



**City of Waukesha**  
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<b>Committee:</b> Plan Commission	<b>Date:</b> 2/23/2022
<b>Common Council Item Number:</b> ID#PC22-0232	<b>Date:</b> 4/7/2022
<b>Submitted By:</b> Brian Running	<b>City Administrator Approval:</b> <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> <a href="#">Click here to enter text.</a>	<b>City Attorney's Office Review:</b> <a href="#">Click here to enter text.</a>
<b>Subject:</b> Introduction of a resolution to discontinue and vacate a portion of Fairview Avenue. Resolution is attached.	

**Details:**  
Please refer to Plan Commission item PC22-0213 for additional details. Waukesha Memorial Hospital has purchased all of the properties abutting Fairview Avenue between Madison Street and Lawndale Avenue, and has proposed that the existing street and the newly-acquired properties be used for the creation of an enlarged, well-marked entrance to the hospital. The hospital is not located directly on a main thoroughfare, and is not easily visible from Madison Street. This results in difficulty in locating the main entrance to the hospital, difficulty in locating parking for users of the hospital, traffic congestion caused by people trying to find the entrance, etc. These are all issues affecting residents of the City and the surrounding areas, and by addressing these issues, the hospital's proposal aligns with the City's interests. The Plan Commission and City staff endorse the hospital's proposal, and recommend approval. The City may initiate discontinuation and vacation of the street under Wis. Stat. 66.1003(4). The first step in that process is the introduction of a resolution to do so. The resolution can only be passed not less than 40 days after its introduction. This is simply the first step in the process, there is no opportunity for action. It is anticipated that final action will take place at the May 17 Council meeting, 40 days after the introduction of the resolution.

**Options & Alternatives:**  
The introduction of the resolution is a procedural step in the process, it is not the final action. Introducing it will begin a 40-day period in the Council and the public can consider the proposal for future action. No alternative is recommended.

**Financial Remarks:**  
There is no financial impact on the city by the introduction of the resolution.

**Executive Recommendation:**  
Motion for the introduction of the resolution to discontinue and vacate a portion of Fairview Avenue between Madison Street and Lawndale Avenue, pursuant to Wis Stat 66.1003(4).

**Common Council  
of the  
City of Waukesha, Wisconsin**

**Resolution No. 2022 - \_\_\_\_\_**

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**Resolution Discontinuing and Vacating a Portion of Fairview Avenue**

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**Whereas** Waukesha Memorial Hospital, Inc., referred to herein as the Hospital, has purchased all of the properties abutting Fairview Avenue between Madison Street and Lawndale Avenue and is now the sole owner of all adjacent properties on that portion of Fairview Avenue; and

**Whereas** the Hospital has proposed that Fairview Avenue between Madison Street and Lawndale Avenue be discontinued as a public street and be replaced by the Hospital and at the Hospital's expense with a new drive, accessible by the public, that aligns with the entrance to the Hospital's main parking lot; and

**Whereas** an entrance that aligns with the Hospital's main parking-lot entrance would ease traffic congestion in the area, reduce confusion for drivers trying to locate the Hospital entrance, reduce parking on neighborhood streets by Hospital users, give the public clearer notice of the entrance to the Hospital's emergency entrance, give better access by emergency vehicles to the emergency entrance; and

**Whereas** all of these objectives serve the public interest of the citizens of the City of Waukesha and the surrounding region; and

**Whereas** the Hospital's provision of healthcare services is in the public interest of the citizens of the City of Waukesha and the surrounding region; and

**Whereas** this Resolution was first introduced by the Common Council as required by Wis. Stat. §66.1003(4)(b) on April 7, 2022, and at least 40 days have elapsed since that date; and

**Whereas** the notices required by Wis. Stat. §66.1003(4)(b) have been served and published pursuant to Wis. Stat. §66.1003(8)(b);

**Now, therefore,** the Common Council resolves as follows:

The public interest requires that Fairview Avenue, between Madison Street and Lawndale Avenue, be discontinued and vacated as a public way, and

The portion of Fairview Avenue described below is hereby vacated and discontinued as a public way, pursuant to Wis. Stat. §66.1003(4):

That part of Fairview Avenue in the SW 1/4 of the NW 1/4 of Section 3, Township 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin bounded by Madison Street to the north, Thielman's Subdivision of Block A to the east, Clarendon Subdivision of Block B of Thielman Heights Addition to the west and Lawndale Avenue to the south, described as follows:

Beginning on the northerly line of Lawndale Avenue at the southeast corner of Lot 25 of said Clarendon Subdivision of Block B of Thielman Heights Addition; thence North 0°17'44" East, 416.31 feet along the easterly line of said Clarendon Subdivision of Block B of Thielman Heights Addition to the southerly line of Madison Street; thence North 81°13'40" East, 60.76 feet along said southerly line to the westerly line of Thielman's Subdivision of Block A; thence South 0°17'44" West, 426.03 feet along said westerly line to the aforesaid northerly line of Lawndale Avenue; thence North 89°34'07" West, 60.00 feet along said northerly line to the point of beginning.

This real property is also shown on the attached map, which is incorporated herein by reference.

This Resolution was passed and adopted by the Common Council of the City of Waukesha the 17<sup>th</sup> day of May, 2022.

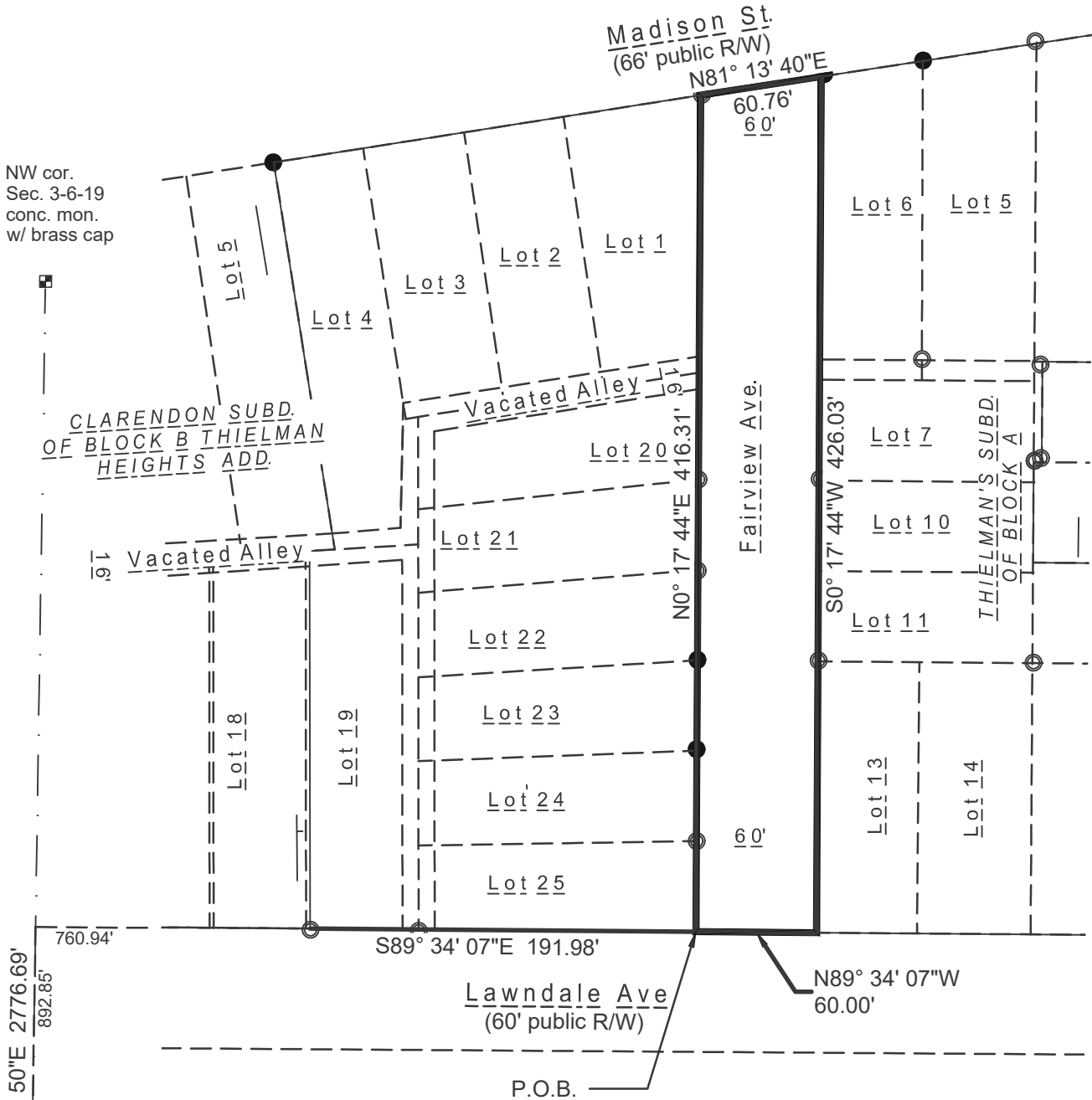
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Shawn N. Reilly, Mayor

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Gina L. Kozlik, City Clerk

Exhibit to Resolution Discontinuing and Vacating a Portion of Fairview Avenue



VACATION EXHIBIT