

# Attorney Mark P. Murphy

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June 7, 2015

City Plan Commission - Members  
City Of Milwaukee  
809 N. Broadway, 1<sup>st</sup> floor  
Milwaukee, WI 53202

Re: **Zoning – Public Hearing 1:55pm, on Monday, June 8, 2015**

**Agenda Items:** #150133 Zoning Change  
#150183 Street and Alley Vacation

**\*my client:** Bird Ladder & Equipment Co., Inc.  
2620 S. 5<sup>th</sup> St., Milwaukee, WI 53207

**\*Notice of Retainer – Reservation of Rights / Objection**

Ladies and Gentlemen:

Please be advised that I represent **Bird Ladder & Equipment Co., Inc.**, as it relates to the proposed “St. Augustine Preparatory Academy” development, pending before the City Plan Commission (per the above). My client is legally “interested” in these proceeding as it is located directly across the street from the proposed development, amongst other reasons (below). As my client is about 40 years in its present location, it was surprised it was not included in the discussions running-up to the instant proceedings; and therefore has just recently retained my office.

I am investigating the *proper location of the east-west lot line between the proposed school parking lot and (the previously-vacated) West Klondike Place*. My client will be laying claim to the “south half” (of West Klondike Place) including its intersection with South 5<sup>th</sup> Street -- which thereby impacts the development’s boundaries, at a minimum. Moreover my client’s ability to receive semi-trucks and turn them around is critical to its operations; and therefore the *proposed vacating of [the northernmost one hundred feet (+/-) where West Klondike Place intersects with] South 5<sup>th</sup> Street* will likely be objectionable to my client - absent some agreement to protect its interests of course.

In any respect, the requested rezoning, design, and street vacating would directly impact my client’s operations - particularly at school pick-up and drop-off times; and will undoubtedly create significant safety issues for all involved (*e.g.*, school buses, parent cars, and hundreds of children mixing with my client’s semi-trucks and customers, on a very short stretch of South 5<sup>th</sup> Street).

Accordingly, on behalf of my client I respectfully now appear, I request that my client by my office be made a party to this proceeding for the purposes of notice and opportunity to be heard; and my client respectfully reserves all objection(s), claims, and remedies regarding the proposed development (including protest of map amendment hereby made; and any other similar protocols).

On behalf my client and my office, I thank you for the courtesies.

Very Truly Yours,



Attorney Mark P. Murphy  
Attorney for Bird Ladder & Equipment Co., Inc.

Cc client  
Ald. Zielinski  
AEE, LLC