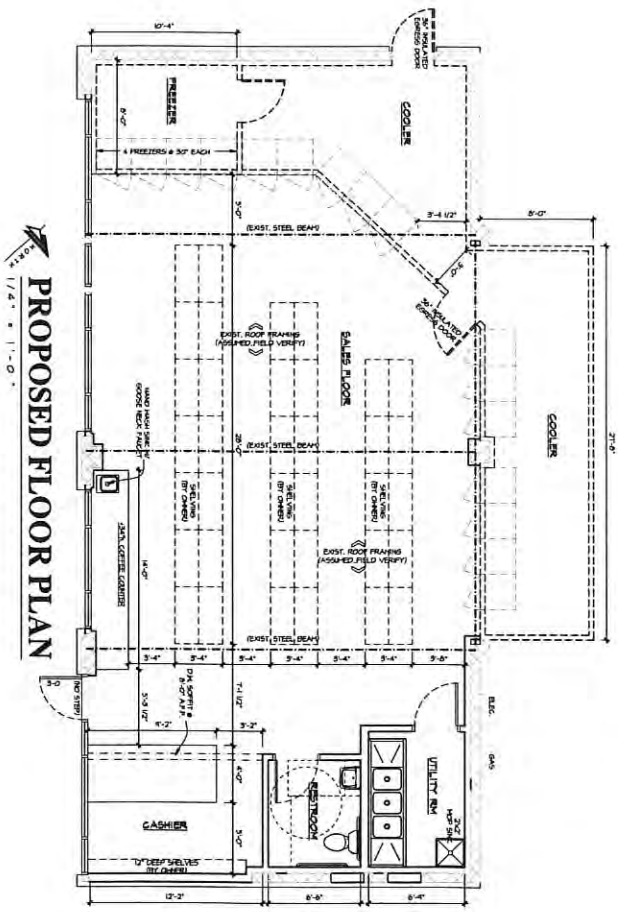
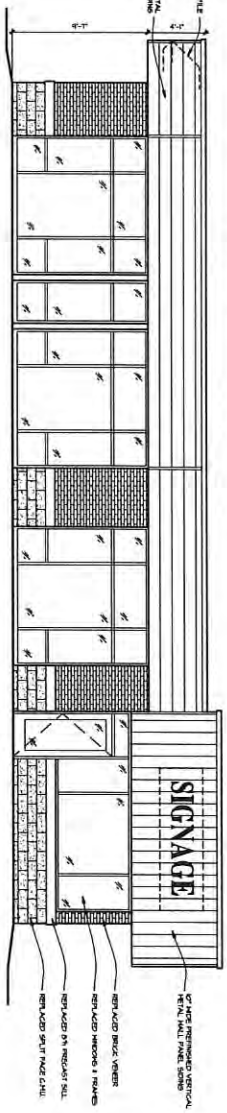
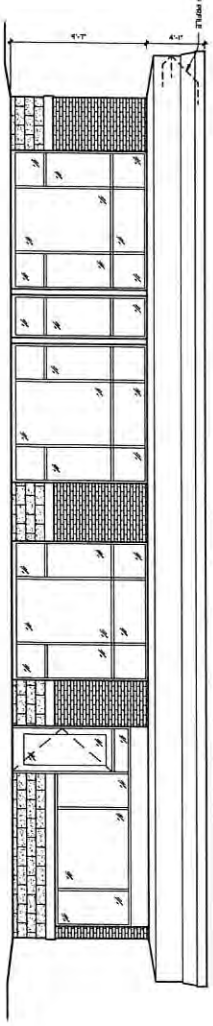


PROPOSED FLOOR PLAN
1/4" = 1'-0"



PROPOSED FRONT (SOUTH) ELEVATION
1/4" = 1'-0"



PROPOSED FRONT (SOUTH) ELEVATION
1/4" = 1'-0"

PANTRY 41 #80 GAS STATION

8000 N. PORT WASHINGTON RD.
FOX POINT, WI

SHEET TITLE:

PROPOSED PLAN & ELEVATION

A-1

DATE: SEPT. 22, 2020

PROJECT NUMBER: 20-174

REVISIONS:
10/8/20: PERMIT #1

PATERA LLC
Excellence in Architecture
2601 S. Sunny Slope Rd. • New Berlin, WI 53151
262-786-6776 FAX 262-786-7036

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SPRING NORTH CORP
STATEMENT
IN SUPPORT OF CONDITIONAL USE FOR
CONVERTING EXISTING BUILDING
TO
CONVENIENCE STORE/GAS STATION
8000 North Port Washington Road

Spring North Corp. submits this Statement to show how the project referenced above meets for a conditional use.

a. **INTRODUCTION:** The project is located at the northeast corner of North Port Washington Rd and West Bradley Road. All the uses on all four corners are commercial- Northwest corner Bradley Place -8001 N Port Washington Road -one floor with flat roof including restaurant, southwest corner-House of Roth Cleaners- one floor with shingle roof - 7975 W Port Washington Road, South east corner- Children Hospital extension-one floor with flat roof and brick and EFIS, our proposed one floor with exterior of brick and metal consistent and complimentary at the same time. We believe the Village will agree that our proposed project is deemed to be of superior quality.

b. **THE PROJECT: The project consists of the construction of new canopy 26'x96' with 4 mpds with led lights locating almost same place where**

c. **used to be old pumps many years ago.** And converting existing outdated 3 stall 1681 sq ft to convenience store (see attached plans) to sell gasoline, cigs, food, beverages including liquor.

The zoning is D Business. Spring North Corp. has accepted offer to Purchase at this time.

We prefer to open 24 hours/7 days/week, otherwise we ill open 6am to 2am. The operation will serve the immediate neighborhood.

Employment at the site will consist of a salaried manager and four hourly employees.

Spring North Corp does not anticipate any off-site traffic impact.

d. **THE IMMEDIATE NEIGHBORHOOD:** The Project is surrounded by commercial uses. North of the project is WE Energies-Bradley substation all the way east to North Mohawk Rd, east of the project is Port China Restaurant all the east with wood fence next to North Mohawk Road.

With these surrounding commercial properties work really good buffer to residential neighborhood located east of Mohawk Rd. There is no need of any buffer.

Being next to We Energies substation, the project does not impede the normal and ordinary development of the area. The Project proposed to convert existing outdated 1681 sq. ft. building with addition of 26x96' gasoline canopy with only 4 mpds that allows 8 people can pump or park next to pump and there are additional 5 including 2 hc- total of 13.

d. **The existing utilities and access are adequate, there is no need to make any** changes. We are in believe the best landscaping for the site is existing grass with some new flower bushes. We do not believe in adding trees because that will cause visibility issues for traffic being at the corner.

e. **Protection of Property:** Spring North Corp strongly believes that the Project will generate no adverse impacts on neighboring properties. All of the customer activities will be fully contained on the Site. No off-site noise or traffic impacts are anticipated.

Spring North Corp strongly believes that the project will have a positive impact on the neighborhood and may help spur additional redevelopment.

f. **Traffic and Pedestrian Safety.** The site will have use of two existing driveways – one on north Port Washington and one on East Bradley Road.

Spring North Corp. does not anticipate any significant increase in on-site pedestrian.

g. **Consistency with Comprehensive Plan:** The Project is consistent with the Comprehensive Plan which envisions commercial uses.

Respectfully submitted this 13 day of October 2020.

Walia Law Offices
Ajit Walia

By: _____
Ajit Walia
Attorney for Spring North Corp.

Address:

4725 N. 159th Street

Brookfield, WI 53005

414-588-0554 jasonsingh@aol.com

October 13, 2020

Village of Fox Point

7200 N. Santa Monica Blvd

Fox Point, WI 53217

Dear Village Planning Commission,

This letter is in reference to the sale of 8000 N. Port Washington Road in Fox Point. I Thomas M Willetts (seller), hereby grant approval to SPRING NORTH CORP. (Ajit Walia) and/or assigns to apply for a Conditional Use Permit under Section 745-18D of the Village Code for the use of a Gas Station.

If you have any questions, feel free to reach out.

Sincerely,

Thomas M Willetts

Thomas M Willetts

Date: 10-13-2020

STATE OF WISCONSIN VILLAGE OF FOX POINT MILWAUKEE COUNTY

NOTICE

PLEASE BE ADVISED: Chapter 67, Article III of the Village of Fox Point Village Code is attached hereto and incorporated herein. Pursuant to this Ordinance, the Village of Fox Point Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Forester or any other of the Village's professional staff (internal or independently contracted) results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Treasurer shall charge the property owner for the fees incurred by the Village. Also be advised that pursuant to the Village of Fox Point Municipal Code certain other fees, costs and charges are the responsibility of the property owner making application to the Village.

I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional (internal or independently contracted) provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this 13 day of Oct, 2020.

Signature of Property Owner

THOMAS M. WILLETTS
Name of Property Owner - PRINTED

THOMAS M. WILLETTS

Mailing Address of Property Owner: c/o Travis Tiede
NKF
757 N. Broadway Suite 700
Milwaukee, WI-5212

Tax Key No. of Property:

Address of Property: 8000 N. Port Washington Rd
Fox Point, WI 53217

For Village Use Only:

□ Original kept on file with Village Clerk.

□ Copy provided to Property Owner.

Signature: _____

Approved by the Wisconsin Real Estate Examining Board
10-1-16 (Optional Use Date) 1-1-16 (Mandatory Use Date)

WISCONSIN REALTORS® ASSOCIATION
4801 Forest Run Road
Madison, Wisconsin 53704

WB-40 AMENDMENT TO OFFER TO PURCHASE

CAUTION: Use a WB-40 Amendment if both Parties will be agreeing to modify the terms of the Offer. Use a WB-41 Notice if a Party is giving a Notice which does not require the other Party's agreement.

Buyer and Seller agree to amend the Offer dated August 10, 2020, and accepted August 12, 2020, for the purchase and sale of real estate at 8000 N. Port Washington, Fox Point, Wisconsin as follows:

Closing date is changed from _____ to _____

Purchase price is changed from $ _____ to $ _____

Other: 1) The Land Use Approvals, Appraisal & Environmental Contingencies shall be extended to December 12, 2020.

2) Closing shall occur on December 28th, 2020.

The attached _____ is/are made part of this Amendment.

ALL OTHER TERMS OF THE OFFER TO PURCHASE AND ANY PRIOR AMENDMENTS REMAIN THE SAME.

This Amendment is binding upon Seller and Buyer only if a copy of the accepted Amendment is delivered to the Party offering the Amendment on or before October 12, 2020 (Time is of the Essence). Delivery of the accepted Amendment may be made in any manner specified in the Offer to Purchase, unless otherwise provided in this Amendment.

NOTE: The Party offering this Amendment may withdraw the offered Amendment prior to acceptance and delivery as provided at lines 30-33.

This Amendment was drafted by Travis Tiede / MLG Commercial, LLC on 10/12/2020
Licensee and Firm ▲ Date ▲

This Amendment was presented by _____ on _____
Licensee and Firm ▲ Date ▲

(x) _____ 10/12/20
Buyer's Signature ▲ Date ▲
Print name ▶ Ajit Walia / Spring North Corp

(x) _____ 10-13-2020
Seller's Signature ▲ Date ▲
Print name ▶ Thomas M. Willetts

(x) _____
Buyer's Signature ▲ Date ▲
Print name ▶

(x) _____
Seller's Signature ▲ Date ▲
Print name ▶

This Amendment was rejected _____
Party Initials ▲ Date ▲ Party Initials ▲ Date ▲

VILLAGE OF FOX POINT
7200 N. SANTA MONICA BLVD
FOX POINT WI 53217 414-351-8900

Receipt No: 1.055160 Oct 14, 2020

8000 N Port Washington Rd

Previous Balance:	.00
LICENSES & PERMITS - CONDITIONAL USE PERMIT	300.00
24-44550 CONDITIONAL USE PERMIT	
Total:	300.00
CHECK Check No: 1128	300.00
Payor: Spring North Corp	
Total Applied:	300.00
Change Tendered:	.00

Duplicate Copy

10/14/2020 3:55 PM

L. Retail License Periods

1. Duration

Licenses and permits expire on June 30 of each year. Wis. Stat. sec. 125.04(11)(b)2.

2. Exceptions

a. City of Milwaukee — Licenses are valid for one year from date of issuance. Sec. 125.04(11)(b)1.

b. Six-month licenses — Secs. 125.26(5) and 125.51(9)(b).

A six-month license may be issued for any consecutive six-month period in a calendar year. A six-month license may not be renewed within the same calendar year. A calendar year runs from January 1 to December 31, and is thus different from a license year, which runs from July 1 to June 30. A six-month license also may not be issued to extend beyond the end of December. 23 Op. Att'y Gen. 457 (1934).

An alcohol beverage license issued from January 1 through June 30 or for the balance of the license year would not prohibit the applicant from obtaining an annual license as of July 1 of that same year.

The fee for a six-month license is half of the annual license fee. Sec. 125.26(5).

c. Provisional Retail Licenses - A provisional retail license may be issued to a person who applies for a Class "A", Class "B", "Class A", "Class B" or "Class C" license and expires 60 days after its issuance or when the retail license is issued to the holder, whichever is sooner. Sec. 125.185(4).

d. Temporary Class "B" (picnic) beer licenses - The day, or consecutive days, that the specified event is in progress.

e. Temporary "Class B" (picnic) wine licenses - The day, or consecutive days, that the specified event is in progress.

M. Operating Restrictions

1. Closing hours

Establishments with Class A, Class B or "Class C" licenses either are prohibited from selling alcohol or cannot be open for business during the following hours: Wis. Stat. ecs. 125.32(3) and 125.68(4).

	Off-Premises (Carryouts)	On-Premises Consumption
Class "A" beer	midnight to 6 A.M.	Not permitted (limited exception for samples)
Class "B" beer	midnight to 6 a.m.	Mon.- Fri. 2 a.m. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.
"Class A" liquor	9 p.m. to 6 a.m	Not permitted (limited exception for samples)
"Class B" liquor* (if allowed by ordinance)	midnight to 6 a.m.	Mon.- Fri. 2 a.m,. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.
"Class C"	wine not permitted except for opened, purchased bottle, reclosed pursuant to law	Mon. - Fri. 2 a.m. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.

*These closing times are not applicable to a "Class B" license issued to a winery. Sec. 125.68(4)(c). Closing hours for wineries are 9 p.m. to 8 a.m. Sec. 125.68(4)(c)3m.

[NOTE: On January 1, Class "B" beer and "Class B" liquor licensed establishments are not required to close, but the midnight to 6 A.M. prohibition on the sale of alcohol beverages for off-premises consumption remains in effect. Sec. 125.68(4)(c)1 and 3. Also, at 1 A.M. on the first Sunday in April daylight savings begins and the standard of time which licensed establishments must operate under is advanced ahead one hour. Daylight savings ends at 2 a.m. on the last Sunday in October. At that time, the clocks are moved back one hour. Sec. 175.095.]

2. Municipal authority to enact stricter closing hours

Municipalities may not impose different hours from those provided in the statutes for on-premises consumption of alcohol beverages in Class B beer and/or liquor licensed establishments or establishments with a "Class C" license. However, municipalities may impose more restrictive hours on sales by Class B beer and/or liquor licensed establishments for off-premises consumption (carryouts). Municipalities may also impose more restrictive hours for Class A beer and/or liquor carryouts. Secs. 125.32(3)(d), 125.68(4)(c)3 and 5.

3. Liquor store (Class A license) closing time

Unless prohibited by ordinance, a Class A beer and/or liquor licensed establishment may remain open after 9 p.m. for the sale of beer (until midnight), soda water beverages, snack items, or groceries, but no liquor (including wine) may be sold after 9 p.m. Secs. 125.32(3)(b) and 125.68(4)(b).

4. Sunday closing

The State of Wisconsin does not have a "Blue Law" requiring alcohol beverage licensed establishments to close on Sundays. However, since municipalities may enact stricter carryout hours for both Class A and Class B businesses, Sunday carryout hours may be prohibited or shortened locally. See sub.2 above. Intoxicating Liquors 870 (1987).

5. Restaurant hours: Sec. 125.68(4)(c)4

a. A Class B or "Class C" licensed restaurant may be open after hours for the serving of food, if its principal business is the furnishing of food or non-alcohol beverages to patrons.

b. No alcohol beverages may be served, sold, or consumed during the closing hours provided by state law.

VANDEWALLE & ASSOCIATES INC.

Village of Fox Point Disclaimer: *This small area planning study is the work product of Vandewalle & Associates, Inc. (V&A), and not the work product of the Village of Fox Point (Village). This is a not a comprehensive plan or comprehensive plan component, or a master plan. The Village retained V&A to prepare this plan to assist property owners and potential developers, but it is not binding upon any such property owners or developers or upon the Village. No assurance is provided that any development contemplated by any of the Options outlined herein would comply with applicable laws or would be approved by the Village or other necessary parties. No action taken by the Village in relation to this small area planning study shall be deemed to constitute a waiver of any applicable laws, or an approval of any development plan, or as vesting rights to any party, and the Village retains all rights regarding any development and land use that may hereafter be proposed.*

To: Village President Michael West, Trustee Christine Symchych, and Scott Botcher, Village Manager
From: Jolena Presti, AICP, Principal Planner and Jeff Maloney, Principal Designer
Re: Small Area Planning Study – Port Washington Road Corridor
Date: September 8, 2015

The Village of Fox Point retained Vandewalle & Associates to conduct a Small Area Planning Study for the Port Washington Road Corridor. The goal of the project is to determine feasible development options for two defined areas in Fox Point. The Study Area consists of two locations along Port Washington Road that are either currently available for sale/redevelopment or may come to market in the future.

The two areas include:

1. The Northern Range: The area at the northeast intersection of North Port Washington Road and Bradley Road includes four parcels, two of which are currently for sale.
2. The Southern Range: The area to the south, the Fox Point-Bayside School District-owned former Dunwood School and athletic fields is two parcels and nearly 12 acres.

Project Purpose and Scope

The specific task objectives provided by the Village included data collection and analysis, as well as development of land use recommendations for the two priority redevelopment Ranges. Vandewalle & Associates conducted the following Scope of Work.

Task One: Due Diligence, Analysis, and Coordination

1. Conduct overall project coordination and management
2. Review background information, including past and existing plans relevant to the sites
3. Conduct a site visit to consider site location, constraints and opportunities
4. Research the market and test feasibility for redevelopment
5. Conduct stakeholder interviews with property owners and developers to ascertain market feasibility for a variety of potential uses
6. Draft site plans (3 for each site) and building design recommendations

Task Two: Prepare Reuse Concept, Planning Study Memo, and Implementation Strategy

1. Conduct a working team meeting (as defined by Village leadership) to review draft concepts.
2. Refine and advance design of the redevelopment concepts following the working team meeting.
3. Develop the Draft Planning Study Memorandum to summarize project, process, and design concept.

Task Three: Final Planning Study Memo Preparation and Presentations

1. Refine the draft Memo and Concepts and present the final Planning Study Memo to the Village Board and public at one meeting.

Summary of Due Diligence

The findings outlined in this memo are the product of a series of interviews, site investigations and research by Vandewalle & Associates, conducted in March and April 2015. Local stakeholders and market experts were consulted with respect to the background, feasibility and appeal of particular redevelopment scenarios for the Northern and Southern Ranges, and carefully considered in the development of concept site plans that may inform future discussions with interested developers.

As an upscale, bedroom community in the Milwaukee metro area, Village demographics indicate a populace that has a higher average income relative to Milwaukee County and the State of Wisconsin as a whole. Median, average and per capita incomes are more than double the County average, and are well above State rates. Rates of homeownership are also above average.

While the school age population generally aligns with local area and state proportions, the aforementioned trends may be explained, in part, by a larger share of older Village residents (age 55+) at peak earning potential or at retirement age. These baby boomers – many of whom are “empty nesters” – represent a significant market opportunity for new residential and commercial development in the Study Area, as some may look to “age in place” within the Village of Fox Point in smaller residences with greater access to local amenities.

An overview of Study Area demographics follows, drawing a distinction between concentric rings of 0.5, 1 and 2 mile radii from the midpoint of the Port Washington Corridor, defined here as the intersection with Bradley Road. Summary information for Milwaukee County, as well as the State of Wisconsin, is also included for the sake of comparison.

	0.5 mile	1 mile	2 miles	Milwaukee County	Wisconsin
2014 Population Summary					
Population	1,795	5,536	16,547	961,119	5,749,323
Households	834	2,414	7,051	391,095	2,311,640
Families	500	1,527	4,691	223,893	1,482,488
Average Household Size	2.14	2.27	2.30	2.39	2.41
Owner Occupied Housing Units	71.9%	76.9%	82.1%	50.6%	67.5%
Renter Occupied Housing Units	28.1%	23.1%	17.9%	49.4%	32.5%

Sources: ESRI Business Analyst, Gale Cengage Demographics Now

	0.5 mile	1 mile	2 miles	Milwaukee County	Wisconsin
2014 Households by Income					
<$15,000	5.9%	5.3%	4.8%	16.6%	11.6%
$15,000 - $24,999	8.5%	8.5%	7.8%	13.5%	11.2%
$25,000 - $34,999	4.4%	4.4%	5.3%	12.1%	10.7%
$35,000 - $49,999	7.8%	7.5%	9.1%	14.8%	14.6%
$50,000 - $74,999	11.6%	10.4%	13.1%	18.1%	20.4%
$75,000 - $99,999	19.8%	17.0%	14.0%	10.8%	13.6%
$100,000 - $149,999	19.7%	18.8%	20.0%	9.5%	12.0%
$150,000 - $199,999	11.8%	12.3%	10.0%	2.3%	3.1%
$200,000+	10.4%	15.7%	15.9%	2.1%	2.8%
Median Household Income	$87,688	$94,240	$91,143	$42,215	$52,172
Average Household Income	$108,852	$123,577	$123,026	$58,969	$68,297
Per Capita Income	$49,180	$53,783	$52,307	$24,317	$27,790
2014 Population by Age					
Age 0 - 4	5.7%	5.2%	4.4%	7.4%	6.2%
Age 5 - 9	6.6%	6.4%	5.7%	6.8%	6.4%
Age 10 - 14	6.2%	6.9%	6.8%	6.6%	6.5%
Age 15 - 19	5.6%	5.9%	6.5%	7.0%	6.9%
Age 20 - 24	3.9%	4.1%	4.6%	8.0%	6.8%
Age 25 - 34	9.6%	8.2%	7.2%	15.9%	12.8%
Age 35 - 44	12.5%	11.9%	10.5%	12.4%	12.3%
Age 45 - 54	13.9%	14.6%	14.7%	13.0%	14.9%
Age 55 - 64	15.8%	16.2%	16.8%	11.2%	13.0%
Age 65 - 74	9.8%	10.3%	11.8%	5.7%	7.5%
Age 75 - 84	6.4%	6.1%	7.0%	3.8%	4.5%
Age 85+	4.1%	4.1%	4.1%	2.0%	2.2%
Median Age	44.9	45.9	48.1	33.8	38.8
2014 Race and Ethnicity					
White Alone	88.6%	88.8%	87.6%	60.2%	85.6%
Black Alone	3.8%	3.8%	5.3%	26.6%	6.4%
American Indian Alone	0.2%	0.1%	0.2%	0.7%	1.0%
Asian Alone	5.0%	4.8%	4.4%	3.6%	2.5%
Pacific Islander Alone	0.0%	0.0%	0.0%	0.04%	0.03%
Some Other Race Alone	0.6%	0.5%	0.6%	5.6%	2.5%
Two or More Races	1.9%	2.0%	1.9%	3.2%	2.0%
Hispanic Origin (Any Race)	3.6%	3.4%	3.4%	14.0%	6.3%

Sources: ESRI Business Analyst, Gale Cengage DemographicsNow

Northern Range - Bradley & Port Washington Road Area

Vandewalle & Associates interviewed representatives from each of the four Northern Range parcels, located at the northeast corner of Port Washington and Bradley Roads and totaling slightly less than 3 acres. The parcels are zoned for commercial use, bordered by commercial properties to the south and west, and residential properties to the north and east.

WE Energies "Bradley Center District"
Wisconsin Energy's corporate real estate portfolio manager has indicated that the site is simply not available for relocation in the foreseeable future. Updated in past four years, WE Energies does not anticipate needing to update this location again for the next 40-50 years. Further, it serves as a critical sub-station for more than 500,000 people on the North Shore. There is not another 8KV within a broad range and it is the only substation east of Interstate 43 in the North Shore area.

Costs to relocate are likely prohibitive, even for a well-financed speculative development – WE Energies' estimate is $15-$20 million. Logistics to relocate also would require an adequate similar site within relatively close proximity to the existing location. Further, additional screening is not desired/or may not be feasible according to WE Energies representatives, thus presenting additional redevelopment challenges for any potential uses and configuration. With this site unavailable, the draft redevelopment concepts for the Northern Range focus on a combination of the three remaining parcels.

Port China – The former Port China restaurant was a long-term fixture in Fox Point, situated between the corner former gas station at Port Washington Road to the west and residential Mohawk Road to the east. The site is currently listed for sale at $500,000, well above the most recent assessment of $300,100 for the 0.67 acre lot. The 2,720 sf building, constructed in 1958, would require significant rehabilitation for commercial use, and represents a significant cost per acre for demolition/redevelopment. The seller has had a few offers to date, but remains firm on asking price.

Currently the site is zoned D, Business. Permitted uses for D, Business include: business office, computer services, financial services, trade and professional offices.

A-B Data – The three story office building (two above ground) of approximately 15,000 sf, constructed in 1968, is currently available for sale/lease, and can be divided into multiple office suites. Although the site has been on the market for some time and is saddled with a high asking price ($1.45 million) relative to its assessed value of $1,116,400, the seller is motivated and interested in divesting the site.

The building's existing configuration may be reused, and is also flexible for mixed-use or conversion to residential. The building itself would benefit from some structural and façade improvement for a more modern look and feel.

Currently the site is zoned D, Business. Permitted uses for D, Business include: business office, computer services, financial services, trade and professional offices.

Northpoint Service Center – The former gas station and current automotive service facility is not currently for sale, but the owner stated he may be willing to entertain offers.

The 0.68 acre property is currently assessed at $201,200, with site improvements/station facilities valued at only $33,300. Given its corner location and high visibility to passing traffic on Port Washington, this is perhaps the most market-attractive long-term redevelopment site in the Northern Range.

Currently the site is zoned D, Business. Permitted uses for D, Business include: business offices, computer services, financial services, trade and professional offices.

Northern Range Redevelopment

Findings from each of these interviews suggest that this project area, considered overall, is best suited for neighborhood commercial (local restaurant, coffee shop, bank etc.) that is walkable to neighbors, and some limited residential development. Other considerations and market conditions to note:

- The cost of land is extremely significant. High value development or Village participation (or both) is anticipated to be necessary for any kind of new development to be feasible.
- This is not seen as a marketable site for destination retail, but desirable for neighborhood services/commercial. The highly visible corner site has received some interest as a location for potential bank branch office.
- Interviewees expressed concern about prospects for new multi-family development, but current options in the Village are admittedly outdated: mostly condos and a few

outdated rental options that still maintain pretty high occupancy. There is potential here for a small amount of ground floor commercial and upper floor residential, low-to-medium density, high-end, market rate units. This site may present a potential market for Fox Point/Bayside empty nesters wishing to move to a multi-family option within Fox Point.

- Nearby restaurants do well and are popular with the community – other restaurants are desired. The Port China restaurant closing was considered a loss as it had been there for many years.
- There is a nearby industry cluster of high-end resale furniture/home goods, as well as medical/fitness cluster of small branch offices, nearby health club, specialty clinics. A medical office building immediate south of the Bradley Road intersection (7950 N. Port Washington) is currently for sale at $1.75 million or lease at $13.50 sf/year.

Southern Range: Dunwood School Area

The Southern Range of the Study Area contains two parcels owned by the Fox Point-Bayside School District, containing an elementary school building that is currently being used as rental property by the School District as well as adjacent athletic fields that are currently being rented by youth athletic organizations.

While currently occupied by five nonprofit and education-oriented tenants, including the LX Club and the Scholaris Gifted Academy, the former Dunwood School building can be considered underutilized relative to its size and location in the Village. Built in 1955, the school has not hosted formal district programming since 1992, and substantial rehabilitation would be needed to plan a reuse of the existing building.

Interviews with developers and other real estate professionals indicate high interest in redevelopment of this site in particular for residential development.

Currently the Dunwood School Area is zoned F, Institutional. Permitted uses include: dwellings as permitted in B district; schools; churches; social clubs or lodges; community recreational; social or cultural services (non-profit); and convalescent nursing homes.

Southern Range Redevelopment

The site's longstanding status as a school, community center, recreational fields, and neighborhood service center could receive some public pushback against private redevelopment. The soccer fields adjacent to the site are well used, and serve as park space for nearby single family neighborhoods. Based on information shared by the Fox Point-Bayside School District, it is expected the entire site (both parcels) would be included in a Request for Proposals (RFP) for future redevelopment opportunities.

School District officials have shown interest in working with the Village to advance the reuse strategy for the property. In the future, the District intends to issue an RFP for the site. The Village may share with the School District the redevelopment concepts for the site (from the options introduced in this memo) which the District could use in RFP development, as a guide for appraisal value determination, and to inform strategy development for reuse and marketing the site to developers.

Market Analysis

All market sectors were considered in the Vandewalle & Associates analysis of the subject sites. Findings are based on market understanding, expert interviews, and data analysis.

Retail

WisDOT traffic counts for the Port Washington corridor generally decrease when travelling north from Glendale to Fox Point, but the area between the Northern and Southern Range sites generally average 9,000-11,000 cars per day. This represents significant visibility for small and medium sized retail and commercial developments that are the most sustainable typologies for the community in the short term.

Using data from ESRI Business Analyst, the following charts summarize a market study technique known as retail gap analysis, a measure of supply vs. demand for certain kinds of retail. From this data, one can infer the relative success of the existing business mix, as well as opportunities for expansion in particular sectors. If a particular kind of store is underrepresented in Fox Point, residents likely must leave the trade area in order to find that good or service – a "leakage" of retail expenditures from the locality. Conversely, specialty stores or those that are not supported by local demand alone may draw shoppers from outside of the area, or may represent an underserved niche for expansion – a "surplus" of demand.

Given the population and location of the Fox Point relative to other shopping areas, neighborhood-serving retail focus on convenience and specialty retail is recommended, generally defined as those options found within a 10 minute drive from the center of the Study Area.

Radius from Center of Planning Area	0.5 mile	1 mile	2 miles
2014 Population	1,795	5,536	16,547
2014 Households	834	2,414	7,051
Total Retail Trade Gap (Including Food & Beverage Stores)	$15,357,244	$45,004,977	$164,839,815
Total Food Services & Drinking Places Gap (Restaurants and Bars)	$3,468,570	$9,121,081	$22,733,176
Total Retail Trade and Food Services & Drinking Places Gap	**$18,825,814**	**$54,126,058**	**$187,572,991**

Supportable Retail Square Footage and Estimated New Store Feasibility for Retail Sectors (2 mile radius)					
Industry Group	**Retail Gap**	**Median Sales PSF**	**Supportable Sqaure Feet**	**Median SF**	**New Store Market Feasibility?**
Automobile Dealers	$50,055,390	-	-	-	Maybe
Auto Parts, Accessories & Tire Stores	$4,087,109	$331	-	3,450	Maybe
Furniture & Home Furnishings Stores	$3,090,065	$253	12,196	3,630	Yes
Electronics & Appliance Stores	-$16,662,906	$336	(49,529)	2,240	No
Bldg Materials, Garden Equip. & Supply Stores	$8,088,457	$211	38,393	6,800	Yes
Health & Personal Care Stores	$9,909,217	$464	21,352	8,993	Yes
Clothing Stores	$2,257,940	$243	9,292	2,220	Yes
Shoe Stores	$2,373,655	$246	9,636	2,605	Yes
Jewelry, Luggage & Leather Goods Stores	-$7,515,560	$553	(13,597)	1,200	No
Sporting Goods/Hobby/Musical Instr Stores	$2,803,669	$284	9,878	1,750	Yes
Book, Periodical & Music Stores	$1,222,653	$250	4,894	2,034	Yes
Office Supplies, Stationery & Gift Stores	$1,675,709	$284	5,904	1,750	Yes
Food/Beverage Industries					
Full-Service Restaurants	$9,207,200	$500	18,414	4,000	Yes
Limited-Service Eating Places	$10,071,264	$347	28,987	1,750	Yes
Special Food Services	$1,655,444	$347	4,765	1,750	Yes
Drinking Places - Alcoholic Beverages	$1,799,268	$800	2,249	4,000	No
Grocery Stores	$760,293	$417	1,823	29,000	No
Specialty Food Stores	$743,711	$417	1,783	1,750	Yes
Beer, Wine & Liquor Stores	$762,444	$398	1,914	2,400	No

Sources: Urban Land Institute and ESRI Business Analyst

Based on national surveys of median sales and retail outlets by square footage, this analysis presents a simple opportunity matrix for retail sectors with the greatest market potential. If a positive retail gap supports at least the national median square footage for a particular use, it is deemed to have new store market feasibility. Most industry groups offer encouraging potential for small outlets in Fox Point that would not necessary compete with larger, regional-scale offerings in surrounding communities.

By this metric, auto parts and sales, furniture, hardware/building materials, health/personal care stores, and restaurants (full service and fast casual) all demonstrate the largest potential for new locations supporting unmet local demand. Note that this preliminary analysis makes only general recommendations, however – identification of specific tenants, as well as consideration of a number of community and site specific variables (local preference, ingress, parking, demolition vs. reuse, etc.) will be necessary in determining the optimal retail uses, if any, for the N. Port Washington Corridor in general and the two priority redevelopment sites in particular.

Commercial Office

The commercial real estate market in the immediate area presents a markedly different picture. North Shore office vacancy rates currently hover around 30%, per interviews with real estate professionals. This is well above the Milwaukee area average of 23% for all commercial properties, as well as other suburban submarkets (Brookfield, Wauwatosa, Pewaukee, etc.) and this speaks to a general glut of available commercial space in the area.[1] While rents and net absorption rates are expected to rise overall as the area continues to rebound from the recession, the subject properties within the Study Area – older Class B & C offices in a suburban, largely residential location - remain at a significant disadvantage relative to new construction, as well as more centrally located properties in the region. Significant rehabilitation of Study Area commercial options, or conversion into mixed-use or residential properties, may hold more long-term potential for sustainable development in Fox Point.

Residential

Mid-rise, medium density, and market rate residential development are desirable qualities in the local market, and the success of recent projects in nearby communities portend rising demand for upscale, "in town" housing options in the North Shore Area. For example, the $27 million Beaumont Place apartments in downtown Whitefish Bay, constructed by Mandel Group, offer more than 80 units with high-end finishes and a location walkable to both Lake Michigan and Bayshore Town Center and are currently over 75% pre-leased at a range of prices, from $1,400 to $3,200 per month. These units feature more spacious, condominium-like layouts than traditional apartments, and finishes with amenity packages including stainless steel appliances, full-size washer and dryer, walk-in closets, and granite countertops. All homes feature at least one balcony or patio, and common areas include community green space and a patio, clubroom, fitness center, on-site management office and underground parking.[2] It was reported that this development is attracting some empty nesters from Fox Point as there are not comparable options in the community.

The Blair Williams/Wired Development project in the Mequon Town Center has also enjoyed quick lease up, further indicating to the market that there is high demand for empty-nester North Shore multi-family development. Directly adjacent to Mequon City Hall, this new community features 28 luxury apartments and over 36,000 square feet of retail and commercial space. The project is styled as a mixed-use lifestyle center; commercial tenants such as Colectivo Coffee, Cafe Hollander, Sola Salon, The Ruby Tap, Elements Massage, Health in Balance Physical

[1] NAI MLG Commercial. "Office Market Report: Metropolitan Milwaukee, Q2 2014." http://www.mlgcommercial.com/wp-content/uploads/2015/02/Office_Market_Report_2014Q2.pdf
[2] http://www.mandelgroup.com/apartments/apartment_detail.cfm?n_id=107

Therapy and Yoga, Fisher Family Chiropractic, and Supercuts, and walkable destinations include a riverfront park, the Mequon Pool, Library and Community Center.[3]

Draft Site Redevelopment Concepts

Northern Range: Bradley & Port Washington Road

Due to the fact that the existing WE Energies substation is unlikely to be relocated for the foreseeable future, the Northern Range consists of two non-contiguous redevelopment sites. North of the substation, the A-B Data building may be reused, reconfigured or demolished for new commercial, residential or mixed-use. South of the substation, between N. Port Washington, W. Bradley and N. Mohawk Roads, two existing parcels containing the Northpoint Service Center and former Port China restaurant may be combined to form a larger site for medium density, mid-rise redevelopment with access from the west or south. Three draft redevelopment concepts (Attached Bradley Road Redevelopment Options: One, Two, and Three) present a mix of potential uses for these two sites – elements of each may be combined in future stages of redevelopment.

Option One - Commercial

- Reuse of A-B Data building for commercial/office use in current configuration; maintain access from N. Port Washington Road, parking in rear
- One-story or split level (1.5 story) commercial development of about 9,500 square feet at northeast corner of Bradley and Port Washington Road (combine gas station and former Port China site)
    - Improved landscaping facing road, public sidewalks
    - Outdoor seating/plaza overlooking intersection
    - Surface parking north and east (57 spaces); access from both W. Bradley and N. Port Washington
- Maintain vegetative buffers facing N. Mohawk Road for both sites

Option Two – Mixed-Use – Bank

- Conversion of A-B Data to mixed-use: office and commercial with residential units above
    - Outdoor plaza facing N. Port Washington Road
    - Maintain existing surface parking for commercial uses; parking for residential units under building
- New mixed-use construction near intersection: bank with office use above on southwest portion of site, residential on the southeast, with under-building parking.
- Access from both N. Port Washington and W. Bradley (drive-thru under building)
- Maintain vegetative buffers facing N. Mohawk Road for both sites

[3] http://www.mequontowncenter.com/

Option Three – Mixed-Use

- New three-story residential construction on A-B data site
    - Surface and under-building parking for residents
    - Greenspace southeast serves new and existing residential and screens existing WE Energies substation
- Mixed-use commercial with upper story residential on highly visible intersection; 3 stories of residential on western portion of site
    - Outdoor seating or plaza
    - Under-building parking for residents
    - Access from N. Port Washington Road
- Maintain vegetative buffers facing N. Mohawk Road for both sites

Southern Range: Dunwood School

As the largest redevelopment site in Fox Point in some time, the Dunwood School site provides many opportunities for reuse or reconfiguration in the future. The following three concepts (Attached Dunwood School Redevelopment Options: One, Two and Three) consider several different land use approaches, taking current conditions and interview feedback into consideration.

For example, a series of medium density, multi-unit structures could be accommodated on the site, with a mix of market rate and/or senior townhouses, condominiums and apartments, with attendant greenspace as well as neighborhood-serving retail or office uses on site. An "intergenerational development" in the style of St. Anne's in St. Francis, Wisconsin, may present one such opportunity to mix older residents with services for children and families.[4]

The concepts also seek to maintain a buffer between single family residential and playground/athletic fields, with new single family lots, as well as townhome/rowhouses sited closer to existing single family neighborhoods in the surrounding area (varied configurations depending on the Option). The North Shore Library, which had been considering plans to relocate from Glendale location, could be part of the site's mix of private and civic uses. In concept, the new library would function as a community center and destination for events, gatherings, meetings, classes, in the same way that the Dunwood Center is currently being utilized. Under these scenarios, existing nonprofit/educational tenants could also be worked into the site's reuse. In keeping with local tastes and market potential, one real estate broker stated he has received interest from a high end grocer to potentially locate a ~20,000 sf store at this site. Specific features for each of the three redevelopment options are outlined in the following section.

[4] http://www.stanncenter.org/

Option One – Residential

- Mix of residential uses: apartments, townhomes, single family
  - Three-story apartments along N. Port Washington Road and along private parking lane – under building tenant parking
  - Two-story townhomes (garages in rear, along alley) along W. Dunwood Road to transition to existing single family home neighborhood
  - Single family homes at Southeast edge of development accessed from W Dunwood Road
    - 5 lots: 20,000-26,000sf each
    - Conforms to A-3 Zoning
  - One proposed public street to access future development
  - Greenspace setback at N. Port Washington Road and W. Dunwood Road

Option Two – Mixed-Use

- Mix of civic, commercial and residential
- Public building, such as a two-story library at the corner of N. Port Washington Road and W. Dunwood Road
- Mixed-use building along N. Port Washington Road – commercial on ground floor with office or residential above
- Two-story townhomes (garages in rear, along alley) along W. Dunwood Road to transition to existing single family home neighborhood
- Senior Village housing development on south end of the site – one story duplexes on private street
- Single family homes at Southeast edge of development accessed from W Dunwood Road
  - 5 lots: 20,000-26,000sf each
  - Conforms to A-3 Zoning
- Two proposed public streets to access future development

Option Three – Mixed Residential

- Mix of residential uses
- Three-story apartments along N. Port Washington Road, under-building tenant parking
- Two-story townhomes (garages in rear, along alley) along W. Dunwood Road to transition to existing single family home neighborhood
- Inter-generational care facility south of proposed public street
- One proposed public street to access future development
- Greenspace setback at N. Port Washington Road and W. Dunwood Road
- Maintain greenspace along the eastern edge of the site, behind the homes along N. Seneca Road as a Village park

Conclusions

The Northern Range site at W. Bradley & N. Port Washington Roads is particularly challenging for several reasons. The high cost of available properties in the area discourages assembly of a parcel large enough for significant redevelopment, and substantial preparation costs would need to be incurred if all existing properties were to be demolished.

Redevelopment of the Dunwood School site will be most successful for the community and school district if a joint strategy is approached to achieve the goals of both parties. The Village and School District may choose to work together in RFP/RFQ development and developer recruitment. Further, zoning and general Planned Unit Development (PUD) should be agreed upon early in the process, with site entitlements advanced through the Village approval process well ahead of time for the Dunwood School site. This will set the parameters for the developers anticipated to be interested in the site and will set the stage for a smoother process between the Village and development proposals.

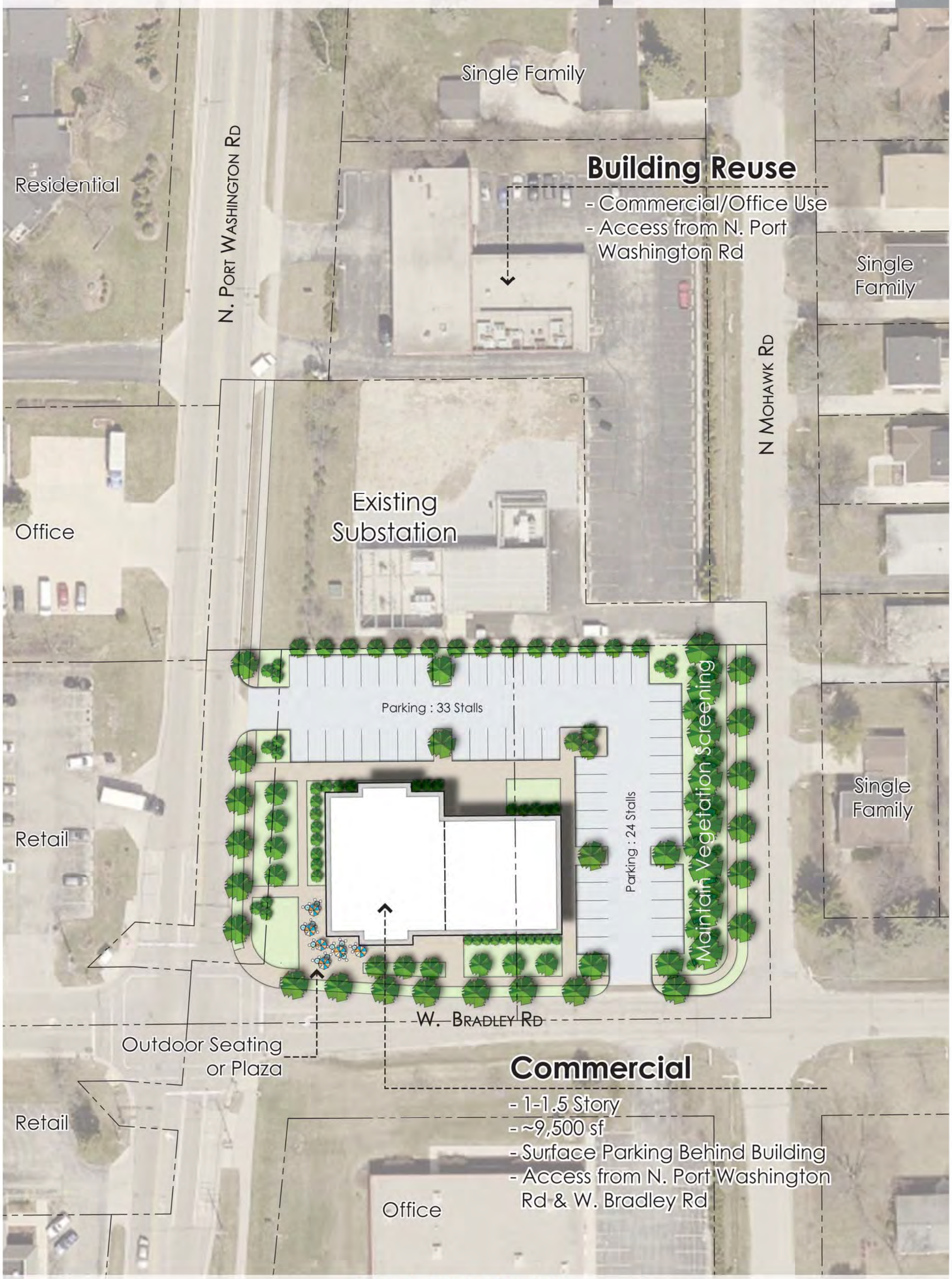
Fox Point Area Vision

Bradley Road Redevelopment

Option One

Commercial

Fox Point Wisconsin



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0 25 50 100 Feet

NORTH

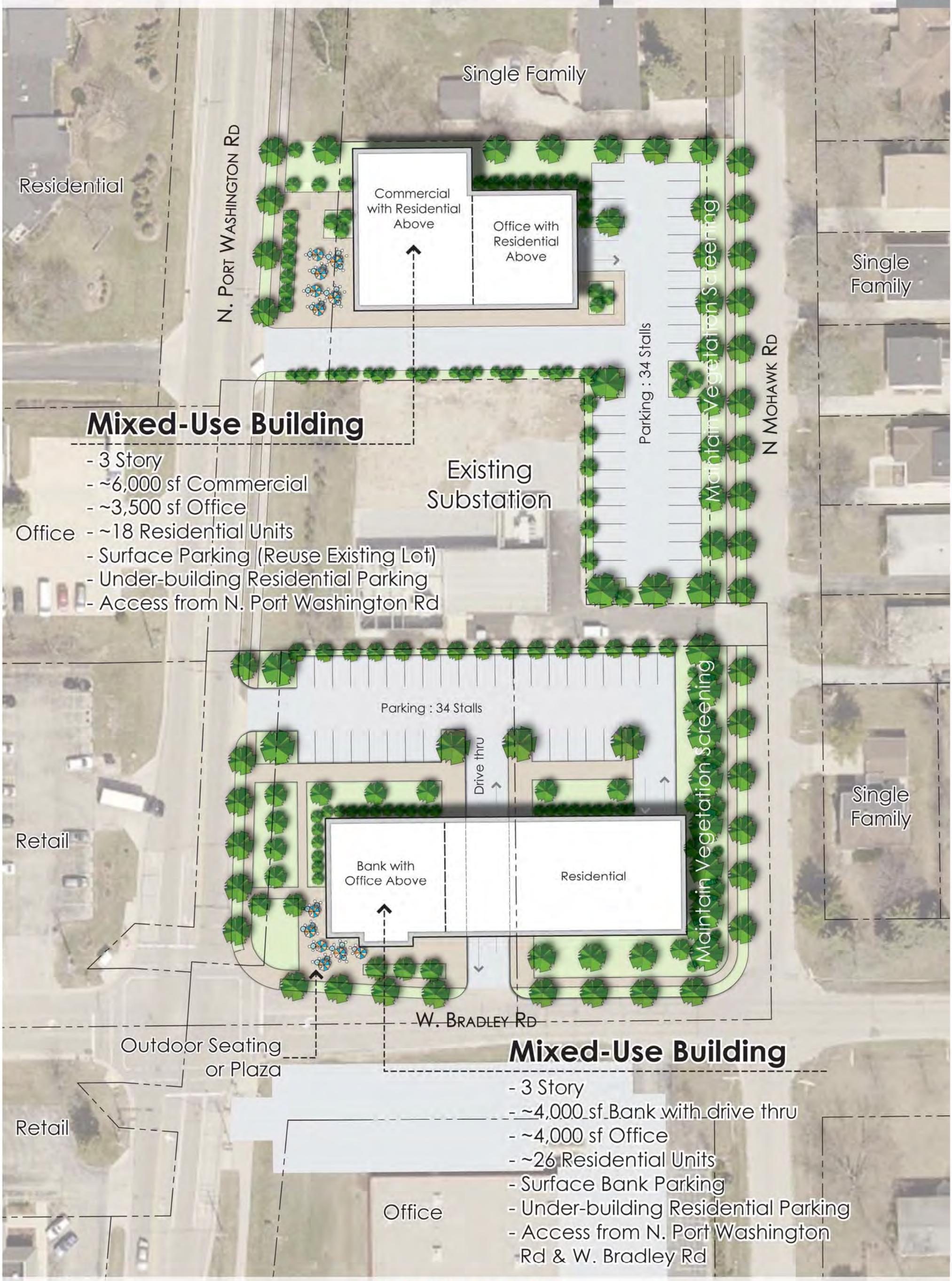
Fox Point Area Vision

Bradley Road Redevelopment

Option Two

Mixed Use - Bank

Fox Point Wisconsin



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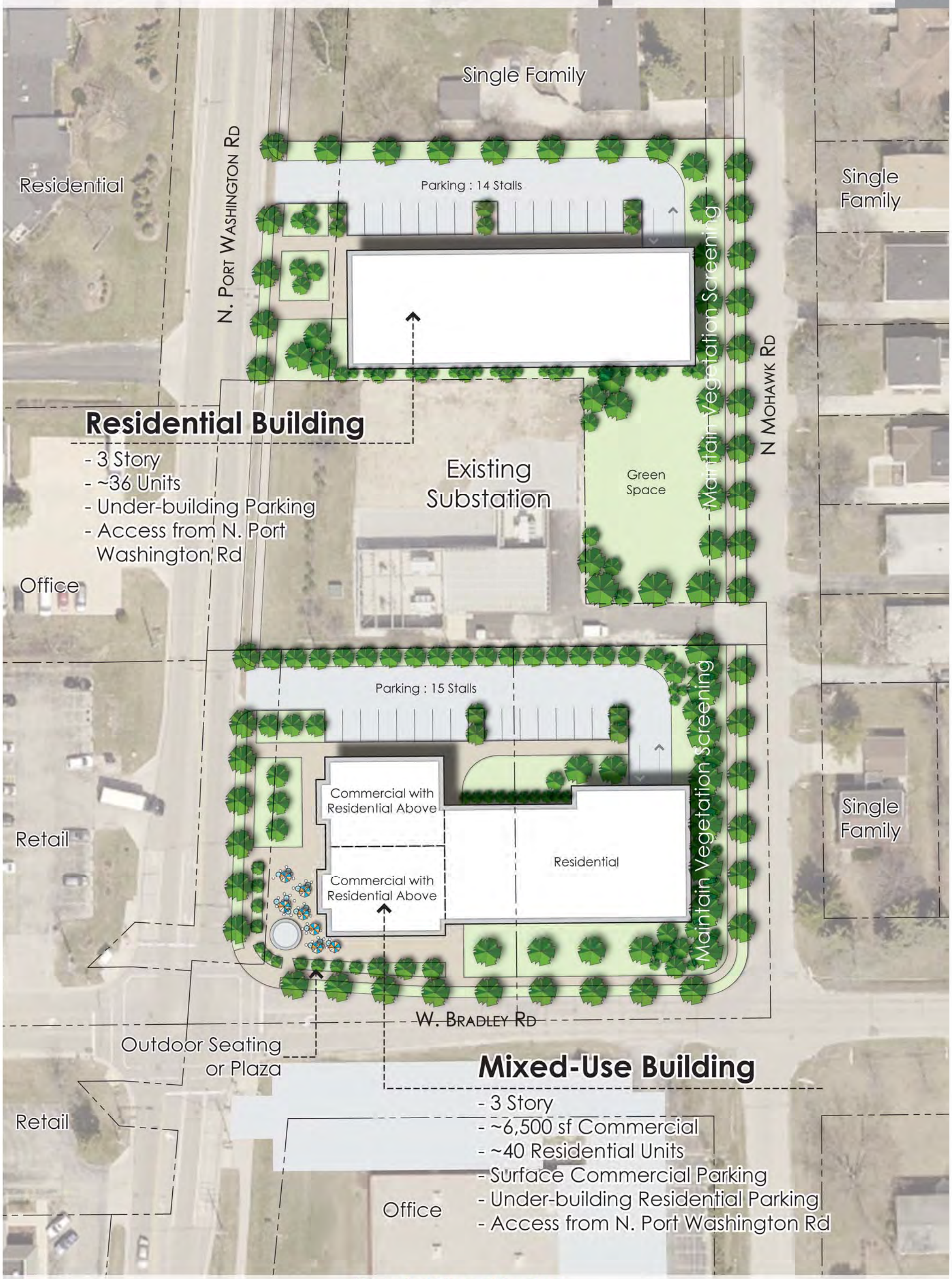
Fox Point Area Vision

Bradley Road Redevelopment

Option Three

Mixed Use

Fox Point Wisconsin



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0 25 50 100 Feet

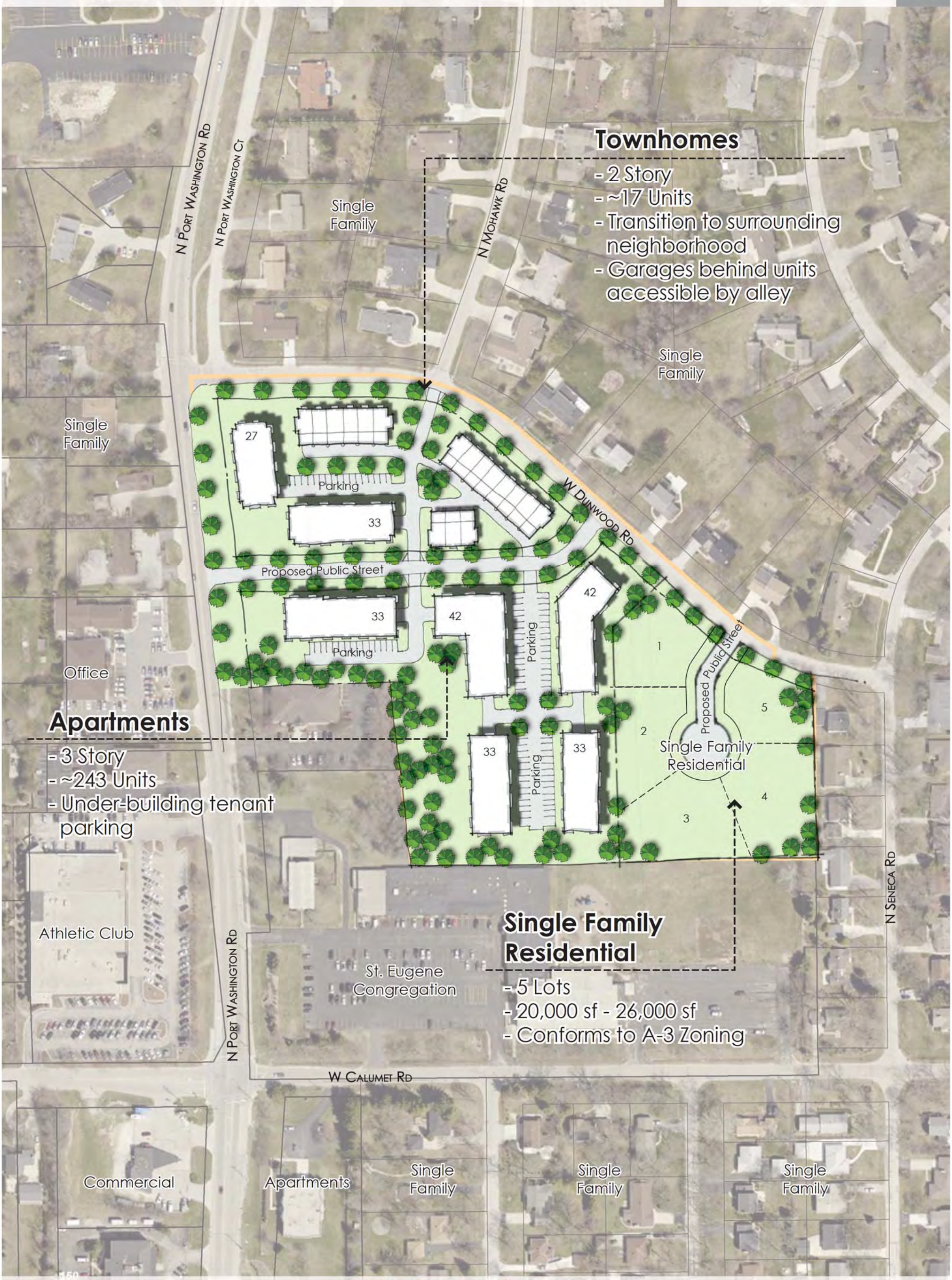
NORTH

Fox Point Area Vision

Dunwood School Redevelopment

Option One
Residential

Fox Point Wisconsin



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0 75 150 300 Feet

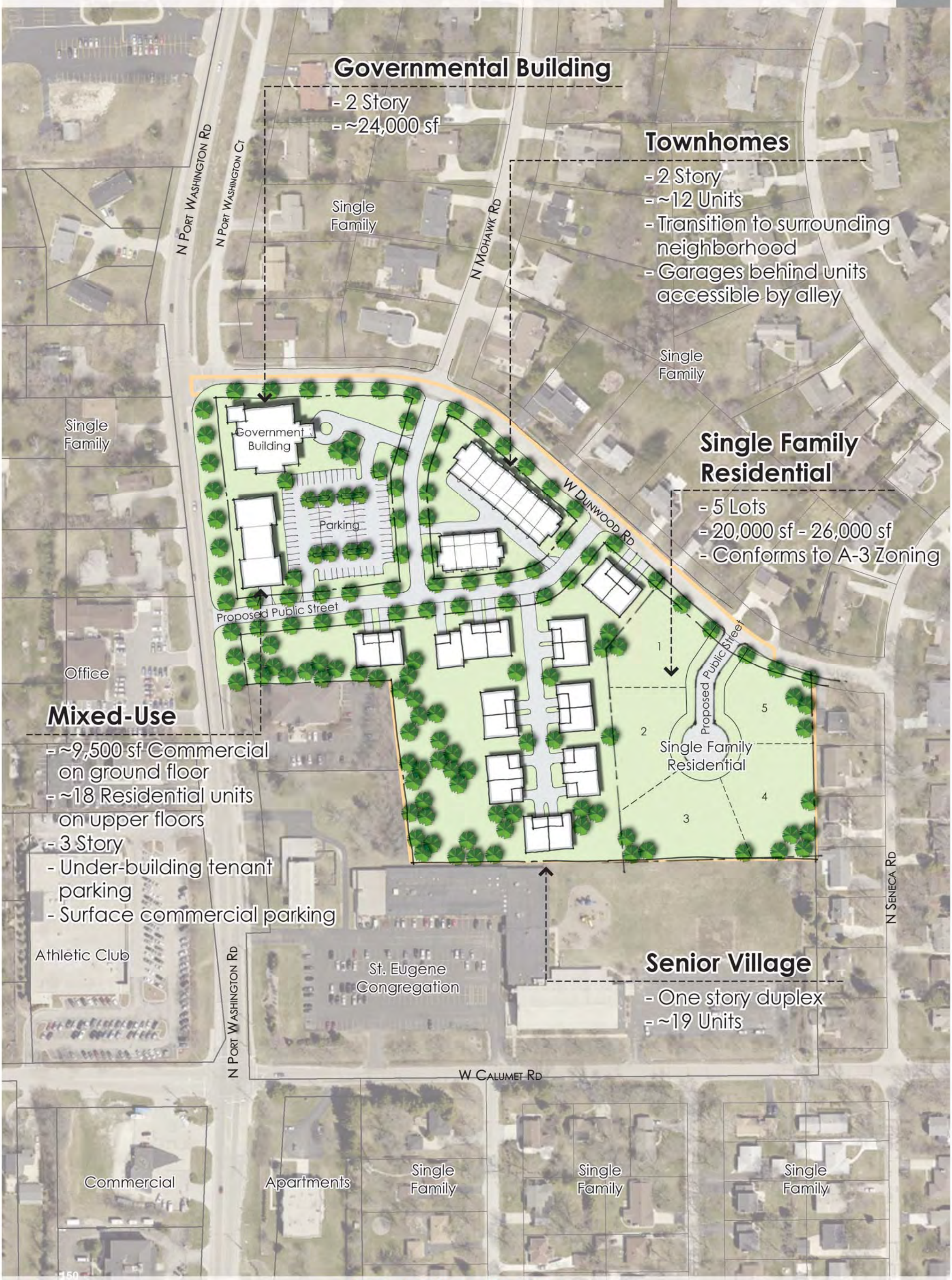
NORTH

Fox Point Area Vision

Dunwood School Redevelopment

Option Two
Mixed Use

Fox Point Wisconsin



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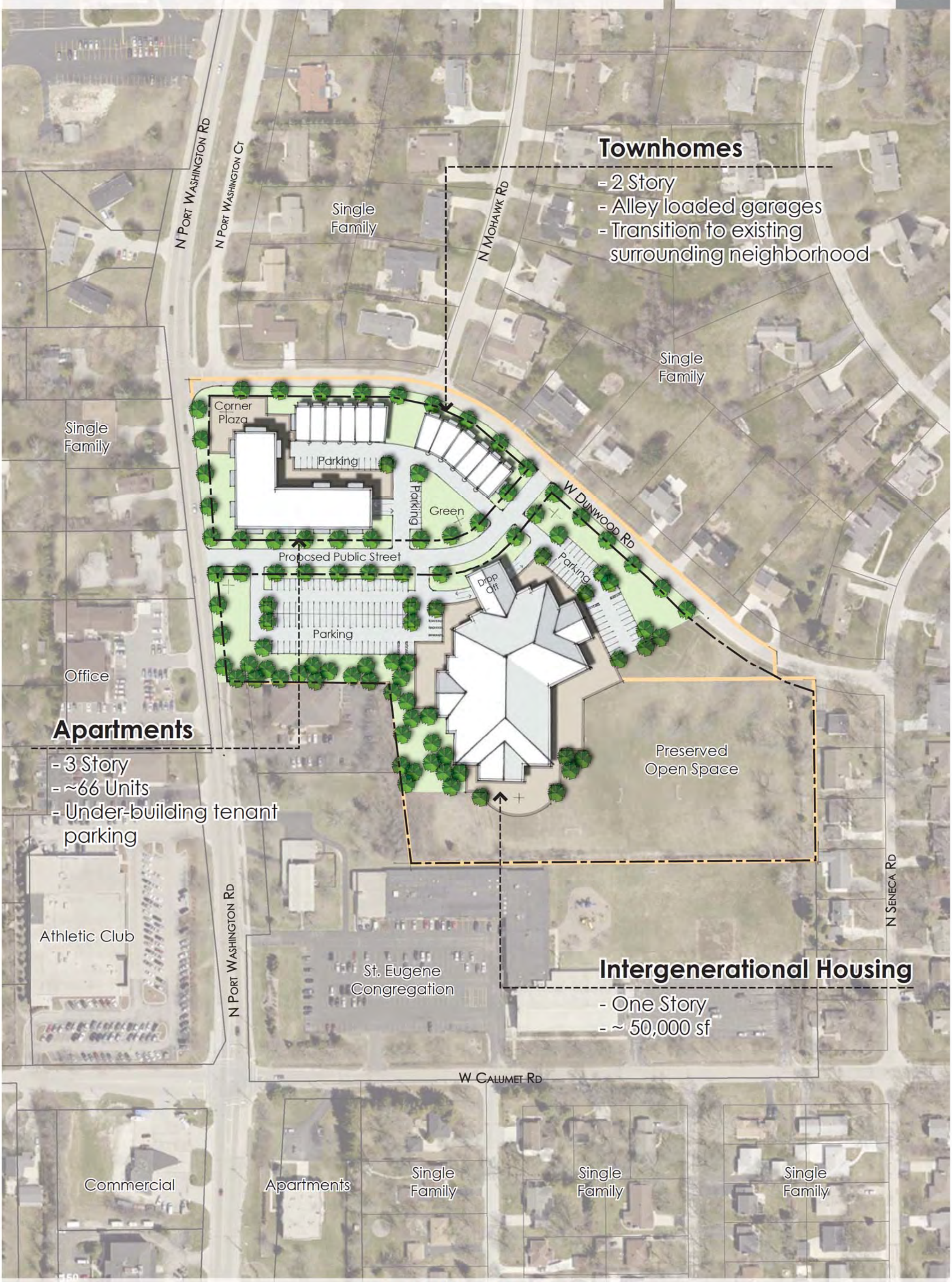
Fox Point Area Vision

Dunwood School Redevelopment

Option Three
Mixed Residential

Fox Point Wisconsin



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0 75 150 300 Feet

NORTH

Scott Botcher

From: Therese Gripentrog <tj.gripentrog@gmail.com>
Sent: Monday, February 1, 2021 5:47 PM
To: Scott Botcher; Mike Pedersen; Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; Elizabeth Sumner; Christine Symchych; Marty Tirado; Kelly Meyer
Cc: Scott Mittelstadt
Subject: Letter Regarding Proposed Gas Station

Dear Fox Point Plan Commission, Village Board, Village Manager, Assistant Village Manager, and Police Chief:

We are residents of the Village of Fox Point, and we live a few blocks from the location of the proposed development on the NE corner of the intersection of N. Port Washington and W. Bradley roads.

This letter is our statement, on the record, as being strongly opposed to the development of a gas station/convenience store in this location. We feel that the development, as proposed, will have long-standing negative impacts on the quiet residential character of the adjacent neighborhoods. We can do so much better than this, at this location -- the entrance to our wonderful Village!

There are many strong, logical, and valid reasons relating to the health and safety of residents that justify the Plan Commission and, ultimately, the Village Board, voting against this development, including the following:

1. Over-saturation of gas stations and convenience stores in the North Shore on Port Washington Road. We know that for the Village commerce to be healthy there must be a balance of commercial opportunities for the residents. To ensure this balance another type of business at the location would better serve the needs of the residents and current businesses.
2. Increased and unwanted light pollution.
3. Increased and unwanted noise pollution.
4. Increased and unwanted litter.
5. Increased and unwanted additional vehicular traffic which will lead to the potential for more automobile accidents and reduced safety for the patrons of existing businesses on the intersection and residents of the adjoining residential neighborhoods.
6. Increased need for police monitoring of the intersection drawing valuable law enforcement resources from other parts of the Village.
7. Increased and unwanted need to widen Port Washington Road and change the intersection to accommodate heavy traffic.Increased and unwanted loitering by patrons seeking liquor and tobacco products late in the evening
8. Increased and unwanted exhaust fumes and gasoline vapors wafting into the adjacent **residential** neighborhoods.
9. A 24-hour gas and convenience store does not fit in with the residential fabric and existing community cohesiveness of the surrounding neighborhood areas and would have a profoundly negative effect on this part of the Village.
10. With the approval of another beer and liquor outlet the Village will be setting a precedent and opening the door to a flood of applications in the future in the Road Washington Road corridor.

It is not legally necessary for the Village Plan Commission nor the Village Board to vote in favor of this proposal. It is only that -- a proposal. It is an ask for a Conditional Use permit and we -- residents who have a financial and aesthetic stake in this Village -- ask that you please listen to the resident's concerns and hold out for a more responsible proposal that reflects the character of our wonderful Village.

We ask you to consider the fact that the developer of this proposal is using a typical developer method of asking for the world and hoping for at least some of the requests. We do not need to succumb to this proposal.

Scott Botcher

From: David Johnson <d.jhnsn1@yahoo.com>
Sent: Saturday, January 9, 2021 6:08 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; Elizabeth Sumner; Christine Symchych; Marty Tirado
Subject: Application for new Gas Station and Convenience store at Bradley & Port Washington Roads

Dear Mr. Botcher,

I've been made aware of an application for conditional use of the lot at Bradley and Port Washington roads for a gas station and convenience store. I understand that it would be a 24 hour operation that would also sell cigarettes and liquor.

I am vehemently opposed to this proposal. I cannot see how it will enhance the vision for Fox Point or the adjacent neighborhood. I don't know of anybody in the area who has a need of such a service. I can only envision it drawing an undesirable element to what is now a safe and peaceful area in the late night and early morning hours.

I would be interested to know the last time any of the Village trustees or President have been in need of cigarettes or liquor 24 hours a day? Why invite a potential crime magnet to our Village?

I implore the Village to reject this proposal.

Respectfully,

D.H. Johnson
180 E. Cherokee Circle
Fox Point, WI 53217

Scott Botcher

From: Harvey Levin <dcldy1997@yahoo.com>
Sent: Sunday, January 10, 2021 8:02 AM
To: dhfrazier@villageoffoxpoint.com; Scott Botcher
Subject: Bradley & Port Rd Conditional Use

Absolutely NOT! Just what this village needs is a 24 hour gas station and quick mart creating criminal opportunity. We have enough car chases on Brown Deer and Port Rd and plenty of gas stations in Fox Point and Bayside with quick marts.

Scott Botcher

From: Pam Maersch <ppetersonmaersch@gmail.com>
Sent: Sunday, January 10, 2021 12:36 PM
To: Douglas Frazer; Elizabeth Sumner; Scott Botcher
Subject: Proposal Development Bradley and Port Washington Rd and Ideas

Excited to hear there is a proposal for development on a very sad corner.
Unfortunately, just hearing preliminary details, does not excite us.
Will attend ZOOM meeting to hear details, etc.

Suggestion for a gas station at this particular corner:

Gas station vision

- Close at 1100pm or midnight.
- Sell healthy foods
- Handmade unique products from local vendors Food, beverages or boutique small items

Examples of coffee self serve: Starbucks coffee, Local roaster coffee, Generic coffee
Local vendors at FP farmer's market: Lopez Bakery, Honey, Rice, etc., handmade soaps
Healthy peg snack; nuts, gums and mints
******Eliminate. all smoking materials and liquor.***

Thank you for your consideration of this email and other ideas.
Pam Maersch

Sent from Mail for Windows 10

Scott Botcher

From: Larry Shainock <LShainock@sbcglobal.net>
Sent: Sunday, January 10, 2021 1:05 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Bill Kravit; Elizabeth Sumner; Christine Symchych; Marty Tirado
Subject: Conditional use permit at Bradley and Port Washington Roads

Importance: High

We are aware that village trustees have been trying to find a suitable use for this parcel of land.

We are totally against permitting a gasoline station selling distilled spirits. I feel this will bring unwanted elements into the village which will subsequently require a high police presence.

There are three gasoline stations all within a mile radius that are open for fuel sales 24 hours a day! Why do we need a fourth fuel station?

Larry and Sarie Shainock

Scott Botcher

From: Arknab@gmail.com
Sent: Sunday, January 10, 2021 2:56 PM
To: Scott Botcher
Cc: Stacy Knab
Subject: Bradley and Port Washington Gas Station Proposal

My wife and I and our two children are Fox Point residents on Regent Road. Our understanding is that a conditional use permit has been applied for a new gas station which would be open 24 hours a day and also sell cigarettes and liquor. We would like to voice our opposition against this type of zoning ordinance or use permit for that location. We moved to Fox Point for it's quiet charm and have several concerns about the impact of this on the neighborhood. We will be sharing these concerns with the village board as well, but also wanted to bring them to your attention.

Sincerely,

Drew Knab
8032 N Regent Road

Scott Botcher

From: Douglas Frazer
Sent: Monday, January 11, 2021 10:10 AM
To: Scott Botcher
Subject: FW: Bradley and Port Washington Gas station proposal

Here another.

-----Original Message-----
From: Arknab@gmail.com <arknab@gmail.com>
Sent: Sunday, January 10, 2021 3:03 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Cc: Stacy Knab <stacyknab@gmail.com>
Subject: Bradley and Port Washington Gas station proposal

Hi Doug,

My wife and I and our two young children are Fox Point residents on Regent Road. Our understanding is that a conditional use permit has been applied for a new gas station on the intersection of a Bradley and Port Washington which would be open 24 hours a day and also sell cigarettes and liquor. We would like to voice our opposition against this type of zoning ordinance or use permit for that location. We moved to Fox Point for it's quiet charm and have several concerns about the impact this would have on the neighborhood. There are plenty of gas stations in the area, and see the potential for real harm to our neighborhood.

Thank you for your time and service to Fox Point.

Drew Knab
8032 N Regent Road

Scott Botcher

From: Karen <kabunt@yahoo.com>
Sent: Monday, January 11, 2021 9:54 AM
To: Scott Botcher
Subject: Meeting comment

Hi, my name is Karen Patterson and I live at 8134 N Seneca Rd., Fox Point, I would like to chime in on the upcoming vote for the application for the c-store proposed at Bradley and Port Washington. I support business in our community but I believe that the increased traffic that this 24 hour business would generate would be detrimental to our community. I hope that the council will take into account the residents wishes when making this decision.

Thanks,
Karen

Sent from my iPhone Karen Bunt

Scott Botcher

From: Edith Pump <epump124@yahoo.com>
Sent: Monday, January 11, 2021 5:59 AM
To: Scott Botcher
Subject: Lot on Bradley and Port Washington road

My name is Edith Pump and I live on Bradley Road in Fox Point . I have lived in this home since 1967. I raised three children here. My husband and I would never have moved into this neighborhood had their been a 24 hour service station, selling gas, liquor and cigarettes, in the area. We moved to Fox Point because it was a good and safe environment to raise our family. The school system was out standing. Our children were able to walk down Bradley Road to Port Washington Road to get to Maple Dale School safely.
My neighborhood has not changed that much since my children were growing up, that is why I am still living in the same home. I am not fearful for my own safety. I can take a walk in my neighborhood, feel safe at night, back out of my driveway without worrying about speeders or drunken drivers.
I have been paying my property taxes since 1967 on this home. The value of my property will drop considerably as will my neighbors' if this 24 hour service station is allowed on the Bradley and Port Washington Road. Please do not allow this business in Fox Point. This decision will affect the future of The Village of Fox Point.

Edith Pump

Scott Botcher

From: Douglas Frazer
Sent: Monday, January 11, 2021 10:11 AM
To: Scott Botcher
Subject: FW: agenda on the application of gas station

Here is another.

-----Original Message-----
From: Andrew La Licata <lalicata1@sbcglobal.net>
Sent: Sunday, January 10, 2021 5:50 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: agenda on the application of gas station

Dear Mr Doug Frazer I am writing to you as a concerned citizen, I have lived in Fox Point for 5 years and I like this community. It is quiet and the residents are friendly. Please do not let a gas station be built on Bradley and Port Washington Rd. We already have enough gas stations. Two on the corner of Brown Deer and Port Washington Rd BP and Sendik`s. Then in Glendale on Port Washington Rd there is three.I feel it would just be to much. I am sure there can be something else that isn`t a gas station that can be put on that corner. Thank you for your time. I am praying you make the right choice.

Sincerely,
Mr and Mrs Andrew La Licata

Scott Botcher

From: Douglas Frazer
Sent: Monday, January 11, 2021 10:11 AM
To: Scott Botcher
Subject: FW: Lot on Bradley and Port Washington road

Here is another.

From: Edith Pump <epump124@yahoo.com>
Sent: Monday, January 11, 2021 6:48 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Fwd: Lot on Bradley and Port Washington road

Begin forwarded message:

From: Edith Pump <epump124@yahoo.com>
Date: January 11, 2021 at 5:59:10 AM CST
To: sbotcher@villageoffoxpoint.com
Subject: Lot on Bradley and Port Washington road

My name is Edith Pump and I live on Bradley Road in Fox Point . I have lived in this home since 1967. I raised three children here. My husband and I would never have moved into this neighborhood had their been a 24 hour service station, selling gas, liquor and cigarettes, in the area. We moved to Fox Point because it was a good and safe environment to raise our family. The school system was out standing. Our children were able to walk down Bradley Road to Port Washington Road to get to Maple Dale School safely.
My neighborhood has not changed that much since my children were growing up, that is why I am still living in the same home. I am not fearful for my own safety. I can take a walk in my neighborhood, feel safe at night, back out of my driveway without worrying about speeders or drunken drivers.
I have been paying my property taxes since 1967 on this home. The value of my property will drop considerably as will my neighbors' if this 24 hour service station is
allowed on the Bradley and Port Washington Road. Please do not allow this business in Fox Point. This decision will affect the future of The Village of Fox Point.

Edith Pump

Scott Botcher

From: Douglas Frazer
Sent: Monday, January 11, 2021 10:12 AM
To: Scott Botcher
Subject: FW: Board meeting comment

Here is another.

From: Karen <kabunt@yahoo.com>
Sent: Monday, January 11, 2021 10:02 AM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Cc: edonstad@villageoffoxpoint.com; Elizabeth Sumner <lsumner@villageoffoxpoint.com>
Subject: Board meeting comment

Hi, my name is Karen Patterson and I live at 8134 N Seneca Rd., Fox Point, I would like to chime in on the upcoming vote for the application for the c-store proposed at Bradley and Port Washington. I support business in our community but I believe that the increased traffic that this 24 hour business would generate would be detrimental to our community. I hope that the council will take into account the residents wishes when making this decision.

Thanks,
Karen

Sent from my iPhone Karen Bunt

Scott Botcher

From: Douglas Frazer
Sent: Monday, January 11, 2021 1:07 PM
To: Scott Botcher
Subject: Gas Station/FW: Application

Robert and Nancy Uecke.

-----Original Message-----
From: Robert Uecke <runu@sbcglobal.net>
Sent: Monday, January 11, 2021 1:02 PM
To: Douglas Frazer <dhfrazer@villageoffoxpoint.com>
Subject: Application

Dear Mr. Frazer,

Regarding the application for a Convenience Store/Gas Station on the corner of Bradley Road and Port Washington Road, my wife and I strongly object to allowing this. It offers nothing that we can't obtain within less than a mile north or south of this location.
Fox Point is a safe residential community, and needs to remain that way.

PS, why were we not informed by you of this meeting to consider this application?

Thank you for your attention.

Robert Uecke
Nancy Uecke
8054 N. Seneca Road
Fox Point, WI 53217
Cell Phone: 414-807-1168

Scott Botcher

From: rbarleben@aol.com
Sent: Monday, January 11, 2021 1:25 PM
To: Scott Botcher; Douglas Frazer; Elizabeth Sumner; Christine Symchych; Marty Tirado; Bill Kravit; Greg Ollman
Subject: Gas station and convenience store

We recently bought our home at 214 E Willow Rd and as senior citizens and grandparents who are lucky to have our grandchildren living 5min away we are VERY concerned about having a convince store open 24hrs and selling liquor so close to us.We moved here especially to be with in walking distance of our grand children and also because it is so safe here. We walk alot with our dog and even at night we walk to our sons house and have always felt safe.We love Fox Point and want to stay here as this is our retirement home and letting a business that would bring in an element of customers that would frequent this is not what we want to see. I am sure the crime rate would greatly increase and this is not the kind of business that should be allowed. This will only bring trouble to our peaceful neighborhood.Keep Fox Point SAFE.
Robert and Patricia Barleben

Scott Botcher

From: A E <myrxlife@gmail.com>
Sent: Monday, January 11, 2021 3:01 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; Elizabeth Sumner; Christine Symchych; Marty Tirado
Subject: Opposition to Proposed Bradley Rd and Port Washington Rd Development
Attachments: 1991CF000687 Case Details in Dane County.pdf; 0111 _Ltr_to_Village_Board_Opposing_Proposed_Land_Use.pdf

Village Manager Botcher,

I am a resident of Fox Point and reside at 101 E. Bradley Road with my wife and three school aged children. I am writing to express my strong opposition to the proposed development at the NE corner of Bradley Rd and Port Washington Rd. I have attached a letter that explains the majority of reasons we do not wish to see a gas station and convenience store at that location. We, along with many others, in the village welcome development of vacant and unused land but no one is in favor of a business known to cause a variety of problems (as outlined in the attached letter) in communities without any reasonable or necessary community benefit.

I also believe the village should investigate publicly available information that appears to indicate the proposed applicant, Ajit Singh Walia, has multiple felony convictions related to a similar business operation which occured in Dane County in 1991. Ajit Singh Walia was convicted of three felonies and three misdemeanors. See attached Dane County Case Number 1991CF000687. Should this prove to be the same person as the proposed applicant I would think it should give us all pause to consider if that is the type of business owner the community desires.

Andrew and Molly Elmer
101 E Bradley Rd
Fox Point, WI

Dane County Case Number 1991CF000687 State of Wisconsin vs. Ajit Singh Walia

Case summary

Filing date	Case type	Case status	
05-10-1991	Criminal	Closed	
Defendant date of birth	**Address** W245 N 6675 Bowling Green Ct, Sussex, WI 53089	**Branch ID** 14	**DA case number**

Charges

Printable version

Responsible official	Prosecuting agency	Prosecuting agency attorney
Northrup, George		Batt, Mary Dorothy

Defendant owes the court: $0.00

Count no.	Statute	Description	Severity	Disposition
1	943.20(1)(b)	Theft-business Setting	Felony U	Guilty / No Contest
2	180.88	File False Corporation St	Felony U	Guilty / No Contest
3	943.20(1)(b)	Theft-business Setting	Felony U	Guilty / No Contest
4	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	Guilty / No Contest
5	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	Guilty / No Contest
6	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	Guilty / No Contest
7	78.68(7)	Flr File/False Fuel Tax R	Misd. U	Dismissed on Prosecutor's Motion
8	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
9	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
10	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
11	78.68(7)	Flr File/False Fuel Tax R	Misd. U	Dismissed on Prosecutor's Motion
12	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
13	78.68(7)	Flr File/False Fuel Tax R	Misd. U	Dismissed on Prosecutor's Motion
14	78.68(7)	Flr File/False Fuel Tax R	Misd. U	Dismissed on Prosecutor's Motion
15	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
16	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
17	943.20(1)(b)	Theft-business Setting	Felony U	Dismissed on Prosecutor's Motion
18	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	Dismissed on Prosecutor's Motion
19	180.88	File False Corporation St	Felony U	Dismissed on Prosecutor's Motion
Modifier:	939.05	Party to a crime		

The Defendant was charged with the following offense:

Count	Statute cite	Description	Severity	Offense date	Plea
1	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	No Contest on 10-01-1991

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Guilty / No Contest	Northrup, George	

On 12-05-1991 the following was ordered:

Sentence	Time	Begin date	Notes
State Prison	5 Years	12-05-1991	

Count	Statute cite	Description	Severity	Offense date	Plea
2	180.88	File False Corporation St	Felony U	05-10-1991	No Contest on 10-01-1991

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Guilty / No Contest	Northrup, George	

On 12-05-1991 the following was ordered:

Sentence	Time	Begin date	Notes
State Prison	1 Years	12-05-1991	

Count	Statute cite	Description	Severity	Offense date	Plea
3	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	No Contest on 10-01-1991

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Guilty / No Contest	Northrup, George	

On 12-05-1991 the following was ordered:

Sentence	Time	Begin date	Notes
Probation, Sent Withheld	7 Years		

Count	Statute cite	Description	Severity	Offense date	Plea
4	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	05-10-1991	No Contest on 10-01-1991

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Guilty / No Contest	Northrup, George	

On 12-05-1991 the following was ordered:

Sentence	Time	Begin date	Notes
State Prison	30 Days	12-05-1991	

Count	Statute cite	Description	Severity	Offense date	Plea
5	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	05-10-1991	No Contest on 10-01-1991

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Guilty / No Contest	Northrup, George	

On 12-05-1991 the following was ordered:

Sentence	Time	Begin date	Notes
State Prison	30 Days	12-05-1991	

Count	Statute cite	Description	Severity	Offense date	Plea
6	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	05-10-1991	No Contest on 10-01-1991

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Guilty / No Contest	Northrup, George	

On 12-05-1991 the following was ordered:

Sentence	Time	Begin date	Notes
State Prison	30 Days	12-05-1991	

Count	Statute cite	Description	Severity	Offense date	Plea
7	78.68(7)	Flr File/False Fuel Tax R	Misd. U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
8	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
9	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
10	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
11	78.68(7)	Flr File/False Fuel Tax R	Misd. U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
12	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
13	78.68(7)	Flr File/False Fuel Tax R	Misd. U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
14	78.68(7)	Flr File/False Fuel Tax R	Misd. U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
15	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
16	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
17	943.20(1)(b)	Theft-business Setting	Felony U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
18	78.73(4)	Fuel Tax-fail/Report Or Pay	Misd. U	05-10-1991	

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Count	Statute cite	Description	Severity	Offense date	Plea
19	180.88	File False Corporation St	Felony U	05-10-1991	

Charge modifier(s)

Statute	Description
939.05	Party to a crime

On 10-01-1991 there was a finding of:

Action	Court official	Notes
Dismissed on Prosecutor's Motion	Northrup, George	

Defendant

Defendant name	Date of birth	Sex	Race
Walia, Ajit Singh			

Address (last updated 05-10-1991)	JUSTIS ID	Fingerprint ID
W245 N 6675 Bowling Green Ct, Sussex, WI 53089		

Court record

Date	Event	Court official	Court reporter	Amount
11-15-2017	Records of prosec. are converted data. See file.			
11-17-1999	Prior Records Are Converted Data			
03-15-1999	Other papers			
06-12-1996	Microfilm #			
11-22-1993	Other papers	Vocke, Timothy L.		
02-01-1993	Restitution hearing	Northrup, George		
09-11-1992	Microfilm #			
08-04-1992	Other papers			
06-17-1992	Other papers			
02-19-1992	Other papers			
12-05-1991	Dispositional order/judgment	Northrup, George		
12-05-1991	Sentencing hearing	Northrup, George		
11-12-1991	Other papers	Northrup, George		
10-01-1991	Plea hearing	Northrup, George		
09-12-1991	Final conference	Northrup, George		
08-14-1991	Judicial transfer	Northrup, George		
08-14-1991	Arraignment	Bartell, Angela B.		
08-14-1991	Information	Bartell, Angela B.		
08-14-1991	Preliminary hearing	Bartell, Angela B.		
07-26-1991	Cash bond set for Walia, Ajit Singh			$3,800.00

Date	Event	Court official	Court reporter	Amount
07-26-1991	Initial appearance	Meurer, Todd E.		
07-26-1991	Warrant/Capias/Commitment served for Walia, Ajit Singh			
05-10-1991	Complaint with warrant filed for Walia, Ajit Singh	Dane County, Unassigned		

Michael Dunst; 7840 N Fairchild Rd

1. Draft Comprehensive Plan
    a. Housing: If we are to support aging in place, then the Village must take a bold step by contradicting survey results and endorse a wider variety of housing stock.
    b. Economic Development: I strongly support the plan's recommendations for encouraging mixed-use redevelopment when possible of commercial sites.
    c. Transportation: Strongly support the recommendations for increased bike and pedestrian accommodations – I would add that the Village should prioritize sidewalks and bike access to bus stops so that people can more easily travel far distances without using their cars.
    d. Land Use: I would encourage the Village to amend the proposed land use map so that areas zoned for commercial be zoned as multi-use. This will be in line with the plan's earlier recommendations regarding mixed-use development and will allow property owners to develop mixed-use buildings by-right instead of needing to get board approval each time.
2. Lake Drive
    a. While I recognize that the proposed project will only resurface Lake Drive, I encourage the Village to push the envelope of what can be included in its scope. For example, improving pedestrian safety by improving crosswalks that cross or run parallel to Lake or by reducing the corner radii of intersections to discourage cars from encroaching on crosswalk space.
3. 8000 N Port Washington Rd
    a. In my view, any development is better than a vacant property on this prominent lot. Also, it is quite common for gas stations to sell cigarettes and alcohol, not to mention sell gas for 24 hours.
    b. However, I hope the Village uses any power it may have in this matter to dissuade development like this and encourage a proposal that would, ideally, consolidate the nearby lots in order to create a high-quality, urban, mixed-use development.

Scott Botcher

From: Julia M. Goldberg <jmgoldberg4@gmail.com>
Sent: Tuesday, January 12, 2021 8:17 AM
To: Scott Botcher
Cc: lucillestrawn@gmail.com; Julia Goldberg
Subject: Application for new 24hr gas station

Scott and Members of the Board -

I am writing in concern for the application for a new gas station on the corner of Bradley and Port Washtington. As a resident, I want Fox Point to adapt and change with the times, however, I don't think adding a 24 hr gas station is the right change nor necessary with four other gas stations along Port Washington between Brown Deer and Green Tree Road. The corner of Bradley and Port Washington needs to be cleaned up and would be a great place for a business, but a business that adds to the Village. Fox Point is a small, charming community where we can appreciate the natural beauty, enjoy the bike and walking paths, feel safe, and have limited traffic throughout. Allowing this gas station will most likely increase traffic, could generate air and soil pollution, increase crime, and may bring down the property values of our homes. We need to be patient for the right business to approach the Village to utilize and increase the curb appeal of the corner of Bradley and Port Washington.

Thank you for your time.

Julia Goldberg
415 E. Bradley Road

Scott Botcher

From: Timothy Klabunde <timothyklabunde@gmail.com>
Sent: Tuesday, January 12, 2021 11:25 AM
To: Scott Botcher; Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; Elizabeth Sumner; Christine Symchych; Marty Tirado
Cc: Mary Ann Klabunde
Subject: re: 24 hour Liquor/Convenience Store/ Gas Station at Bradley and Pt Wash Rdd

Dear Village Board Members and Manager,

While a gas station at Bradley Road/Port Washington Road seems reasonable, a 24 hr convenience store does not fit the neighborhood.

And, with Pick and Save near Good Hope/Pt Rd and Sendik's at Br Dr/Pt Rd, a liquor outlet between is not needed.

As residents walking in the village, we already see liquor bottles strewn along the roadside.

We would urge you to limit operation to normal business hours and no liquor license.

A 24 hour convenience store belongs closer to freeway on/off ramps at a crossroads.
Thank you for your time and attention.

Respectfully,
Timothy and Mary Ann Klabunde
8213 N Whitney Rd
Fox Point, WI 53217

--
Timothy Klabunde
4148706825 call/text

Mary Ann Klabunde
4149166825 call/text

Scott Botcher

From: ilya k <ikanter66@gmail.com>
Sent: Tuesday, January 12, 2021 11:52 AM
To: Scott Botcher
Subject: Application for the gas station at Bradley and Port Washington road

Hi Scott,

Happy New Year! I am a resident of Fox Point living at 8024 N Santa Monica Blvd. I am emailing you to ask you not to approve the application for a gas station on Bradley and Port Washington road. Especially a 24 hour gas station. We should be focusing on developing the neighborhood with small businesses that actually provide a benefit to the community. We have gas stations on brown Deer and Port road as well as Calumet and Port road. There's no need for another one. Please consider this as my opposition to the application approval.

Thank you for your time.

Ilya Kanter
(414) 308-6229

Scott Botcher

From: Sue Rohner <rohners@usa.net>
Sent: Tuesday, January 12, 2021 12:54 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; lsummer@villageoffoxpoint.com; Christine Symchych; Marty Tirado
Subject: Please NO --24 hour Convenience store at Port Washington Road and Bradley Road

Importance: High

Dear Mr. Botcher,
My husband and I are high risk for Covid so I am sorry I can't make the meeting tonight regarding the proposed Convenience store at the corner of Port Washington Road and Bradley Road.

I am vehemently against the proposed 24 hour store. I live at 304 E Bradley road , only a short way from the proposed convenience store location. I have lived here for 34 years peacefully until the Best Buy store opened in the shopping center at Port Washington Road and Brown Deer Road. I have seen crime rise in our peaceful village ever since it opened. If a 24 hour liquor store opens at the end of my block, I can guarantee higher crime in our neighborhood and that will bring down property values. There are plenty of gas stations close by, there are stores that sell liquor nearby I don't think Fox Point needs another.
I do not want one open 24 hours at the end of my block.

Please consider what a 24 hour gas and liquor store would mean for our beloved Village at the corner of Port Washington Road and
Bradley Road.

Thank you for your consideration of my concerns.
Sincerely,
Sue Rohner

Scott Botcher

From: Kristophe Barleben <krisbarleben@gmail.com>
Sent: Tuesday, January 12, 2021 2:13 PM
To: Scott Botcher
Cc: Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; Elizabeth Sumner; Christine Symchych; Marty Tirado
Subject: Proposal for Pantry 41 at Port Washington and Bradley roads

Greetings,

I am writing in regard to the proposed convenience store at the corner of Port Washington and Bradley roads.

While I am not opposed to this site being used, I do have several objections to this particular proposal;

1. Safety - I live with my two children on Regent rd. just N of Bradly, and their mother lives just across Port Washington at Bradley. The intersection is barely wide enough to sustain current traffic. If a vehicle is in the South bound turning lane from Bradly to Port Washington, vehicles coming onto Bradley can barely get around. Increasing traffic at this already tight intersection, especially through a 24 hour period, is not desirable for public and traffic safety.

2. 24 hour operation - There are late and/or 24 hour gas and convenience stores at the intersections of Port Washington and Brown Deer roads, and Green Tree and Port Washington already. We are a small community *without street lights*. Is it wise then to encourage traffic to-from a 24 hour convenience store in a quiet dark neighborhood, when other options are available at more prominent, well lit intersections that already have the infrastructure for higher traffic?

3. Liquor - Liquor is already available at Otto's and Sendik's at Port and Brown Deer roads, and Pick n Save at Port and Good Hope. These are two miles apart. Most residents in the area have a vehicle. Who then would we be making liquor convenient for? Those without vehicles, most of whom are under age to consume it? I see no value in bringing this into our neighborhood.

Again, I am not opposed to a convenience store or gas station and possibly a beer/wine license.

- I am opposed to increased traffic in the current state of the intersection
- 24 hour operation
- Liquor sales

I appreciate you taking the time to consider the input of your local residents.

Thank you,

Kristopher Barleben

Scott Botcher

From: Melissa Mooney <melissa.mooney1560@gmail.com>
Sent: Tuesday, January 12, 2021 2:29 PM
To: Scott Botcher; Douglas Frazer
Subject: Conditional Use Permit, Bradley and Port Washington Roads

I live in the 7800 block of North Fairchild. I do not support the issuance of a conditional use permit for a gas and convenience store at Bradley and Port Washington Roads. There are currently 8-9 gas stations within a two mile radius of my residence. I see no need for another. There are better options for what a convenience store would sell at the nearby Walgreens and CVS, again within a 2 mile radius. I also object to an establishment being open 24 hours a day—I'm sure the residents directly east of that location would not be pleased with that option, too.

I am a fairly new resident of Fox Point having moved from the southern edge of Whitefish Bay in December 2019. What I miss most about my old neighborhood is the proximity of walkable "destinations", for want of a better term. This includes coffee shops, clothing stores, restaurants and beer and wine bars. I would hope that the trustees of Fox Point would look for those kinds of additions to the village makeup rather than just another gas/convenience store.

Thank you,

Melissa Mooney
7861 N. Fairchild Road
414-617-1603

Sent from Mail for Windows 10

Scott Botcher

From: Sr. Sylvia Anne <srsylviaanne@gmail.com>
Sent: Tuesday, January 12, 2021 3:37 PM
To: Scott Botcher
Subject: Re: 24 hour gas station/liquor store at Bradley Road
Attachments: image001.png

Thank you Mr Botcher, for your reply and information.

I will register for further information.

Thank you for all you do for the
Community.

Respectfully,
Sr SylviaAnne Sheldon OSF

On Tue, Jan 12, 2021, 3:06 PM Scott Botcher <sbotcher@villageoffoxpoint.com> wrote:

> Good afternoon,
>
> Thank you for your letter and for your input on the proposed redevelopment of this site.
>
> The Plan Commission has not yet made any recommendation on the application, and the applicant has not yet responded to the Plan Commission's request for additional information. The Plan Commission may take up the matter at its regular February meeting.
>
> Given that, while the Board may act as indicated on the agenda, the Board will not be acting or discussing on the application at the meeting tomorrow evening. It is expected that the Village Board will adjourn the public hearing to a date certain in the future, which may be the regularly scheduled February Village Board meeting.
>
> If you wish, you may wish to avail yourself of the opportunity to receive meeting notifications from either the Plan Commission, the Village Board, or both, all on the Village web site (www.villageoffoxpoint.com).
>
> I just wanted to let you know in case you were expecting something different this evening.

Over the last 10 months we have had any number of cars vandalized and/or stolen from residents throughout Fox point and Bayside, by individuals not living within these towns. A gas station, selling alcohol invites non-residents to cruise through our neighborhoods.

Every week in order to mow, I have found food and beverage containers thrown in the ditches, which had to be removed. We do not need a store which may provide additional opportunities for trash, which neighbors are forced to remove in order to maintain their properties.

I repeat, I am opposed to a 24 hour gas station selling alcohol, which is not needed, in this residential neighborhood.

Respectfully,

Sr Sylvia Anne Sheldon

225 W Bradley Rd

Milw. Wi 53217

phone 414-699-8003.

Scott Botcher

From: Tanya Varganova <vtv64@yahoo.com>
Sent: Tuesday, January 12, 2021 3:47 PM
To: Scott Botcher
Subject: Virtual Meeting 1/12/21 - Pantry 41

Hello - I strongly oppose construction of Pantry 41 (gas station and convenience store) at 8000 North Port Washington Road, Fox Point WI.

This will create unnecessary traffic at an already busy intersection. This would be located across the street from a pediatrics office and would create danger with additional cars and visitors to the convenience store.

The location is not appropriate for a convenience store. This is a residential/suburb location. There are many children and pets in the area, that putting up a gas station/convenience store would create a danger to.

Thank you.

Tatyana Varganova
216 West Bradley Road
Fox Point, WI 53217

having a

for

D pm. If I

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ghbors.

Scott Botcher

From: Linda Gorens-Levey <lgorens@generalcapitalgroup.com>
Sent: Tuesday, January 12, 2021 4:53 PM
To: Scott Botcher
Subject: Happy New Year

Wishing you and your better half a happy and healthy new year.

My better half and I were alerted to a public hearing tonight regarding a proposed "24 hour liquor store" on the corner of Bradley and Port Washington. I checked the Fox Point site tonight regarding the hearing and it appears as though it was postponed.
Obviously, this would not be a well-received use of this high profile site in Fox Point. The website lists the use as a gas station and convenience store, but lacks further description. Can't the village find a better intended use or is the WE Energies sub-station still an issue for the site?

Linda Gorens-Levey, CPA, CFA
General Capital Group, Partner
6938 N Santa Monica Blvd
Milwaukee, WI 53217
414-228-3511
lgorens@generalcapitalgroup.com
www.generalcapitalgroup.com

Scott Botcher

From: Robert Combs <robertec1954@icloud.com>
Sent: Tuesday, January 12, 2021 5:14 PM
To: Scott Botcher
Subject: 24 hour mini mart Port & Benber

my name is Robert Combs and my wife June Allison live at 8075 N Seneca Rd, we are both of the opinion that a 24 hour gas, mini mart situation at that location would hurt the the property values tremendously for anyone living within several block of that location, not to mention the inconvenience of homeowners having a well lit convenience store, and cars driving in and out all hour of night and early mornings. There are currently 3 sites (BP STATION Port& Brown deer, PDQ, Port & Brown Deer, and another Mobile station just to the south of us Port & ?? Along with the old cut go station port and bender) another one seem a little bit of unnecessary over kill.
Thank you
Robert Combs
June Allison

Sent from my iPhone

Scott Botcher

From: Michael Dunst <dunst016@umn.edu>
Sent: Tuesday, January 12, 2021 6:12 PM
To: Scott Botcher
Subject: Re: Public comments for 1/12/2020 Village Board meeting

Thank you. I will resend the section of my comments relating to that agenda item later when it comes back to the board,

Best,
Michael

On Tue, Jan 12, 2021 at 7:13 AM Scott Botcher <sbotcher@villageoffoxpoint.com> wrote:

Good morning,

Thank you for your letter and for your input on the proposed redevelopment of this site.

The Plan Commission has not yet made any recommendation on the application, and the applicant has not yet responded to the Plan Commission's request for additional information. The Plan Commission may take up the matter at its regular February meeting.

Given that, while the Board may act as indicated on the agenda, the Board will not be acting or discussing on the application at the meeting tomorrow evening. It is expected that the Village Board will adjourn the public hearing to a date certain in the future, which may be the regularly scheduled February Village Board meeting.

If you wish, you may wish to avail yourself of the opportunity to receive meeting notifications from either the Plan Commission, the Village Board, or both, all on the Village web site (www.villageoffoxpoint.com).

I just wanted to let you know in case you were expecting something different this evening.

Sincerely,

Scott A. Botcher

Village Manager

Village of Fox Point

414-247-6620

VILLAGE OF
FOX POINT

From: Michael Dunst <dunst016@umn.edu>
Sent: Monday, January 11, 2021 8:59 PM
To: Scott Botcher <sbotcher@villageoffoxpoint.com>
Subject: Public comments for 1/12/2020 Village Board meeting

I've never submitted public comments virtually before, so I hope this formatting works. They are attached to this email in a Word document, organized by agenda item.

Best,

Michael Dunst

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Michael Dunst

University of Minnesota - Twin Cities, Class of 2021
Bachelor of Environmental Design | Student Senator | College of Design
Bachelor of Science, Urban Studies | College of Liberal Arts
Minnesota Urban Studies Student Association Co-Chair

Scott Botcher

From: Tanya Varganova <vtv64@yahoo.com>
Sent: Tuesday, January 12, 2021 6:13 PM
To: Scott Botcher
Subject: Re: Virtual Meeting 1/12/21 - Pantry 41

In addition - I believe the previous gas station was torn down, due to risk issues of the proximity of the gas station to the surroundings houses.

It is shocking that the village would consider this and put their residents at risk.

Thank you.

On Tuesday, January 12, 2021, 03:46:33 PM CST, Tanya Varganova <vtv64@yahoo.com> wrote:

Hello - I strongly oppose construction of Pantry 41 (gas station and convenience store) at 8000 North Port Washington Road, Fox Point WI.

This will create unnecessary traffic at an already busy intersection. This would be located across the street from a pediatrics office and would create danger with additional cars and visitors to the convenience store.

The location is not appropriate for a convenience store. This is a residential/suburb location. There are many children and pets in the area, that putting up a gas station/convenience store would create a danger to.

Thank you.

Tatyana Varganova
216 West Bradley Road
Fox Point, WI 53217

Scott Botcher

From: Kalmenson Olga <olgakalmenson@yahoo.com>
Sent: Tuesday, January 12, 2021 6:45 PM
To: Scott Botcher
Subject: Proposal for Bradley road

Dear President Fraser and village trustees,
I am writing to express my opposition to the proposed project on the corner of Bradley Rd and Port Washington Rd.
It is my feeling that a 24 hour convenience store where liquor and cigarettes may be sold is not the best use of the proposed space, nor does it reflect the values held by residents of the village.
It is my belief that increasing traffic to this location, may endanger residents, especially children that live nearby.
While it is appreciated that there is a desire to create a business in this location, a gas and convenient store feel redundant as there are nearby locations providing similar proposed services.
I expressly oppose the gas station and convenience store and do not feel it represents the long term goals or vision of the village.

Thank you for your consideration,
Olya Kalmenson
416 W Willow Ct
Fox Point, WI 53217

Sent from my iPhone

January 11, 2021

Fox Point Village Board
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

Dear Members of the Fox Point Village Board:

This letter formalizes our objection to the proposed Conditional Use Permit Application from Spring North Corporation, d/b/a, Pantry 41 for the development of a new gas station / convenience store at 8000 North Port Washington Road (hereafter "proposed establishment"). Although it is reasonable for the owner of the mechanical service center to sell his property, the Board has a responsibility to ensure that the character of our neighborhood not be harmed by the entry of a business that is radically different from what was previously there. Unfortunately, a high-volume gas station / convenience store selling liquor and tobacco is by no means the equivalent of a location that has had barely any traffic for the last 20 years at least.

As engaged Village residents and active members of the Fox Point community, we are deeply concerned about the potential negative effects of the unnecessary proposed establishment on the nearby residential areas. Specifically, we believe that the construction of same could have serious adverse consequences, including increased traffic on nearby residential roads; increased noise pollution; increased crime rates and a resulting tax burden from increased police patrols; environmental degradation; and decreased property value for nearby residential properties. **Given both the lack of need for the proposed establishment at 8000 North Port Washington Road and the possible negative results of its construction, we urge the Board to <u>reject</u> the proposed Conditional Use Permit Application for the sake of the economic prosperity, safety, and quality of life of all Fox Point residents.**

It is wholly unnecessary to construct a gas station / convenience store / liquor and tobacco store at 8000 North Port Washington Road because there are already numerous sellers of these goods in very close proximity to the proposed location. Such proximity already constitutes convenience. Indeed, there are multiple existing gas stations / convenience marts located within a three-mile radius of the proposed establishment's location, with the closest found just ***0.6 miles*** from the location. (See Table 1 below.)

Table 1: Proximity of Existing Gas Stations / Convenience Stores to 8000 North Port Washington Road

Gas Station / Convenience Stores	Address	Distance from Proposed Establishment[1]
US Oil	7575 N. Port Washington Road, Fox Point	0.6 miles
bp + Open Pantry Food Marts (Riverpoint Village Shopping Center)	501 W. Brown Deer Road, Bayside	1 mile
Mobil + Sendik's Bayside Market (a.k.a. "Sendik's Fresh2Go Bayside")	340 W. Brown Deer Road, Bayside	1.1 miles
Mobil + 7010 Port Road Mart	7010 N. Port Washington Road, Glendale	1.3 miles
Glendale Mobil	7156 N. Green Bay Avenue, Glendale	2.2 miles
bp (Jay Enterprises Petroleum Inc.)	6204 N. Port Washington Rd, Glendale	2.4 miles

Furthermore, there are multiple existing establishments selling liquor and/or tobacco located within a three-mile radius of the proposed establishment's location, with the closest found just ***0.9 miles*** from the location. (See Table 2 below.)

Table 2: Proximity of Existing Establishments Selling Liquor and/or Tobacco to 8000 North Port Washington Road

Establishment Selling Liquor and/or Tobacco	Address	Distance from Proposed Establishment[2]
Walgreens	8615 N. Port Washington Road, Fox Point	0.9 miles
bp + Open Pantry Food Marts (Riverpoint Village Shopping Center)	501 W. Brown Deer Road, Bayside	1 mile
Otto's Bayside Wine and Spirits	8850 N. Port Washington Road, Bayside	1.1 miles
Mobil + Sendik's Bayside Market (a.k.a. "Sendik's Fresh2Go Bayside")	340 W. Brown Deer Road, Bayside	1.1 miles
Mobil + 7010 Port Road Mart	7010 N. Port Washington Road, Glendale	1.3 miles
ALDI	6825 N. Port Washington Road, Glendale	1.4 miles
Pick 'n Save	6969 N. Port Washington Road Building C, Glendale	1.5 miles
Glendale Mobil	7156 N. Green Bay Avenue, Glendale	2.2 miles
Total Wine & More (Bayshore Town Center)	5850 N. Bayshore Drive, Glendale	2.8 miles

Not only would the proposed establishment be unnecessary for the thriving of our local economy, but it also could have multiple negative effects on the Village of Fox Point.

1. Increased Cut-Through Traffic, Noise Pollution, and Traffic-Related Accidents

First, patronage of the proposed establishment could make Port Washington Road more congested, leading customers to take shortcuts through the surrounding residential roads (e.g. Bradley Road, Mohawk Road, Blackhawk Road, and Regent Road). Because such "cut-through traffic" generally operates at a higher speed, it could increase noise pollution and the risk of traffic-related accidents and injuries on those roads.[3]

2. Increased Crime in the Area Surrounding the Proposed Establishment

Second, the proposed establishment could precipitate an increase in crime, both at the establishment itself and in the surrounding residential areas. According to an article published in *The Journal of Studies on Alcohol and Drugs,* the oldest substance-related journal in the United States, "allowing off-sale of alcoholic beverages at a proposed convenience store may increase crime and other adverse health effects, especially if the store is open 24/7."[4] The same study also found that "restricting the physical availability of take-away alcohol would be expected to result in improvements to public health."[5]

The proposed establishment also could threaten the safety of the Village by attracting robbery. The Arizona State University Center for Problem-Oriented Policing states that "[c]onvenience store robberies account for approximately 6 percent of all robberies known to the police. Although this comprises a relatively small percentage of total robberies, the problem is persistent...convenience stores in particular locations can be vulnerable to repeat victimization, especially those types of retailers that have large amounts of cash, low security, and few staff and customers likely to resist."[6] An increase in

crime related to the proposed establishment would necessitate the increased presence of the Fox Point Police Department, thereby increasing the tax burden on Village residents.

3. Environmental Degradation

The Village of Fox Point prides itself on its environmental conservation and preservation and natural beauty. It was recognized as a "Bird City Wisconsin" in March 2012 and, according to the Village website, it has been recognized as a "Tree City USA" by the Arbor Day Foundation for at least the past 25 years.[7] Approving the construction of the proposed establishment would undermine the Village's environmental protection goals by threatening the wellbeing of its natural environment and residents.

According to Community and Environmental Defense Services, "[a] number of compounds injurious to human health are released from gas stations during vehicle fueling and from underground storage tank vents...includ[ing] benzene, toluene, ethyl benzene, and xylene (BTEX)."[8] Additionally, an article published in the journal *Current Environmental Health Reports* states that "[t]he cumulative release of unburned fuel [at gas stations] is a public health concern because gas stations are widely distributed in residential areas and because fuel contains toxic and carcinogenic chemicals."[9] And in its *School Siting Guidelines*, the Environmental Protection Agency lists the following potential hazards associated with gas stations: "Air pollution, Soil contamination, Ground water contamination, Vapor intrusion into structures, [and] Heavy vehicular traffic."[10]

4. Decreased Property Value

Finally, the proposed establishment could decrease the property value of nearby residential properties. The conditions associated with a gas station / convenience store placed in a residential area – increased traffic, noise pollution, robberies, and environmental degradation – are commonly associated with diminished property value. Moreover, properties located "within 300 feet of a stationary, storage tank containing more than 1000 gallons of flammable or explosive material" are ineligible for Federal Housing Administration mortgages, an important component of property value.[11] (Note that most gas station storage tanks have a capacity much greater than 1,000 gallons.)

In closing, we respectfully ask the Board to <u>reject</u> the proposed Conditional Use Permit Application. Fox Point does not need another gas station / convenience store at the proposed location, and the proposed establishment could have dire effects on traffic, crime rates, the environment, and property value. According to the Village of Fox Point website, "The Village is committed to protecting and enhancing residential quality of life, and to maintaining its tradition of high quality municipal services and amenities in order to preserve a community that is tranquil, secure, and attractive and desirable."[12] The construction of the proposed establishment at 8000 North Port Washington Road would directly contravene this noble goal by *diminishing* the tranquility, security, attractiveness, and desirability of living in the Village that we are proud to call home. Thank you for your consideration.

Sincerely,

Concerned Members of the Village of Fox Point Community

Notes

[1] Distance calculated using Google Maps.
[2] See Note 1 for calculation methodology.
[3] Community and Environmental Defense Services, https://ceds.org/cut-thru/.
[4] Community and Environmental Defense Services (https://ceds.org/gasstation/), citing Sherk A, Stockwell T, Chikritzhs T, Andréasson S, Angus C, Gripenberg J, Holder H, Holmes J, Mäkelä P, Mills M, Norström T, Ramstedt M, Woods J. Alcohol Consumption and the Physical Availability of Take-Away Alcohol: Systematic Reviews and Meta-Analyses of the Days and Hours of Sale and Outlet Density. J Stud Alcohol Drugs. 2018 Jan;79(1):58-67. PMID: 29227232.
[5] Sherk, Stockwell, and Chikritzhs, et.al.
[6] ASU Center for Problem-Oriented Policing, https://popcenter.asu.edu/content/robbery-convenience-stores-0.
[7] Village of Fox Point, https://www.villageoffoxpoint.com/174/Bird-City-Wisconsin.
[8] Community and Environmental Defense Services, https://ceds.org/gasstation/.
[9] Hilpert M, Mora BA, Ni J, Rule AM, Nachman KE. Hydrocarbon Release During Fuel Storage and Transfer at Gas Stations: Environmental and Health Effects. Curr Environ Health Rep. 2015 Dec;2(4):412-22. doi: 10.1007/s40572-015-0074-8. PMID: 26435043.
[10] *School Siting Guidelines*, Environmental Protection Agency, Page 59, https://www.epa.gov/sites/production/files/2015-06/documents/school_siting_guidelines-2.pdf.
[11] U.S. Department of Housing and Urban Development, *Valuation Analysis for Single Family One- to Four- Unit Dwellings*, Section 2-2M, https://www.hud.gov/sites/documents/41502C2HSGH.PDF.
[12] Village of Fox Point, https://www.villageoffoxpoint.com/318/About-Fox-Point.

Scott Botcher

From: bea are <bea_are20@yahoo.com>
Sent: Sunday, January 17, 2021 1:56 PM
To: Scott Botcher; dhfrazer@vollageoffoxpoint.com; efonstad@vilageoffoxpoint.com; bdravit@villageoffoxpoint.com; gollman@vollageoffoxpoint.com; Elizabeth Sumner; Christine Symchych; Marty Tirado
Subject: application for conditional use Bradley and Port Road

We are aware of an application process to construct a quick mart and petrol station at the corner of Bradley and Pt. Washington Road and strongly oppose such a project. Citizens are already served by three petrol stations within a short distance of this intersection, a single petrol station at Calumet and Pt. Washington Rd. and two petrol stations and quick marts at the corners of Brown Deer and Pt. Washington Rd. Additionally to the fact that there is no established need, the addition of such a store easily accessed by school children from St. Eugene and Maple Dale is not an asset to our community.

Linda Walker
Kate Weishaar

7609 N. Bell Road
Fox Point

Scott Botcher

From: Helen M. <usaproductions@hotmail.com>
Sent: Tuesday, January 12, 2021 7:37 PM
To: Scott Botcher; Douglas Frazer; Eric Fonstad; Bill Kravit; Greg Ollman; Elizabeth Sumner; Christine Symchych; Marty Tirado
Subject: @villageoffoxpoint.com

Hello,

Regarding the matter of a new gas station/ 24 hour convenience store selling liquor & tobacco, I am **not** in favor.
Convenience stores breed traffic and crime and do not benefit our quiet community in a positive way.

Sincerely,

Helen Morrison
East Bradley Road
Fox Point, WI.