

May 27, 2022

**VIA EMAIL:** wpaustian@ecwrpc.org

Wilhelmina Paustian  
East Central Wisconsin Regional Planning Commission  
400 Ahnaip Street, Suite 100  
Menasha, WI 54952

**RE: Algoma Sanitary District No. 1's Objection to City of Oshkosh's  
Request for DMA Amendment**

Dear Ms. Paustian:

Thank you for providing Algoma Sanitary District No. 1 (Sanitary District) with a copy of the City of Oshkosh's request for a DMA amendment. The Sanitary District was not provided a copy of the amendment request before it was submitted to ECWRPC. The City did not discuss the amendment request with the Sanitary District before submitting it. While the Sanitary District was willing and provided dates to meet with ECWRPC and the City to discuss a potential amendment, no meeting was scheduled as the City did not respond to the meeting invitation.

The Sanitary District objects to the City's DMA amendment request that was just submitted and that ECWRPC Staff will review next week. The City's amendment is overly broad and seeks to further the City's efforts to take over the Sanitary District's existing customers located within the City. The City can serve The Wit without the broad amendment being sought.

The City has aggressively sought to hamper the Sanitary District's provision of wastewater service to its customers located within the City and its amendment request seeks to further that effort.

On February 4, 2022, the City issued a notice to the Sanitary District that the City would no longer provide wastewater treatment services to the Sanitary District after January 31, 2024. While the Sanitary District believes such termination is unenforceable, the City has not rescinded this letter. It is the Sanitary District's belief that the City is using this threat of termination to justify a takeover of the Sanitary District's customers in the City. Unless another method of resolution is found (which seems unlikely at this point in time), this termination threat is expected to lead to expensive and time-consuming litigation.

The City also has sought to takeover Sanitary District customers in the City with its proposed construction project to serve The Wit. The City originally proposed to connect the Sanitary District's existing customers along Wyldewood Drive, Maryden Road and a portion of Witzel Avenue to the City's proposed new sewer main in Witzel Avenue. The Sanitary District brought a lawsuit to stop the City's attempted takeover. While the circuit court in Winnebago Circuit Court Case No. 2022-CV-197 issued a temporary injunction prohibiting this takeover, the litigation and its associated costs continue. In this litigation, the City's service to The Wit (which is not an existing Sanitary District customer) was not an issue for the Court and the Sanitary District did not ask the Court to address issues related to serving The Wit. The litigation was focused on the Sanitary District's existing assets and customers.

The City's efforts to hamper the Sanitary District's service to its customers in the City continue. The City's proposed DMA amendment is further evidence of this. The City does not need a "Dual DMA" along Witzel Avenue to extend all the way to Wyldewood Drive in order to serve The Wit. A "Dual DMA" along Witzel Avenue that is limited to the area between Westbrook Drive and 15-feet east of Maryden Road is all that is necessary to serve The Wit. The City's request to extend the Dual DMA amendment along Witzel Avenue all the way to Wyldewood Drive is to further the City's efforts to takeover the Sanitary District's customers along Wyldewood Drive and Maryden Road in the future.

The City suggests that action on its DMA amendment is urgently required in order to provide timely service to The Wit. The Sanitary District disagrees. The Sanitary District has existing facilities adjacent to The Wit site that could provide service to The Wit almost immediately. A DMA amendment is not needed in order to ensure The Wit has timely access to wastewater service.

The Sanitary District would be amenable to providing wastewater service to The Wit on a temporary basis until the City is able to obtain the necessary approvals needed for the City to extend sewer service to The Wit following standard permitting procedures and timelines. The City should be expected to follow the same permitting procedures and timelines that apply to all other entities. The City should not be able to receive special treatment because it refused to seek the necessary permits on a timely basis.

The Sanitary District ask the ECWRPC to deny the City's May 26, 2022 DMA amendment request.

The Sanitary District is willing to work out an acceptable DMA amendment with the City provided the City discontinues its efforts to (a) terminate treatment service to the Sanitary District, and (b) takeover the Sanitary District's existing customers in the City. Until the City is able to obtain the necessary permits to serve The Wit, the Sanitary District is willing to provide service to The Wit on a temporary basis from its sewer main

MS WILHELMINA PAUSTIAN  
MAY 27, 2022  
PAGE 3

in Witzel Avenue. The Wit development will not be impacted by requiring the City to follow the same requirements everyone else it expected to follow.

Sincerely,

BOARDMAN & CLARK LLP



Lawrie J. Kobza

cc: Kevin Mraz  
Michael Claffey  
Attorney Raymond Edelstein  
(all via email)

\\msnfs2\share\docs\WD\43016\1\A4543961.DOCX



Town of Algoma  
3477 Miller Drive  
Oshkosh, WI 54904  
Phone (920) 426-0335  
Fax (920) 426-1181  
[district.office@algomasd.org](mailto:district.office@algomasd.org)

June 1, 2022

Wilhelmina Paustian, Senior Planner  
East Central Wisconsin Regional Planning Commission  
400 Ahnaip Street, Suite 100  
Menasha, WI 54952

RE: East Central Planning Commission – DMA Amendment for “The Wit” development

Dear Wilhelmina,

This letter provides the East Central Wisconsin Regional Planning Commission (ECWRPC) with the Algoma Sanitary District’s (District) cost-effective alternative to the amendment request provided by the City of Oshkosh (City) to serve “The Wit” development. The District has created this proposal to aid the Community Facility Committee (Committee) in its review of Designated Management Agency (DMA) cost effective alternatives prior to making a recommendation to submit to the Wisconsin Department of Natural Resources (DNR). (Exhibits A & B summarize the District’s alternative.)

**“The Wit” Development:** This development, located on parcel #90614920100, currently encompasses two different mapped DMA’s. This development consists of twelve 12-unit apartment buildings (144 living units) along with a clubhouse to provide additional amenities for residents of this apartment complex. The Oshkosh 2030 SSA plan includes Map 5 that identifies the Designated Management Agencies and shows the District currently has 3.14 acres of this parcel in its DMA and the City has 15.3 acres in its DMA. In order to facilitate sewer service to “The Wit”, the Committee should determine whether the City’s or the District’s collection system can most cost effectively serve “The Wit” parcel and modify the DMA boundary on Map 5 accordingly.

**Alternatives:** There are two alternatives for providing sewer service to The Wit:

1. Increase the City of Oshkosh’s DMA to incorporate the 3.14 acres that is currently in the District’s DMA and have the City serve “The Wit”. This option will require a sewer extension that includes installing the following approximate items: 1,617 LF of new 18” sewermain, 116 LF of 8” sewer lateral, manholes, concrete road removal and replacement, and abandonment of 584 LF of 18” District sewer main. (See Sheets 17-18 of Exhibit C for a construction summary.)
2. Choose the District’s cost-effective alternative and increase the District’s DMA by the 15.3 acres that is currently in the City’s DMA and have the District serve "The Wit". This option does not require a sanitary sewer main extension because it has existing sewer main infrastructure ready and available to serve this parcel. This option will require installation of only 85 LF of new 8” sewer lateral. (see map in Exhibit D).



**Use of Existing Infrastructure:** The District is the only DMA with existing sewer main available to serve “The Wit” development, with a map of this infrastructure attached for your reference. (See Exhibit E & E1 for maps of the District’s Mains.) This existing 18” sewer main is adequately sized to serve this development. The District previously served two homes in the northwest corner of this parcel from 1979 until 2013. These homes were located on separate parcels, which were consolidated into this larger parcel in 2020.

The City’s closest sewer main is approximately located at the intersection of Westbrook Drive and Witzel Avenue. The City has never provided sanitary sewer service to “The Wit” parcel.

**Cost-Effectiveness:** The District’s cost-effective alternative utilizes an existing District sewer main located in the southern road terrace along Witzel Avenue. This alternative would require installation of only 85 LF of 8” sewer from a manhole located on the parcel into the District’s existing sewer main in the terrace of this parcel for a cost of \$10,000. This cost will be fully paid by the developer. (See Exhibit F for a map highlighting the 85 LF remaining to be constructed based on the design prepared by Davel Engineering and Environmental in 2020.)

The City project was bid out and the sanitary sewer portion is estimated to cost more than \$630,000. (See Exhibit G for bid tab.) The District’s alternative would save City customers and ratepayers over \$570,000 of unassessed (not being collected) construction cost, prevent removal and replacement to the existing concrete road, and stop the City from abandoning 584 LF of District-owned sewermain, which was recently televised and found to be in satisfactory condition. (See Exhibit H for the City’s assessment resolution.)

**It is important that ECWRPC explore all alternatives, as the District can serve “The Wit” with existing infrastructure, making the City’s proposed sanitary sewer project unnecessary.**

The City’s Planning Commission reviewed and approved this development on November 10, 2020, and City staff stated in its report under Fiscal Impact it “...should require no additional city service provision.” (see Exhibit I for City’s approval of “The Wit’s” conditional use permit)

**Minimal Traffic Impact:** The use of District infrastructure will not result in any road closures or detours.

The City’s proposed sewer extension will create traffic disruption and damage a newer road, causing detours lasting multiple weeks, that will negatively impact residents, as well as employees and customers of area businesses.

**Sewer User Fees evaluation:** If the District alternative is selected “The Wit” would pay annual user fees around \$27,500 as a District customer versus if the City option is selected, “The Wit” would pay around \$39,500 as a customer of the City.

The District’s cost-effective option would save the tenants \$12,000, or over 30%, annually. This estimate is based on 2022 rates and 4.2 MG’s a year of drinking water usage.

**Treatment Plant Impact:** The District estimates the wastewater flow from “The Wit” at a maximum of 6,900,000 million gallons a year with a level of 250 BOD to the WWTP. The ultimate flow and loading demand on the regional WWTP will be the same regardless of which alternative is selected.

**Summary:** The District has existing infrastructure, with adequate capacity, lower up-front costs, lower annual costs, and is willing to serve “The Wit” development. We request the Community Facilities Committee of ECWRPC to recommend the cost-effective alternate proposal to modify the Oshkosh SSA DMA map to reflect the District as the DMA to provide sanitary sewer service to parcel #90614920100.

Thank you in advance for the opportunity to discuss our proposal, which allows the District to continue serving the sanitary sewer needs of this parcel, as we have since 1979. Our staff and representatives will be available to take questions at your June 8 meeting.

Sincerely,

A handwritten signature in black ink that reads "Kevin Mraz". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Kevin Mraz  
Utility Director

Exhibit A

Sanitary Sewer to: **The WIT**  
 Cost-Effective Alternative Analysis



**DISTRICT CUSTOMER**

**CITY CUSTOMER**

	DISTRICT CUSTOMER	CITY CUSTOMER
<b>EXISTING COLLECTION SYSTEM</b>	Yes	No
<b>18" SANITARY SEWER MAIN</b>	0'	1,550' +/-
<b>COST OF 18" SANITARY SEWER MAIN</b>	\$0	\$224,750
<b>9" CONCRETE REMOVAL &amp; REPLACEMENT SQUARE YARDS</b>	0 sq yd	5,023 sq yd
<b>COST FOR 9" CONCRETE</b>	\$0	\$297,110
<b>8" SEWER LATERAL / PIPE SEGMENTS</b>	85'	116'
<b>COST FOR 8" SEWER LATERAL</b>	\$10,000	\$19,000
<b>MANHOLE COSTS</b>	\$0	\$38,075
<b>MOBILIZATION</b>	\$0	\$52,921 <sup>i</sup>
<b>SEWER ABANDONMENT</b>	0'	584'
<b>TOTAL ESTIMATED COST</b>	<b>\$10,000</b>	<b>\$631,856<sup>ii</sup></b>
<b>PAID FOR BY WHOM</b>	Developer	Developer & City Customers <sup>iii</sup>
<b>CONSTRUCTION TIMEFRAME</b>	< 1 day	Per Contract No 22-13
<b>TRAFFIC IMPACT</b>	None	Multiple Lane Closures
<b>LOCAL BUSINESS IMPACT</b>	None	Yes
<b>ANNUAL SEWER USER FEE*</b>	\$27,428	\$39,474
<b>CURRENT DMA ACREAGE OF 18.5 TOTAL</b>	3.14	15.36
<b>WWTP FLOW &amp; LOADINGS IMPACT**</b>	Same; regardless of collection system	

**Assumptions:**

\*Anticipated Water Usage: 4.2 MG / Year

\*\*Wastewater Maximum Flow: 6,900,000 gallons/year, BOD Loadings: 250 MG/L

<sup>i</sup> Shared cost between water, sewer, & sidewalks.

<sup>ii</sup> Resolution No 22-115 to award Contract No 22-13 to PTS Contractors, Inc. for \$938,660 on March 22, 2022.

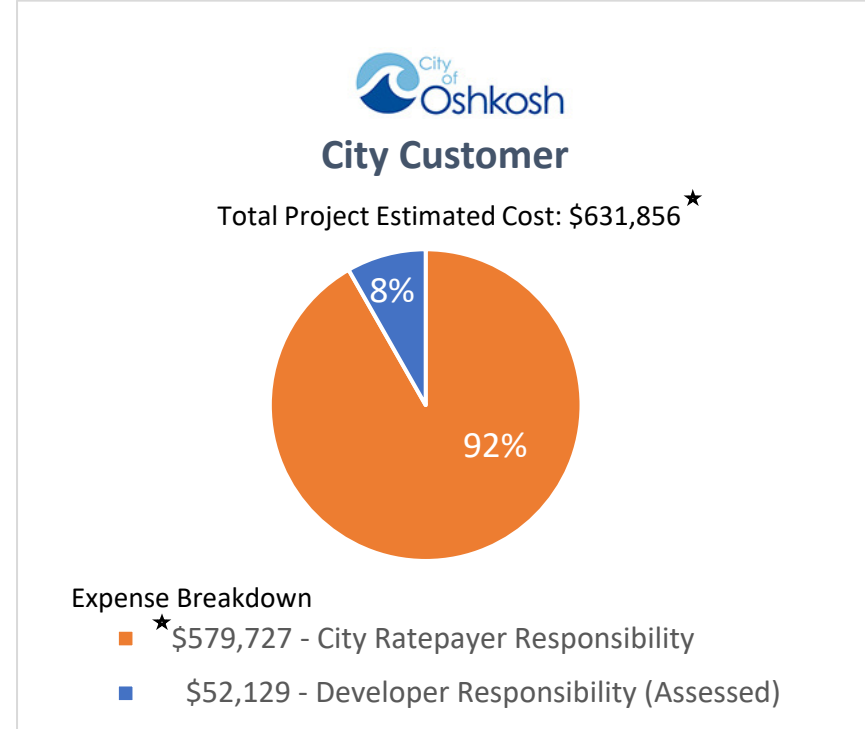
<sup>iii</sup> Final Resolution No 22-208 for Special Assessments approved on May 24, 2022.

Exhibit B

Sanitary Sewer to: **The WIT**  
Construction Cost Comparisons



\* Per Quote from Parker Construction (same contractor that installed sewer main & manholes on the Wit parcel)



\* Estimated Cost: includes concrete road removal & replacement, sewermain & manholes per Contract No 22-13 to PTS Contractors

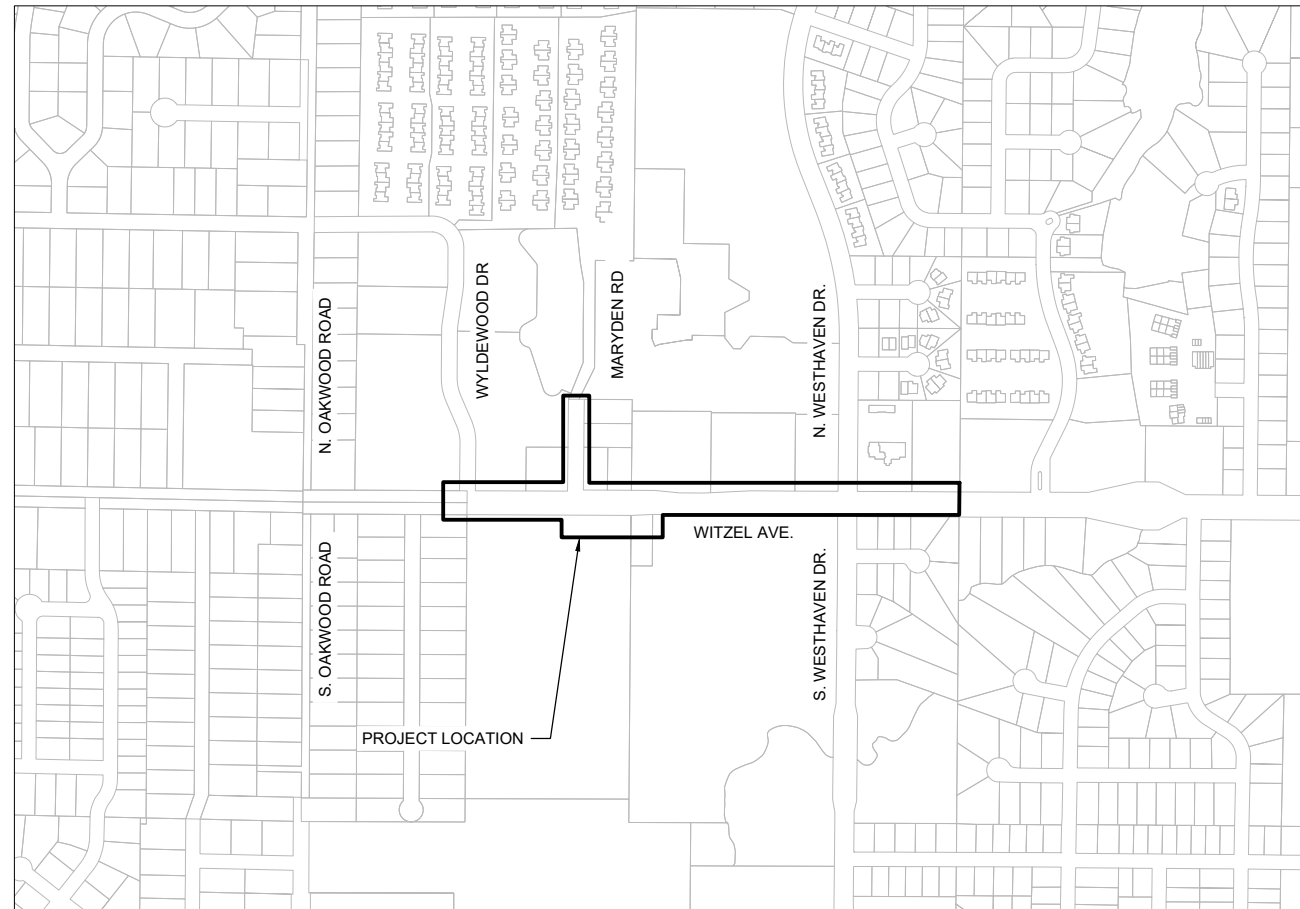
Exhibit C

# WITZEL AVENUE SANITARY SEWER CONSTRUCTION

## FOR THE CITY OF OSHKOSH MARCH 2022



**CITY OF OSHKOSH**



**CITY OF OSHKOSH**

NO SCALE

910 West Wingra Drive  
Madison, WI 53715  
608-251-4843  
608-251-8655 fax  
www.strand.com

CITY OF OSHKOSH  
215 CHURCH AVE  
OSHKOSH, WI 54903

**CONTRACT 22-13**

DRAWING TITLE

SHEET NO.

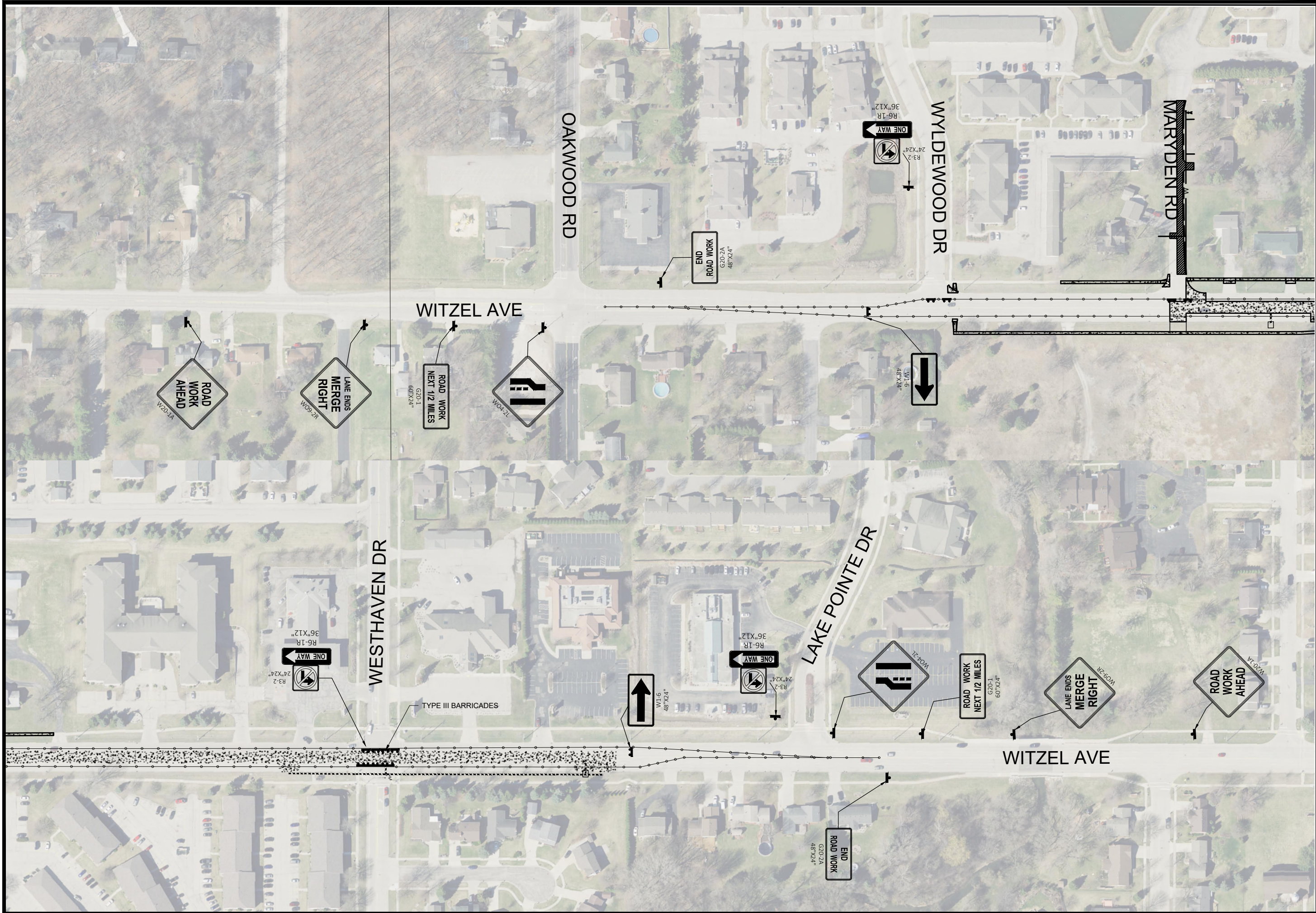
TITLE SHEET	1
GENERAL NOTES/BENCHMARKS/CONTROL POINTS	2
TRAFFIC CONTROL PLAN	3
TYPICAL SECTIONS	4
EROSION CONTROL	5
CONCRETE PAVING PLAN AND PROFILE - WITZEL AVE	6 - 7
CONCRETE PAVING PLAN AND PROFILE - MARYDEN RD	8
CURB RAMP DETAILS	9
PAVEMENT MARKING PLAN - WITZEL AVE	10 - 11
SANITARY PLAN AND PROFILE - WITZEL AVE	12 - 16
UTILITY PLAN AND PROFILE - MARYDEN RD	16
PAVING AND SIDEWALK QUANTITIES	17
SANITARY SEWER AND WATER MAIN QUANTITIES	18



SHEET  
1







NO.	REVISED TITLE	REVISIONS	DATE:
1	SANITARY SEWER UPDATE		3/29/22
2			4/26/22

**TRAFFIC CONTROL PLAN**  
 WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY







**SHEET**  
3

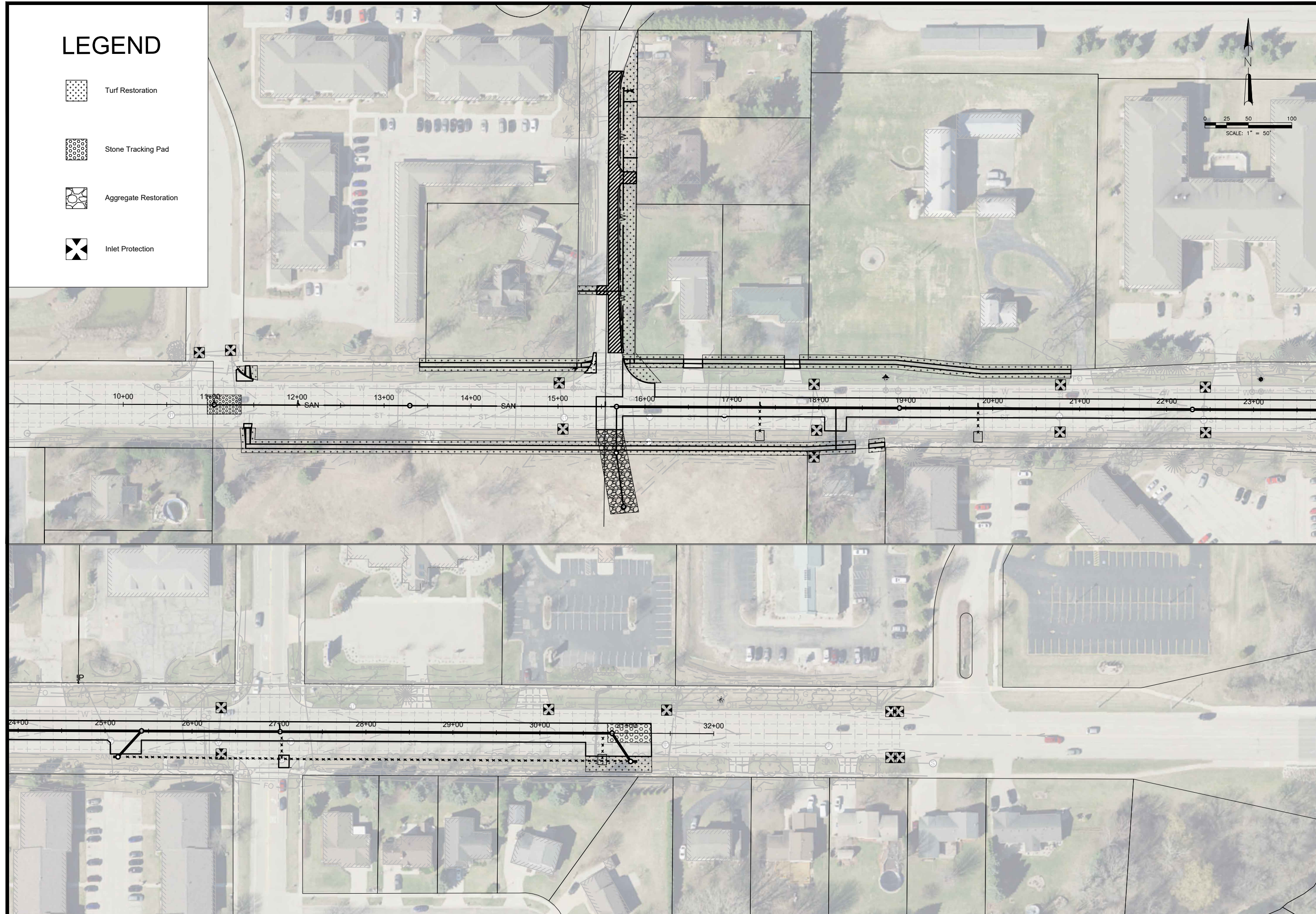
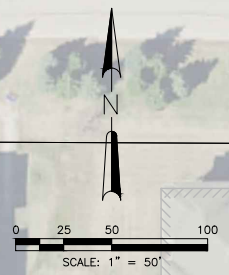






# LEGEND

-  Turf Restoration
-  Stone Tracking Pad
-  Aggregate Restoration
-  Inlet Protection



NO.	REVISED TITLE	REVISIONS	DATE:
1	SANITARY SEWER UPDATE		3/29/22
2			4/26/22

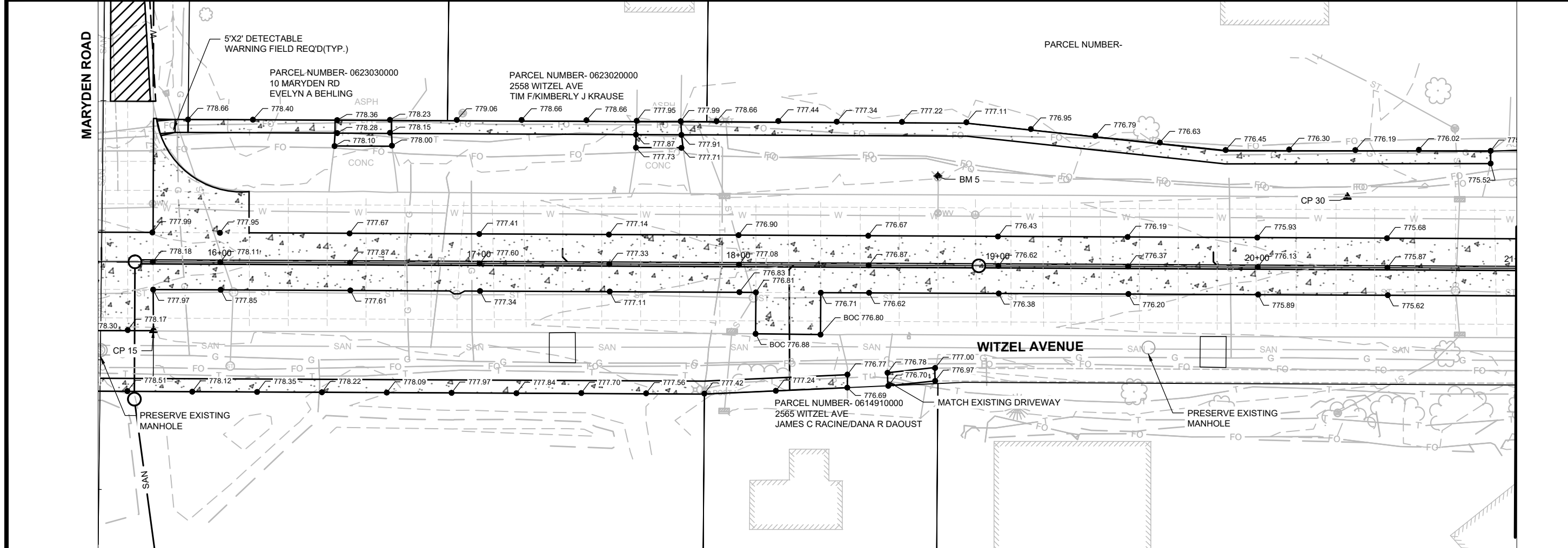
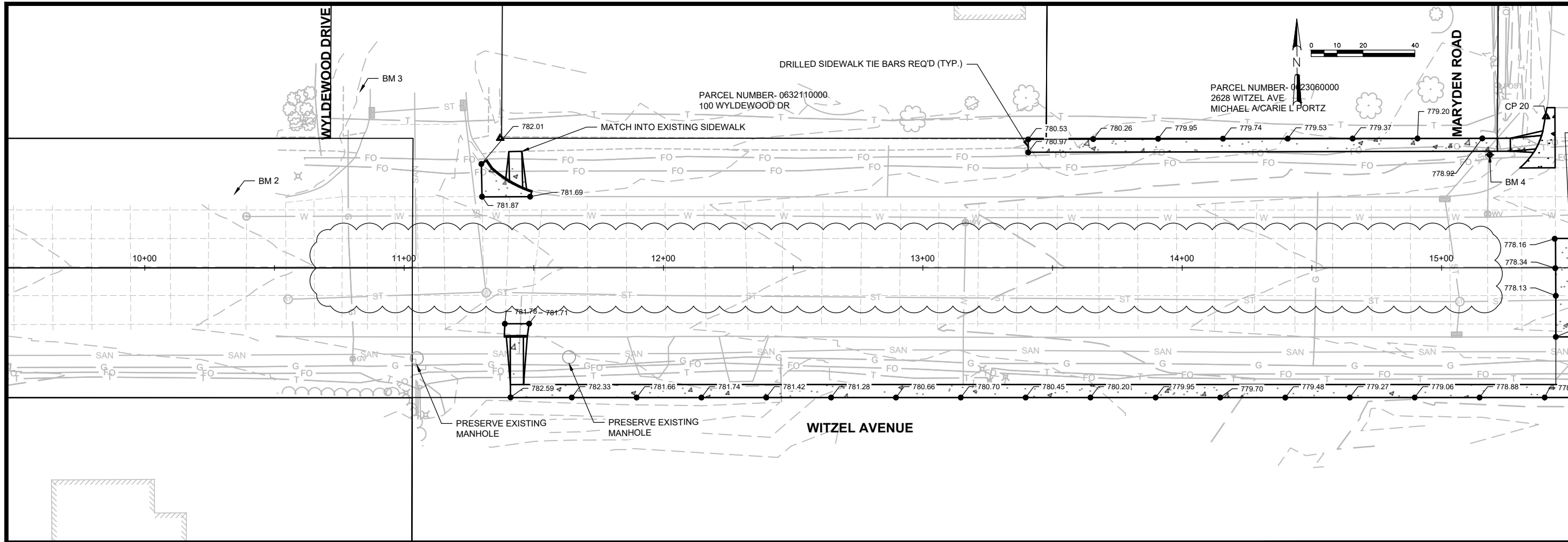
**EROSION CONTROL AND RESTORATION PLAN**  
**WITZEL AVENUE SANITARY SEWER CONSTRUCTION**  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
5





NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

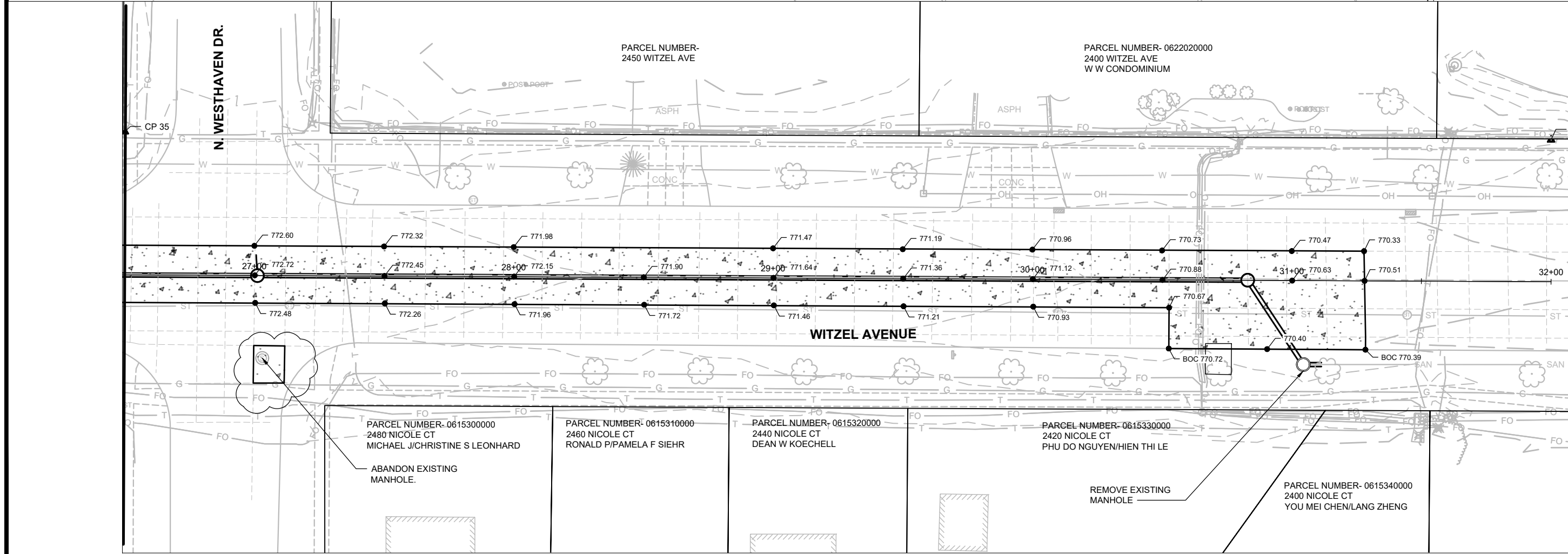
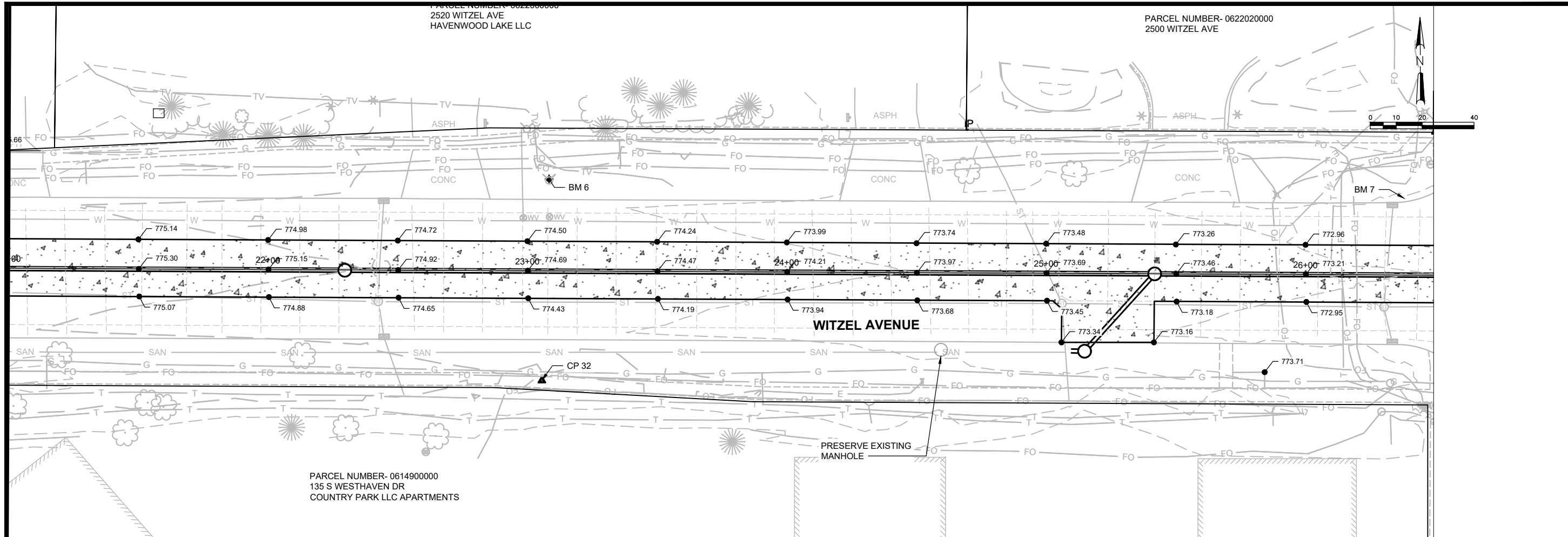
NO.	REVISIONS

**WITZEL AVE CONCRETE PAVING - 1**  
 WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
6



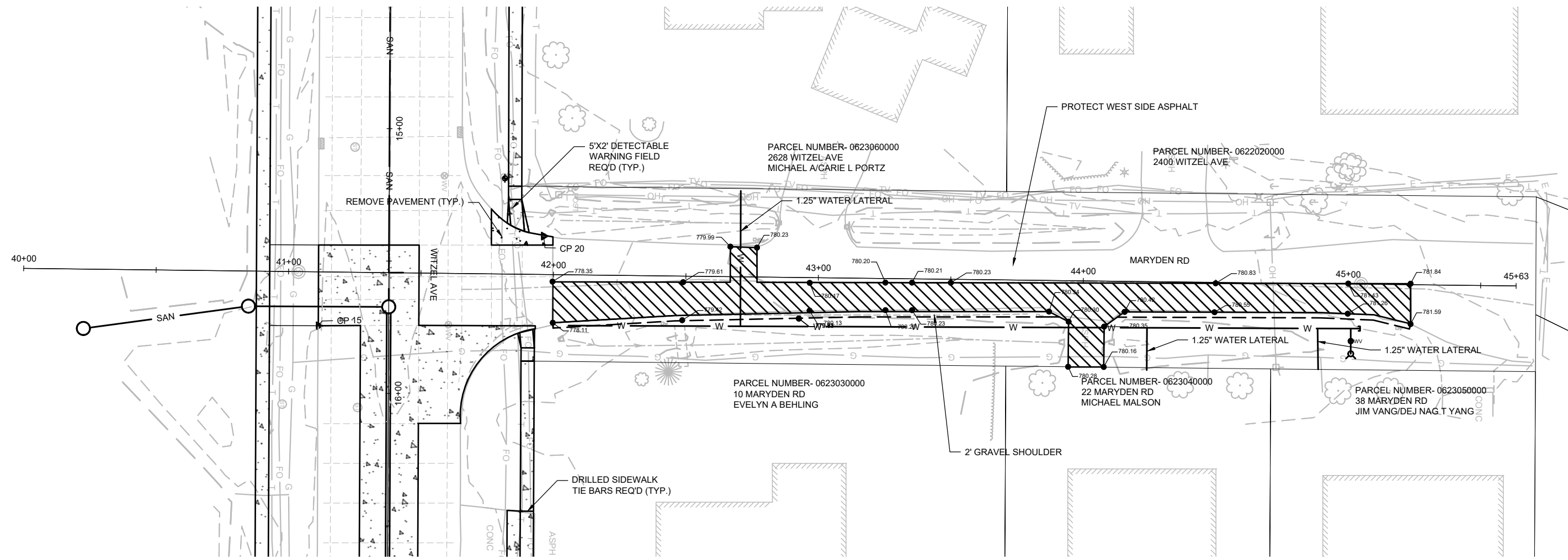
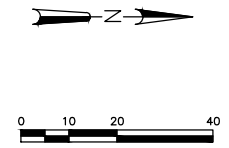
NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

**WITZEL AVE CONCRETE PAVING - 2**  
 WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
7



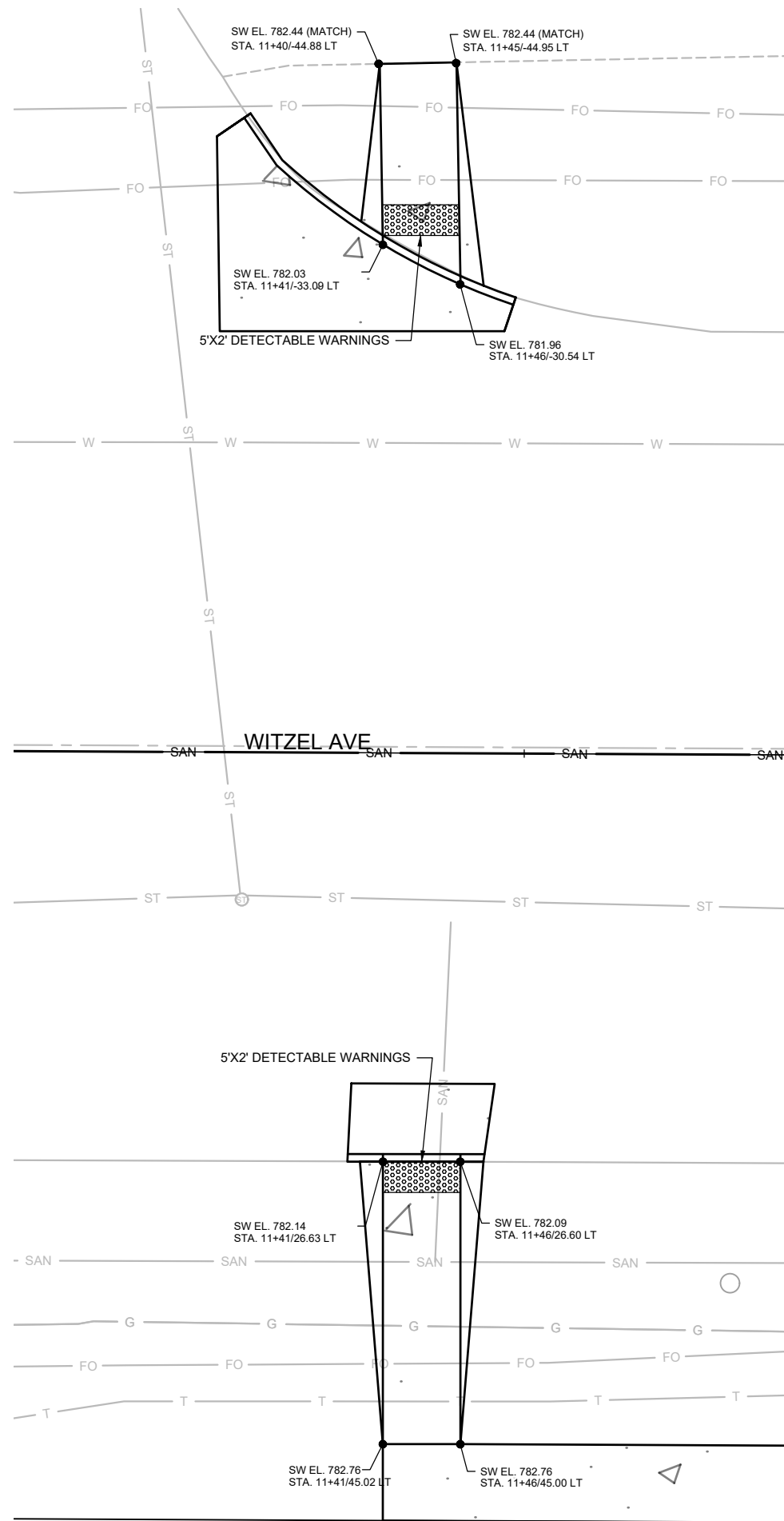
NO.	REVISIONS	DATE
1	REVISED TITLE	3/29/22
2	SANITARY SEWER UPDATE	4/26/22

**MARYDEN ROAD ASPHALT PAVING - 1**  
**WITZEL AVENUE SANITARY SEWER CONSTRUCTION**  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

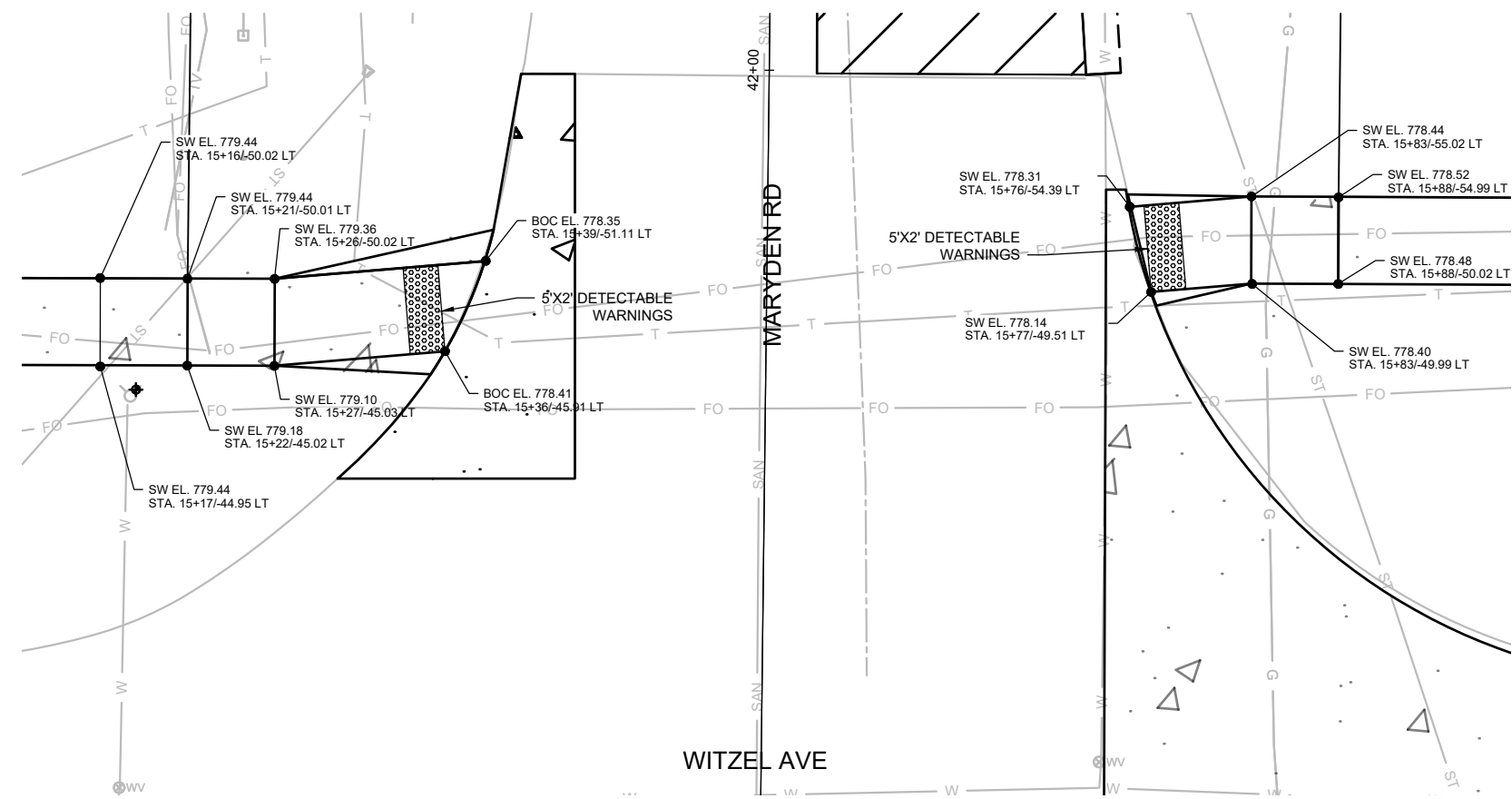
**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
8



**A**  
9 WYLDEWOOD ROAD AND WITZEL AVE RAMP DETAIL  
SCALE: 1" = 5'



**B**  
9 MARYDEN ROAD AND WITZEL AVE RAMP DETAIL  
SCALE: 1" = 5'

NO.	REVISIONS	DATE
1	REVISED TITLE	3/29/22
2	SANITARY SEWER UPDATE	4/26/22

**WITZEL AVE CONCRETE PAVING - 3**  
WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
CITY OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN

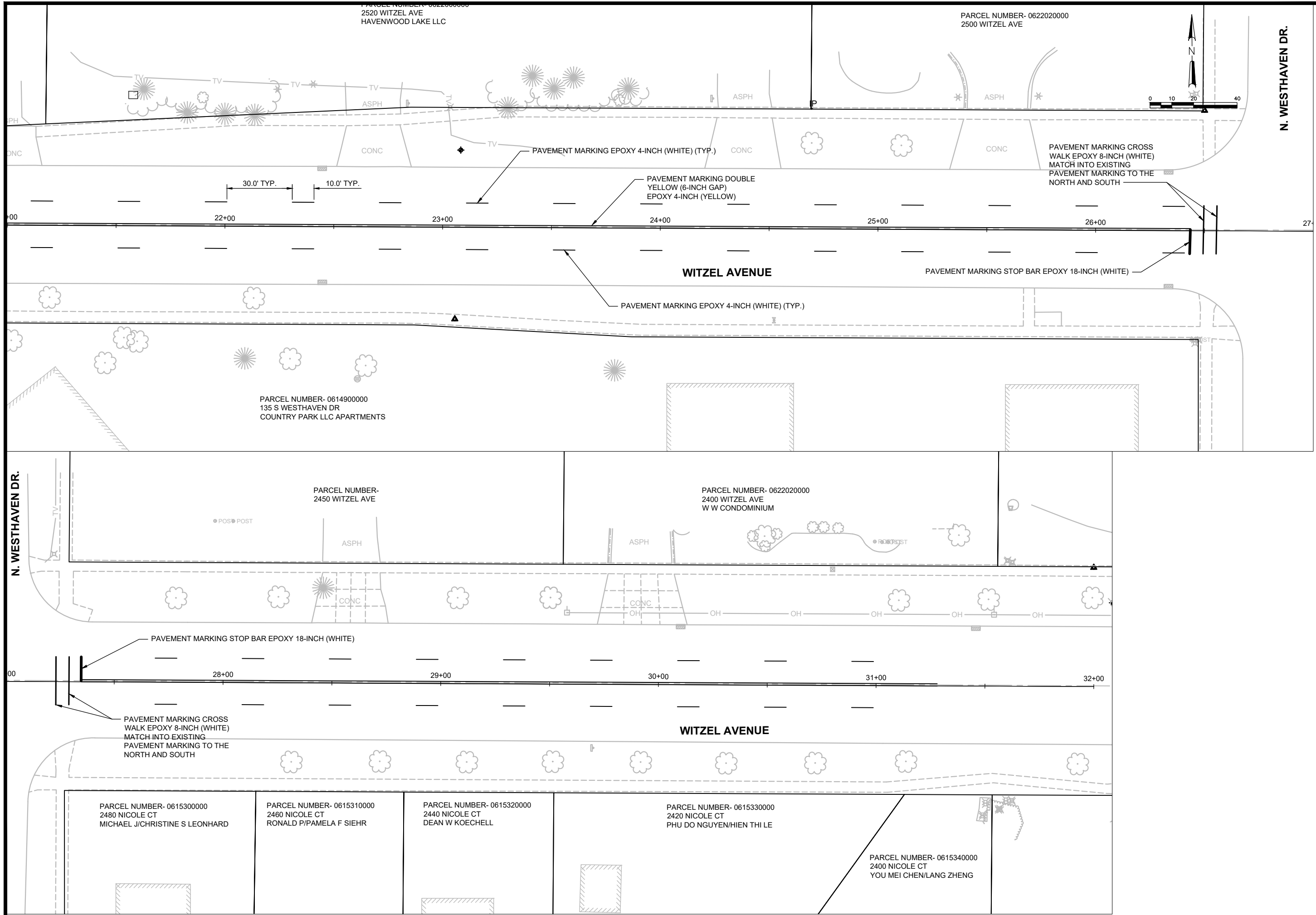
**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
9







N. WESTHAVEN DR.

N. WESTHAVEN DR.

NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

**WITZEL AVE PAVEMENT MARKING - 2**  
 WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

JOB NO.  
1382.084  
 PROJECT MGR.  
MAY



SHEET  
11



MATCH LINE 15+50 SEE SHEET 12

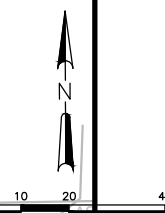
MATCH LINE 21+00 SEE SHEET 14

PARCEL NUMBER- 0623030000  
10 MARYDEN RD  
EVELYN A BEHLING

PARCEL NUMBER- 0623020000  
2558 WITZEL AVE  
TIM F/KIMBERLY J KRAUSE

PARCEL NUMBER- 0614910000  
2565 WITZEL AVE  
JAMES C RACINE/DANA R DAOUST

PARCEL NUMBER-



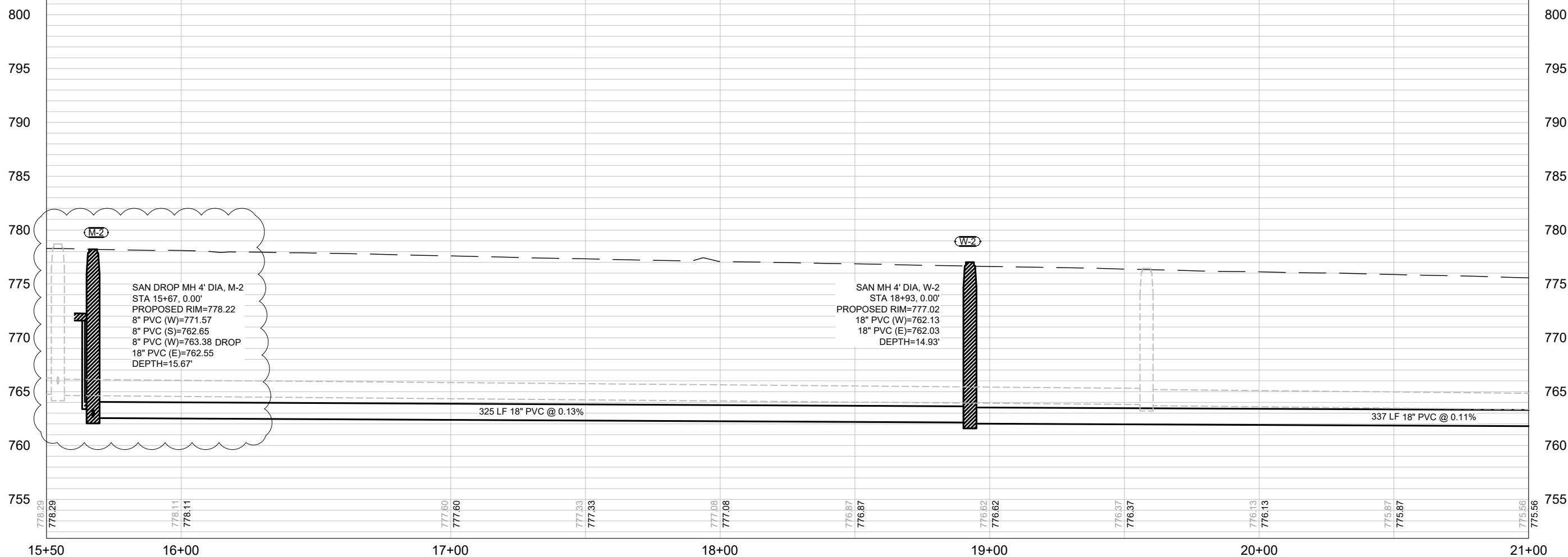
NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

**WITZEL AVE PP\_2**  
**WITZEL AVENUE SANITARY SEWER CONSTRUCTION**  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
**13**



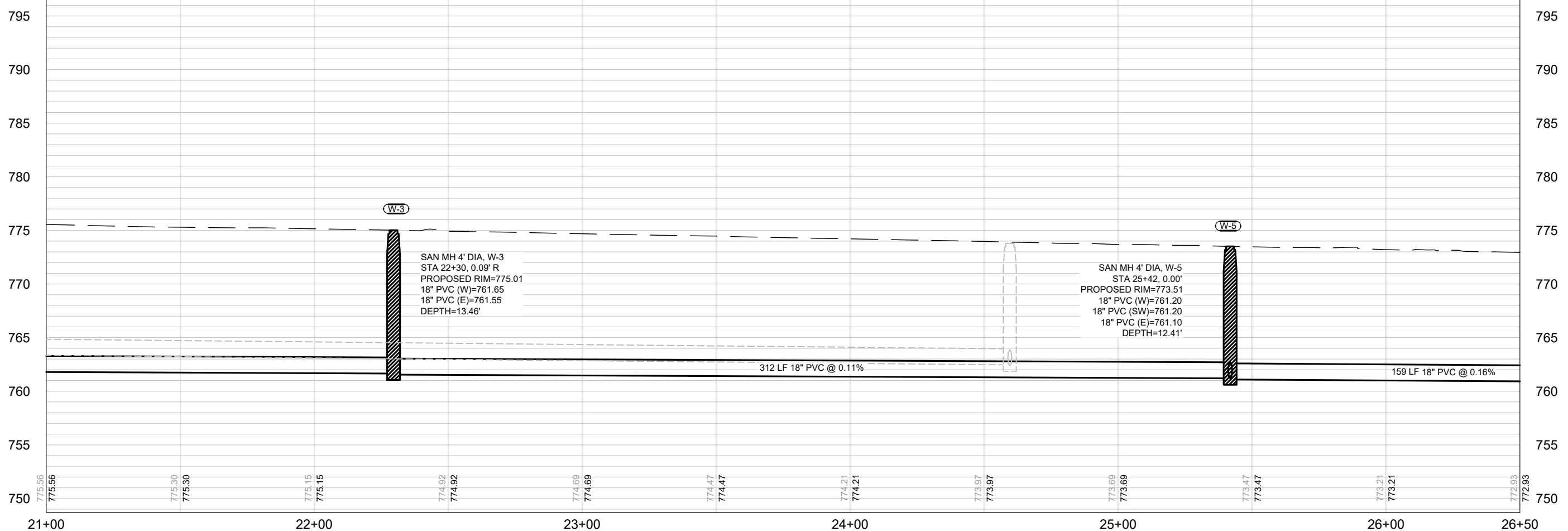
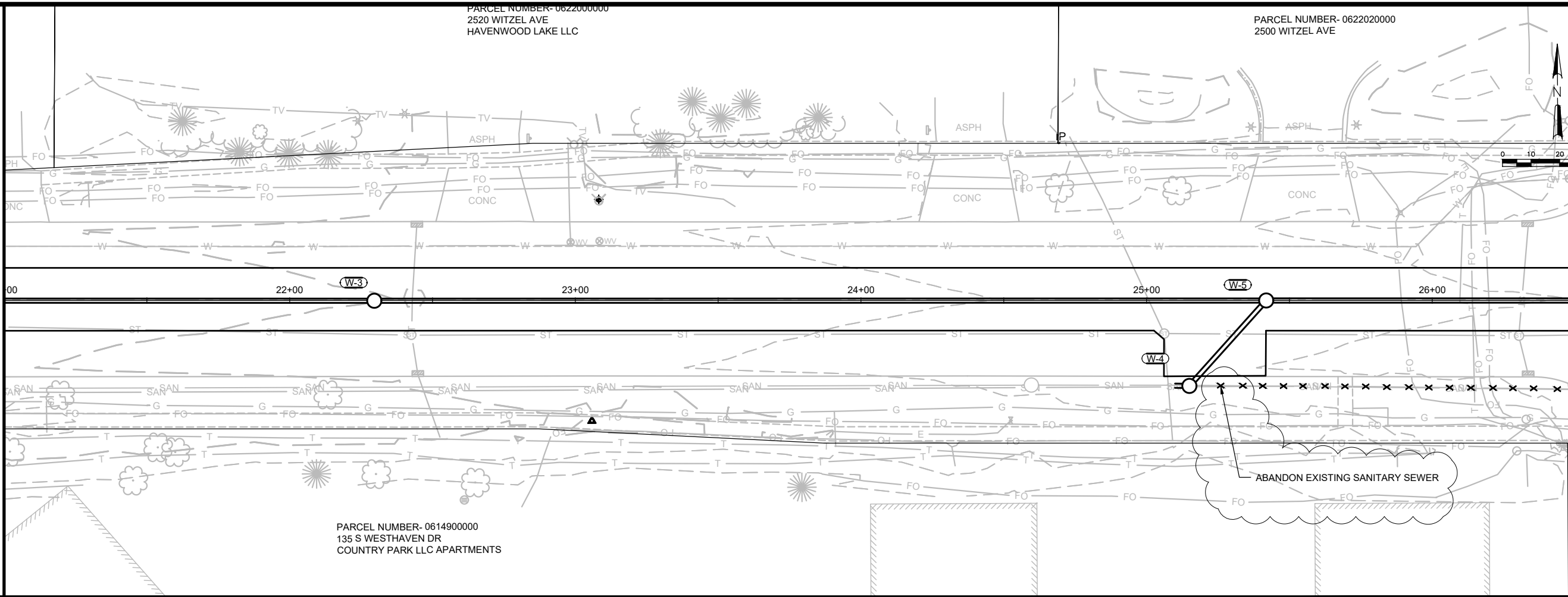
PARCEL NUMBER-062200000  
2520 WITZEL AVE  
HAVENWOOD LAKE LLC

PARCEL NUMBER-0622020000  
2500 WITZEL AVE

PARCEL NUMBER-0614900000  
135 S WESTHAVEN DR  
COUNTRY PARK LLC APARTMENTS

MATCH LINE 21+00 SEE SHEET 13

MATCH LINE 26+50 SEE SHEET 15



NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

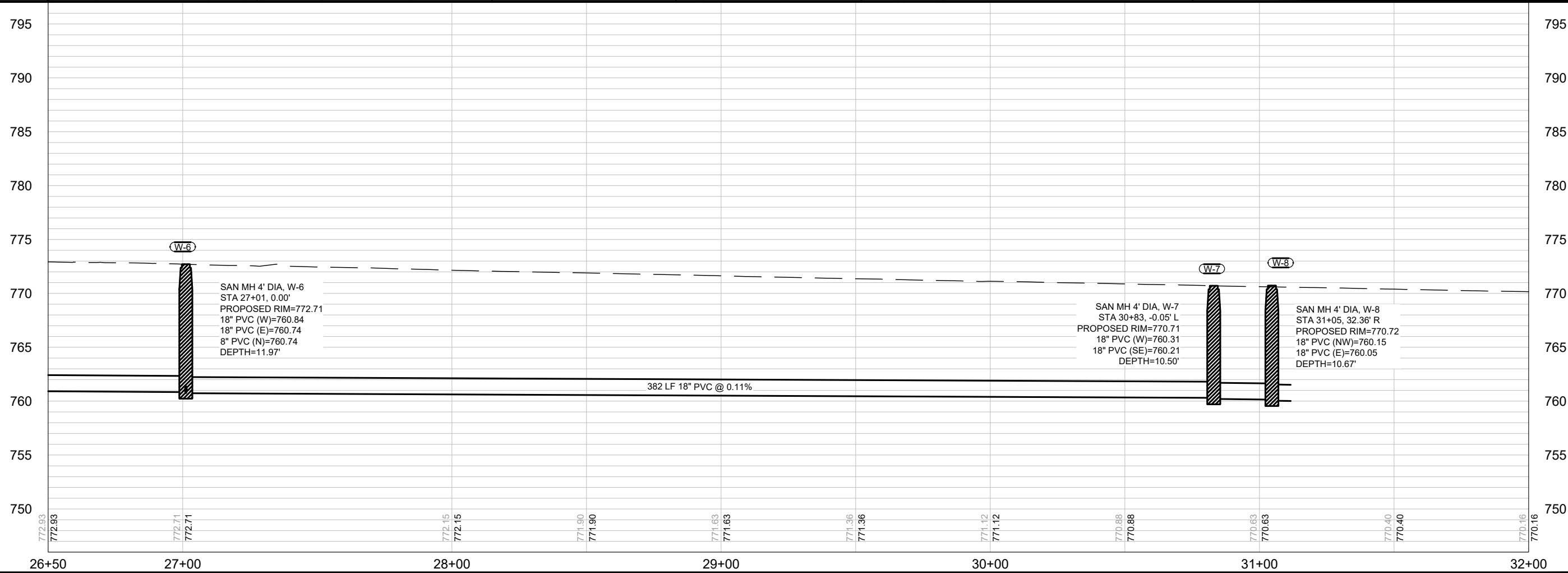
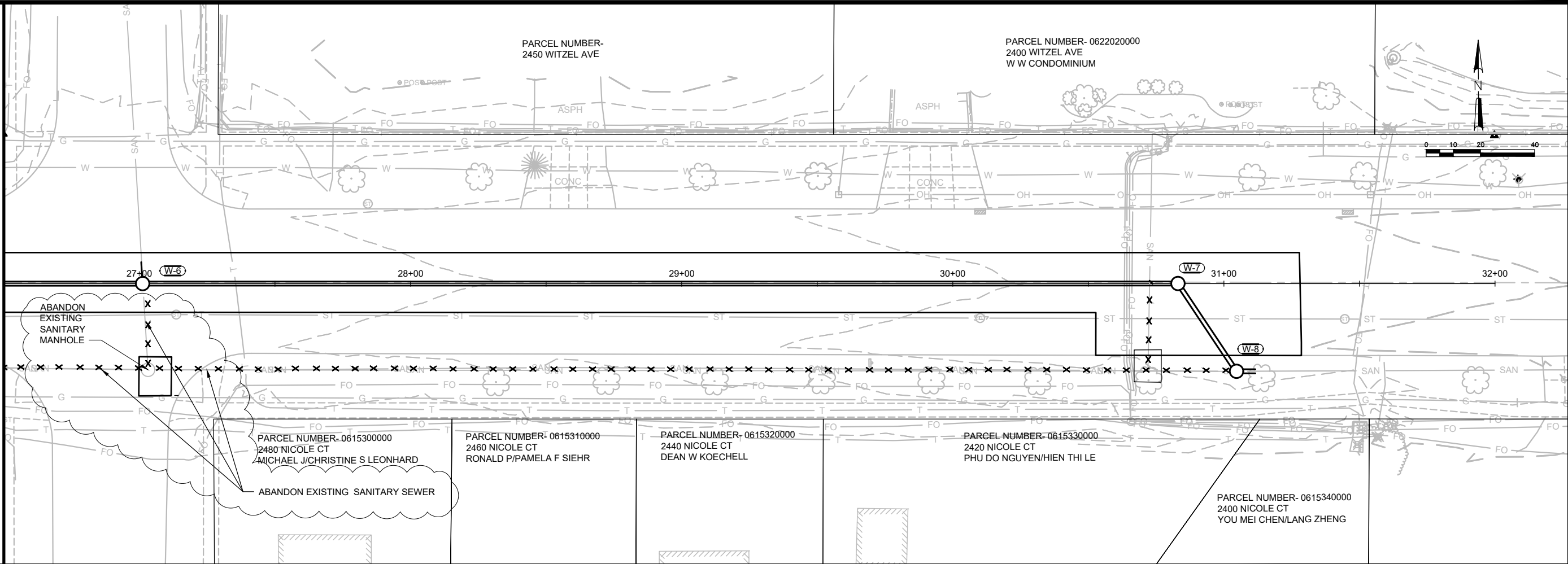
**WITZEL AVE PP\_3**  
WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
CITY OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
14

MATCH LINE 26+50 SEE SHEET 14



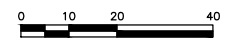
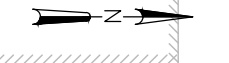
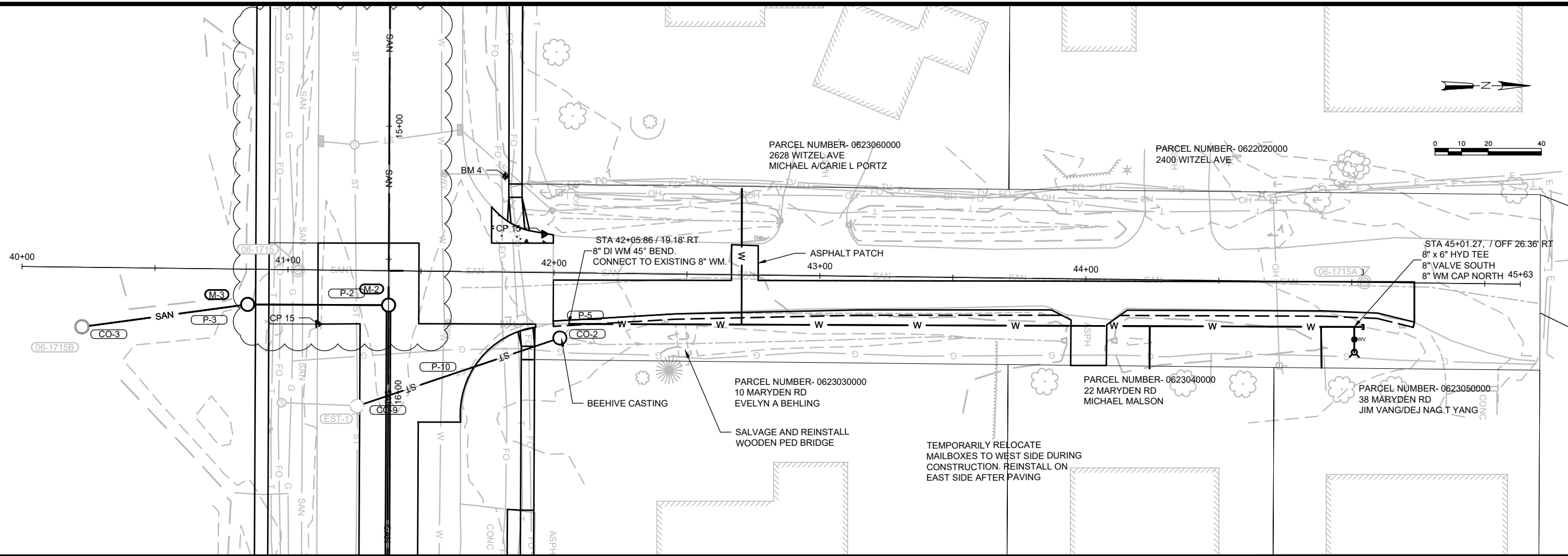
NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

**WITZEL AVE PP\_4**  
WITZEL AVENUE SANITARY SEWER CONSTRUCTION  
CITY OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN

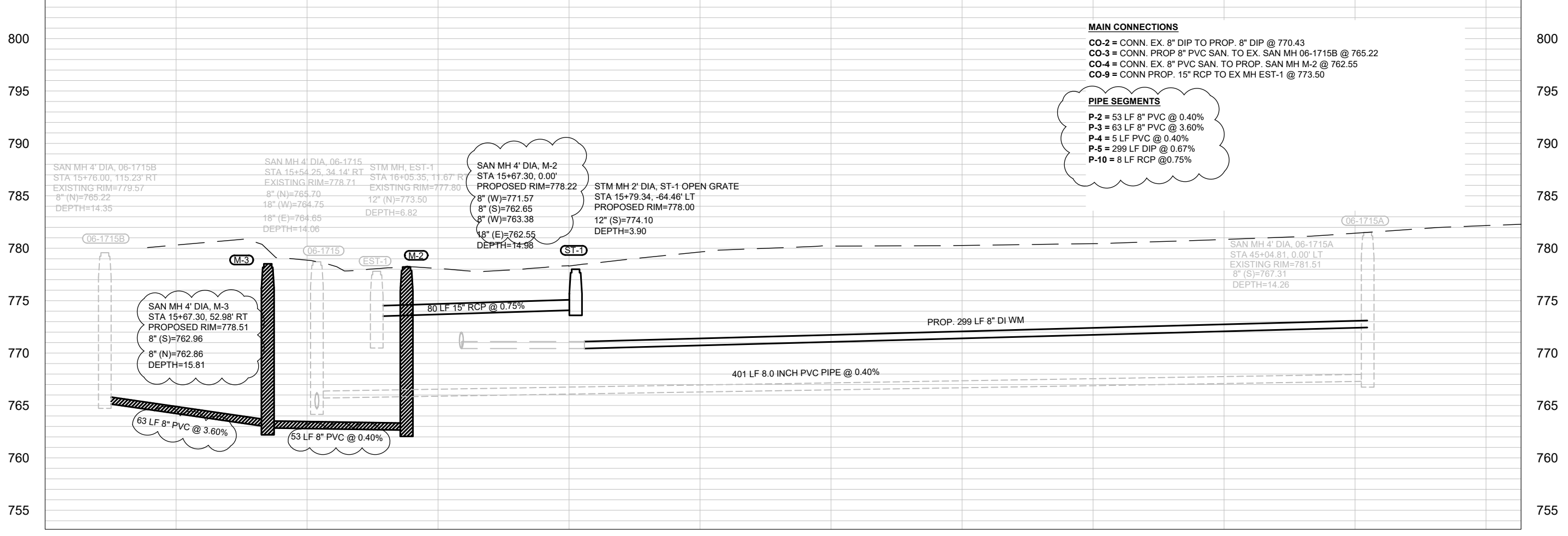
**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
15



NO.	REVISIONS	DATE
1	REVISED TITLE SANITARY SEWER UPDATE	3/29/22
2		4/26/22



**MARYDEN ROAD UTILITY PLAN AND PROFILE - 1**  
**WITZEL AVENUE SANITARY SEWER CONSTRUCTION**  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

**JOB NO.**  
1382.084  
**PROJECT MGR.**  
MAY



**SHEET**  
16

BID NUMBER	1050	1100	1120	1200	1205	1230	1328	1329	1360	1370	
BID ITEM	MOBILIZATION	REMOVING PAVEMENT	REMOVING CONCRETE AND ASPHALT SIDEWALK AND DRIVEWAY	UNCLASSIFIED EXCAVATION	UNCLASSIFIED EXCAVATION (SIDEWALK)	GROUND STABILIZATION FABRIC	9" CONC. PAV'T, SAWING, TIES, DOWELS GRADING	9" HES CONC. PAV'T, SAWING, TIES, DOWELS GRADING	ADJUST MANHOLES AND INLES	TURF RESTORATION	BID ITEM
UNITS	LS	SQ YD	SQ FT	CU YD	CU YD	SQ YD	SQ YD	SQ YD	EACH	SQ YD	UNITS
STREET NAME											STREET NAME
WIZTEL AVENUE	1.00	5,295.00	1,328.00	380.00	270.00	1,145.0	5,023	272	11.00	56	WIZTEL AVENUE
MARYDEN ROAD	-	470.00	148.00	-	-	-	-	-	-	835	MARYDEN ROAD
CONTRACT TOTALS	1.0	5765.0	1476.0	380.0	270.0	1145.0	5023.0	272.0	11.0	891.0	CONTRACT TOTALS

BID NUMBER	1500	1510	1540	1550	1560	1570	1650	1652	1700	1800	BID NUMBER
BID ITEM	4" COCNETRE SIDEWALK WITH 3" CABC AND GRADING	6" CONCRETE SIDEWALK/DRIVEWAY/RAMP WITH 3" CABC AND GRADING	CURB RAMP DETECTABLE WARNING FIELD	NO. 4 REINFORCING RODS	DRILLED NO 4 SIDEWALK TIE BARS	TURF RESTORATION (SIDEWALK)	LOCATE EXISTING PROPERTY MONUMENTS	REPLACE EXISITNG PROPERTY MONUMENTS	SAW EXISTING PAVEMENT	3/4" BASE AGGREGATE DENSE	BID ITEM
UNITS	SQ FT	SQ FT	SQ FT	LF	EACH	SQ YD	EACH	EACH	LF	TONS	UNITS
STREET NAME											STREET NAME
WIZTEL AVENUE	6,870.0	701.0	40.0	108.0	16.0	1,524	7.0	7.0	4,259.0	-	WIZTEL AVENUE
MARYDEN ROAD	-	-	-	-	-	-	-	-	368.0	15.0	MARYDEN ROAD
CONTRACT TOTALS	6870.0	701.0	40.0	108.0	16.0	1524.0	7.0	7.0	4627.0	15.0	CONTRACT TOTALS

BID NUMBER	1801	1810	1900	1906	1974	1975	1977	1978	BID NUMBER
BID ITEM	1-1/4" BASE AGGREGATE DENSE	BREAKER RUN	TACK COAT	4" ASPHALTIC PAVEMENT LT WITH 10" CABC	PAVEMENT MARKINGS; EPOXY; 4" (WHITE)	PAVEMENT MARKINGS; EPOXY; 4" (YELLOW)	PAVEMENT MARKINGS; 6" CROSS-WALK (WHITE)	PAVEMENT MARKINGS; 18" STOP-LINE (WHITE)	BID ITEM
UNITS	TONS	TONS	GALLONS	SQ YD	LF	LF	LF	LF	UNITS
STREET NAME									STREET NAME
WIZTEL AVENUE	224	684.0	-	-	960.0	3,700.0	88.0	22.0	WIZTEL AVENUE
MARYDEN ROAD	37.0	-	33.0	470.0	-	-	-	-	MARYDEN ROAD
CONTRACT TOTALS	261.0	684.0	33.0	470.0	960.0	3700.0	88.0	22.0	CONTRACT TOTALS

BID NUMBER	2506	2512	2514	BID NUMBER
BID ITEM	FURNISH; INSTALL; MAINTAIN; AND REMOVE TYPE D INLET	FURNISH; INSTALL; MAINTAIN; AND REMOVE STONE	FURNISH; INSTALL; MAINTAIN; AND REMOVE SILT FENCE	BID ITEM
UNITS	EACH	EACH	LF	UNITS
STREET NAME				STREET NAME
WIZTEL AVENUE	19	2	227	WIZTEL AVENUE
MARYDEN ROAD	-	-	-	MARYDEN ROAD
CONTRACT TOTALS	19.0	2.0	227.0	CONTRACT TOTALS

BID ITEM 2003 - 12" STORM SEWER			
STREET	START STRUCTURE	END STRUCTURE	LENGTH (FT)
MARYDEN ROAD	M-1	EX MH	80
UNDISTRIBUTED TOTAL			-
BID ITEM 4021 TOTAL			80

		BID ITEM 2200	BID ITEM 2856
		STORM MANHOLE (2' DIA.)	CONNECT TO EX. STORM MANHOLE
STREET	STRUCTURE NUMBER	V.F.	EACH
MARYDEN ROAD	M-1	3.9	1
UNDISTRIBUTED TOTAL		-	-
CONTRACT TOTAL		3.9	1

# ROADWAY AND SIDEWALK

# STORM SEWER AND EROSION CONTROL

NO.	REVISED TITLE	DATE
1	SANITARY SEWER UPDATE	3/29/22
2		4/26/22

**PAVING AND SIDEWALK QUANTITIES**  
**WIZTEL AVENUE SANITARY SEWER CONSTRUCTION**  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

JOB NO.  
1382.084  
PROJECT MGR.  
MAY



SHEET  
17



BID ITEM 3000 - 8" SANITARY SEWER				
STREET	START STRUCTURE	END STRUCTURE	PIPE SEGMENT	LENGTH (FT)
WITZEL AVENUE	W-2	W-1	-	225
WITZEL AVENUE	M-2	W-2	-	225
WITZEL AVENUE	M-3	EX. 107	-	63
WITZEL AVENUE	W-1	CO-1	-	5
WITZEL AVENUE	M-3	CO-3	-	63
WITZEL AVENUE	EX. 107	CO-3	-	5
WITZEL AVENUE	W-6	CO-7	-	5
UNDISTRIBUTED TOTAL				-
BID ITEM 3000 TOTAL				591

BID ITEM 3008 - 18" SANITARY SEWER				
STREET	START STRUCTURE	END STRUCTURE	PIPE SEGMENT	LENGTH (FT)
WITZEL AVENUE	CO-8	W-8	-	5
WITZEL AVENUE	W-8	W-7	-	39
WITZEL AVENUE	W-7	W-6	-	382
WITZEL AVENUE	W-6	W-5	-	159
WITZEL AVENUE	W-5	W-3	-	312
WITZEL AVENUE	W-3	W-2	-	337
WITZEL AVENUE	W-2	M-2	-	338
WITZEL AVENUE	W-3	W-2	-	40
WITZEL AVENUE	W-4	CO-6	-	5
UNDISTRIBUTED TOTAL				-
BID ITEM 3008 TOTAL				1617

BID ITEM 3230 - NEW 4" SANITARY SEWER LATERAL				
STREET	STATION	DIRECTION	SIZE	LENGTH (FT)
WITZEL AVENUE	18+20	SOUTH	4"	46
UNDISTRIBUTED TOTAL				-
BID ITEM 3230 TOTAL				46

BID ITEM 3234 - 4"/6" SANITARY SEWER LATERAL				
STREET	STATION	DIRECTION	SIZE	LENGTH (FT)
WITZEL AVENUE	17+32	NORTH	4"	5
WITZEL AVENUE	19+83	NORTH	6"	5
WITZEL AVENUE	30+73	NORTH	6"	5
UNDISTRIBUTED TOTAL				-
BID ITEM 3234 TOTAL				15

STREET	STATION	OFFSET	BID ITEM 3860	BID ITEM 3801	BID ITEM 3802	BID ITEM 3810	BID ITEM 3854
			ABANDON EXIST. 4" LATERAL LENGTH (FT)	ABANDON EXIST. 6" LATERAL LENGTH (FT)	ABANDON EXIST. 8" MAIN LENGTH (FT)	ABANDON EXIST. 18" MAIN LENGTH (FT)	REMOVE EXIST. 18" MAIN LENGTH (FT)
WITZEL AVENUE	11+05	0	-	-	31	-	-
WITZEL AVENUE	12+00	0	-	87	-	-	-
WITZEL AVENUE	15+54	0	-	-	32	-	-
WITZEL AVENUE	17+32	0	31	-	-	-	-
WITZEL AVENUE	19+83	0	-	31	-	-	-
WITZEL AVENUE	25+15	29.62' (RT)	-	-	-	-	15
WITZEL AVENUE	25+15	29.62' (RT)	-	-	-	584	-
WITZEL AVENUE	27+03	29.31' (RT)	-	-	27	-	-
WITZEL AVENUE	30+72	29.31' (RT)	-	31	-	-	-
WITZEL AVENUE	31+07	32.35' (RT)	-	-	-	-	15
UNDISTRIBUTED TOTAL			-	-	-	-	-
CONTRACT TOTAL			31	149	90	584	30

STREET	STRUCTURE NUMBER	BID ITEM 3100	BID ITEM 3114
		SANITARY MANHOLE (4' DIA.) V.F.	MANHOLE CHIMNEY SEAL
WITZEL AVENUE	W-1	7.85	1
WITZEL AVENUE	W-9	6.84	1
MARYDEN ROAD	M-2	14.98	1
MARYDEN ROAD	M-3	15.05	1
WITZEL AVENUE	W-2	14.24	1
WITZEL AVENUE	W-3	12.71	1
WITZEL AVENUE	W-4	10.66	1
WITZEL AVENUE	W-5	11.66	1
WITZEL AVENUE	W-6	11.22	1
WITZEL AVENUE	W-7	9.81	1
WITZEL AVENUE	W-8	9.92	1
UNDISTRIBUTED TOTAL		-	-
CONTRACT TOTAL		124.94	11

STREET	STATION	BID ITEM 3208	BID ITEM 3218	BID ITEM 3236
		18" x 4" LATERAL WYE EACH	18" x 6" LATERAL WYE EACH	MARKER BALLS EACH
WITZEL AVENUE	17+32	1	-	1
WITZEL AVENUE	18+20	1	-	2
WITZEL AVENUE	19+83	-	1	1
WITZEL AVENUE	30+73	-	1	1
UNDISTRIBUTED TOTAL		-	-	-
CONTRACT TOTAL		2	2	5

STREET	NUMBER	STATION	OFFSET	BID ITEM 3300	BID ITEM 3308
				CONNECT TO EXIST. 8" MAIN EACH	CONNECT TO EXIST. 18" MAIN EACH
WITZEL AVENUE	CO-1	11+05	0	1	-
WITZEL AVENUE	CO-3	15+76	115.23 (RT)	1	-
WITZEL AVENUE	CO-4	15+54	0	1	-
WITZEL AVENUE	CO-5	25+08	29.90 (RT)	-	1
WITZEL AVENUE	CO-6	27+01	0	1	-
WITZEL AVENUE	CO-7	31+05	32.36 (RT)	-	1
UNDISTRIBUTED TOTAL				-	-
CONTRACT TOTAL				4	2

BID ITEM 3700 - CLOSED CIRCUIT TELEVISIONING		
STREET	LENGTH (FT)	
WITZEL AVENUE	2205	
UNDISTRIBUTED TOTAL		-
CONTRACT TOTAL		2205

BID ITEM 4021 - FURNISH & INSTALL 6" WATER MAIN					
STREET	START FITTING	END FITTING	START STATION	END STATION	LENGTH (FT)
MARYDEN ROAD	8" x 6" TEE	HYD	42+06	42+06	9
UNDISTRIBUTED TOTAL					-
BID ITEM 4021 TOTAL					9

BID ITEM 4023 - FURNISH & INSTALL 8" WATER MAIN					
STREET	START FITTING	END FITTING	START STATION	END STATION	LENGTH (FT)
MARYDEN ROAD	8" SLEEVE	CAP	42+06	45+06	300
UNDISTRIBUTED TOTAL					-
BID ITEM 4023 TOTAL					300

BID ITEM 4110 - FURNISH & INSTALL 8" x 6" TEE					
NAME	FITTING	STREET	STATION	OFFSET	EACH
TEE	8" x 6" TEE	MARYDEN ROAD	45+01	16.83' (RT)	1
UNDISTRIBUTED TOTAL					-
BID ITEM 4110 TOTAL					1

BID ITEM 4255 - FURNISH & INSTALL 8" CAP					
NAME	FITTING	STREET	STATION	OFFSET	EACH
CAP	8" CAP	MARYDEN ROAD	45+06	16.80' (RT)	1
UNDISTRIBUTED TOTAL					-
BID ITEM 4255 TOTAL					1

BID ITEM 4401 - FURNISH & INSTALL 6" GATE VALVE					
NAME	FITTING	STREET	STATION	OFFSET	EACH
HYD VALVE	6" VLAVE	MARYDEN ROAD	45+01	21.58' (RT)	1
UNDISTRIBUTED TOTAL					-
BID ITEM 4401 TOTAL					1

BID ITEM 4500 - FURNISH & INSTALL HYDRANT					
NAME	FITTING	STREET	STATION	OFFSET	EACH
HYD	HYDRANT	MARYDEN ROAD	45+01	26.36' (RT)	1
UNDISTRIBUTED TOTAL					-
BID ITEM 4500 TOTAL					1

BID ITEM 4950 - WATER MAIN ULO			
STREET	STATION	OFFSET	EACH
MARYDEN ROAD	42+06	19.18' (RT)	1
UNDISTRIBUTED TOTAL			-
BID ITEM 4950 TOTAL			1

HOUSE NUMBER	STREET	STA	BID ITEM 4044	BID ITEM 4051	BID ITEM 4055
			1-1/2" WATER SERVICE L.F.	1-1/2" CORP AND STOP BOX EACH	WATER SERVICE CLAY DAMS EACH
2628	WITZEL AVE	43+31	50	1	1
22	MARYDEN ROAD	44+24	16	1	1
38	MARYDEN ROAD	44+89	16	1	1
UNDISTRIBUTED TOTAL			-	-	-
CONTRACT TOTAL			82	3	3

NO.	REVISIONS	DATE	
		REVISED TITLE	DATE
1		3/29/22	
2	SANITARY SEWER UPDATE	4/26/22	

**SANITARY SEWER AND WATER MAIN QUANTITIES**  
**WITZEL AVENUE SANITARY SEWER CONSTRUCTION**  
 CITY OF OSHKOSH  
 WINNEBAGO COUNTY, WISCONSIN

JOB NO.  
1382.084  
PROJECT MGR.  
MAY



SHEET  
18

# SANITARY SEWER

# WATER MAIN



Exhibit D



Maryden Rd.

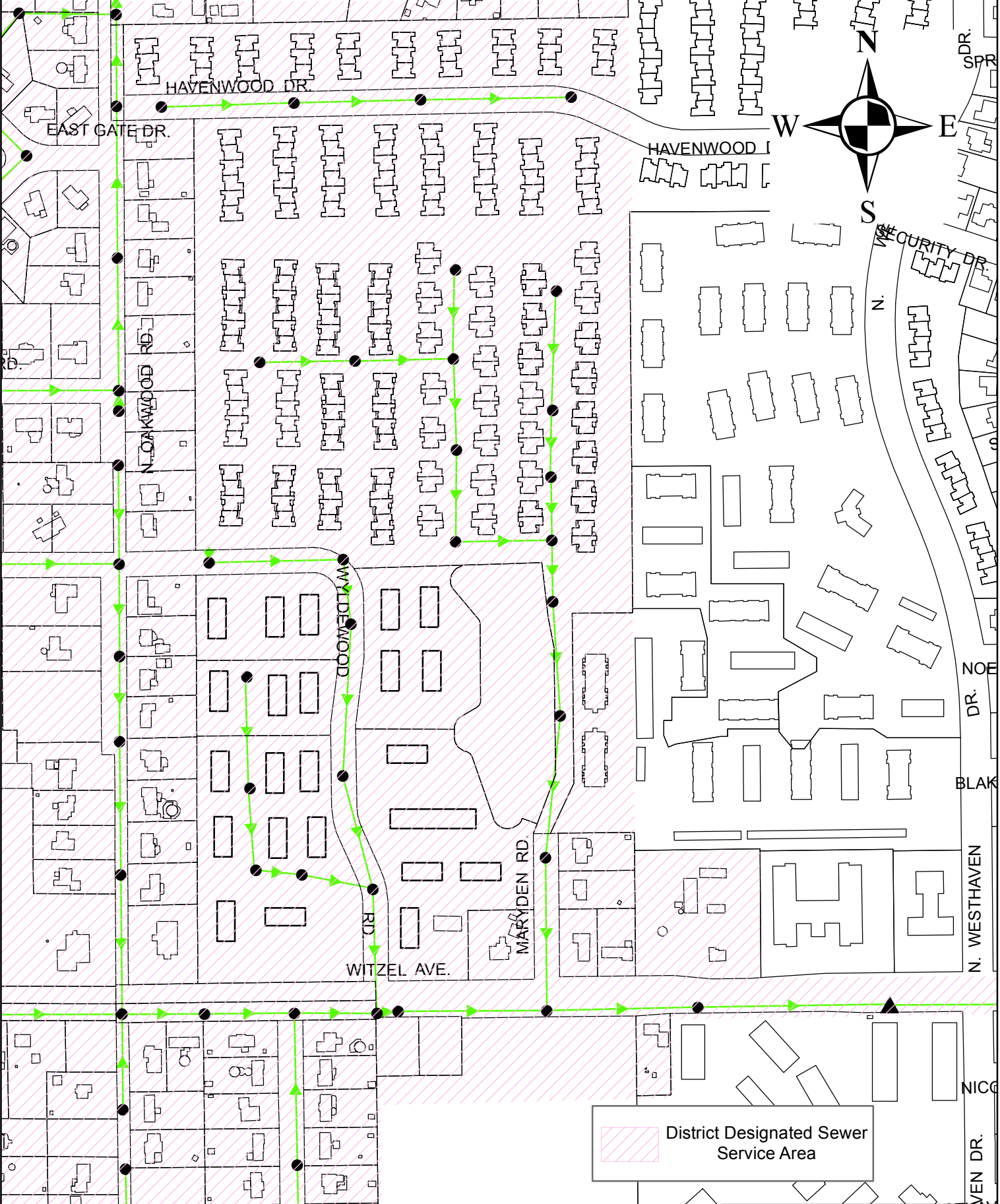
Witzel Ave.

85 feet

Approximate Location  
of New Witt Manhole



# Exhibit E



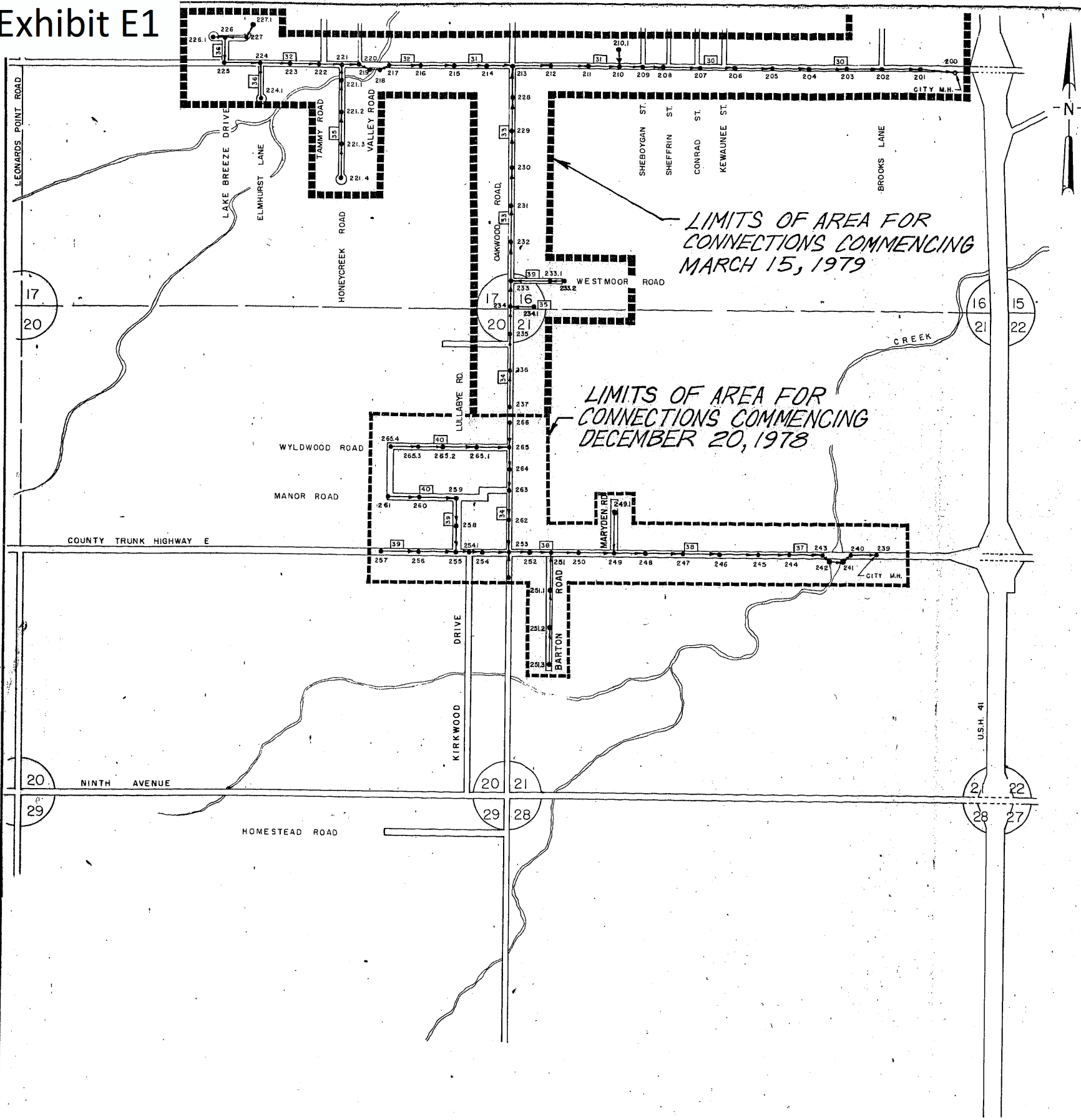
District Designated Sewer Service Area

## Algoma Sanitary District Sanitary Sewer Main

- Legend
- ▲ FLOW STATION
  - Sanitary Manhole
  - District Main



# Exhibit E1



**STRAND**  
ASSOCIATES, INC.  
CONSULTING ENGINEERS  
Madison, Wisconsin

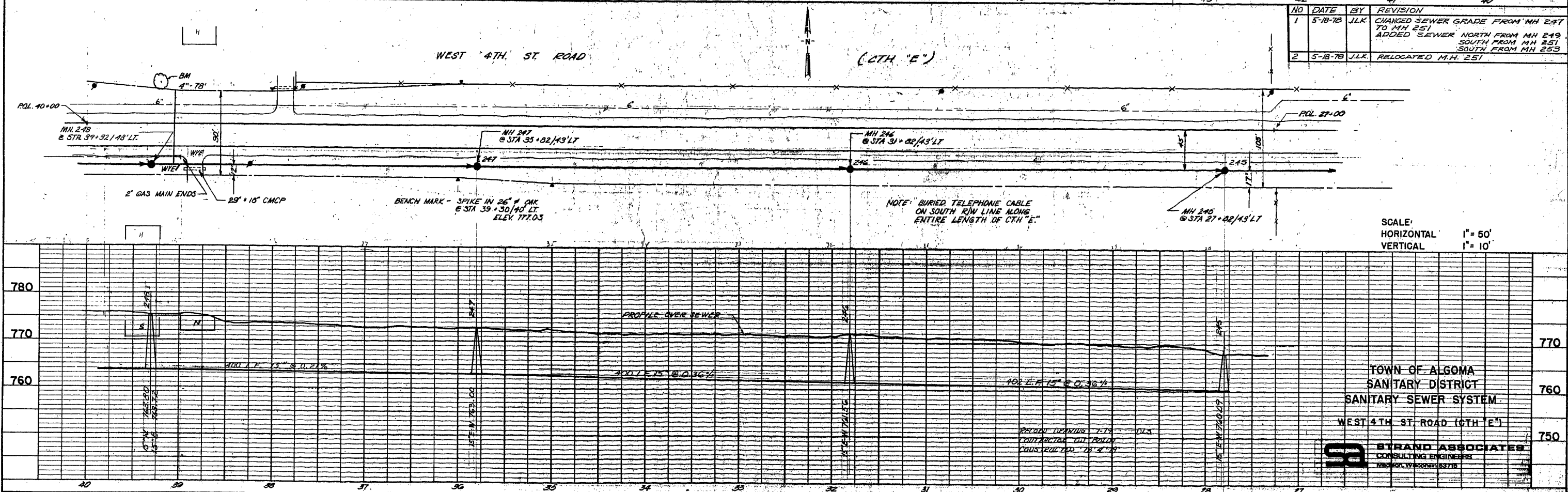
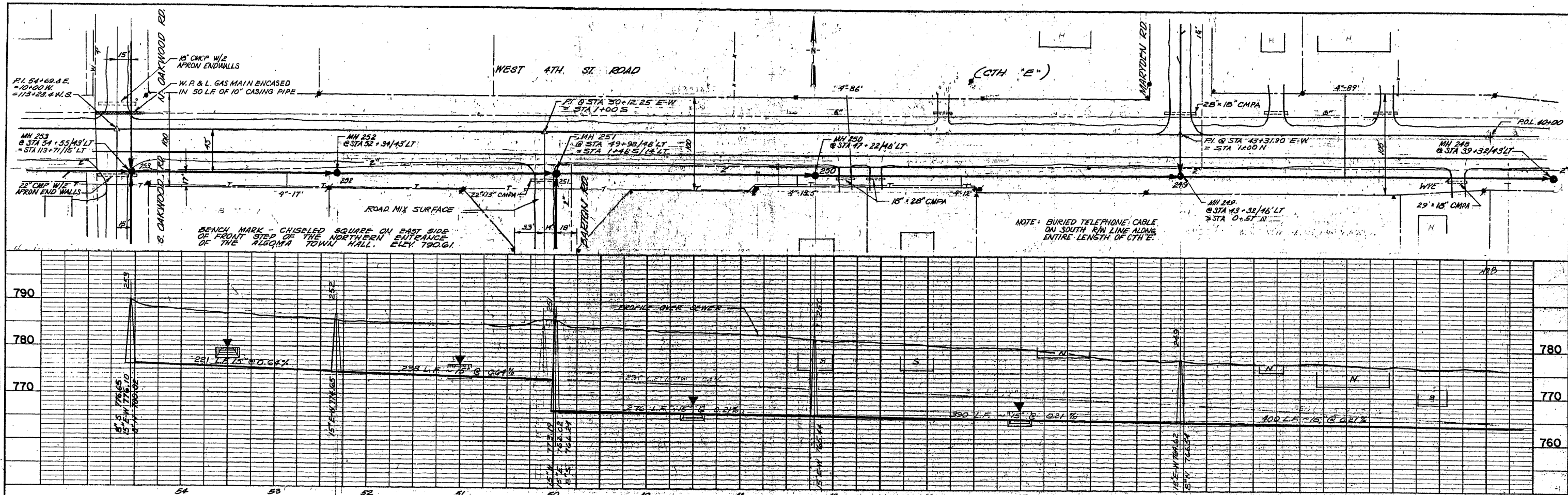
MARCH 5, 1979  
DECEMBER 14, 1978





DATE	1/27/77
BY	DCZ
REVISION	
NO.	
PLAN	
DATE	1/27/77
BY	DCZ
REVISION	
NO.	
PROFILE	
DATE	1/27/77
BY	DCZ
REVISION	
NO.	

DATE	1/27/77
BY	DCZ
REVISION	
NO.	
PLAN	
DATE	1/27/77
BY	DCZ
REVISION	
NO.	
PROFILE	
DATE	1/27/77
BY	DCZ
REVISION	
NO.	



NO	DATE	BY	REVISION
1	5-18-78	JLK	CHANGED SEWER GRADE FROM MH 247 TO MH 251 ADDED SEWER NORTH FROM MH 249 SOUTH FROM MH 251 SOUTH FROM MH 251 SOUTH FROM MH 253
2	5-18-78	JLK	RELOCATED M.H. 251

SCALE:  
HORIZONTAL 1" = 50'  
VERTICAL 1" = 10'

TOWN OF ALGOMA  
SANITARY DISTRICT  
SANITARY SEWER SYSTEM  
WEST 4TH ST ROAD (CTH 'E')





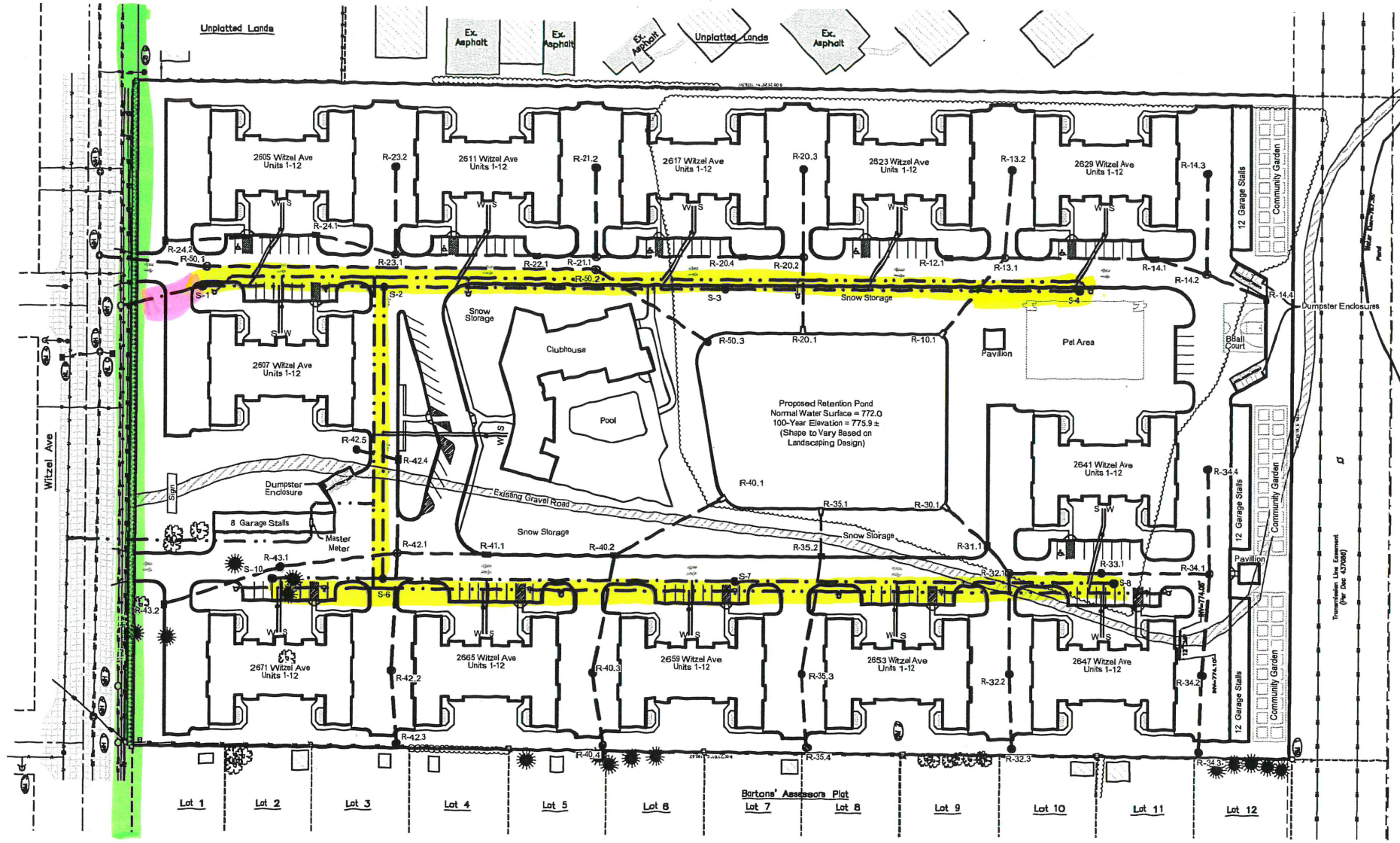




# Exhibit F

### Color Coding

- Algoma Sanitary District - Existing (Public sewer collection main 18")
- The Wit - Existing (Private sewer main 8")
- The Wit - Uninstalled (85 feet remaining to District main 8")



### LEGEND

Underground Cable TV	Sanitary MH / Tank / Base	CATV Pedestal
Underground Fiber Optic	Clean Out / Cub Stop / Pull Box	Gas Regulator
Overhead Electric Lines	Storm Manhole	Railroad Signal
Utility Guy Wire	Inlet	Sign
Sanitary Sewer	Catch Basin / Yard Drain	Tower / Silo
Storm Sewer	Water MH / Well	Flag / Guard Post
Underground Electric	Hydrant	Satellite Dish
Underground Gas Line	Utility Valve	Large Rock
Underground Telephone	Utility Meter	Flag Pole
Water Main	Utility Pole	Decorative Tree
Fence - Steel	Light Pole / Signal	Confidence Tree
Fence - Wood	Guy Wire / Pump	Bush / Hedge
Fence - Barbed Wire	Electric Pedestal	Shrub
Wetlands	Electric Transformer	Marsh
Trailways	Air Conditioner	Soil Boring
Railroad Tracks	Telephone Pedestal	Benchmark
Culvert	Telephone Manhole	Asphalt Pavement
Water Contour	Wellhead	Concrete Paved Area
Intermediate Contour	Ex Spot Elevation	Gravel
Proposed Storm Sewer	Proposed Sanitary Manhole	Proposed Reducer
Proposed Sanitary Sewer	Proposed Storm Manhole	Proposed Plug
Proposed Water Main	Proposed Catch Inlet	Proposed Water MH
Proposed Contour	Prop. Catch Basin / Yard Drain	Proposed Tee
Proposed Swale	Proposed Erioth	Proposed Cross
Proposed Culvert	Proposed Hydrant	Proposed 90° Bend
	Proposed Valve	Proposed Valve
	Proposed Curb Stop	Proposed 45° Bend
	Proposed Cleanout	Proposed 22.5° Bend

BLDG	LOT INFORMATION		WATER SERVICES		SANITARY SERVICES					
	FLOOR	FOOTING ELEV	CURB BOX ELEV	WATER LATERAL LENGTH	DISTANCE TO D.S. MH	WYE INVERT	6" SAN LATERAL LENGTH	6" SAN RISER HEIGHT	SAN INV @ BLDG	SAN DEPTH UNDER FOOTING
1	779.2	774.53	778.54	83	47	764.54	94	4	771.09	3.11
2	778.3	773.03	777.84	83	72	765.53	94	3	771.08	2.22
3	777.9	773.23	777.24	83	282	768.51	94	7	769.06	3.84
4	777.4	772.73	776.84	83	148	767.51	94	7	770.06	2.34
5	776.9	772.23	776.24	83	356	768.34	94	4	770.89	1.01
6	791.0	776.33	780.36	98	76	764.65	48	7	773.27	2.73
7	778.5	773.83	777.83	88	356	769.45	78	3	771.66	1.82
8	782.5	777.83	781.86	45	102	771.47	55	3	773.24	4.26
9	791.5	776.83	780.72	45	107	766.92	55	5	773.89	2.81
10	790.5	775.83	779.92	45	317	767.76	55	3	772.53	2.97
11	779.5	774.83	778.86	45	166	768.69	55	7	770.46	4.04
12	778.5	773.83	777.44	45	375	769.53	55	3	771.30	2.20
CH	780.1	778.43	779.53	135	150	765.79	125	3	771.36	3.14
New Sewers, Total =					920		968	25		

Sanitary lateral grades are based on 1/4" ft. slopes from the sewer main. The depth at the footing is from the bottom of the footing to the top of the 4" lateral.

Sanitary sewer shall be constructed in accordance with the State of Wisconsin Standard Specifications for Sewer and Water Construction, and all Special Provisions of the Town of Algoma Sanitary District #1.

Water shall be constructed in accordance with the State of Wisconsin Standard Specifications for Sewer and Water Construction, and all Special Provisions of the City of Oshkosh.

Streets shall be constructed in accordance with the State of Wisconsin Standard Specifications for Highway and Structures Construction, and all Special Provisions of the City of Oshkosh.

Contractor shall locate all buried facilities prior to excavating. This plan may not correctly or completely show all buried utilities.

The Contractor shall verify all staking and field layout against the plan and field conditions prior to constructing the work and immediately notify the Engineer of any discrepancies.

The Contractor shall comply with all conditions of the Erosion Control Plan and the Storm Water discharge Permit. All Erosion Control shall be done in accordance with the Plan and Wisconsin DNR Technical Standards.

The outside services are shown to stop at a point 5 feet outside the foundation wall. The Contractor shall be responsible for coordination of continuation of the services into the building to properly coincide with the interior plumbing plans, and compliance with all plumbing permits.

The Contractor is responsible for compliance with Department of Safety & Professional Services, Chapter SPS 382, for lateral construction and cleanout locations.

The contractor shall coordinate with provider for electric, gas, and telecommunication service connection and relocations.

Pipe lengths are measured to center of structure. Endwalls are included in pipe length.

Water Pipe shall be PVC C900 D(18), with minimum of 18 gauge, insulated (blue), single-conductor copper tracer wire, or equivalent, per SPS 382.40 (8)(k).

All Water Pipe in the public right-of-way shall be Class 52 Ductile Iron.

Sanitary Sewer Pipe shall be SDR(35), with minimum of 18 gauge, insulated (green), single-conductor copper tracer wire, or equivalent, per SPS 382.30 (1)(h). Sanitary services shall be PVC Schedule 40.

Storm Sewer Pipe shall be PVC SDR(35), Reinforced Concrete Class III, or HDPE, AKSHTO M 294, Type S with soft tight joints, with minimum of 18 gauge, insulated (brown), single-conductor copper tracer wire, or equivalent, per SPS 382.36 (7)(d)10.a. HDPE is not allowed in the public right-of-way per the Standard Specification for the City of Oshkosh.

No hazardous materials will be stored on site.

Curb cuts shall be closed per City of Oshkosh standards.

Apartment Building Demand: 138 WSFU, 228 DFU  
Clubhouse Building Demand: 47 WSFU, 43 DFU

Each apartment building and the clubhouse will require a 4" water service (for sprinkler systems) and a 6" sanitary service.

All work performed within the right-of-way, easements, or vacated right-of-way shall conform to City of Oshkosh Specifications and requires a City of Oshkosh Right-of-Way Permit.

Contractor must coordinate with the Town of Algoma Sanitary District #1 for sanitary construction observation. Call (920) 426-0335.

Owner is responsible for pressure testing, mandrel testing, and televising the sanitary sewer. Data must be sent to Town of Algoma Sanitary District #1 for review.

10/21/2020 11:17:00 AM J:\Projects\5906Eng\DWG\5906Eng.dwg Printed by: mitch

**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors  
1164 Princeton Terrace, Marshfield, WI 54652  
Ph: 820-891-1868 Fax: 820-441-0804  
www.davelpro.com

## UTILITY PLAN

**The Wit**  
City of Oshkosh, Winnebago County, WI  
For: Moorhead Barr Properties, Inc.

Date: 10/21/2020  
Filename: 5906Eng.dwg  
Author: MDB  
Last Saved by: mitch  
Page: 1.4

# Exhibit G

MARCH 22, 2022

22-115

RESOLUTION

(CARRIED 6-0 LOST \_\_\_\_\_ LAID OVER \_\_\_\_\_ WITHDRAWN \_\_\_\_\_)

PURPOSE: APPROVE CIP AMENDMENT AND AWARD BID FOR PUBLIC WORKS CONTRACT NO 22-13 TO PTS CONTRACTORS, INC. FOR WITZEL AVENUE SANITARY SEWER CONSTRUCTION (\$938,660.00)

INITIATED BY: DEPARTMENT OF PUBLIC WORKS

WHEREAS, the City of Oshkosh has heretofore advertised for bids for Witzel Avenue Sanitary Sewer Construction; and

WHEREAS, upon the opening and tabulation of bids, it appears that the following is the most advantageous bid:

PTS CONTRACTORS, INC.  
4075 Eaton Road  
Green Bay, WI 54311

Total Bid: \$938,660.00

WHEREAS, the Common Council has adopted the 2022 Capital Improvement Program and Budget, which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, it is necessary to amend the 2022 Capital Improvement Program Budget to add additional funding for this project.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Oshkosh that the 2022 Capital Improvements Budget, on file in the City Clerk's Office, is hereby amended as follows:

- To transfer \$114,916.67 from Account No. 03210410-6802-04703 (Contract Control-Sanitary Sewer-Oshkosh Ave/Mary Jewell) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).

- To transfer \$16,686.71 from Account No. 03210410-6802-04804 (Contract Control-Sanitary Sewer-First Local Street Concrete Paving) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$7,183.89 from Account No. 03210410-6802-04812 (Contract Control-Sanitary Sewer-Water Main and Lateral Relay) to Account No. 03210410-6802-04213 (Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$31,001.36 from Account No. 03210410-6802-04907 (Contract Control-Sanitary Sewer-Water Main & Lateral Relay) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$96,569.58 from Account No. 03210410-6802-04912 (Contract Control-Sanitary Sewer-Miscellaneous Utility Improvements) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$2,186.75 from Account No. 03210410-6802-04922 (Contract Control-Sanitary Sewer-19-22 Oshkosh Ave/North Koeller) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$36,238.04 from Account No. 03210410-6802-04004 (Contract Control-Sanitary Sewer-20-04 Snell Road Reconstruction) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$614,705.62 from Account No. 03210410-6802-04005 (Contract Control-Sanitary Sewer-20-05 Oregon Street Reconstruction) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$180,511.38 from Account No. 03210410-6802-04007 (Contract Control-Sanitary Sewer-20-07 Misc Utility Improvements) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$110,000 from Account No. 03210410-6803-04005 (Contract Control-Water Main-20-05 Oregon Street Reconstruction) to Account No. 03210410-6803-04213 (Contract Control-Water Main-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$63,278.74 from Account No. 03210410-6806-04126 (Contract Control-Sidewalk-Annual – New Sidewalk Ordered In) to Account No. 03210410-6806-04213 (Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer).
- To transfer \$12,721.26 from Account No. 03210410-6806-04105 (Contract Control-Sidewalk-21-05 Ceape Avenue Reconstruction) to Account No. 03210410-6806-04213 (Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer).

MARCH 22, 2022

22-115

RESOLUTION  
CONT'D

BE IT FURTHER RESOLVED by the Common Council of the City of Oshkosh that the said bid is hereby accepted and the proper City officials are hereby authorized and directed to enter into an appropriate agreement for the purpose of same, all according to plans, specifications, and bid on file. Money for this purpose is hereby appropriated from:

Acct. Nos.	03210410-6802-04213	Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer
	03210410-6803-04213	Contract Control-Water Main-22-13 Witzel Ave Sanitary Sewer
	03210410-6806-04213	Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer





TO: Honorable Mayor and Members of the Common Council  
FROM: Justin Gierach, Engineering Division Manager / City Engineer  
DATE: March 17, 2022  
RE: **Approve CIP Amendment and Award Bid for Public Works Contract No. 22-13 to PTS Contractors, Inc. for Witzel Avenue Sanitary Sewer Construction (\$938,660)**

### **BACKGROUND**

The purpose of this Project is to construct a sanitary sewer on Witzel Avenue, from Oakwood Road to 1,200' east of Oakwood Road, and construct 350' of new water main on Maryden Road. Sanitary sewer and laterals and water main and laterals will be installed, replaced, or repaired, as needed, prior to placing new concrete pavement. New sidewalk will be installed on Witzel Avenue (north and south side) from 550' west of Westhaven Drive to 1,300' west of Westhaven Drive on the north side of Witzel Avenue and 750' west of Westhaven Drive to 850' west of Westhaven Drive on the south side of Witzel Avenue. New concrete driveway aprons will be constructed as necessary, provided property owners have returned the *Construction Access Agreement* the City mailed to them.

Sidewalks and drive aprons abutting properties whose property owners have not returned the *Construction Access Agreement* will have partial sidewalk sections removed and/or patched. In 2023, property owners will be responsible for repairing drive aprons and all patched and new sidewalks that cannot be constructed with this Project.

### **ANALYSIS**

Engineering staff reviewed five (5) bids. The low bid was received from PTS Contractors, Inc. of Green Bay, Wisconsin. The total bid is \$938,660.

### **FISCAL IMPACT**

Funding for this Project is available from CIP Projects which have come in under budget:

- \$114,916.67 will be transferred from Account No. 03210410-6802-04703 (Contract Control-Sanitary Sewer-Oshkosh Ave/Mary Jewell) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).

- \$16,686.71 will be transferred from Account No. 03210410-6802-04804 (Contract Control-Sanitary Sewer-First Local Street Concrete Paving) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$7,183.89 will be transferred from Account No. 03210410-6802-04812 (Contract Control-Sanitary Sewer-Water Main and Lateral Relay) to Account No. 03210410-6802-04213 (Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer).
- \$31,001.36 will be transferred from Account No. 03210410-6802-04907 (Contract Control-Sanitary Sewer-Water Main & Lateral Relay) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$96,569.58 will be transferred from Account No. 03210410-6802-04912 (Contract Control-Sanitary Sewer-Miscellaneous Utility Improvements) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$2,186.75 will be transferred from Account No. 03210410-6802-04922 (Contract Control-Sanitary Sewer-19-22 Oshkosh Ave/North Koeller) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$36,238.04 will be transferred from Account No. 03210410-6802-04004 (Contract Control-Sanitary Sewer-20-04 Snell Road Reconstruction) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$614,705.62 will be transferred from Account No. 03210410-6802-04005 (Contract Control-Sanitary Sewer-20-05 Oregon Street Reconstruction) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$180,511.38 will be transferred from Account No. 03210410-6802-04007 (Contract Control-Sanitary Sewer-20-07 Misc Utility Improvements) to Account No. 03210410-6802-04213 (Contract Control-Sanitary Sewer-22-13 Witzel Ave Sanitary Sewer).
- \$110,000 will be transferred from Account No. 03210410-6803-04005 (Contract Control-Water Main-20-05 Oregon Street Reconstruction) to Account No. 03210410-6803-04213 (Contract Control-Water Main-22-13 Witzel Ave Sanitary Sewer).
- \$63,278.74 will be transferred from Account No. 03210410-6806-04126 (Contract Control-Sidewalk-Annual – New Sidewalk Ordered In) to Account No. 03210410-6806-04213 (Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer).
- \$12,721.26 will be transferred from Account No. 03210410-6806-04105 (Contract Control-Sidewalk-21-05 Ceape Avenue Reconstruction) to Account No. 03210410-6806-04213 (Contract Control-Sidewalk-22-13 Witzel Ave Sanitary Sewer).

Following is a summary of the available funds and the estimated total construction cost, including ancillary costs such as engineering fees, landfill tipping fees, construction materials testing fees, and other construction-related expenses. This cost includes the design and construction management agreement with Strand Associates, Inc. Special Assessments may be levied to adjoining property owners per the City's Special Assessment Policy.

CIP Section	CIP Funds Budgeted	Estimated Total Construction Cost
Sanitary Sewer	\$1,100,000	\$987,397
Water Main	\$110,000	\$96,818
Sidewalk	\$76,000	\$75,683
Totals	\$1,286,000	\$1,159,898

**RECOMMENDATIONS**

I recommend award to the low bidder, PTS Contractors, Inc. in the amount of \$938,660.

Approved:



John Fitzpatrick  
Assistant City Manager

JLG/tlt





Contract 22-13 - Witzel Avenue Sanitary Sewer Construction (#8137055)									
Owner: Oshkosh WI, City of									
Solicitor: Oshkosh WI, City of									
Bid Opening: 03/14/2022 11:00 AM CDT									
					PTS Contractors, Inc		Advance Construction Inc.		
					4075 Eaton Road				
					Green Bay, WI 54311				
Section Title	Item Code	Item Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension	
	1500	4" concrete sidewalk with 3" CAB and grading; complete as specified	Square Feet	6,870.00	\$6.75	\$46,372.50	\$6.43	\$44,174.10	
	1510	6" concrete sidewalk/ driveway/ramp with 3" CAB and grading; complete as specified	Square Feet	701.00	\$7.20	\$5,047.20	\$6.85	\$4,801.85	
	1540	Curb ramp detectable warning field (natural/non-painted); complete as specified	Square Feet	40.00	\$41.00	\$1,640.00	\$40.00	\$1,600.00	
	1550	No. 4 reinforcing rods - deformed; epoxy-coated; complete as specified	Linear Feet	108.00	\$3.10	\$334.80	\$3.00	\$324.00	
	1560	Drilled No. 4 sidewalk tie bars - deformed; epoxy-coated; complete as specified	Each	16.00	\$10.30	\$164.80	\$10.00	\$160.00	
	1570	Turf restoration (sidewalk); complete as specified	Square Yards	1,524.00	\$8.25	\$12,573.00	\$7.95	\$12,115.80	
	1650	Locate existing property monuments; complete as specified	Each	7.00	\$155.00	\$1,085.00	\$150.00	\$1,050.00	
	1652	Replace existing property monuments; complete as specified	Each	7.00	\$51.00	\$357.00	\$50.00	\$350.00	
	1700	Sawing existing pavement; complete as specified	Linear Feet	4,627.00	\$2.00	\$9,254.00	\$2.10	\$9,716.70	
	1800	Base aggregate dense; 3/4" complete as specified	Tons	15.00	\$61.75	\$926.25	\$14.50	\$217.50	
	1801	Base aggregate dense; 1-1/4" complete as specified	Tons	261.00	\$12.35	\$3,223.35	\$14.00	\$3,654.00	
	1810	Breaker run; complete as specified	Tons	684.00	\$12.35	\$8,447.40	\$14.00	\$9,576.00	
	1900	Tack coat; complete as specified	Gallons	33.00	\$2.60	\$85.80	\$2.50	\$82.50	





Contract 22-13 - Witzel Avenue Sanitary Sewer Construction (#8137055)									
Owner: Oshkosh WI, City of									
Solicitor: Oshkosh WI, City of									
Bid Opening: 03/14/2022 11:00 AM CDT									
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>PTS Contractors, Inc 4075 Eaton Road Green Bay, WI 54311</p> </div> <div style="width: 45%;"> <p>Advance Construction Inc.</p> </div> </div>									
Section Title	Item Code	Item Description	UoM	Quantity	Unit Price	Extension	Unit Price	Extension	Extension
	3802	Abandon 8" sanitary sewer; complete as specified	Linear Feet	90.00	\$16.00	\$1,440.00	\$6.00	\$540.00	
	3810	Abandon 18" sanitary sewer; complete as specified	Linear Feet	584.00	\$11.00	\$6,424.00	\$15.00	\$8,760.00	
	3854	Remove sanitary sewer; complete as specified	Linear Feet	30.00	\$41.00	\$1,230.00	\$75.00	\$2,250.00	
	3860	Abandon 4" sanitary sewer; complete as specified	Linear Feet	31.00	\$47.00	\$1,457.00	\$4.00	\$124.00	
	4021	Furnish and install new 6" ductile iron water main with polywrap and TR Flex restrained joints; complete as specified	Linear Feet	9.00	\$132.00	\$1,188.00	\$80.00	\$720.00	
	4023	Furnish and install 1-1/2" complete as specified	Linear Feet	300.00	\$103.00	\$30,900.00	\$110.50	\$33,150.00	
	4044	Furnish and install 1-1/2" water service (new); complete as specified	Linear Feet	82.00	\$111.00	\$9,102.00	\$65.50	\$5,371.00	
	4051	Furnish and install water corporation and stop box; complete as specified	Each	3.00	\$1,220.00	\$3,660.00	\$1,171.00	\$3,513.00	
	4055	Furnish and install water service clay dams; complete as specified	Each	3.00	\$28.00	\$84.00	\$100.00	\$300.00	
	4110	Furnish and install 8" x 6" water main tee; complete as specified	Each	1.00	\$635.00	\$635.00	\$628.00	\$628.00	
	4255	Furnish and install 8" water main cap; complete as specified	Each	1.00	\$245.00	\$245.00	\$244.00	\$244.00	
	4401	Furnish and install 6" water main gate valve; complete as specified	Each	1.00	\$1,695.00	\$1,695.00	\$1,642.00	\$1,642.00	

Contract 22-13 - Witzel Avenue Sanitary Sewer Construction (#8137055)								
Owner: Oshkosh WI, City of								
Solicitor: Oshkosh WI, City of								
Bid Opening: 03/14/2022 11:00 AM CDT								
					PTS Contractors, Inc			
					4075 Eaton Road			
					Green Bay, WI 54311			
						Advance Construction Inc.		
Section Title	Item Code	Item Description	UoM	Quantity	Unit Price	Extension	Unit Price	Extension
	4500	Furnish and install hydrant complete as specified	Each	1.00	\$5,145.00	\$5,145.00	\$5,160.00	\$5,160.00
	4950	Water main utility line opening (ULO): complete as specified	Each	1.00	\$1.00	\$1.00	\$600.00	\$600.00
<b>Bid Total:</b>						<b>\$938,660.00</b>		<b>\$984,401.53</b>



# Exhibit H

MAY 24, 2022

22-208

RESOLUTION

(CARRIED 6-0 LOST \_\_\_\_\_ LAID OVER \_\_\_\_\_ WITHDRAWN \_\_\_\_\_)

PURPOSE: APPROVE FINAL RESOLUTION FOR SPECIAL ASSESSMENTS FOR CONCRETE PAVEMENT, ASPHALT PAVEMENT, SIDEWALK (NEW AND REHABILITATION), DRIVEWAY APRONS, SANITARY SEWER MAIN AND LATERALS (NEW AND RELAY), WATER MAIN AND LATERALS (NEW AND RELAY), AND STORM SEWER MAINS AND LATERALS (NEW AND RELAY) RELATING TO CONTRACT NO. 22-13

- A) WITZEL AVENUE (100' WEST OF WYLDEWOOD DRIVE TO 500' EAST OF NORTH WESTHAVEN DRIVE)
- B) MARYDEN ROAD (WITZEL AVENUE TO THE NORTH END OF THE RIGHT-OF-WAY)

INITIATED BY: DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Common Council of the City of Oshkosh held a public hearing on the 24<sup>th</sup> day of May, 2022, at 6:00 p.m. for the purpose of hearing all interested persons concerning the final resolution and report of the City Manager (Board of Public Works) on the proposed improvements as listed below, pursuant to the initial resolution adopted on February 22, 2022, and the amended initial resolution adopted on March 8, 2022 by the Oshkosh Common Council of the following named streets:

Concrete Pavement, Asphalt Pavement, Sidewalk (New and Rehabilitation), Driveway Aprons, Sanitary Sewer Main and Laterals (New and Relay), Water Main and Laterals (New and Relay), and Storm Sewer Mains and Laterals (New and Relay):

Witzel Avenue from 100' west of Wyldewood Drive to 500' east of North Westhaven Drive

Maryden Road from Witzel Avenue to the north end of the right-of-way

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

1. That the proposed street grade(s), from a datum plane established by the official United States Coast and Geodetic Survey, as identified and on file in the Department of Public Works is/are hereby permanently established.
2. The Common Council for the City of Oshkosh hereby orders that sidewalk be constructed according to the established grade pursuant to Section 66.0907 of the Wisconsin Statutes and the ordinances of the City of Oshkosh on the following locations:

Witzel Avenue – north side of the street from 550' west of North Westhaven Drive to 1,350' west of North Westhaven Drive  
Witzel Avenue – south side of the street from 770' west of North Westhaven Drive to 1,550' west of North Westhaven Drive

3. That the report of the City Manager, acting as the Board of Public Works, pertaining to the construction of the above described public improvements, including plans and specifications therefor, is hereby adopted and approved with the following modifications:
  - a.
  - b.
  - c.
4. That the action of the City Manager in advertising for bids and to carry out the work of such improvements in accordance with the reports of the City Manager and in accordance with the said resolution heretofore adopted, is hereby approved, ratified and confirmed.
5. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report, except as modified herein.

6. Assessments shown on the report represent an exercise of the police power and have been determined on a reasonable basis and are hereby confirmed.
7. That the assessments for all projects included in said report are hereby combined as a single assessment but any interested property owners shall be entitled to object to each assessment separately or all assessments jointly for any purpose or purposes.
8. That the assessments may be paid in cash, or in installments pursuant to Section Chapter 21 of the Oshkosh Municipal Code, said deferred payments to bear interest at the rate of four percent (4%) per annum on the unpaid balance. The City Clerk shall publish an installment assessment notice in accordance with Section 66.0715(3)(e) of the Wisconsin Statutes in the official newspaper of the City.
9. The City Clerk is directed to publish this resolution in the OSHKOSH DAILY NORTHWESTERN, the official newspaper of the City.
10. The City Clerk is further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

PARCEL I.D.	ADDRESS	OWNER	STREET NAME FOR CORNER LOT	NEW SIDEWALK	SANITARY AREA ASSESSMENTS	NEW SANITARY LATERAL	SANITARY LATERAL RELAY	WATER AREA ASSESSMENTS	ADDRESS ASSESSMENT TOTAL
06-2200-0100	2600 WITZEL AVE	KT REAL ESTATE HOLDINGS LLC	WITZEL		\$4,390.08 (*)				\$4,390.08
N WESTHAVEN									
06-2200-0000	2620 WITZEL AVE	HAVENWOOD LAKE LLC			\$25,373.15 (*)				\$25,373.15
06-2301-0000	2634 WITZEL AVE	MOORHEAD BARR PROPERTIES LLC		\$19,829.40	\$23,850.89 (*)		\$2,250.00		\$45,930.29
06-2302-0000	2659 WITZEL AVE	TIM FISHBERG J GRAUSE		\$6,000.00	\$7,220.79 (*)		\$2,250.00		\$15,470.79
06-2304-0000	2628 WITZEL AVE	MICHAEL M/CARLE L FORTZ	WITZEL	\$10,440.00				\$4,876.96	\$15,316.96
MARDEN									
06-1492-0100	2697 WITZEL AVE	MOORHEAD BARR PROPERTIES LLC		\$41,049.60	\$33,129.44 (*)	\$19,000.00			\$93,179.04
06-1491-0000	2655 WITZEL AVE	JAMES C RASCINE/DANA R DAQUST		\$5,407.80	\$6,504.18 (*)		\$2,250.00		\$14,161.98
06-1490-0000	135 S WESTHAVEN DR	COUNTRY PARK LLC APARTMENTS	S WESTHAVEN		\$46,958.99 (*)				\$46,958.99
			WITZEL	\$92,720.80	\$147,366.93	\$19,000.00	\$6,750.00	\$4,876.96	\$260,714.69
									\$260,714.69

\* STAFF RECOMMENDS DEFERRMENT UNTIL CONNECTION TO CITY OWNED SANITARY MAIN IN WITZEL AVE  
 ~ STAFF RECOMMENDS AREA ASSESSMENTS ARE REMOVED BECAUSE THE PROPERTIES WERE SERVED BY AND PAID THE DISTRICT FOR SERVICE  
 & STAFF RECOMMENDS REMOVAL OF THE AREA FOR THE PARCELS THAT WERE SERVED BY AND PAID THE DISTRICT FOR SERVICE

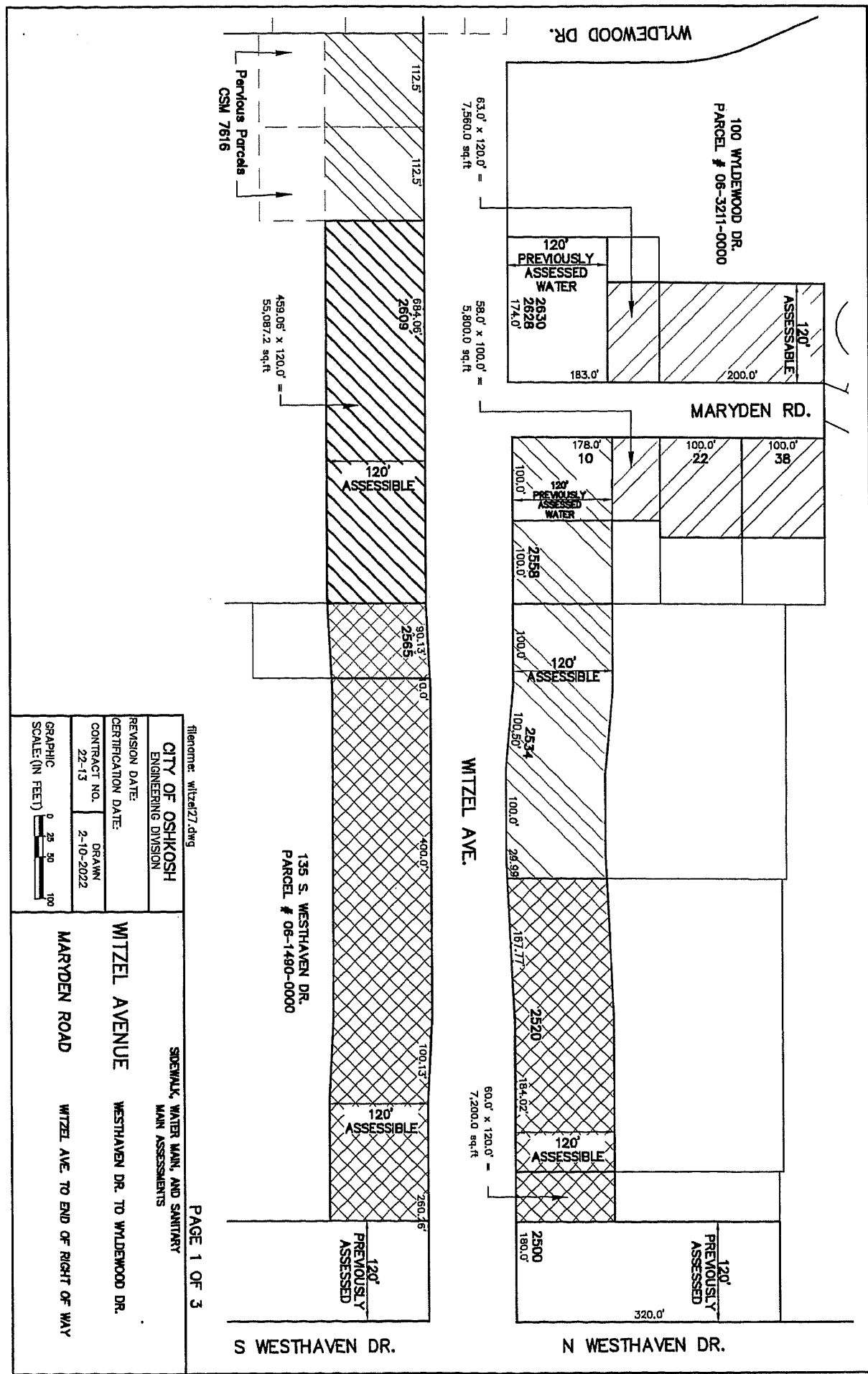
**2022 ASSESSMENT RATES:**

NEW SIDEWALK = \$9.00 PER SQUARE FOOT ESTIMATE  
 SANITARY SEWER AREA ASSESSMENT = \$0.4014 PER SQ. FT. OR \$72.148/FRONT FT MAX 120 FT LOT DEPTH ESTIMATE/  
 WATER MAIN AREA ASSESSMENT = \$0.4461 PER SQ. FT. OR \$47.412/FRONT FT MAX 120 FT LOT DEPTH ESTIMATE/  
 SANITARY SEWER LATERAL RELAY = \$2,550.00 EACH ESTIMATE/  
 NEW SANITARY SEWER LATERAL = \$19,000 EACH ESTIMATE/

CITY OF OSHKOSH ENGINEERING DIVISION	SIDEWALK SANITARY SEWER MAIN & WATER MAIN ASSESSMENTS
CONTRACT # DRAWN WARD	
22-13 3/21/2022 GH	
REVISED CERTIFIED	WITZEL AVE - WESTHAVEN DR. TO WYLDWOOD DR. MARDEN RD. - WITZEL AVE. TO END OF RIGHT OF WAY

PARCEL I.D.	ADDRESS	OWNER	STREET NAME FOR CORNER LOT	NEW SIDEWALK	SANITARY AREA ASSESSMENTS	SANITARY LATERAL RELAY	WATER AREA ASSESSMENTS	ADDRESS ASSESSMENT TOTAL				
06-2303-0000	10 MARYDEN RD	EVELYN A BEHLING	MARYDEN	\$6,000.00	\$7,216.80 [-]		\$3,741.58	\$16,958.38				
06-2304-0000	22 MARYDEN RD	MICHAEL MALSON	WITZEL				\$7,741.20	\$7,741.20				
06-2305-0000	38 MARYDEN RD	JIM YANG/DEI NAG I YANG	WIDENWOOD				\$7,741.20	\$7,741.20				
06-3211-0000	100 WIDENWOOD DR	WIDENWOOD VILLAGE APARTMENTS II LLC	WITZEL	\$675.00				\$16,157.40				
			MARYDEN	\$6,675.00	\$7,216.80	\$0.00	\$34,706.38	\$48,598.18				
<p>~ STAFF RECOMMENDS AREA ASSESSMENTS ARE REMOVED BECAUSE THE PROPERTIES WERE SERVED BY AND PAID THE DISTRICT FOR SERVICE</p>												
<p><b>2021 ASSESSMENT RATES:</b>  NEW SIDEWALK = \$9.00 PER SQUARE FOOT (ESTIMATE)  SANITARY SEWER AREA ASSESSMENT = \$0.4014 PER SQ. FT. OR \$72.168/FRONT FT MAX 120 FT LOT DEPTH (ESTIMATE)  WATER MAIN AREA ASSESSMENT = \$0.6451 PER SQ. FT. OR \$77.412/FRONT FT MAX 120 FT LOT DEPTH (ESTIMATE)  SANITARY SEWER LATERAL RELAY = \$2,550.00 EACH (ESTIMATE)</p>				<p>CITY OF OSHKOSH  ENGINEERING DIVISION  CONTRACT # 22-13  DRAWN 3/21/2022  WARD 6TH  REVISED  CERTIFIED</p>					<p>SIDEWALK, SANITARY MAIN AND  WATER MAIN ASSESSMENTS</p>			





filename: witzel27.dwg

REVISION DATE:	CITY OF OSHKOSH ENGINEERING DIVISION
CERTIFICATION DATE:	
CONTRACT NO.	DRAIN
22-13	2-10-2022
GRAPHIC SCALE: (IN FEET)	0 25 50 100

WITZEL AVENUE  
MARYDEN ROAD

WESTHAVEN DR. TO WYLDEWOOD DR.  
WITZEL AVE. TO END OF RIGHT OF WAY

Exhibit I

NOVEMBER 10, 2020

20-438

RESOLUTION

(CARRIED 7-0 LOST \_\_\_\_\_ LAID OVER \_\_\_\_\_ WITHDRAWN \_\_\_\_\_)

PURPOSE: APPROVE CONDITIONAL USE PERMIT FOR A GROUP DEVELOPMENT AT THE 2600 BLOCK OF WITZEL AVENUE

INITIATED BY: MOORHEAD BARR PROPERTIES, LLC.

PLAN COMMISSION RECOMMENDATION: Approved

WHEREAS, the Plan Commission finds that the Conditional Use Permit to allow a residential group development at the 2600 Block of Witzel Avenue, is consistent with the criteria established in Section 30-382(F)(3) of the Oshkosh Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a conditional use permit is hereby approved to allow a residential group development at the 2600 Block of Witzel Avenue, per the attached, with the following conditions:

1. Petitioner to submit code compliant fencing details and install a code compliant 6' tall solid (at least 90% opaque) fence along the west property line.
2. Petitioner shall submit a revised landscaping plan and schedule with code-compliant species and code-compliant landscaping point totals for Department of Community Development review as part of the Site Plan Review Process.
3. Petitioner shall submit a revised, code-compliant photometric plan, light fixture mounting information, and light fixture details to staff for Department of Community Development review as part of the Site Plan Review Process.
4. Petitioner to submit detached garage elevations and dumpster enclosure elevations and details to staff for Department of Community Development review as part of the Site Plan Review Process.



**TO:** Honorable Mayor and Members of the Common Council  
**FROM:** Mark Lyons  
Planning Services Manager  
**DATE:** November 5, 2020  
**RE:** Approve Conditional Use Permit for a Group Development at the 2600 Block of Witzel Avenue (Plan Commission Recommends Approval)

### **BACKGROUND**

The subject area consists of one parcel approximately 18.5 acres in size, located at the south 2600 Block of Witzel. The site was previously owned by Ascension Hospital as a future expansion area but was never used. The site is vacant and is proposed to have a similar character to the multi-family developments to the north and east. The development across Witzel Avenue north of the surrounding area includes a multi-family development, duplex, and single family properties. The subject site abuts a multi-family property to the east. The City boundary runs along the west edge of the subject site. The subject site is adjacent to single-family properties in the Town of Algoma on its western edge. The subject site abuts the Mercy Medical Center on its south edge. The Comprehensive Land Use Plan 2040 recommends this area for Medium and High Density Residential. The petitioner now seeks to move forward on plans to develop the site with a multi-family development. The zoning ordinance requires a conditional use permit for any new development of three or more buildings.

### **ANALYSIS**

The petitioner seeks to develop the site with twelve two-story multi-family buildings each including twelve living units, for a total of 144 two-bedroom units. The site will also include four detached garage buildings and surface parking. The center of the site will include a large retention pond, clubhouse, and green space. The orientation of the multi-family buildings around the perimeter of the site is intended to allow for efficient wayfinding and site circulation. The dwelling unit density is less than some of the surrounding development. This proposed development equates to 7.78 units per acre. All of the proposed buildings meet the MR-12 zoning district's principal structure setbacks. The total proposed impervious surface coverage is 53.8 percent of the lot area. Green space would consist of the remaining 46.2 percent of the lot. Access to the site would consist of two access drives leading into the site from Witzel Avenue. Staff will work with the petitioner to finalize the site plan.

The petitioner has submitted a landscaping plan and point totals for the site. Based on the required and proposed point totals, the proposal meets the ordinance minimums for landscaping on the site. A bufferyard of 0.2 opacity is required for the west property line due to the adjacent single-family homes. The petitioner will need to install a 6 foot tall solid fence along the west property line to fulfill this requirement. The petitioner's proposed point totals for building foundation, paved area, street frontage, and yard landscaping meet the point total requirements. Staff recommends as a condition of approval a requirement that the applicant submit compliant fencing details and a revised code compliant landscaping plan and schedule for Site Plan Review.

The petitioner has submitted renderings for the proposed multi-family development which meet the multi-family design standards. They include articulation such as recesses and projections, balconies, material changes, etc. The building facades as proposed meet code. The petitioner has not submitted elevations for the detached garages or refuse enclosures. Refuse enclosures must be constructed of solid wood or one or more materials used on the exterior of the principal buildings. Staff will require detached garage elevations and refuse enclosure details as part of the Site Plan Review Process.

A large retention pond is proposed in the center of the site. The petitioner has submitted erosion control, drainage, and grading plans. The new development will add a significant amount of impervious surface area to the site. Therefore, the Department of Public Works has stated that a full site plan review and approval will be required through the Site Plan Review Process.

Staff is in support of the proposed multi-family group development as the use is consistent with the surrounding multi-family developments in the area. It is consistent with the zoning and the Comprehensive Plan 2040 land use recommendation of medium/high density residential for the site. Upon review, staff is of the opinion the proposed land use is not in conflict with the criteria listed for Conditional Uses and is in support of the development.

### **FISCAL IMPACT**

Approval of this project should result in an increase in assessed property value for the site and should require no additional city service provision. The owner is anticipating spending approximately \$20 million on the improvements.

### **RECOMMENDATION**

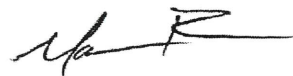
The Plan Commission recommended approval of a Conditional Use Permit amendment with findings and conditions at its November 3, 2020 meeting. Please see the attached staff report and meeting minutes for more information.

Respectfully Submitted,



Mark Lyons  
Planning Services Manager

Approved:



Mark A. Rohloff  
City Manager