

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, FEBRUARY 18, 2021, 7:00 P.M.

The YouTube channel “City of Franklin WI” will be live streaming the Plan Commission meeting so that the public will be able to watch and listen to the meeting.

<https://www.youtube.com/c/CityofFranklinWIGov>.

A. **Call to Order and Roll Call**

B. **Approval of Minutes**

1. Approval of regular meeting of February 4, 2021.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

1. **THE SHOPPES AT WYNDHAM VILLAGE LAND DIVISION.** Certified Survey Map application in conjunction with a Land Division Variance application, by Franklin-Wyndham, LLC, to create a separate lot for the Pick ‘n Save store at 7780 South Lovers Lane Road (while retaining the remainder of The Shoppes at Wyndham Village on a single lot), without the required public street frontage [the proposed lot will be accessed via reciprocal access easements already approved throughout the development], properties located at 7700-7780 South Lovers Lane Road, zoned CC City Civic Center District and C-1 Conservancy District; Tax Key Nos. 794-9999-006.
2. **CITY OF FRANKLIN COVID-19 VIRUS VACCINATION CLINIC AT THE MILWAUKEE COUNTY SPORTS COMPLEX.** Temporary Use application by Courtney Day, RN, BSN, Director of Health and Human Services/Health Officer of the City of Franklin Health Department, for a temporary vaccination site (pending a Special Use Amendment application by the County of Milwaukee to address this and other event types in the facility) for the City of Franklin, City of Greendale, City of Greenfield and the Village of Hales Corners Health Departments’ vaccination clinic, at the Milwaukee County Sports Complex located at 6000 West Ryan Road, for an estimated three days a week through the summer of 2021 (staff recommending that the Use expire on December 31, 2021), from 8:00 a.m. to 6:00 p.m. [signage to route traffic and additional handicapped and staff parking areas will be established for the clinic] [specific dates of services to be determined by the City Health Officer, dependent upon Plan Commission approval of the Use, County approval of the use of the facility and vaccine supply],

property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999-001 and 882-9987-001.

E. Adjournment

*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

**Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

Next Regular Plan Commission Meeting: March 4, 2021

City of Franklin
Plan Commission Meeting
February 4, 2021
Minutes

unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the February 4, 2021, regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Commissioners Patrick Leon and Adam Burckhardt, City Engineer Glen Morrow and Alderman Mark Dandrea. Excused was Commissioner Patricia Hogan. Also present were Principal Planner Regulo Martinez-Montilva and City Attorney Jesse Wesolowski. Planning Manager Heath Eddy and Commissioner Kevin Haley participated remotely. City Engineer Morrow left the room at 7:27 p.m.

B. Approval of Minutes

1. Regular Meeting of January 7, 2021 Alderman Dandrea moved and Commissioner Leon seconded approval of the January 7, 2021 regular meeting minutes. On voice vote, all voted 'aye'. Motion carried (5-0-1).

C. Public Hearing Business Matters

1. None.

D. Business Matters

3. HOLTERMAN, THE 7930-32 S. 68TH ST. CONDOMINIUMS, TWO-UNIT CONDOMINIUM PLAT.

Declaration of Condominium Plat application by Randall R. Holterman, Trustee, Raymond and Carol Holterman Revocable Trust, for conversion of an attached, two-family residence into a two-unit condominium (The 7930-32 S. 68th St. Condominiums) with approximately 2,000 square feet of living area in each unit, for property zoned R-7 Two-Family Residence District, located at 7930 South 68th Street; Tax Key No. 805-9989-006.

Principal Planner Regulo Martinez-Montilva presented the request by Randall R. Holterman, Trustee, Raymond and Carol Holterman Revocable Trust, for conversion of an attached, two-family residence into a two-unit condominium (The 7930-32 S. 68th St. Condominiums) with approximately 2,000 square feet of living area in each unit, for property zoned R-7 Two-Family Residence District, located at 7930 South 68th Street; Tax Key No. 805-9989-006.

Alderman Dandrea moved and Commissioner Leon seconded a motion to recommend approval of a Resolution conditionally approving a Condominium Plat for the 7930-32 S. 68th St. condominiums development at 7930 South 68th street. On voice vote, all voted 'aye'. Motion carried (5-0-1).

1. CITY OF FRANKLIN INDUSTRIAL PARK MUNICIPAL SANITARY LIFT STATION REPLACEMENT. Site Plan application by the City of Franklin, applicant (Zeta Company, LLP, property owner), for the construction (replacement) of a new sanitary lift station, including a lift station building (approximately 736 square feet), below grade wet well, asphalt driveway, landscaping and site lighting, for property zoned Planned Development District No. 7 (Franklin Industrial Park), located at 5801 West Franklin Drive; Tax Key No. 931-0006-001 [the existing lift station is located within the right-of-way of South 60th Street, while the new station would be located 150 feet south on property currently owned by Zeta Company, LLP (the City of Franklin has commenced negotiations with the property owner to purchase an approximately 0.470 acre parcel) [the City of Franklin Economic Development Commission has recommended approval of the Site Plan at its meeting on January 25, 2021]].

2. RYANWOOD MANOR SUBDIVISION COMMUNITY FIRE PIT WITH SURROUNDING STONE CIRCLE WITHIN AN OUTLOT AND STORMWATER EASEMENT RELOCATION. Miscellaneous and Affidavit of Correction applications by Oakwood at Ryan Creek, LLC, to allow for the installation of a 5 feet in diameter by 2 1/2 foot high community fire pit with an approximately 18 feet in diameter surrounding stone circle, within Outlot 1 of Ryanwood Manor subdivision [construction within outlots is prohibited unless approved by the City of Franklin], and modifications to stormwater drainage easement #1 of the subdivision, specifically, reducing the easement to a 20 foot strip along the underground utilities within Outlot 1, extending from Lot 1 to the south to right-of-way to the west [this easement is currently covering the entire Outlot 1 and is in part of Lots 1, 2, 3 and

Principal Planner Regulo Martinez-Montilva presented the request by the City of Franklin, applicant (Zeta Company, LLP, property owner), for the construction (replacement) of a new sanitary lift station, including a lift station building (approximately 736 square feet), below grade wet well, asphalt driveway, landscaping and site lighting, for property zoned Planned Development District No. 7 (Franklin Industrial Park), located at 5801 West Franklin Drive; Tax Key No. 931-0006-001 [the existing lift station is located within the right-of-way of South 60th Street, while the new station would be located 150 feet south on property currently owned by Zeta Company, LLP (the City of Franklin has commenced negotiations with the property owner to purchase an approximately 0.470 acre parcel) [the City of Franklin Economic Development Commission has recommended approval of the Site Plan at its meeting on January 25, 2021]].

Alderman Dandrea moved and Commissioner Leon seconded a motion to approve a Resolution approving a Site Plan for construction of a new lift station to replace the existing municipal sanitary lift station in the City of Franklin Industrial Park (5801 West Franklin Drive). On voice vote, all voted 'aye'. Motion carried (5-0-1).

Principal Planner Regulo Martinez-Montilva presented the request by Oakwood at Ryan Creek, LLC, to allow for the installation of a 5 feet in diameter by 2 1/2 foot high community fire pit with an approximately 18 feet in diameter surrounding stone circle, within Outlot 1 of Ryanwood Manor subdivision [construction within outlots is prohibited unless approved by the City of Franklin], and modifications to stormwater drainage easement #1 of the subdivision, specifically, reducing the easement to a 20 foot strip along the underground utilities within Outlot 1, extending from Lot 1 to the south to right-of-way to the west [this easement is currently covering the entire Outlot 1 and is in part of Lots 1, 2, 3 and 4 at variable widths as well as the entirety of Outlot 1] and relocating 4 tree plantings currently located within the proposed easement to the outside of the easement, but still within Outlot 1, subdivision located at approximately 10116 South Creekview Court, property zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-0033-000.

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution authorizing the installation of a community fire pit with a surrounding stone circle and an Affidavit of Correction to

4 at variable widths as well as the entirety of Outlot 1] and relocating 4 tree plantings currently located within the proposed easement to the outside of the easement, but still within Outlot 1, subdivision located at approximately 10116 South Creekview Court, property zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-0033-000.

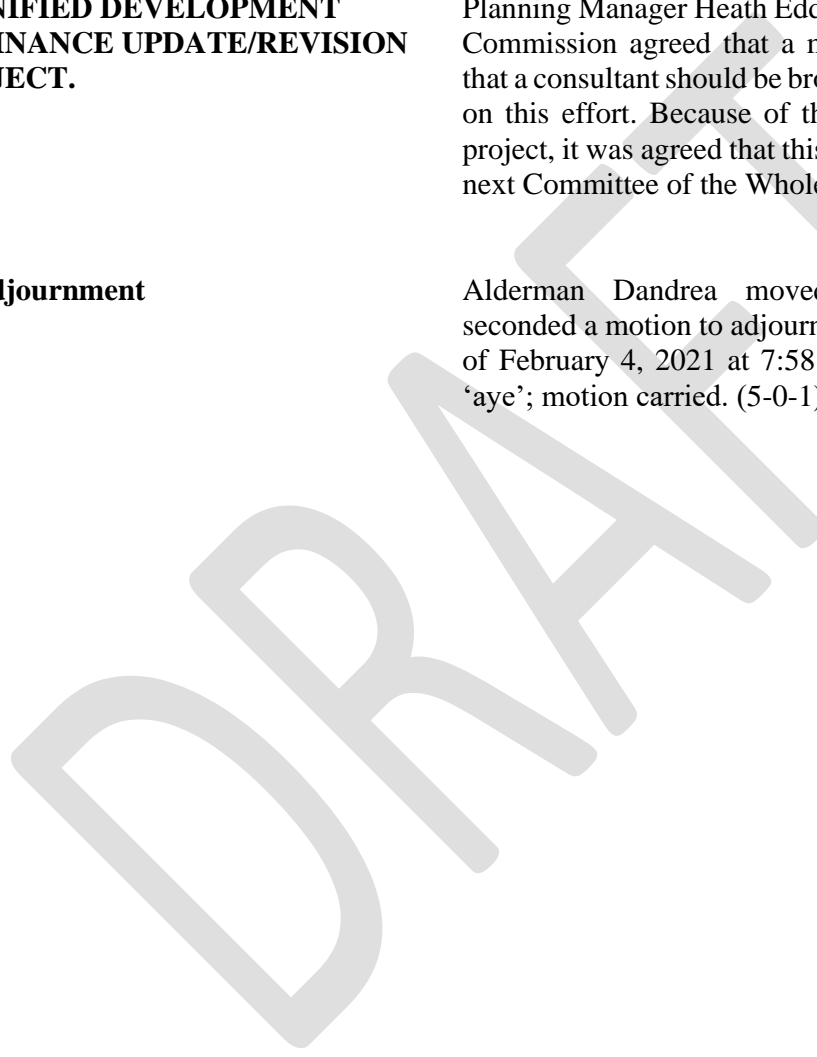
reduce the stormwater drainage easement #1 within Outlot 1 of Ryanwood Manor subdivision located at approximately 10116 South Creekview Court (tax key no. 934-0033-000). On voice vote, all voted 'aye'. Motion carried (5-0-1).

**4. UNIFIED DEVELOPMENT
ORDINANCE UPDATE/REVISION
PROJECT.**

Planning Manager Heath Eddy presented this item. The Plan Commission agreed that a major rewrite was needed, and that a consultant should be brought in to provide staff support on this effort. Because of the contractual necessity of the project, it was agreed that this item should be included in the next Committee of the Whole meeting. No motion carried.

E. Adjournment

Alderman Dandrea moved and Commissioner Leon seconded a motion to adjourn the Plan Commission meeting of February 4, 2021 at 7:58 p.m. On voice vote, all voted 'aye'; motion carried. (5-0-1).





CITY OF FRANKLIN

Item D.1

REPORT TO THE PLAN COMMISSION

Meeting of February 18, 2021

Certified Survey Map/Land Division Variance

RECOMMENDATION: Department of City Development staff recommends approval of the Land Division Variance and the Certified Survey Map, subject to the conditions set forth in the attached resolution.

Property Owner/Applicant:	Franklin-Wyndham, LLC
Street Address/Tax Key Number:	7700-7780 S. Lovers Lane Road/794-9999-006
Lot Size:	21.68 acres
Zoning District:	CC City Civic Center
Land Division Variance Request:	To permit creation of a new lot without public street frontage.
CSM Proposal:	To create a new Lot 2 for the Pick-n-Save property and associated parking.
Staff Planner:	Heath Eddy, AICP

APPLICANT’S REQUEST

The applicant is requesting approval of a revised 2-lot Certified Survey Map (CSM) to create a new Lot 2 for the building, parking, and loading area associated with the Pick-n-Save grocery store at the Shoppes at Wyndham Village. As part of this request, the applicant is also requesting approval of a Land Division Variance to Section 15-5.0101(B)(1) to permit creation of a new lot without public street frontage.

CHARACTER OF THE SITE AND SURROUNDING AREA

The subject property is the aforementioned Shoppes at Wyndham Village, which was largely developed in the early 2000s with a Target, Summit Credit Union, various small shops in two multi-tenant buildings, a soon-to-be opened Learning Experience daycare/nursery school facility, and the Pick-n-Save.

The property is bordered to the east, southeast, and south with significant wetland areas which are designated with Conservation Easements under prior approvals. To the north of the subject

property is the Wyndham Ridge subdivision; to the east is the Risen Savior Lutheran Church; and to the west are a gas station and the developing Bodner apartments complex.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval in order to create a separate lot for the Pick-n-Save store including the parking area and the loading area to the rear of the building. This is technically the third “Lot 2” of the Shoppes at Wyndham Village, but the other two include the Target store (approved as Lot 2 on CSM #8000) and a still-vacant property owned by the applicant with frontage along Drexel Avenue adjacent to the right in-right out (approved as Lot 2 on CSM #8567). The proposed lot is 4.25 acres in size.

In order to approve the proposed CSM, the applicant needs approval of a Land Division Variance by the Plan Commission to waive the requirement of Section 15-5.0101(B)(1) which states that

“The Certified Survey Map or Subdivision shall be designed so as to provide each lot with a minimum of 60 feet frontage along a public street.”

The applicant has provided written justification for this request (see attached) based on the requirements in Section 15-9.0310(B). Staff review based on these standards is provided below.

UNIFIED DEVELOPMENT ORDINANCE REQUIREMENTS

In order to approve the CSM, the Plan Commission and Common Council must find that the proposed land division meets the requirements for a CSM as provided in the Unified Development Ordinance, including all standards for development as provided in the following sections of the UDO:

- Division 15-7.0700 Certified Survey Map
- Division 15-5.0100 Design Standards for Land Divisions
- Division 15-8.0100 Required Improvements for Land Divisions
- Division 15-8.0200 Construction

In addition, the request for a Land Division Variance is evaluated and approved based on the standards contained in the following section of the UDO”

- §15-9.0310(B) Plan Commission Findings of Fact and Conditions, Land Division Variances

Staff’s review comments regarding the CSM is provided in the appendix. There were a few minor comments that are included for follow-up with the City and the Milwaukee County Register of Deeds office, but nothing of major issue. The primary issue is the Land Division Variance request. The following is staff’s analysis of this request.

Plan Commission Findings of Fact and Conditions – Land Division Variances (§15-9.0310(B))

No variance to the provisions of Divisions 15-5.0100, 15-8.0100, and 15-8.0200 of this Ordinance shall be granted unless the Plan Commission finds by the greater weight of the

evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

Standard 1: Exception Circumstances. (a) There is exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship. (b) Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed.

Staff's Findings: It would be extremely difficult to create a lot under the provisions of Section 15-5.0101(B)(1) with respect to the subject property as currently developed. The cross-access easements are already in place and therefore the applicant does not need to provide additional access as a condition of approval. The rationale for the frontage requirement is typical with single family residential developments and to prevent landlocking properties, but does not apply in this case. In staff's opinion this standard is met.

Standard 2: Preservation of Property Rights. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

Staff's Findings: The applicant's request is merely to permit creation of the only lot that doesn't have direct frontage on a public street. To the extent this impacts adjacent property rights, it verifies that commercial development of the type established at the Shoppes at Wyndham Village is logically established and should be maintained. The same standard should be applied to other similar developments across the City of Franklin. Therefore, in staff's opinion this standard is met.

Standard 3: Absence of Detriment. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

Staff's Findings: With respect to conditions on the ground, the CSM at the heart of this request is only placing a legal property line around an already-existing Pick-n-Save store. The applicant is creating the opportunity to sell the property rather than retain a lease as the only method of transaction. As mentioned above, this type of request, when applied to a commercial operation such as the Shoppes at Wyndham Village, does not create substantial detriment to adjacent properties nor will it be contrary to the public interest. In staff's opinion, this standard is met.

CONCLUSION AND RECOMMENDATION

Staff recommends the following:

1. Approval of the Land Division Variance to waive the requirement for public street frontage under Section 15-5.0101(B)(1);
2. Recommend approval of the Certified Survey Map, subject to the recommended conditions as contained in the draft Resolution.

APPENDICES

1. Site Map
2. Proposed Land Division Variance Resolution of Adoption
3. Proposed CSM Resolution of Adoption
4. Application Forms (Land Division Variance and CSM).
5. Staff Review Comments to Applicant
6. Applicant's Land Division Variance Justification
7. Proposed CSM

RESOLUTION NO. 2021-_____

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE FOR A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8567, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377 AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(FRANKLIN-WYNDHAM, LLC, APPLICANT)
(AT 7700-7780 SOUTH LOVERS LANE ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application from Franklin-Wyndham, LLC, for a land division variance to allow for the creation of a lot without the required public street frontage, such variance being necessary as a concurrent application for approval of a certified survey map, such map being a redivision of Lot 1 of Certified Survey Map No. 8567, being a redivision of Lot 1 of Certified Survey Map No. 8000, parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377 and lands in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the properties located at 7700-7780 South Lovers Lane Road, bearing Tax Key No. 794-9999-006, Franklin-Wyndham, LLC, applicant; and

WHEREAS, §15-9.0310 of the Unified Development Ordinance allows for Land Division Variances in part from the provisions of Division 15-5.0100, §15-5.0101.B.1. providing that public street frontage is required; and

WHEREAS, §15-9.0310 of the Unified Development Ordinance sets forth findings which must be made by the Plan Commission and approved by a majority vote of the entire membership of the Plan Commission (4 votes) for approval of a Land Division Variance application.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Commission makes the following findings upon the greater weight of the evidence that all the following facts and conditions exist:

1. There are exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship, to wit: CSM No. 8567 uniquely configured the Site in an almost “glove-like” fashion when it established the three separate outlots but with two other

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE
FOR FRANKLIN-WYNDHAM, LLC
RESOLUTION NO. 2021-_____

Page 2

outlot “fingers” extending from the base (bearing the designation of Lot 1). By virtue of careful traffic engineering and design, the Site is served by the two access points along Drexel Avenue. Over the years there has not been any need to construct new public streets for the Site as the layout is highly functional and the public is very familiar with the internal circulation patterns and access points. The design also maximizes the commercial development opportunities and values at the Site. The unique layout of the Site also includes the wetlands area Natural Resource Features on the south and east sides of Lot 1. Cloverleaf did not create the unique “glove-like” configuration so it is not a self-imposed hardship. In fact, one of the reasons Cloverleaf is proposing the New Lot is to better align the parcels at the Site with contemporary ownership, management, maintenance and operational standards. Constructing a new public street to the Pick ‘n Save is unfeasible and undesirable given the Natural Resources Features surrounding the New Lot and where the rest of the Site is nearly fully developed, yet adequately served by the existing public streets and access points. A severe hardship will result by the literal enforcement of the public street frontage requirements under the totality of the circumstances that exist related to the exceptional, extraordinary, or unusual circumstances that exist pertaining to the Site.

2. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed, to wit: The unique layout and parcel configurations at the Shoppes at Wyndham Village are due to the development and sale history of the Site, as well as land use plan design to position the large format retail stores (Target and Pick ‘n Save) adjacent to each other at the interior with a series of successful outlots at the perimeter. The Site is also located at a major intersection consisting of Lovers Lane Road – a state highway (STH 100) – and Drexel Avenue, one of the City’s main east-west thoroughfares. The specific location and configuration of the Site, and the previous land divisions over the years by prior owners, establish that these conditions are not of such a recurrent nature that they should generally apply to other properties in the City. In other words, it does not appear appropriate or necessary to amend or repeal the section of the UDO regarding 60 feet of frontage along a public street. The City-wide standard can be preserved but the unique circumstances in this limited instance can be addressed by granting a land division variance.

3. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity, to wit: Current market conditions typically locate full-service grocery stores on separate parcels to better facilitate property management, maintenance and cost-sharing elements. The proposed CSM simply creates the New Lot so that Pick ‘n Save is located on a separate parcel but neither the CSM nor the variance will result in any physical

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE
FOR FRANKLIN-WYNDHAM, LLC
RESOLUTION NO. 2021-_____

Page 3

changes at the Site. In addition, all of the Natural Resource Features and storm water facilities will remain intact and associated with Lot 1. The proposed CSM also includes the existing parking and cross access easement, utility easements, and conservation easement so the substantial property rights possessed by other properties will be preserved. For all of these reasons, the New Lot to be created by the CSM and this variance will serve to generally preserve and enhance the enjoyment of the property rights by other properties in the vicinity.

4. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest, to wit: The proposed variance will not be a detriment to any adjacent property owner, but rather will be consistent and compatible with the existing conditions at the Site and the properties surrounding it. Even though a new parcel will be created, the New Lot will not result in any physical changes at the Site such that neither the CSM nor the variance will create any substantial detriment. The access points to Drexel Avenue will remain and all of the parcels will continue to be served by the parking and cross access easement. Similarly, the Natural Resource Features and storm water facilities will remain intact along with the existing conservation easement and utility easements. Further, granting the requested variance will not materially impair or be contrary to the purpose and spirit of Section 15-5.0101.B.1., UDO. Street frontage ordinance standards are commonly adopted to prevent “landlocked” parcels and otherwise ensure adequate ingress and egress from a property. The Site, however, is 25+ acres and the public interest is served by the careful traffic engineering and design for the Site concentrating the public street access at the points along Drexel Avenue. It would be contrary to the public interest to construct a new public street to the Pick ‘n Save given the Natural Resources Features surrounding the New Lot and the nearly fully-developed outlots. Finally, the purpose and spirit of the public street frontage ordinance will be met by virtue of the parking and cross access easement.

BE IT FURTHER RESOLVED, that the application by Franklin-Wyndham, LLC, for a Land Division Variance, upon the above findings, be and the same is hereby approved, subject to the approval of the aforesaid certified survey map application by Franklin-Wyndham, LLC.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2021.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2021.

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE
FOR FRANKLIN-WYNDHAM, LLC
RESOLUTION NO. 2021-_____

Page 4

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2021-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT
CERTIFIED SURVEY MAP, BEING A REDIVISION OF LOT 1 OF CERTIFIED
SURVEY MAP NO. 8567, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY
MAP NO. 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED
SURVEY MAP NO. 377 AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST
1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21
EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(FRANKLIN-WYNDHAM, LLC, APPLICANT)
(AT 7700-7780 SOUTH LOVERS LANE ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a redivision of Lot 1 of Certified Survey Map No. 8567, being a redivision of Lot 1 of Certified Survey Map No. 8000, parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377 and lands in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the properties located at 7700-7780 South Lovers Lane Road, bearing Tax Key No. 794-9999-006, Franklin-Wyndham, LLC, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Franklin-Wyndham, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9 of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such

FRANKLIN-WYNDHAM, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2021-_____

Page 2

Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Franklin-Wyndham, LLC, successors and assigns, and any developer of the Franklin-Wyndham, LLC 2 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Franklin-Wyndham, LLC and the 2 lot certified survey map project for the properties located at 7700-7780 South Lovers Lane Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. All revisions specified by the City of Franklin and Milwaukee County shall be satisfactorily addressed prior to recording.
7. Franklin-Wyndham, LLC, successors and assigns, shall ensure that all buildings located on proposed Lot 2 of this CSM shall be in compliance with the requirements of the Wisconsin Commercial Building Code, particularly with respect to fire separation requirements.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, Franklin-Wyndham, LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

FRANKLIN-WYNDHAM, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2021-_____

Page 3

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, Franklin-Wyndham, LLC, with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

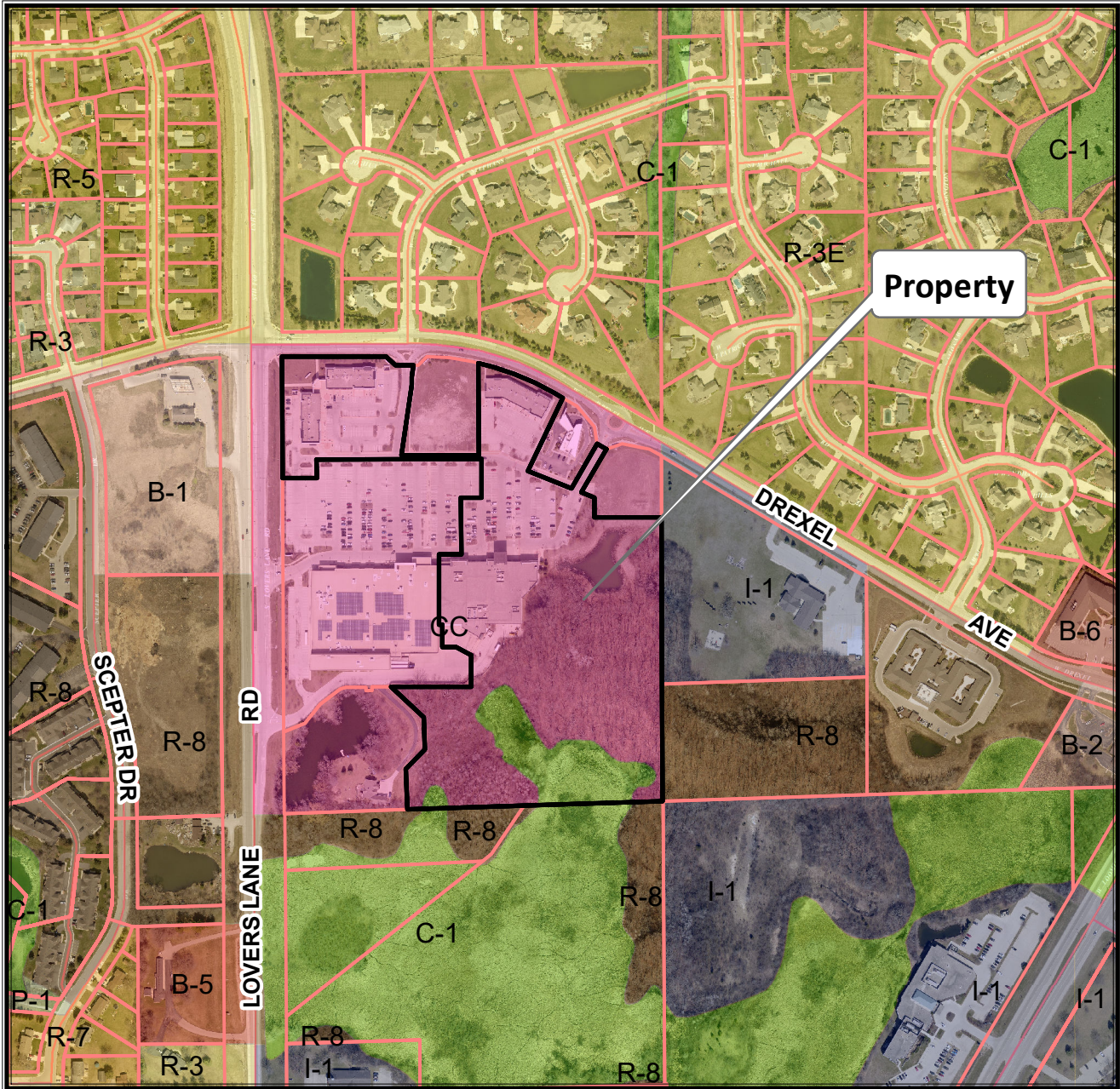
Stephen R. Olson, Mayor

ATTEST:

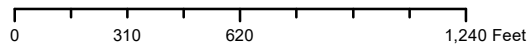
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7700 & 7780 S. Lovers Lane Road
TKN: 794 9999 006

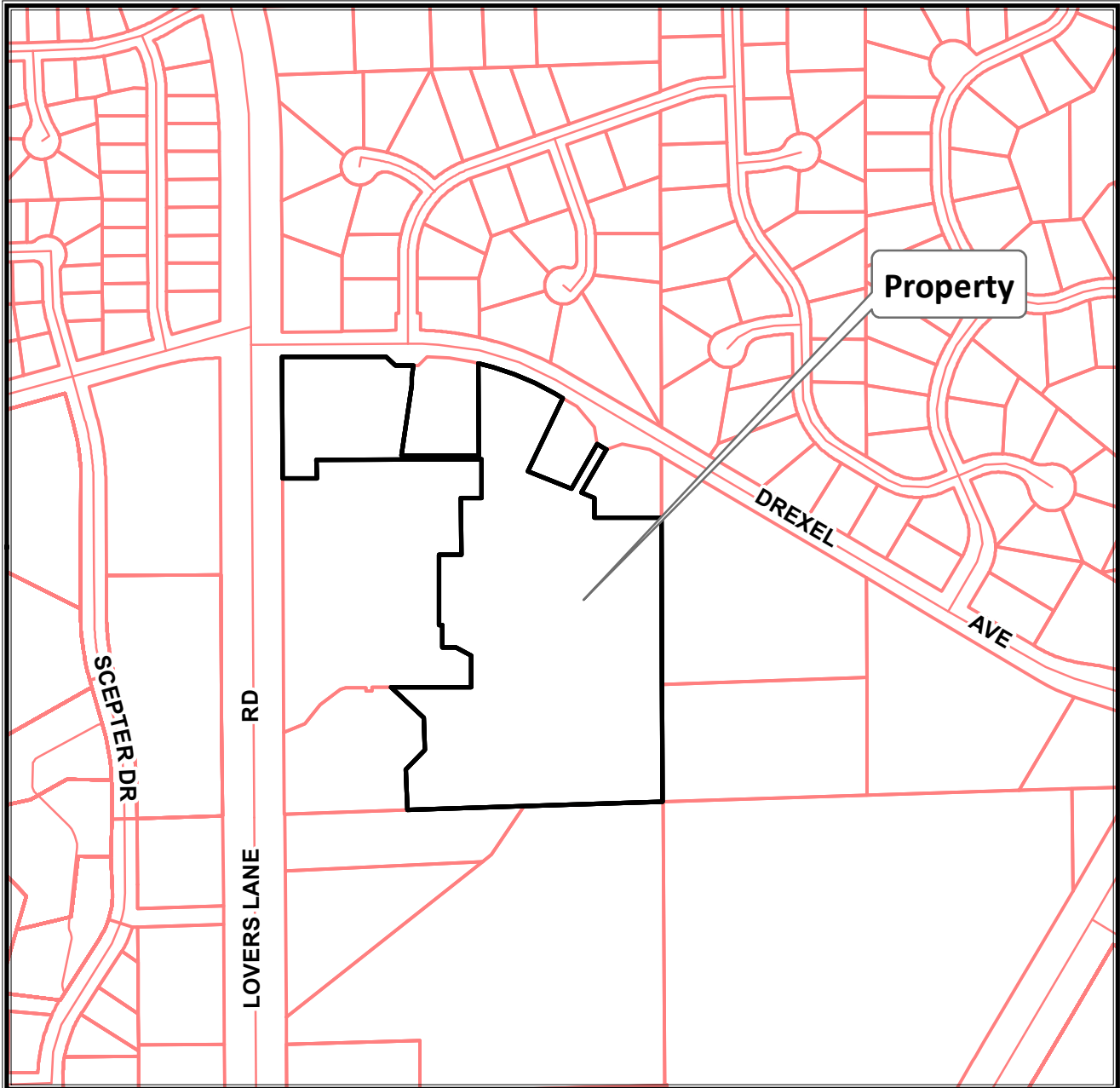


Planning Department
(414) 425-4024

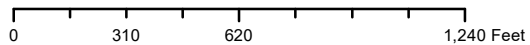


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

7700 & 7780 S. Lovers Lane Road
TKN: 794 9999 006



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



Planning Department
9229 West Loomis Road
Franklin, Wisconsin 53132
Email: generalplanning@franklinwi.gov

City Development



City of Franklin

Phone: (414) 425-4024
Fax: (414) 427-7691
Web Site: www.franklinwi.gov

Date of Application: _____

VARIANCE AND APPEALS APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Property Owner/Legal Entity (Full Legal Name[s]):

Name: Franklin-Wyndham, LLC
Name: c/o Jonathan E. Basofin
Mailing Address: 666 Dundee Road, Suite 901
City / State: Northbrook, IL Zip: 60062
Phone: 847.272.3300
Email Address: jeb@cleafgroup.com

Applicant is Represented by (contact person) (Full Legal Name[s]):

Name: Brian C. Randall
Company: Davis & Kuelthau, s.c.
Mailing Address: 111 E. Kilbourn Avenue, Suite 1400
City / State: Milwaukee, WI Zip: 53202
Phone: 414.225.1484
Email Address: randall@dkattorneys.com

Project Property Information:

Property Address: 7700-7800 S. Lovers Lane Rd.
Tax Key Nos: 794-9999-006
Existing Zoning: CC; C-1
Existing Use: Commercial
Proposed Use: No Change
Future Land Use Identification: Mixed Use; Areas of Natural Resource Features

Variance Type Requested:

- Administrative Appeal * UDO Section 15-10.0205
- Area Variance * UDO Section 15-10.0206
- Use Variance * UDO Section 15-10.0207
- Non-Conforming Use(s) UDO Section 15-3.1010E
- Land Division Variance** UDO Section 15-9.0310

The 2025 Comprehensive Master Plan [Future Land Use Map](http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm) is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>
The Unified Development Ordinance is available at the City's website: www.franklinwi.gov

Variance and Appeals Application submittals for review must include and be accompanied by the following:

(See Section 15-10.0206 of the Unified Development Ordinance for additional Variance requirements and procedures.)

- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin: \$250
- Legal Description for the subject property (WORD.doc or compatible format).
- Seven (7) complete collated sets of Application materials to include:
 - One (1) original and six (6) copies of a written Project Summary describing the project and including the information requested in Sections 15-9.0105C. (Administrative Appeal) or 15-9.0106C. (Variance) of the Unified Development Ordinance.
 - Three (3) **folded** full size, drawn to scale copies of the Plat of Survey, Site Plan, Building Elevations, Landscape Plan and Outdoor Lighting Plan, as appropriate, Photographs and any other supporting documents, which illustrate the Variance request.
 - Four (4) **folded** reduced size (11"x17") copies of the above stated submittal materials.
- Three (3) Affidavit Forms with original and notarized signatures (facsimiles and copies will not be accepted).
- *Completed "Findings and Factors in the Review of Variances" Form (from Sections 15-10.0206C.1. and 15-10.0211 of the UDO).
- **Completed "Findings and Factors in the Review of Land Division Variances" Form (from Sections 15-9.0310B.1 of the UDO).
- Email (or CD ROM) with all plans/submittal materials (where applicable). Plans must be submitted in both Adobe PDF and AutoCAD compatible format.

- *Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- *Most Variance and Appeal requests require a public hearing prior to Board or Commission approval.

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

Signature - Property Owner

Jonathan E. Basofin, President of The Cloverleaf Real Estate Group Inc., the Manager of Franklin-Wyndham, LLC
Name & Title (PRINT)
Date: 1/12/21

Signature - Property Owner

Name & Title (PRINT)
Signature - Applicant's Representative
Brian C. Randall, Attorney
Name & Title (PRINT)
Date: 1/27/21



Affidavit

I hereby depose and say that all the statements contained in any and all papers submitted herewith this Application are true.

Signature of Property Owner 1 [Signature] Signature of Property Owner 2: _____

Name and Title: Jonathan E. Basofin, President Name and Title: _____
The Cloverleaf Real Estate Group, Inc.
Manager of Franklin-Wyndham, LLC

STATE OF ILLINOIS)
) SS
COOK COUNTY)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF January, 2021.

[Signature]

NOTARY PUBLIC



COOK COUNTY, ILLINOIS
My Commission Expires: 3/15/21

STAFF USE ONLY: DISPOSITION BY BOARD OF ZONING AND BUILDING APPEALS

Application Received (Date): _____ Case No. _____

Property Owner(s) Name: _____

Property Address: _____

BZBA Meeting Date: _____

Approved Denied

Signature of Board Members

_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				



Affidavit

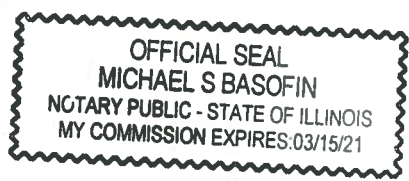
I hereby depose and say that all the statements contained in any and all papers submitted herewith this Application are true.

Signature of Property Owner 1: [Signature] Signature of Property Owner 2: _____

Name and Title: Jonathan E. Basofin, President Name and Title: _____
The Cloverleaf Real Estate Group, Inc.
Manager of Franklin-Wyndham, LLC

STATE OF ILLINOIS)
) SS
COOK COUNTY)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF January, 2021.



[Signature]
NOTARY PUBLIC
COOK COUNTY, ILLINOIS
My Commission Expires: 3/15/21

STAFF USE ONLY: DISPOSITION BY BOARD OF ZONING AND BUILDING APPEALS

Application Received (Date): _____ Case No. _____

Property Owner(s) Name: _____

Property Address: _____

BZBA Meeting Date: _____

Approved Denied

Signature of Board Members

_____	_____ Yes	_____ No	_____ Abstain	_____ Recuses
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recuses
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recuses
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recuses
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recuses
Print Name				



Affidavit

I hereby depose and say that all the statements contained in any and all papers submitted herewith this Application are true.

Signature of Property Owner 1: [Signature] Signature of Property Owner 2: _____

Name and Title: Jonathan E. Basofin, President Name and Title: _____
The Cloverleaf Real Estate Group, Inc.
Manager of Franklin-Wyndham, LLC

STATE OF ILLINOIS)
) SS
COOK COUNTY)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF Jan., 2021.



[Signature]
NOTARY PUBLIC
COOK COUNTY, ILLINOIS
My Commission Expires: 3/15/21

STAFF USE ONLY: DISPOSITION BY BOARD OF ZONING AND BUILDING APPEALS

Application Received (Date): _____ Case No. _____

Property Owner(s) Name: _____

Property Address: _____

BZBA Meeting Date: _____

Approved Denied

Signature of Board Members

_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				
_____	_____ Yes	_____ No	_____ Abstain	_____ Recues
Print Name				

Date of Application: _____

CERTIFIED SURVEY MAP (CSM) APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Applicant (Full Legal Name[s]):

Name: Jonathan E. Basofin
 Company: Franklin-Wyndham, LLC
 Mailing Address: 666 Dundee Road, Suite 901
 City / State: Northbrook, IL Zip: 60062
 Phone: 847.272.3300
 Email Address: jeb@cleafgroup.com

Applicant is Represented by: (contact person)(Full Legal Name[s])

Name: Brian C. Randall
 Company: Davis & Kuelthau, s.c.
 Mailing Address: 111 E. Kilbourn Avenue, Suite 1400
 City / State: Milwaukee, WI Zip: 53202
 Phone: 414.225.1484
 Email Address: brandall@dkattorneys.com

Project Property Information:

Property Address: 7700-7800 S. Lovers Lane Rd.
 Property Owner(s): Franklin-Wyndham, LLC
 Mailing Address: 666 Dundee Road, Suite 901
 City / State: Northbrook, IL Zip: 60062
 Email Address: jeb@cleafgroup.com

Tax Key Nos: 794-9999-006
 Existing Zoning: CC; C-1
 Existing Use: Commercial
 Proposed Use: No Change
 CMP Land Use Identification: Mixed Use; Areas of Natural Resource Features

*The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>

Certified Survey Maps shall be prepared as provided in § 236.34 (1m) (c) Wis. Stats. and Division 15-7.0700 of the Unified Development Ordinance.

Certified Survey Map submittals for review must include and be accompanied by the following:

- Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds: \$75
 - Two (2) original map copies for Milwaukee County review, prepared at 8-1/2" wide by 14" long on durable white paper.
- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin: \$1,500
- Seven (7) complete sets of Application materials, for City of Franklin review to include:
 - Project Summary: a written detailed description of the project: One (1) original and six (6) copies
 - Map Copies: One (1) original map copy and six (6) map copies prepared at 8-1/2" wide by 14" long and must be clearly legible.
- As may be required, seven (7) copies of a "Natural Resource Protection Plan and "Landscape Plan" for any landscape bufferyard easement areas.
- If applicable, three (3) copies of the Natural Resource Protection report (see Division 15-9.0309D of the UDO).
- If applicable, one copy of the Site Intensity and Capacity Calculations (see Division 15-3.0500 of the UDO).
- Email (or CD ROM) with all plans and submittal materials in Adobe PDF. (May be waived by City Planner.)

- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- All Certified Survey Map requests require Plan Commission review and Common Council approval.
- All Certified Survey Map requests shall comply with Chapter 236 of the Wisconsin State Statutes.

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).


 Signature - Property Owner
 Jonathan E. Basofin, President of The Cloverleaf Real Estate Group Inc., the Manager of Franklin-Wyndham, LLC
 Name & Title (PRINT)
 Date: 1/12/21


 Signature - Applicant
 Jonathan E. Basofin, President of The Cloverleaf Real Estate Group Inc., the Manager of Franklin-Wyndham, LLC
 Name & Title (PRINT)
 Date: 1/12/21

Signature - Property Owner
 Name & Title (PRINT)
 Date: _____

Signature - Applicant's Representative
 Name & Title (PRINT)
 Date: _____

MEMORANDUM

Date: February 5, 2021
To: Jonathan E. Basofin, Franklin-Wyndham, LLC
CC: Brian C. Randall, Davis & Kuelthau, s.c.
From: Department of City Development.
RE: Certified Survey Map and Land Division Variance applications, 7700-7780 S. Lovers Lane Road

Please be advised that City Staff has reviewed the above applications received on January 20, 2021, for a two-lot Certified Survey Map (CSM) and accompanying Land Division Variance to create a separate Lot 2 for the Pick-n-Save at the Shoppes at Wyndham Village located at 7700-7800 S. Lovers Lane Road. Please note the following comments:

Department of City Development

1. The CSM Sheet 1 of 17 includes some incorrect zoning designations for adjacent properties, as required per Section 15-7.0702(M). Please provide the following corrections to the zoning designations for adjacent properties:
 - a. Megna Living Trust (west side of Lovers Lane Road): B-1
 - b. 122nd Street Land Company (west side of Lovers Lane Road): R-8
 - c. State of Wisconsin (south of property): R-8 and C-1
 - d. Wyndham Ridge Subdivision (north of Drexel Avenue): R-3E
2. The Surveyor's Certificate (Sheet 15 of 17) provides a legal description that only includes a total acreage for Lot 1. There doesn't appear to be a written legal description for the proposed Lot 2.

Engineering Department Comments

3. *No comments on the Land Division Variance request. Staff is still reviewing the technical aspects of the CSM.*

Fire Department Comments

4. *The fire department has no comments or concerns.*

Police Department Comments

5. *The police department has no issues with this project.*

Inspection Services Department Comments

6. *As I understand the proposal, the resulting change would create a new property line between the Pick N' Save building and the adjacent tenant spaces. Since both sections of the building are connected, the approval should include a condition that the building be reviewed for compliance with the Wisconsin Commercial Building Code (specifically IBC chapters 5, 6 & 7) with regard to the fire separation requirements. Any resulting Building Code violations will need to be corrected*

through Inspection Services.

7. *Inspection Services has no comments on the Land Division Variance at this Time.*

Milwaukee County Register of Deeds

See the attached cover letter from the MCRD.

Findings and Factors in the Review of Land Division Variances

Date: January 15, 2021

Case No. _____

Property Owner: Franklin-Wyndham, LLC

Property Address: 7700-7780 S. Lovers Lane Rd.

Section 15-9.0310B.1 of the City of Franklin Unified Development Ordinance states, “No variance to the provisions of Divisions 15-5.0100, 15-8.0100, and 15-8.0200 of this Ordinance shall be granted unless the Plan Commission finds by the greater weight of the evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

1. There is exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship.

See Supplement to the Findings and Factors in the Review of Land Division Variances Form, attached.

2. Such hardships should not apply generally to other properties or be such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed.

See Supplement to the Findings and Factors in the Review of Land Division Variances Form, attached.

3. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

See Supplement to the Findings and Factors in the Review of Land Division Variances Form, attached.

4. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

See Supplement to the Findings and Factors in the Review of Land Division Variances Form, attached.



Supplement to the Findings and Factors in the Review of Land Division Variances Form

January 15, 2021

This Supplement to the Findings and Factors in the Review of Land Division Variances Form is submitted by Franklin-Wyndham, LLC (the “Applicant”), through its attorneys, Davis & Kuelthau, s.c. and property surveyors IMEG Corp., pursuant to §§ 15-7.0700 and 15-9.0310 of the Franklin Unified Development Ordinance (“UDO”), in support of its applications for a Certified Survey Map and Land Division Variance.

A. Introduction.

First developed in 2008, The Shoppes at Wyndham Village is a 25+ acre multi-tenant retail/service center at 7700-7780 S. Lovers Lane Road (STH 100) in the southeast quadrant of the Drexel Avenue and Lovers Lane Road intersection (the “Site”). The Site has over 94,000 square feet of leasable space and is anchored by a 60,000+ square foot Pick ’n Save grocery store and “shadow anchored” by a Target store (located on a separate property owned by another party). Around the perimeter of the Site along Drexel Avenue are The Shoppes at Wyndham Village outlot parcels and buildings including three separate outlots (Learning Experience, Summit Credit Union, and a third that is currently vacant).

In 2013, the Site and outlot parcels were purchased by Franklin-Wyndham, LLC, a property ownership entity that is managed by The Cloverleaf Real Estate Group, Inc. (“Cloverleaf”). Cloverleaf is a Midwest, multigenerational commercial real estate investment firm with extensive experience owning and operating similar properties throughout Indiana and Illinois.

To bring the Site configuration and ownership structure options current with market standards, Cloverleaf proposes to create a separate parcel for Pick ’n Save as is now common for full-service grocery store sites with respect to ownership, management, maintenance and operational standards. The layout will also facilitate the development and financing of the remaining vacant outlot as well as enhance the opportunities to re-tenant any vacancies that may arise from time to time.

The separate parcel will be created by Certified Survey Map (“CSM”) that will divide the current Lot 1 to establish a separate parcel for Pick ’n Save (the “New Lot”). The related application for CSM approval has been separately filed concurrently herewith but a copy of the proposed CSM is attached for convenient reference. *See Attachment.* Cloverleaf engaged the

same surveyor who drafted CSM No. 8567 (approved on October 1, 2013 by the Common Council at the request of the previous owner) to prepare the new CSM. Importantly, Cloverleaf intends to retain on Lot 1 the existing storm water pond and primarily all of the existing wetlands as shown on the proposed CSM. *See Attachment*. However, the proposed layout of the separate parcel for Pick 'n Save will be a “landlocked” parcel and it will not have 60 feet of frontage along a public street per Section 15-5.0101.B.1., UDO.

B. Land Division Variance Findings and Factors.

Under the UDO, a land division variance may be granted for the New Lot that does not have 60 feet of frontage along a public street. *See* Section 15-5.0101.B.1., UDO. Therefore, pursuant to § 15-9.0310, Cloverleaf submits to the Plan Commission that the following facts and conditions exist for a land division variance to be granted allowing the New Lot not to have 60 feet of frontage along a public street:

- 1. There is [sic] exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship.**

CSM No. 8567 uniquely configured the Site in an almost “glove-like” fashion when it established the three separate outlots but with two other outlot “fingers” extending from the base (bearing the designation of Lot 1). By virtue of careful traffic engineering and design, the Site is served by the two access points along Drexel Avenue. Over the years there has not been any need to construct new public streets for the Site as the layout is highly functional and the public is very familiar with the internal circulation patterns and access points. The design also maximizes the commercial development opportunities and values at the Site. The unique layout of the Site also includes the wetlands area Natural Resource Features on the south and east sides of Lot 1.

Cloverleaf did not create the unique “glove-like” configuration so it is not a self-imposed hardship. In fact, one of the reasons Cloverleaf is proposing the New Lot is to better align the parcels at the Site with contemporary ownership, management, maintenance and operational standards. Constructing a new public street to the Pick 'n Save is unfeasible and undesirable given the Natural Resources Features surrounding the New Lot and where the rest of the Site is nearly fully developed, yet adequately served by the existing public streets and access points.

A severe hardship will result by the literal enforcement of the public street frontage requirements under the totality of the circumstances that exist related to the exceptional, extraordinary, or unusual circumstances that exist pertaining to the Site.

2. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed.

The unique layout and parcel configurations at the Shoppes at Wyndham Village are due to the development and sale history of the Site, as well as land use plan design to position the large format retail stores (Target and Pick 'n Save) adjacent to each other at the interior with a series of successful outlots at the perimeter. The Site is also located at a major intersection consisting of Lovers Lane Road – a state highway (STH 100) – and Drexel Avenue, one of the City's main east-west thoroughfares. The specific location and configuration of the Site, and the previous land divisions over the years by prior owners, establish that these conditions are not of such a recurrent nature that they should generally apply to other properties in the City. In other words, it does not appear appropriate or necessary to amend or repeal the section of the UDO regarding 60 feet of frontage along a public street. The City-wide standard can be preserved but the unique circumstances in this limited instance can be addressed by granting a land division variance.

3. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

Current market conditions typically locate full-service grocery stores on separate parcels to better facilitate property management, maintenance and cost-sharing elements. The proposed CSM simply creates the New Lot so that Pick 'n Save is located on a separate parcel but neither the CSM nor the variance will result in any physical changes at the Site.

In addition, all of the Natural Resource Features and storm water facilities will remain intact and associated with Lot 1. The proposed CSM also includes the existing parking and cross access easement, utility easements, and conservation easement so the substantial property rights possessed by other properties will be preserved.

For all of these reasons, the New Lot to be created by the CSM and this variance will serve to generally preserve and enhance the enjoyment of the property rights by other properties in the vicinity.

4. The variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

The proposed variance will not be a detriment to any adjacent property owner, but rather will be consistent and compatible with the existing conditions at the Site and the properties surrounding it. Even though a new parcel will be created, the New Lot will not result in any physical changes at the Site such that neither the CSM nor the variance will create any substantial detriment. The access points to Drexel Avenue will remain and all of the parcels will continue to be served by the parking and cross access easement. Similarly, the Natural Resource

Features and storm water facilities will remain intact along with the existing conservation easement and utility easements.

Further, granting the requested variance will not materially impair or be contrary to the purpose and spirit of Section 15-5.0101.B.1., UDO. Street frontage ordinance standards are commonly adopted to prevent “landlocked” parcels and otherwise ensure adequate ingress and egress from a property. The Site, however, is 25+ acres and the public interest is served by the careful traffic engineering and design for the Site concentrating the public street access at the points along Drexel Avenue. It would be contrary to the public interest to construct a new public street to the Pick ‘n Save given the Natural Resources Features surrounding the New Lot and the nearly fully-developed outlots. Finally, the purpose and spirit of the public street frontage ordinance will be met by virtue of the parking and cross access easement.

C. Conclusion.

By virtue of the foregoing, as well as the applications for a Certified Survey Map and Land Division Variance together with all of the plans and submittal materials filed herewith, we respectfully request that the City approve the land division variance for the Site.

Respectfully Submitted,

Franklin-Wyndham, LLC c/o The Cloverleaf Real Estate Group, Inc.

Jonathan E. Basofin
Ross E. Cosyns

Davis & Kuelthau, s.c.

Brian C. Randall, Esq.
Ryan M. Spott, Esq.

Attorneys for Franklin-Wyndham, LLC

IMEG Corp.

Theodore E. Morrill, PLS

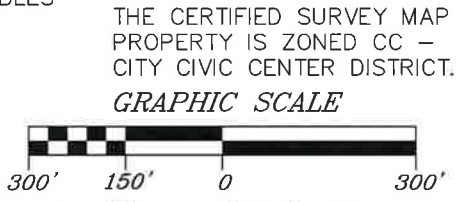
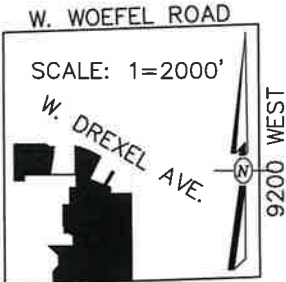
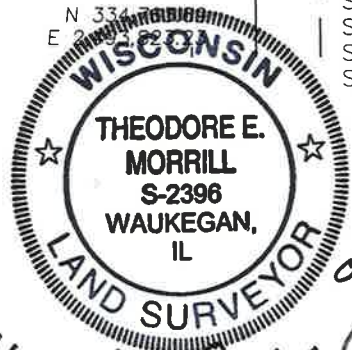
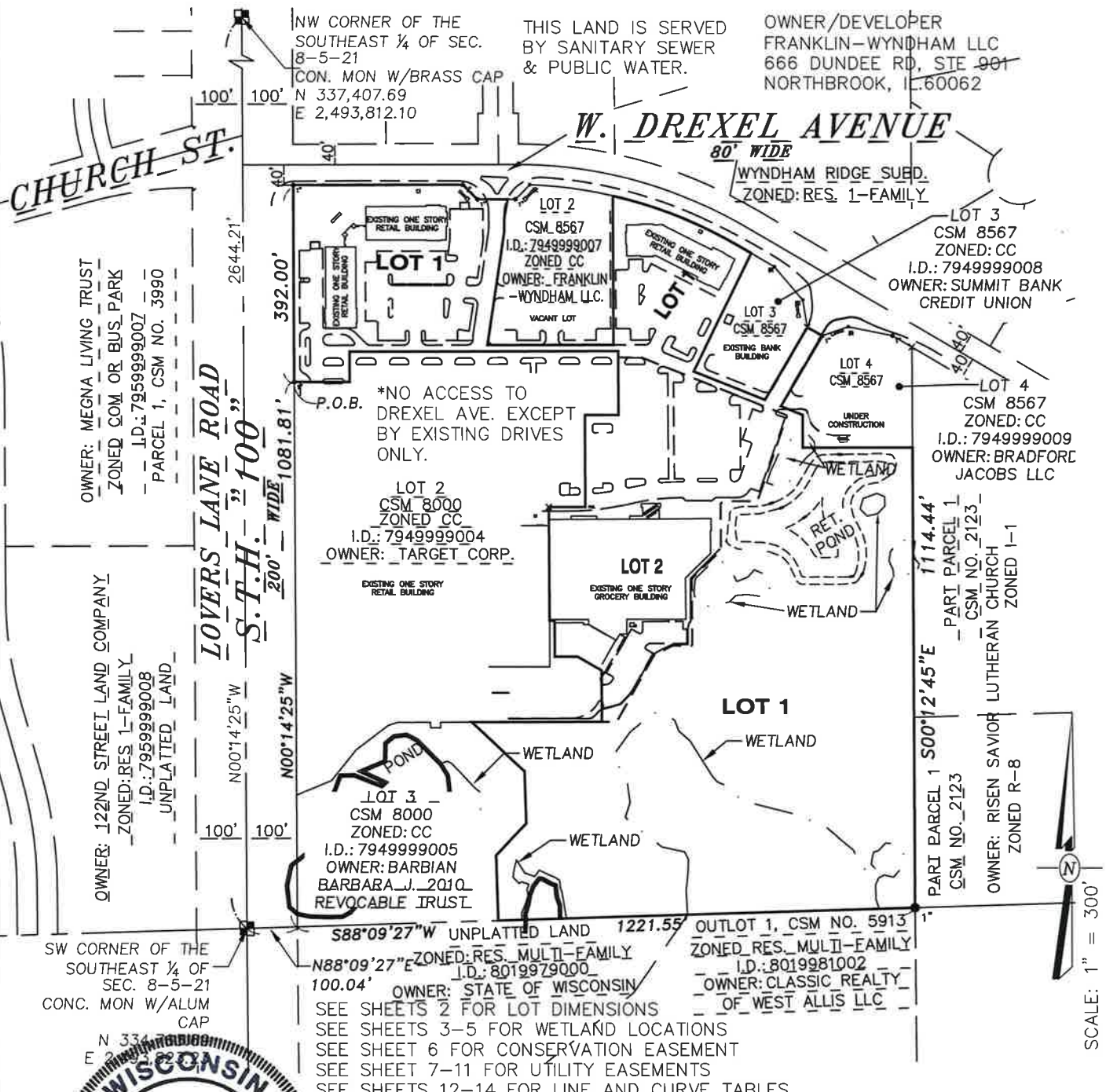
Property Surveyors for Franklin-Wyndham, LLC

Attachment (proposed Certified Survey Map)

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

•- DENOTES 1" IRON PIPE - FOUND
 - ALL OTHER LOT CORNER ARE MARKED AS SET(MAG, IP, IR, X-AS INDICATED HEREON)
 ALL DIMENSIONS ARE MEASURED AND SHOWN TO THE NEAREST HUNDREDTH OF A FOOT.
 BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983/2011, THE SOUTH LINE OF THE SOUTHEAST 1/4 SECTION 8-5-21 HAVING A BEARING OF S88°09'27"W



Tuesday, January 12, 2021 12:32:00 PM
 G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE- LOT1-CSM 8567-FINAL.DWG

WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, PLS-S2396-8
 LICENCE EXPIRES: 01/31/2022
 THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

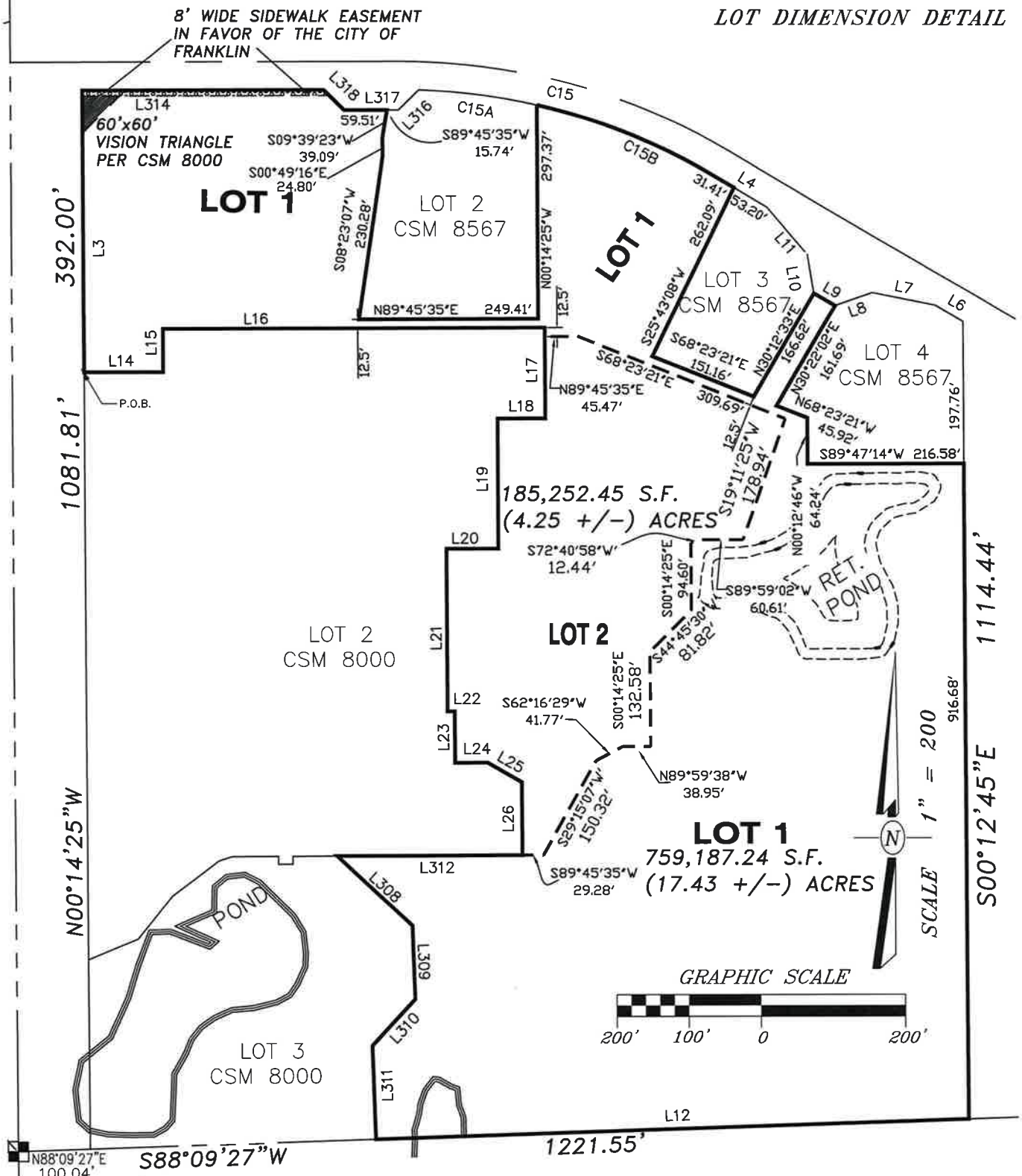
7900 SOUTH VICINITY MAP
 SOUTHEAST 1/4 OF SECTION 8-5-21

Illinois Design Firm Registration #184 007637-0014

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

LOT DIMENSION DETAIL



VISION TRIANGLE AND SIDEWALK EASEMENT PER CSM 8000 RECORDED ON NOVEMBER 14, 2007 AS DOCUMENT NO. 09523246 LOCATED AT NORTHWEST CORNER OF LOT 1, ALONG MAIN ROADS.
 PARKING AND CROSS ACCESS EASEMENT - REFER TO OPERATION AND EASEMENT AGREEMENT RECORDED AS DOCUMENT NO. 09526084

SETBACK TABLE:
 MINIMUM FRONT YARD - 10'
 MINIMUM SIDE YARD ON CORNER LOT - 10'
 MINIMUM REAR YARD - 10'
 MINIMUM WETLAND - 50'



LIC Exp 1/31/22
 01-15-2021
Theodore E. Morrill
 IMEG
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, PLS-S2396

Thursday, January 14, 2021 10:11:20 AM
 G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE-- LOT1--CSM 8567--FINAL.DWG

CERTIFIED SURVEY MAP NO. _____

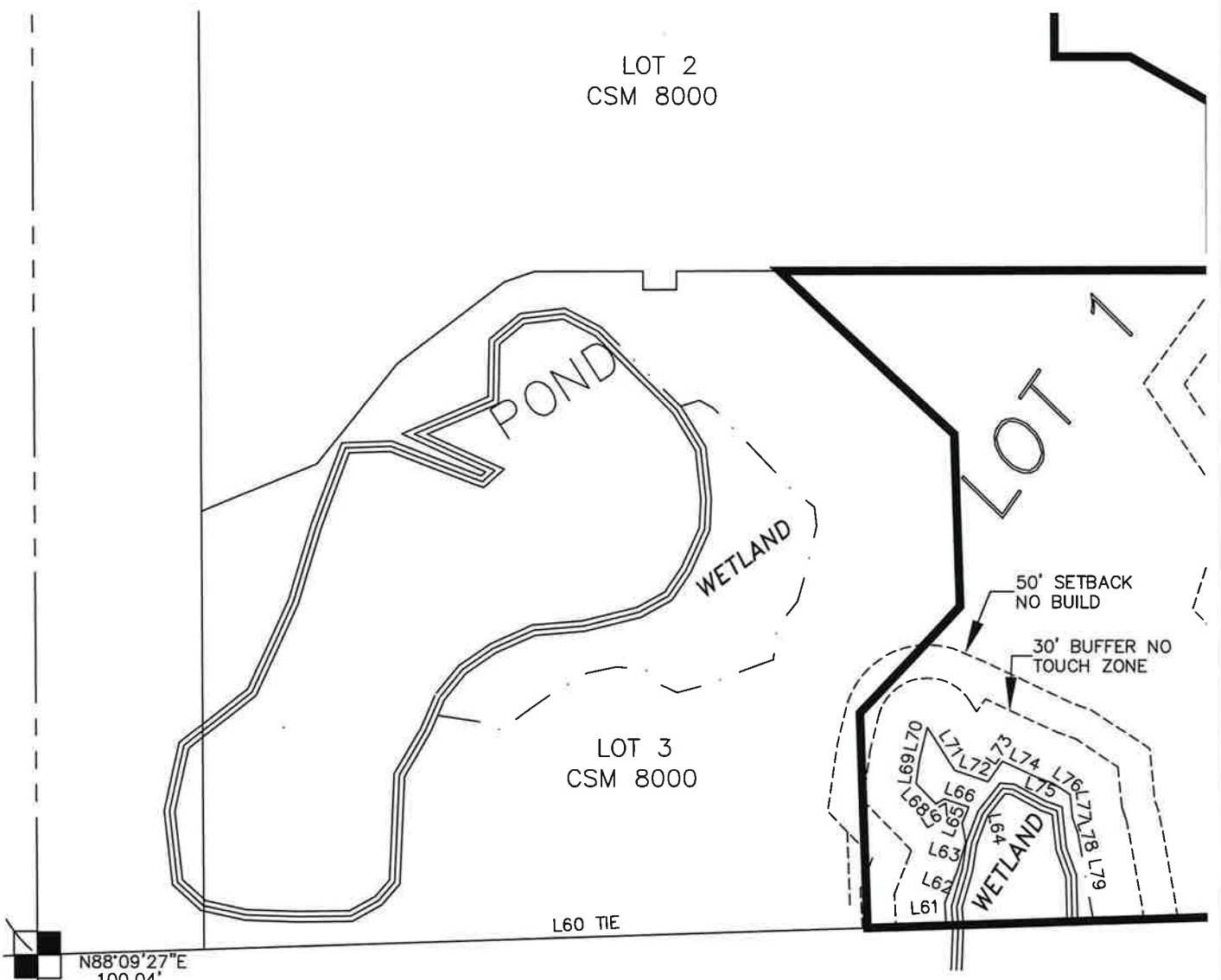
BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

WETLANDS DELINEATED BY:

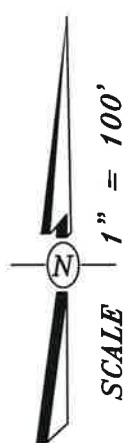
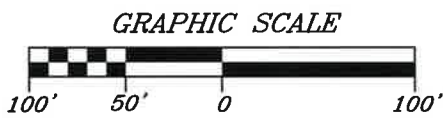
CEDARBURG SCIENCE ON APRIL 23, MAY 2, OCTOBER 23, 2003

AND

GRAEF, ANHALT, SCHLOEMER & ASSOCIATES, INC. ON SEPTEMBER 7, 8 AND 25, 2006.



N88°09'27"E
100.04'



LIC Exp
1/31/22

01-15-2021

Theodore E. Morrill
IMEQ
WISCONSIN REGISTERED LAND SURVEYOR
THEODORE E. MORRILL, RLS-S2396

WETLAND DETAIL

THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

SHEET 3 OF 17

Tuesday, January 12, 2021 12:36:36 PM
G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE- LOT1-CSM 8567-FINAL.DWG

CERTIFIED SURVEY MAP NO. _____

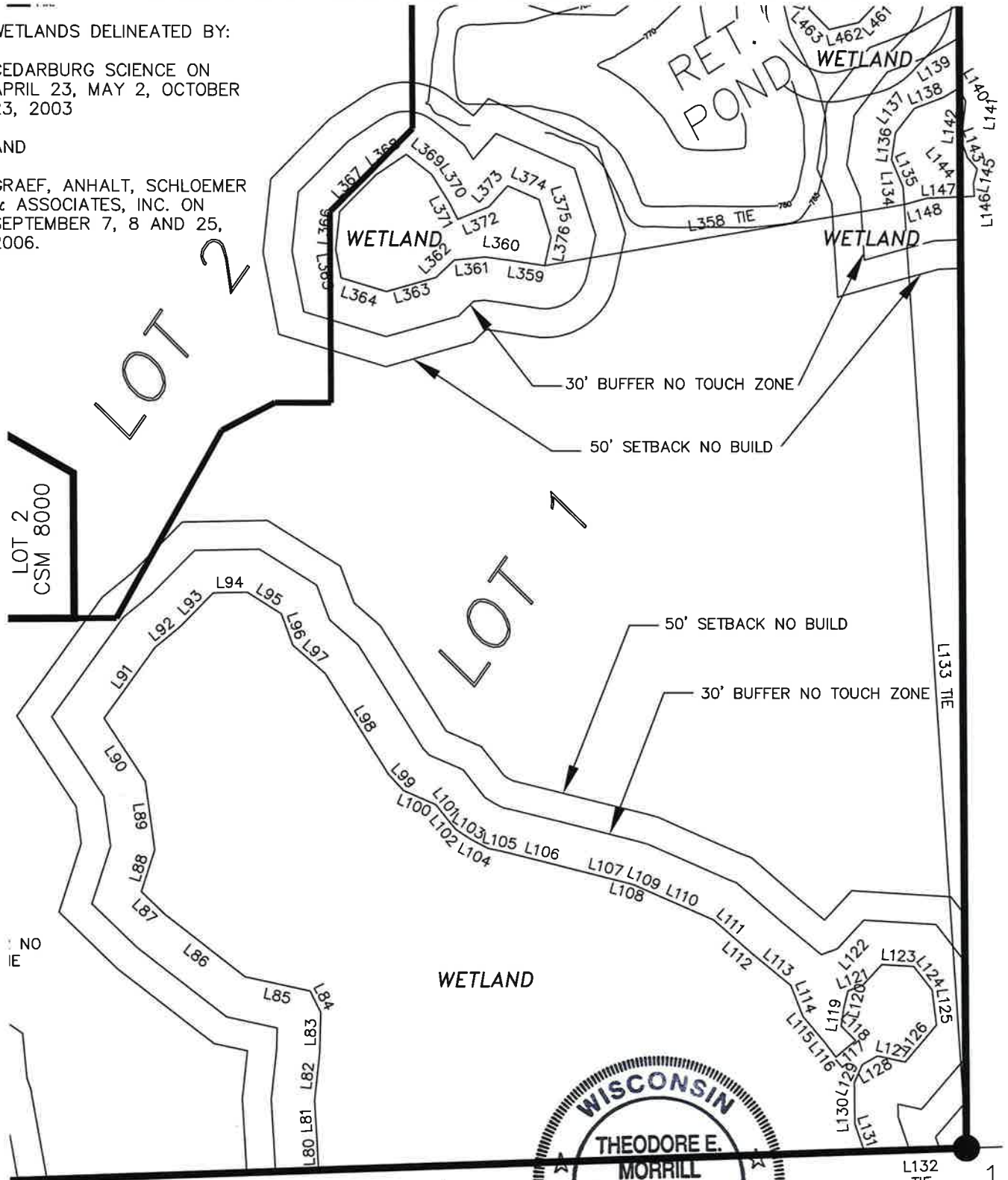
BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

WETLANDS DELINEATED BY:

CEDARBURG SCIENCE ON
APRIL 23, MAY 2, OCTOBER
23, 2003

AND

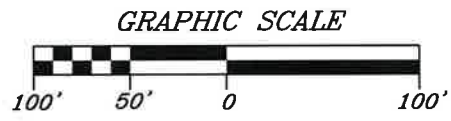
GRAEF, ANHALT, SCHLOEMER
& ASSOCIATES, INC. ON
SEPTEMBER 7, 8 AND 25,
2006.



01-15-2021

Theodore E. Morrill
IMEG

WISCONSIN REGISTERED LAND SURVEYOR
THEODORE E. MORRILL, RLS-S2396



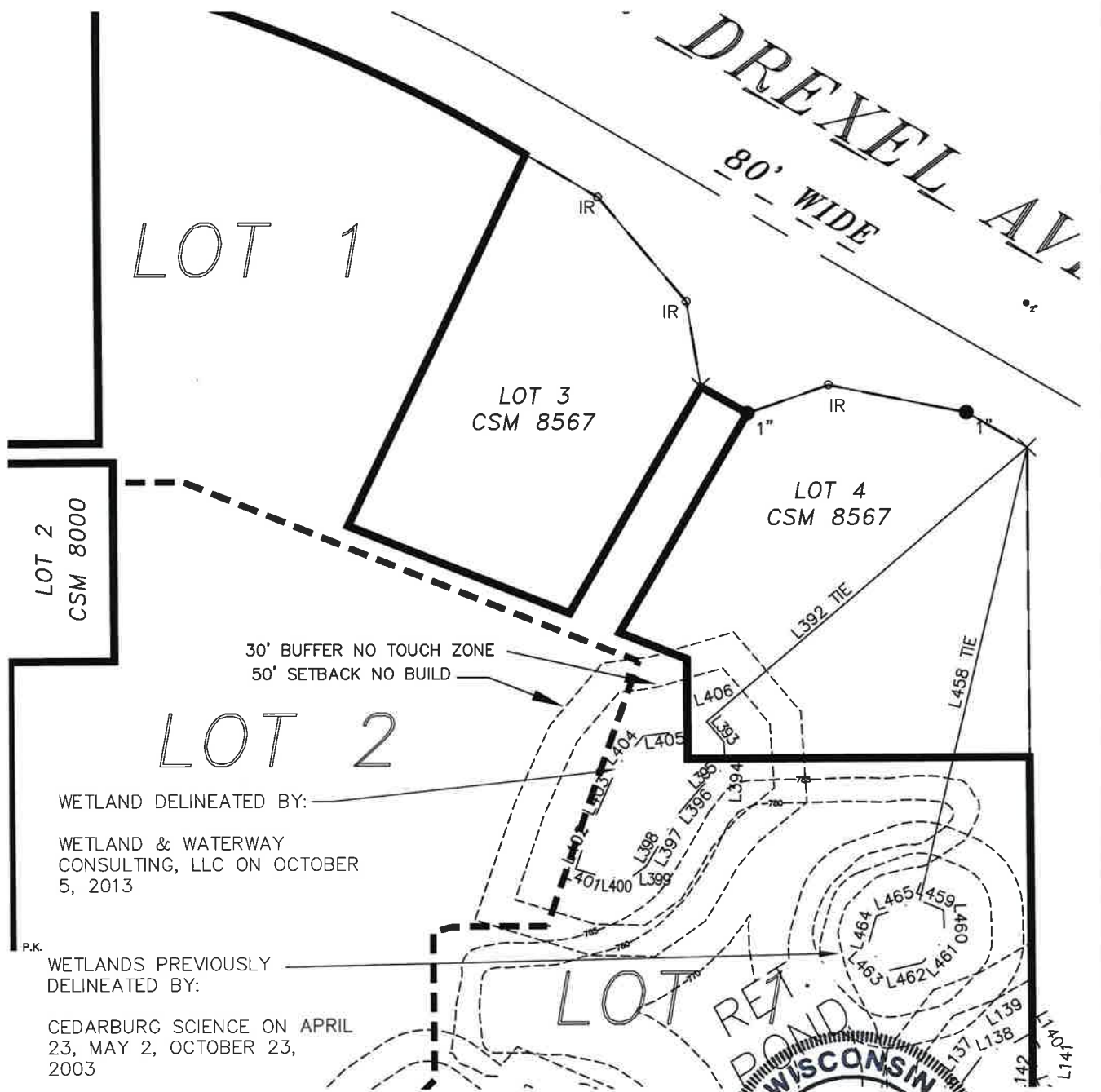
WETLAND DETAIL

THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

Tuesday, January 12, 2021 12:38:02 PM
G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE- LOT1-CSM 8567-FINAL.DWG

CERTIFIED SURVEY MAP NO. _____

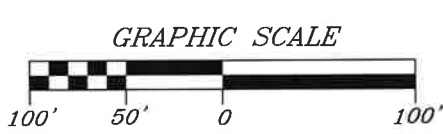
BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



WETLAND DELINEATED BY:
 WETLAND & WATERWAY
 CONSULTING, LLC ON OCTOBER
 5, 2013

WETLANDS PREVIOUSLY
 DELINEATED BY:
 CEDARBURG SCIENCE ON APRIL
 23, MAY 2, OCTOBER 23,
 2003

AND
 GRAEF, ANHALT, SCHLOEMER &
 ASSOCIATES, INC. ON
 SEPTEMBER 7, 8 AND 25,
 2006.



THEODORE E. MORRILL
 S-2396
 WAUKEGAN,
 IL

Li C. Exp
 1/31/22

01-15-2021

Theodore E. Morrill

IMEG
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, RLS-S2396

Tuesday, January 12, 2021 12:40:20 PM
 G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE-- LOT1--CSM 8567--FINAL.DWG

WETLAND DETAIL

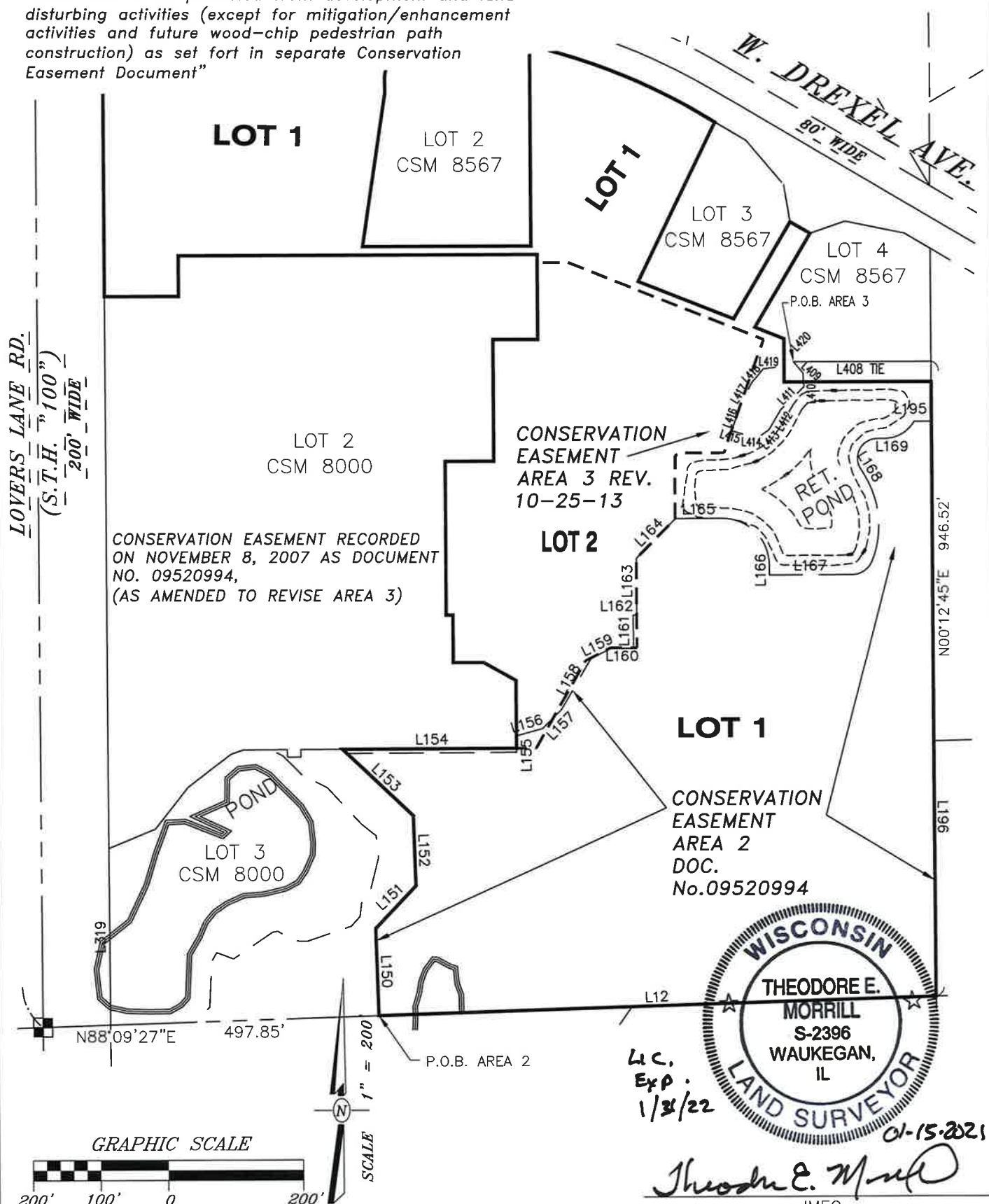
THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

CERTIFIED SURVEY MAP NO. _____

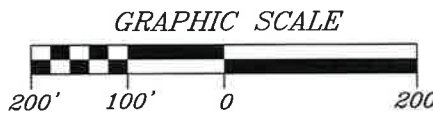
BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

CONSERVATION EASEMENT DETAIL
LANDS TO BE PROTECTED FROM DEVELOPMENT AND LAND DISTURBING ACTIVITIES AS SET FORTH IN A SEPARATE CONSERVATION EASEMENT

"Lands are to be protected from development and land disturbing activities (except for mitigation/enhancement activities and future wood-chip pedestrian path construction) as set forth in separate Conservation Easement Document"



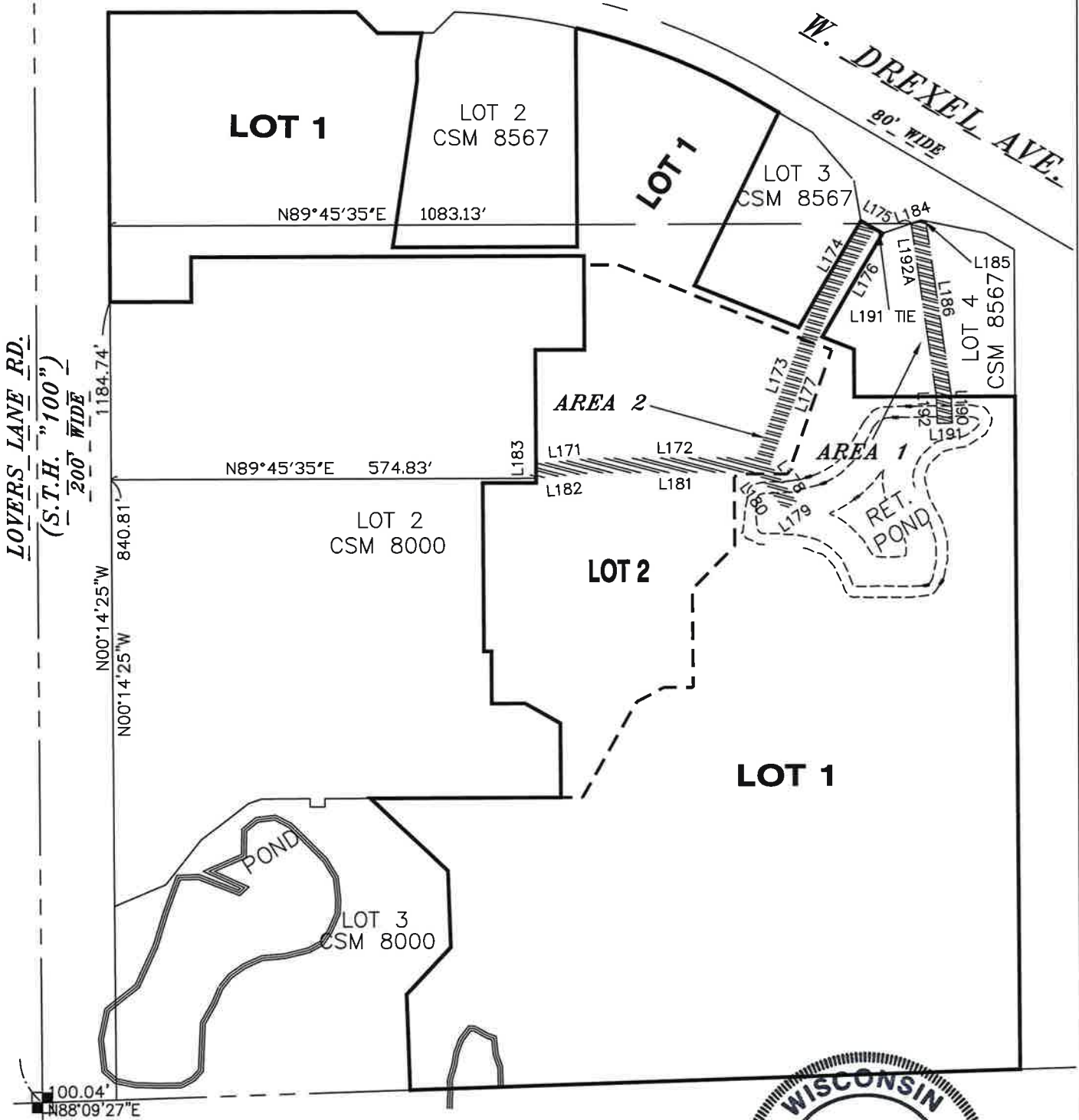
Tuesday, January 12, 2021 12:45:46 PM
 G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE-- LOT1--CSM 8567--FINAL.DWG



WISCONSIN
 THEODORE E. MORRILL
 S-2396
 WAUKEGAN, IL
 LAND SURVEYOR
 Lic. Exp. 1/31/22
 01-15-2021
 Theodore E. Morrill
 IMEG
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, RLS-S2396

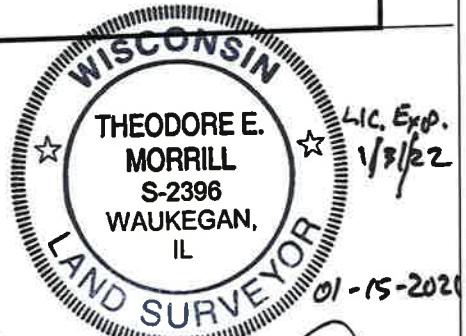
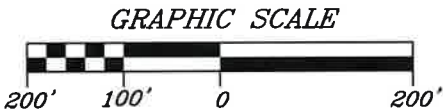
CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



Tuesday, January 12, 2021 12:49:09 PM
G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE- LOT1-CSM 8567-FINAL.DWG

STORM DRAINAGE EASEMENT RECORDED ON NOVEMBER 8, 2007 AS DOCUMENT NO. 09520992.



Theodore E. Morrill
IMEG
WISCONSIN REGISTERED LAND SURVEYOR
THEODORE E. MORRILL, RLS-S2396

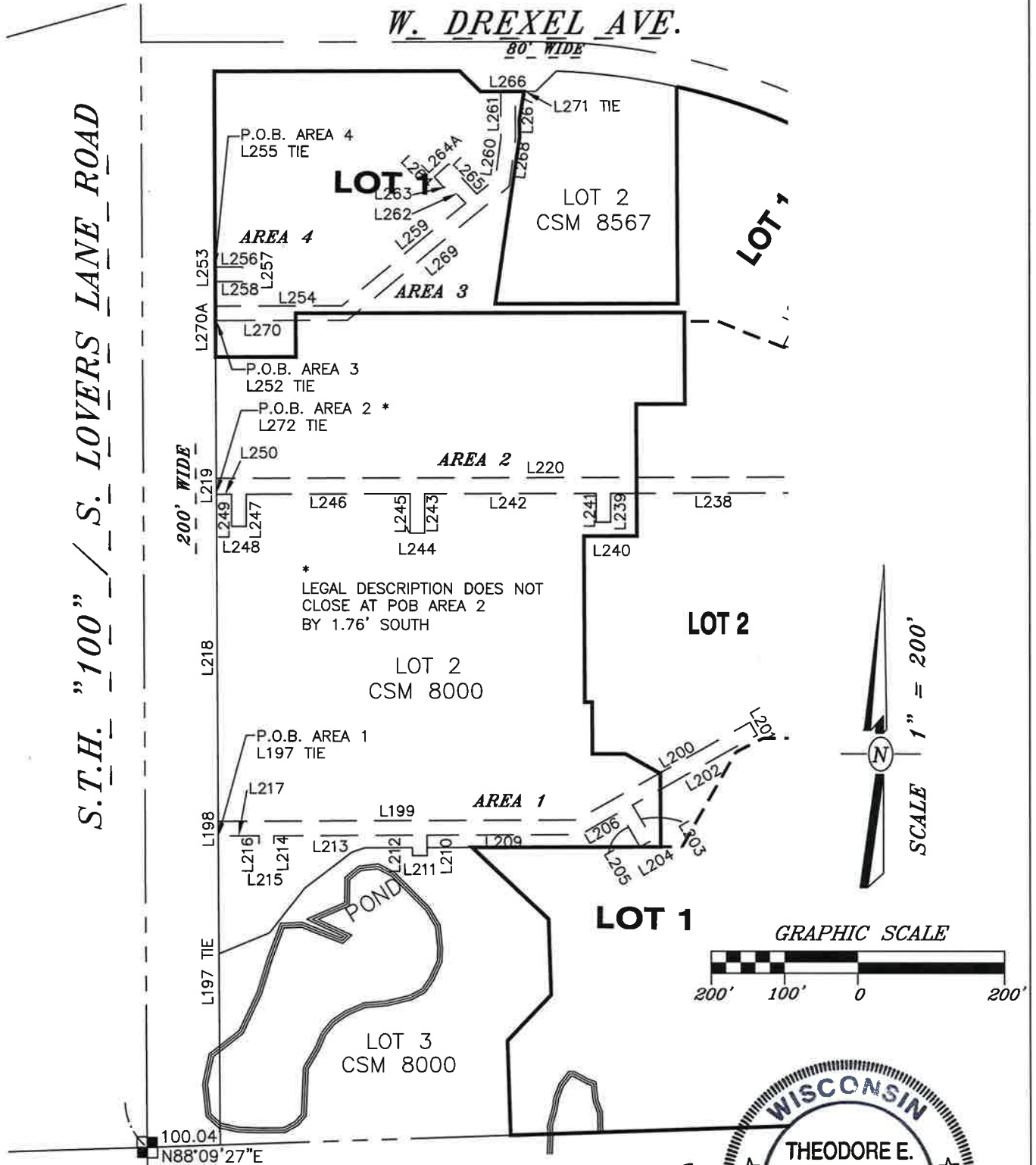
20' WIDE STORM DRAINAGE EASEMENT

THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

SHEET 7 OF 17

CERTIFIED SURVEY MAP NO. _____

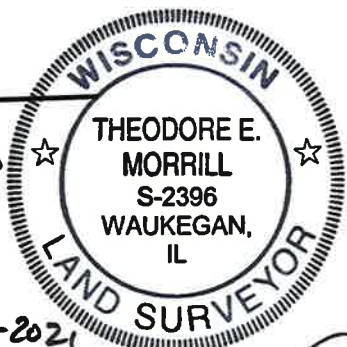
BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



WATER MAIN EASEMENT RECORDED ON NOVEMBER 8, 2007 AS DOCUMENT NO. 09520995.

AMENDED BY DOCUMENT NO. 09881655, RECORDED JUNE 7, 2010

Lic Exp
1/31/22



01-15-2021

Theodore E. Morrill

IMEG
WISCONSIN REGISTERED LAND SURVEYOR
THEODORE E. MORRILL, RLS-S2396

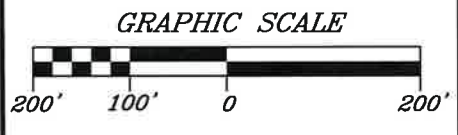
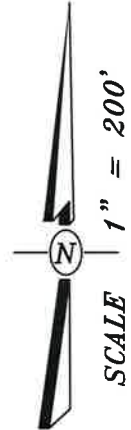
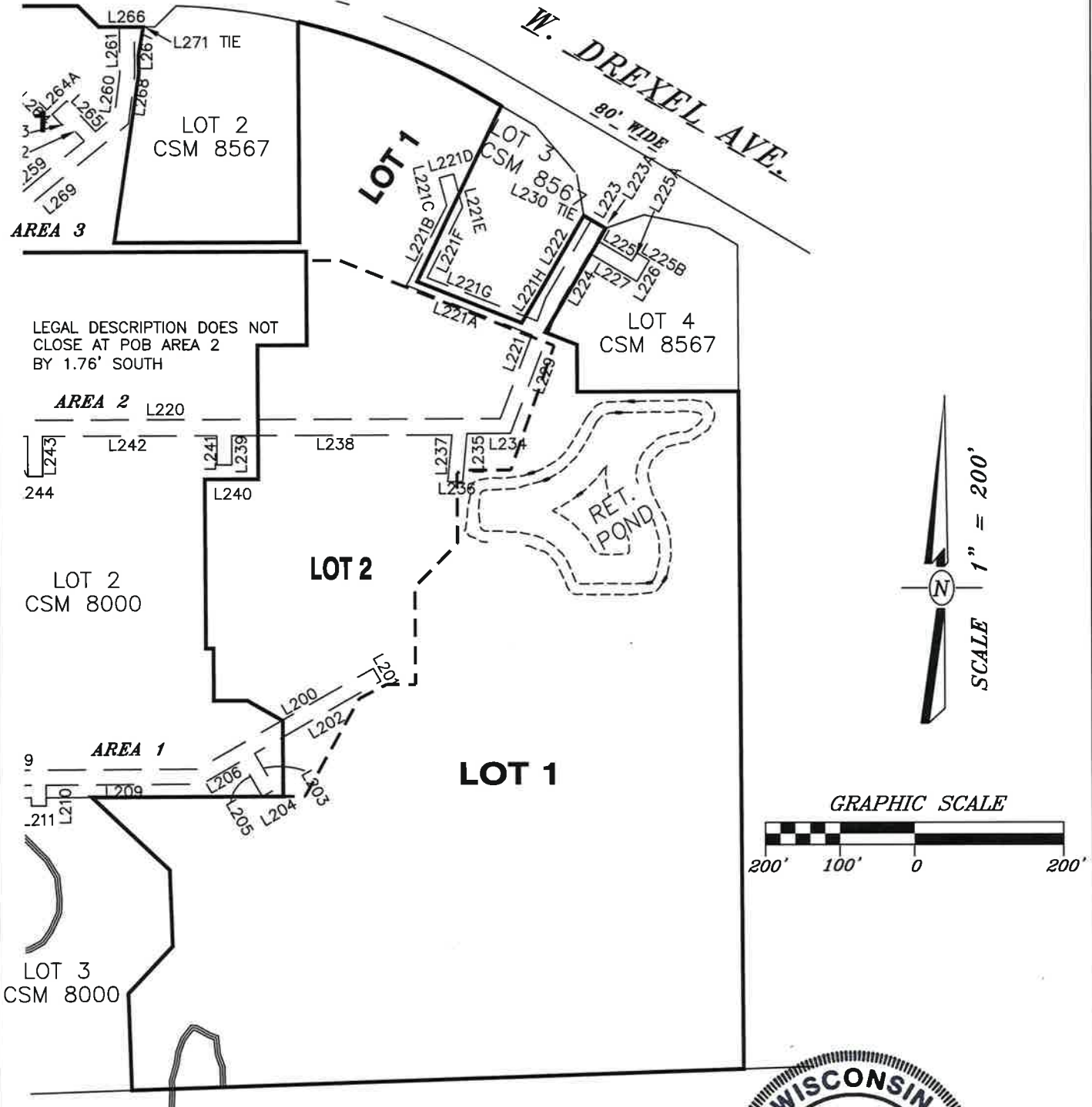
WATER MAIN EASEMENT DETAIL

THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

SHEET 8 OF 17

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



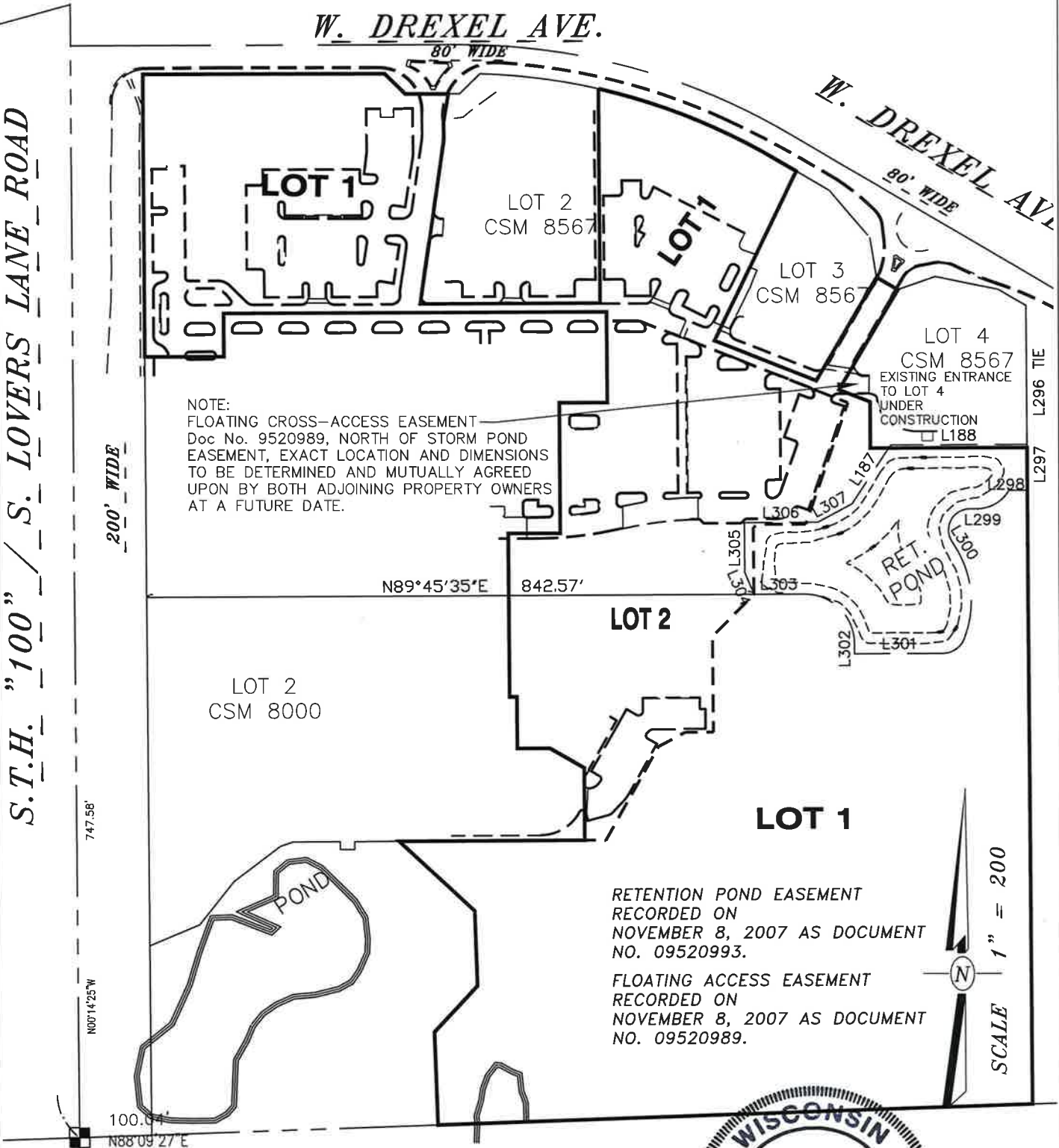
Tuesday, January 12, 2021 12:54:54 PM G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE-- LOT1--CSM 8567--FINAL.DWG

WATER MAIN EASEMENT RECORDED ON NOVEMBER 8, 2007 AS DOCUMENT NO. 09520995.
 AMENDED BY DOCUMENT NO. 09881655, RECORDED JUNE 7, 2010

Theodore E. Morrill
 IMEG
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, RLS-S2396

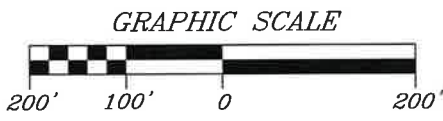
CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



NOTE:
 FLOATING CROSS-ACCESS EASEMENT
 Doc No. 9520989, NORTH OF STORM POND
 EASEMENT, EXACT LOCATION AND DIMENSIONS
 TO BE DETERMINED AND MUTUALLY AGREED
 UPON BY BOTH ADJOINING PROPERTY OWNERS
 AT A FUTURE DATE.

RETENTION POND EASEMENT
 RECORDED ON
 NOVEMBER 8, 2007 AS DOCUMENT
 NO. 09520993.
 FLOATING ACCESS EASEMENT
 RECORDED ON
 NOVEMBER 8, 2007 AS DOCUMENT
 NO. 09520989.



WISCONSIN
 THEODORE E. MORRILL
 S-2396
 WAUKEGAN, IL
 LAND SURVEYOR
 LIC. Exp. 1/31/22
 01-15-2021
 Theodore E. Morrill

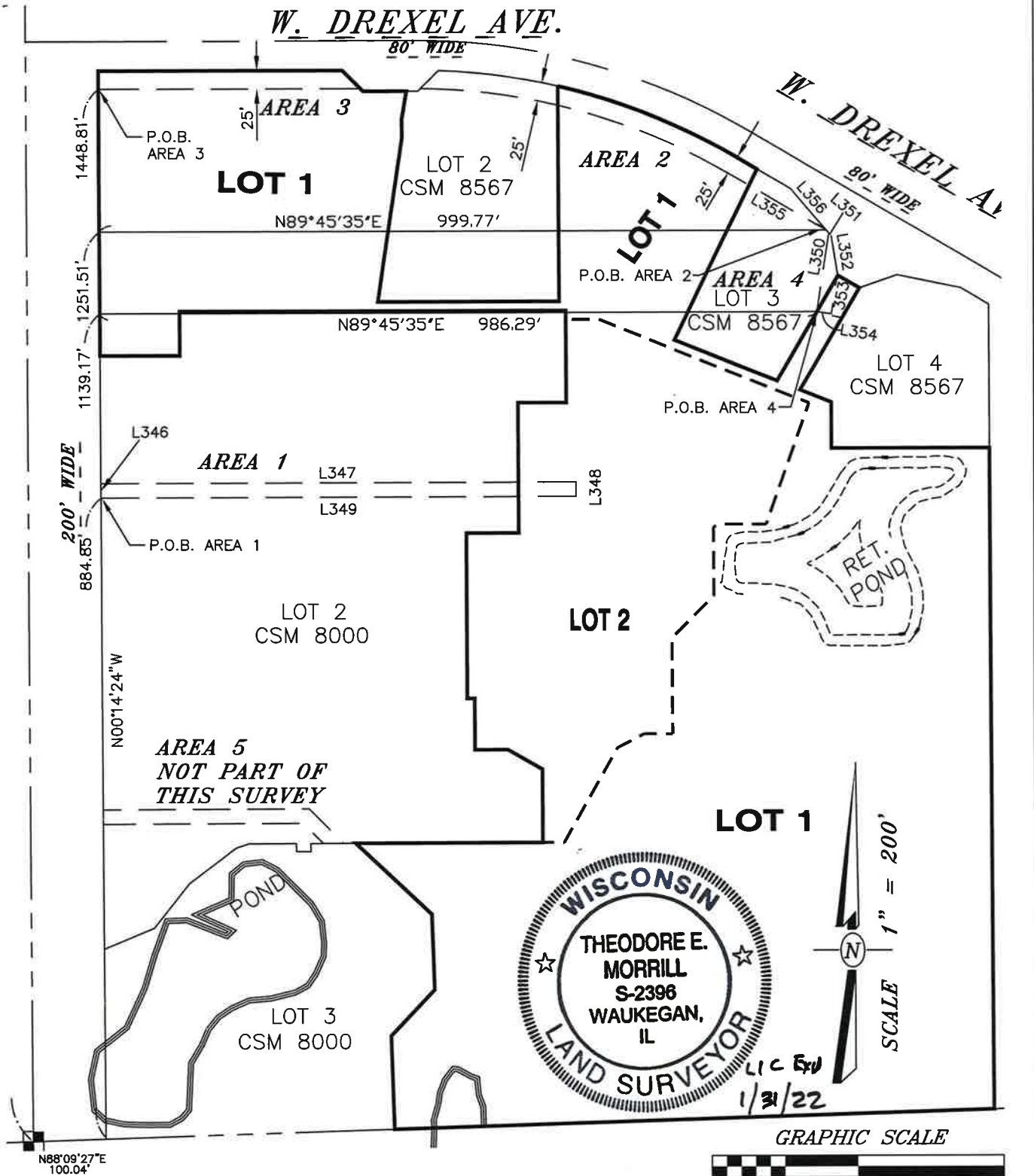
RETENTION POND EASEMENT DETAIL
 THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

IMEG
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, RLS-S2396
 SHEET 10 OF 17

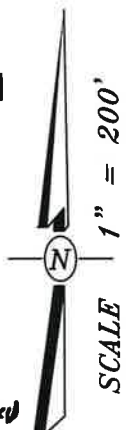
Tuesday, January 12, 2021 12:59:06 PM
 G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE-- LOT1--CSM 8567--FINAL.DWG

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



WISCONSIN
 THEODORE E. MORRILL
 S-2396
 WAUKEGAN, IL
 LAND SURVEYOR
 LIC Exp 1/31/22



SANITARY SEWER EASEMENT RECORDED ON NOVEMBER 8, 2007 AS DOCUMENT NO. 09520991.

AMENDED BY DOCUMENT NO. 09881656, RECORDED ON JUNE 7, 2010.

01-15-2021
Theodore E. Morrill
 IME
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, PLS-S2396

SANITARY SEWER EASEMENT DETAIL

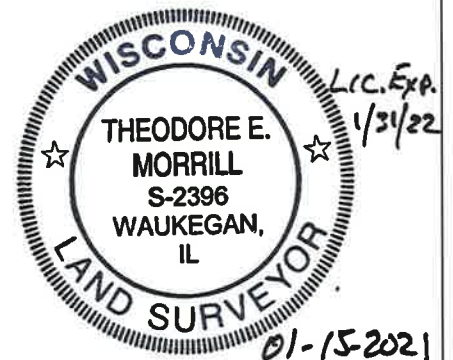
THIS INSTRUMENT WAS DRAFTED BY THEODORE E. MORRILL

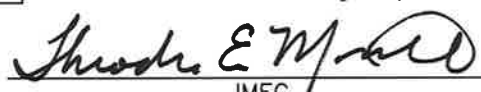
Tuesday, January 12, 2021 1:00:47 PM
 G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE-- LOT1-CSM 8567-FINAL.DWG

CERTIFIED SURVEY MAP NO.

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L3	N00°14'25"W	392.00'	L100	S66°12'02"E	24.29'	L165	N89°45'35"E	69.22'
L4	S59°29'14"E	84.61'	L101	S37°39'04"E	11.50'	L166	S00°14'22"E	14.76'
L6	S59°29'14"E	44.39'	L102	S38°50'58"E	10.77'	L167	N89°45'38"E	121.97'
L7	S78°35'18"E	89.04'	L103	S56°51'40"E	12.75'	L168	N31°45'16"W	9.55'
L8	N70°40'59"E	54.58'	L104	S62°12'21"E	13.55'	L169	N89°58'39"E	9.59'
L9	S60°01'45"E	33.99'	L105	S77°51'34"E	8.80'	L171	N84°36'53"E	77.91'
L10	S09°23'05"E	55.71'	L106	S75°45'45"E	55.95'	L172	N89°45'37"E	219.91'
L11	S40°14'41"E	86.25'	L107	S75°38'09"E	35.27'	L173	N20°40'56"E	230.70'
L12	S88°09'27"W	823.74'	L108	S73°36'55"E	3.86'	L174	N30°37'58"E	121.38'
L14	S89°45'35"W	109.83'	L109	S65°30'29"E	9.46'	L175	S59°58'51"E	19.73'
L15	S00°14'25"E	60.00'	L110	S66°03'33"E	49.22'	L176	S30°28'31"W	120.18'
L16	S89°45'35"W	531.50'	L111	S48°34'13"E	18.60'	L177	S20°40'56"W	230.19'
L17	N00°14'25"W	126.00'	L112	S48°52'19"E	18.46'	L178	S34°30'50"E	62.66'
L18	N89°45'35"E	66.50'	L113	S50°16'22"E	33.30'	L179	S54°42'38"W	20.00'
L19	N00°14'25"W	181.29'	L114	S20°50'16"E	23.08'	L180	N34°30'55"W	62.77'
L20	N89°45'35"E	72.25'	L115	S39°53'06"E	21.46'	L181	S89°45'37"W	220.70'
L21	N00°14'25"W	227.38'	L116	S36°59'29"E	14.85'	L182	S84°36'53"W	78.82'
L22	S89°45'35"W	9.92'	L117	N50°01'00"E	17.90'	L183	N00°14'25"W	20.08'
L23	N00°14'25"W	71.37'	L118	N44°18'59"W	14.22'	L184	N70°40'44"E	13.90'
L24	S89°44'47"W	45.00'	L119	N08°33'40"E	13.02'	L185	S78°35'34"E	6.76'
L25	N60°14'22"W	54.90'	L120	N13°42'06"E	11.91'	L186	S08°08'56"E	235.39'
L26	N00°15'13"W	101.43'	L121	N69°34'38"E	10.83'	L187	S33°21'01"W	97.85'
L60 TIE	N88°09'27"E	444.91'	L122	N42°40'02"E	19.78'	L188	S89°45'14"W	188.35'
L61	N03°06'20"W	13.60'	L123	S86°23'43"E	22.09'	L190	S02°18'33"E	40.27'
L62	N21°26'18"E	21.71'	L124	S37°28'51"E	20.71'	L191	S88°21'54"W	20.00'
L63	N16°08'45"E	16.78'	L125	S06°46'09"E	24.54'	L192	N02°19'43"W	39.13'
L64	N10°14'21"W	11.63'	L126	S40°05'29"W	33.74'	L192A	N08°08'56"W	233.82'
L65	N22°19'37"E	10.49'	L127	N77°15'11"W	19.56'	L195	N89°47'15"E	25.51'
L66	N71°12'50"W	15.58'	L128	S60°11'57"W	12.18'	L196	S00°12'45"E	857.30'
L67	S58°28'01"W	5.90'	L129	S23°35'00"W	13.94'	L197 TIE	N00°14'25"W	423.77'
L68	N43°41'02"W	17.05'	L130	S00°33'05"E	28.94'	L198	N00°14'25"W	20.00'
L69	N08°08'04"E	14.58'	L131	S18°18'43"E	20.61'	L199	S89°43'48"W	490.18'
L70	N13°19'51"E	20.34'	L132 TIE	N88°09'27"E	70.64'	L200	N60°09'06"E	273.04'
L71	S32°13'49"E	30.90'	L133 TIE	N03°34'36"W	660.45'	L201	S29°50'54"E	20.00'
L72	S70°45'18"E	21.01'	L134	N03°30'12"W	12.19'	L202	S60°09'06"W	196.10'
L73	N34°37'02"E	15.22'	L135	N22°31'29"W	20.87'	L203	S29°50'54"E	55.25'
L74	S64°32'49"E	23.92'	L136	N08°35'48"E	18.84'	L204	S60°09'06"W	20.00'
L75	S69°44'11"E	9.08'	L137	N37°29'19"E	21.42'	L205	N29°50'54"W	55.25'
L76	S55°49'13"E	12.38'	L138	N69°11'40"E	21.41'	L206	S60°09'06"W	62.22'
L77	S05°24'36"E	13.90'	L139	N59°43'23"E	12.45'	L209	S89°43'49"W	209.78'
L78	S18°49'55"E	9.89'	L140	S28°46'48"E	9.84'	L210	S00°16'48"E	28.03'
L79	S09°53'53"E	53.39'	L141	S06°19'55"W	15.07'	L211	S89°45'44"W	20.00'
L80	N02°47'32"W	20.62'	L142	S08°23'47"W	11.83'	L212	N00°16'48"W	28.02'
L81	N03°16'32"W	28.23'	L143	S19°39'08"E	13.54'	L213	S89°43'49"W	189.95'
L82	N06°13'52"E	33.81'	L144	S40°33'16"E	10.22'	L214	S00°16'11"E	12.65'
L83	N01°48'30"E	28.09'	L145	S13°52'26"W	10.56'	L215	S89°58'04"W	20.00'
L84	N26°17'22"W	16.56'	L146	S03°43'32"E	9.03'	L216	N00°16'11"W	12.57'
L85	N77°35'04"W	46.10'	L147	S87°27'28"W	32.78'	L217	S89°43'49"W	55.75'
L86	N52°07'01"W	70.45'	L148	S74°19'00"W	16.34'	L218 TIE	N00°14'23"W	451.08'
L87	N45°55'17"W	22.84'	L150	N01°50'33"W	130.00'	L219	N00°14'26"W	21.76'
L88	N17°58'16"E	30.50'	L151	N43°09'27"E	87.72'			
L89	N07°33'41"W	48.64'	L152	N01°50'33"W	103.92'			
L90	N32°58'58"W	52.31'	L153	N46°50'30"W	134.21'			
L91	N35°56'07"E	60.48'	L154	N89°45'35"E	251.20'			
L92	N50°33'34"E	23.39'	L155	N00°15'13"W	24.20'			
L93	N44°29'35"E	32.03'	L156	N74°02'55"E	40.37'			
L94	N88°55'34"E	23.79'	L157	N44°46'00"E	39.86'			
L95	S57°37'31"E	27.85'	L158	N29°45'38"E	89.64'			
L96	S20°16'41"E	23.17'	L159	N63°58'36"E	32.49'			
L97	S48°58'51"E	29.60'	L160	N89°45'35"E	33.11'			
L98	S31°59'02"E	82.88'	L161	N00°14'22"W	49.50'			
L99	S42°38'37"E	15.37'	L162	N89°45'38"E	5.00'			
			L163	N00°14'22"W	83.91'			
			L164	N44°47'47"E	82.35'			




 IMEG
 WISCONSIN REGISTERED LAND SURVEYOR
 THEODORE E. MORRILL, PLS-S2396
 SHEET 12 OF 17

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST ¼ AND NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L220	N89°45'35"E	901.01'	L297	S00°12'45"E	63.63'
L221	N20°40'56"E	121.84'	L298	S89°47'15"W	25.51'
L221A	N68°23'16"W	181.29'	L299	S89°58'39"W	9.59'
L221B	N26°51'21"E	119.80'	L300	S31°45'16"E	9.55'
L221C	N14°44'43"W	38.22'	L301	S89°45'38"W	121.97'
L221D	N75°15'17"E	20.00'	L302	N00°14'22"W	14.76'
L221E	S14°44'43"E	45.81'	L303	S89°45'35"W	69.22'
L221F	S26°51'21"W	105.48'	L304	N22°44'32"E	33.08'
L221G	S68°23'16"E	159.05'	L305	N00°14'25"W	69.74'
L221H	N20°40'56"E	33.88'	L306	N89°45'37"E	101.56'
L222	N30°37'58"E	120.62'	L307	N61°17'54"E	54.10'
L223	S60°01'45"E	20.00'	L308	N46°50'33"W	142.94'
L223A	S30°37'58"W	19.65'	L309	N01°50'33"W	103.92'
L224	S30°37'58"W	79.46'	L310	N43°09'27"E	87.72'
L225	S59°18'33"E	54.18'	L311	N01°50'33"W	130.00'
L225A	N30°41'27"E	12.88'	L312	N89°45'35"E	257.54'
L225B	S59°18'33"E	20.00'	L314	N89°45'35"E	335.85'
L226	S30°41'27"W	32.88'	L316	N45°17'13"E	39.96'
L227	N59°18'33"W	74.16'	L317	N89°45'35"E	75.25'
L229	S20°40'56"W	187.75'	L318	S45°21'58"E	40.41'
L234	S89°45'35"W	58.77'	L346	N00°14'25"W	20.00'
L235	S05°12'41"W	65.17'	L347	N89°45'35"E	653.93'
L236	N89°47'19"W	20.00'	L348	S00°14'25"E	20.00'
L237	N05°12'41"E	63.26'	L349	S89°45'35"W	653.93'
L238	S89°45'35"W	296.41'	L350	N08°42'53"E	109.44'
L239	S00°00'00"E	39.54'	L351	S40°14'42"E	4.86'
L240	N90°00'00"W	20.00'	L352	S09°23'05"E	52.57'
L241	N00°00'00"E	39.45'	L353	S08°42'53"W	56.27'
L242	S89°45'35"W	234.53'	L354	N81°17'07"W	20.00'
L243	S00°00'00"E	54.08'	L355	N59°29'14"W	156.23'
L244	N90°00'00"W	20.00'	L356	S40°14'42"E	75.86'
L245	N00°00'00"E	53.99'			
L246	S89°45'35"W	224.11'			
L247	S00°03'17"E	43.97'			
L248	N90°00'00"W	20.00'			
L249	N00°03'17"W	43.88'			
L250	S89°45'35"W	20.87'			
L252 TIE	N00°14'25"W	1131.81'			
L253	N00°14'25"W	20.00'			
L254	N89°45'35"E	173.11'			
L255 TIE	N00°14'25"E	269.05'			
L256	N89°45'35"E	37.66'			
L257	S00°14'25"E	20.00'			
L258	S89°45'35"W	37.66'			
L259	N50°30'14"E	219.81'			
L260	N07°32'18"E	56.99'			
L261	N00°14'25"W	64.50'			
L262	N42°53'29"W	35.55'			
L263	S47°06'31"W	7.06'			
L264	N42°53'29"W	20.00'			
L264A	N47°06'31"E	27.06'			
L265	S42°53'29"E	56.73'			
L265A	N50°30'14"E	32.80'			
L266	N89°45'35"E	20.00'			
L267	S00°14'25"E	65.86'			
L268	S07°32'18"W	66.22'			
L269	S50°30'14"W	287.65'			
L270	S89°45'35"W	180.24'			
L270A	N00°14'25"W	20.00'			
L272 TIE	N00°14'25"W	894.85'			



Lic Exp
1/31/22

01-15-2024

Theodore E. Morrill

IMEG
WISCONSIN REGISTERED LAND SURVEYOR
THEODORE E. MORRILL, PLS-S2396

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CSM 8567, BEING A REDIVISION OF LOT 1 OF CSM 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

LINE TABLE					
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L358 TIE	S80°09'22"W	252.78'	L411	S45°03'29"W	48.67'
L359	N81°15'00"W	22.22'	L412	S30°29'51"W	34.51'
L360	N82°12'21"W	19.54'	L413	S54°09'56"W	15.37'
L361	S84°14'21"W	21.62'	L414	N88°43'40"W	19.43'
L362	S45°57'48"W	17.67'	L415	N72°44'03"W	24.17'
L363	S74°04'04"W	35.85'	L416	N19°07'40"E	29.93'
L364	N73°18'27"W	32.76'	L417	N24°26'39"E	46.92'
L365	N10°38'38"W	20.41'	L418	N40°17'22"E	27.93'
L366	N06°02'18"E	26.62'	L419	N82°18'41"E	17.66'
L367	N44°31'59"E	36.43'	L420	N73°12'51"E	28.18'
L368	N56°17'04"E	24.97'			
L369	S52°11'35"E	22.14'			
L370	S31°41'54"E	23.94'	L458 TIE	S13°30'40"W	297.12'
L371	S26°24'02"E	12.46'	L459	S67°14'51"E	16.31'
L372	N67°55'03"E	23.46'	L460	S01°26'52"E	18.72'
L373	N41°35'57"E	19.55'	L461	S43°30'36"W	20.89'
L374	S66°11'50"E	23.89'	L462	S76°46'11"W	21.00'
L375	S17°19'49"E	27.39'	L463	N44°35'51"W	20.03'
L376	S12°09'12"W	20.52'	L464	N15°45'19"E	21.47'
L378	N12°53'30"E	16.99'	L465	N69°57'31"E	29.32'
L392 TIE	S49°25'58"W	268.21'			
L393	S39°38'20"E	16.89'			
L394	S03°27'24"E	16.31'			
L395	S50°48'09"W	18.83'			
L396	S40°44'57"W	28.82'			
L397	S30°02'39"W	20.00'			
L398	S31°05'32"W	13.86'			
L399	S54°09'56"W	12.67'			
L400	N88°43'40"W	17.05'			
L401	N72°44'03"W	18.30'			
L402	N19°07'40"E	24.54'			
L403	N24°26'39"E	45.99'			
L404	N40°17'22"E	25.31'			
L405	N82°18'41"E	16.14'			
L406	N54°12'51"E	25.26'			
L407 TIE	N00°12'45"W	89.22'			
L408 TIE	S89°47'15"W	202.64'			
L409	S39°38'20"E	21.84'			
L410	S03°27'24"E	20.50'			

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C5	69.00'	108.39'	97.58'	S45°14'23.5"E	90°00'03"
C6	32.00'	38.17'	35.95'	N55°35'23"E	68°20'28"
C7	143.91'	133.56'	128.82'	N05°10'03.5"W	53°10'25"
C10	51.00'	53.83'	51.37'	N59°44'14.5"E	60°28'49"
C11	29.75'	63.21'	51.97'	N29°06'41.5"E	121°43'55"
C12	143.91'	133.56'	128.82'	N05°10'03.5"W	53°10'25"
C13	32.00'	38.17'	35.95'	S55°35'23"W	68°20'28"
C14	69.00'	108.39'	97.58'	N45°14'23.5"W	90°00'03"
C15	860.00'	431.88'	427.36'	S73°52'25"E	28°46'23"
C15A	860.00'	165.84'	165.58'	N82°44'12"W	11°02'55"
C15B	860.00'	266.05'	264.99'	S68°21'00"E	17°43'29"



Lic. Exp. 1/31/22

01-15-2021
Theodore E. Morrill

IMEG
WISCONSIN REGISTERED LAND SURVEYOR
THEODORE E. MORRILL, PLS-S2396

Tuesday, January 12, 2021 1:03:50 PM
G:\2020\20005847.00\DESIGN\CIVIL\C3D\SURVEY\RE-DIVIDE- LOT1-CSM 8567-FINAL.DWG

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8567, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377 AND LANDS IN THE SOUTHWEST ¼ AND NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) ^{SS}

I, Theodore E. Morrill, Registered Land Surveyor, do hereby certify that I have surveyed, divided, and mapped a redivision of Lot 1 of Certified Survey Map No. 8567, being a redivision of Lot 1 of Certified Survey Map No. 8000, of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest ¼ and Northwest ¼ of the Southeast ¼ of Section 8, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of the Southeast ¼ of said Section; thence N88°09'27"E along the South line of the Southeast ¼ of said Section 100.04 feet to a point on the East right-of-way line of S.T.H. "100"; thence N00°14'25"W along the East right-of-way line of said S.T.H. and parallel to the West line of the Southeast ¼ of said Section, 1081.81 feet to the point of beginning; thence continue N00°14'25"W, along said East right-of-way, 392.00 feet to a point on the South right-of-way line of W. Drexel Avenue; Thence N89°45'35"E along the South right-of-way of said Avenue 335.85 feet; thence S45°21'58"E 40.41 feet; Thence N89°45'35"E 59.51 feet; Thence S09°39'09"E 39.09 feet; Thence S00°49'16"E 24.80 feet; Thence S08°23'07"W 230.28 feet; Thence N89°45'35"E 249.41 feet; Thence N00°14'25"W 297.37 feet; to a point on the South right-of-way line of W. Drexel Avenue, said point also being on a curve, thence Southeasterly along the Southerly right-of-way line of said Avenue and curve, whose center lies to the South, whose radius is 860.00 feet, whose chord bears S68°21'00"E 264.99 feet, a distance of 266.05 feet to a point of tangency; thence S59°29'14"E along the Southwesterly right-of-way line of said Avenue 31.41 feet; Thence S25°43'08"W 262.09 feet; Thence S68°23'21"E 151.16 feet; Thence N30°12'33"E 166.62 feet; Thence S60°01'45"E 33.99 feet; Thence S30°22'02"W 161.69 feet; Thence S68°23'21"E 45.92 feet; Thence S00°12'46"E 64.24 feet; Thence N89°47'14"E 216.58 feet; Thence S00°12'45"E 916.68 feet to a point on the South line of the Southeast ¼ of said Section; thence S88°09'27"W along the South line of the Southeast ¼ of said Section, 823.74 feet; Thence N01°50'33"W 130.00 feet; Thence N43°09'27"E 87.72 feet; Thence N01°50'33"W 103.92 feet; Thence N46°50'33"W 142.94 feet; Thence N89°45'35"E 257.54 feet; Thence N00°15'13"W 101.43 feet; Thence N60°14'22"W 54.90 feet; Thence S89°44'47"W 45.00 feet; Thence N00°14'25"W 71.37 feet; Thence S89°45'35"W 9.92 feet; Thence N00°14'25"W 227.38 feet; Thence N89°45'35"E 72.25 feet; Thence N00°14'25"W 181.29 feet; Thence N89°45'35"E 66.50 feet; Thence N00°14'25"W 126.00 feet; Thence S89°45'35"W 531.50 feet; Thence S00°14'25"E 60.00 feet; Thence S89°45'35"W 109.83 feet to the point of beginning.

Containing 17.43 acres of land, more or less.

That I have made such survey by the direction of Franklin-Wyndham, L.L.C.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the requirements of the Unified Development Ordinance – Division 15 of the City of Franklin Municipal Code in surveying, dividing, and mapping the same.

Dated this 15th day



Theodore E. Morrill
Wisconsin Registered Land Surveyor
Theodore E. Morrill S-2396

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8567, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377 AND LANDS IN THE SOUTHWEST ¼ AND NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

“Franklin-Wyndham, LLC”, a Limited Liability Company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said Limited Liability Company caused the land described on this map to be surveyed, divided, and mapped as represented on this map.

“Franklin-Wyndham, LLC”, does further certify that this map is required by the provisions of Chapter 236 of the Wisconsin Statutes and the Unified Development Ordinance – Division 15 of the City of Franklin.

IN WITNESS, whereof “Franklin-Wyndham, LLC”, caused these presents to be signed by Jonathan E. Basofin, President, Cloverleaf Real Estate Group, Inc. at Northbrook, IL. and its corporate seal to be hereunto affixed on this ____ day of _____, 2021.

“Franklin-Wyndham, LLC”

Jonathan E. Basofin, President
Cloverleaf Real Estate Group, Inc.

STATE OF ILLINOIS)
COOK COUNTY) SS

Personally, came before me this ____ day of _____, 2021, Jonathan E Basofin, President of Cloverleaf Real Estate Group, Inc., Manger of the above-named Limited Liability Company to me known to be such President of Cloverleaf Real Estate Group, Inc., Manager of said Limited Liability Company, and acknowledges that he executed the foregoing instrument as such, as the deed of said Limited Liability Company, by its authority.

Notary Public, State of Illinois
My Commission Expires



CERTIFIED SURVEY MAP NO. _____

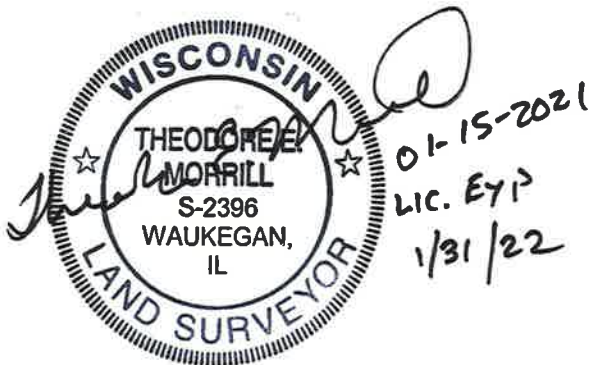
BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8567, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377 AND LANDS IN THE SOUTHWEST ¼ AND NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

COMMON COUNCIL APPROVAL

Approved and accepted by the Common Council of the City of Franklin, Resolution No. _____ of this _____ day of _____, 2021.

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk





CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of February 18, 2021

Temporary Use

RECOMMENDATION: City Development staff recommends approval of the Temporary Use Application to hold a COVID 19 Vaccine Clinic event at the Milwaukee County Sports Complex.

Project Name:	COVID 19 Vaccine Clinic Temporary Use
Project Address/Tax Key:	Approximately 6000 West Ryan Road/8529999001, 8829987001, and 8839999004
Property Owner:	Milwaukee County
Applicant:	Courtney Day, Franklin Health Department
Current Zoning:	P-1 Park District, FW Floodway District, and PC Floodplain Conservancy District
2025 Comprehensive Plan:	Milwaukee County Parkway, Areas of Natural Resource Features, Recreational, and Water
Use of Surrounding Properties:	Root River Parkway to the north and west, R-8 Multiple-Family Residence District to the south and west, and residential PDD 25 “Woodland Trails” to the southwest.
Action Requested:	Approval of the Temporary Use Application

Project Description/Analysis

The applicant, the City of Franklin Health Department, filed a Temporary Use Application to host a COVID 19 vaccine clinic at the Milwaukee County Sports Complex. The Temporary Use is not specifically listed within Section 15-3.0804 Detailed Standards for Temporary Uses as an allowed temporary use; therefore, it requires Plan Commission review and approval.

The proposed vaccine clinic is a joint effort between the Health Departments of the City of Franklin, the City of Greenfield, the Village of Greendale and the Village of Hales Corners.

Clinic hours will be between 8:00 A.M. and 6:00 P.M. up to three days a week. Specific dates are not proposed; instead the dates of the clinics depend on completion of approvals, and will be based on when clinic organizers receive enough vaccine to stand up a clinic of this size. The clinic is targeted to be up and running by mid-March, and run through the Summer of 2021. The Planning Department recommends that the Temporary Use approval expire on December 31, 2021.

The clinic anticipates attendance of approximately 500-600 participants per day, at scheduled times. If a greater volume of vaccine becomes available, there would be a maximum capacity of up to 2,000 participants. Appointments will be spaced out over each day to moderate the flow of traffic and prevent wait times for patients.

The Milwaukee County Sports Complex has a large parking lot and overflow parking areas and often hosts large events. There will be designated areas for staff parking and handicapped parking, and signage to direct the circulation of traffic. The applicant is coordinating with Milwaukee County to organize the clinic, and will work with the County Sherriff's Office to facilitate traffic control should the need arise.

In addition to traffic management, the Franklin Police Department has requested information about the coordination of security. Due to the multiple jurisdictions and communities present and the location on Milwaukee County property they would like clarification of which public safety agency (County Sherriff, Franklin Police Department, or others) would be contacted in an emergency.

The Inspection Services Department will need to conduct an inspection after the clinic has been set up.

Department of City Development Staff recommends that the Milwaukee County Parks Department put forward an amendment to the existing Special Use for this facility, which includes provisions to allow for emergency uses and public health purposes. The proposed amendment is currently being discussed with the County.

Recommendation

A motion to approve the Temporary Use Application to hold a COVID 19 Vaccine Clinic event at the Milwaukee County Sports Complex, subject to the conditions in the attached resolution.

RESOLUTION NO. 2021-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE
APPROVAL OF A TEMPORARY USE FOR A COVID-19 VIRUS VACCINATION
CLINIC FOR PROPERTY LOCATED AT 6000 WEST RYAN ROAD
(MILWAUKEE COUNTY SPORTS COMPLEX)
(COURTNEY DAY, RN, BSN, DIRECTOR OF HEALTH AND HUMAN
SERVICES/HEALTH OFFICER FOR THE CITY OF FRANKLIN HEALTH
DEPARTMENT, APPLICANT)

WHEREAS, Courtney Day, RN, BSN, Director of Health and Human Services/Health Officer of the City of Franklin Health Department having petitioned the City of Franklin for the approval of a Temporary Use to allow for a temporary vaccination site (pending a Special Use Amendment application by the County of Milwaukee to address this and other event types in the facility) for the City of Franklin, City of Greendale, City of Greenfield and the Village of Hales Corners Health Departments' vaccination clinic, at the Milwaukee County Sports Complex located at 6000 West Ryan Road, for an estimated three days a week through the summer of 2021 (staff recommending that the Use expire on December 31, 2021), from 8:00 a.m. to 6:00 p.m. [signage to route traffic and additional handicapped and staff parking areas will be established for the clinic] [specific dates of services to be determined by the City Health Officer, dependent upon Plan Commission approval of the Use, County approval of the use of the facility and vaccine supply]; and

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of Courtney Day, RN, BSN, Director of Health and Human Services/Health Officer of the City of Franklin Health Department for the approval of a Temporary Use to allow for a temporary COVID-19 virus vaccination site for the City of Franklin, City of Greendale, City of Greenfield and the Village of Hales Corners Health Departments' vaccination clinic, for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. The approval granted hereunder shall allow for such Use for an estimated three days a week through the summer of 2021, from 8:00 a.m. to 6:00 p.m., and the Use shall expire on December 31, 2021 [specific dates of services to be determined by the City Health Officer, dependent upon Plan Commission approval of the Use, County approval of the use of the facility and vaccine supply].

COURTNEY DAY, RN, BSN, DIRECTOR OF HEALTH AND HUMAN SERVICES/HEALTH OFFICER FOR THE CITY OF FRANKLIN HEALTH DEPARTMENT COVID-19 VIRUS VACCINATION CLINIC – TEMPORARY USE
RESOLUTION NO. 2021-_____

Page 2

2. The clinic shall be inspected by the City of Franklin Inspection Services Department after set up but prior to the issuing of an Occupancy Permit.
3. The applicant shall clarify which public safety jurisdiction is responsible for safety and security during the event, i.e. the Milwaukee County Sheriff's Department or the Franklin Police Department.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2021.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

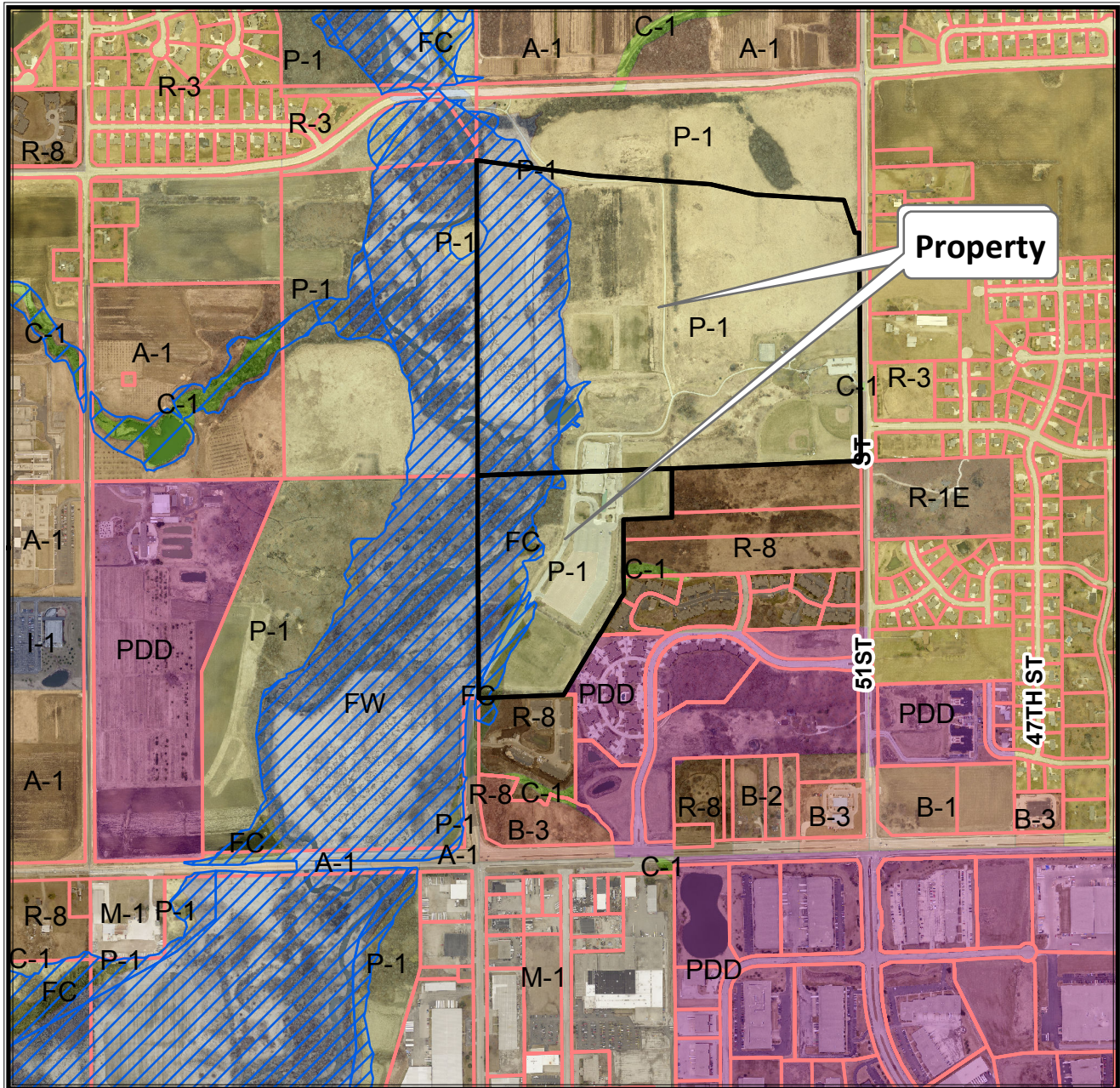
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

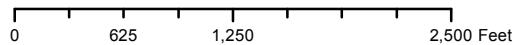


6000 W. Ryan Road

TKN: 852 9999 001 & 882 9987 001



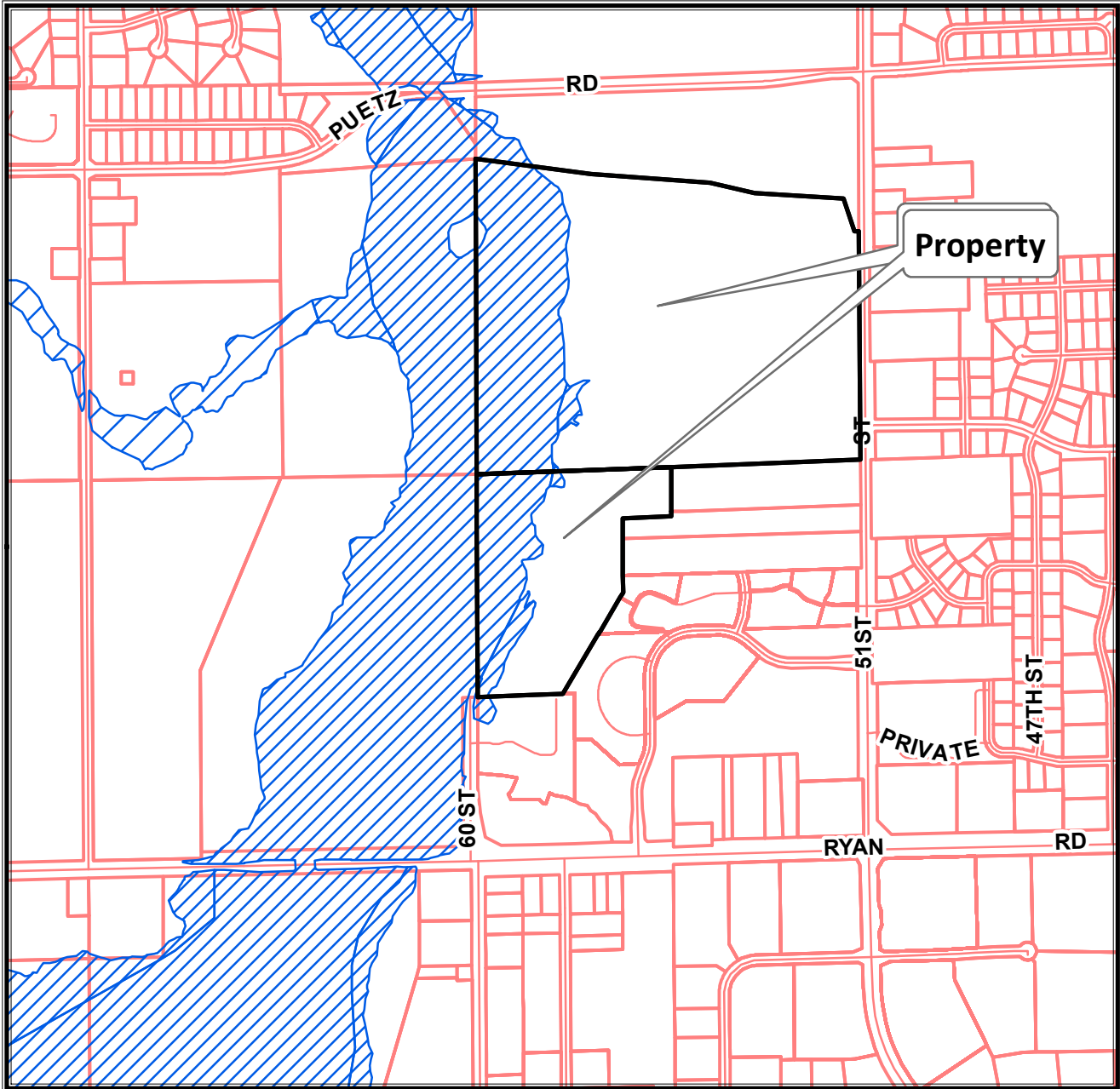
Planning Department
(414) 425-4024



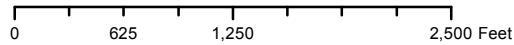
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



6000 W. Ryan Road
TKN: 852 9999 001 & 882 9987 001



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



City of Franklin
Health Department

January 26, 2021

To: Franklin Plan Commission

The Health Departments of Franklin, Greendale, Greenfield and Hales Corners have requested temporary use of the Milwaukee County Sports Complex to aid in COVID-19 response. This site would be used as a mass vaccination site for all four communities with an anticipated throughput of up to 2,000 individuals per day (dependent of vaccine availability). Hours of operation would be 8:00 am to 6:00 pm two or three days a week which includes set-up and take-down and will be staffed by members of the respective health departments and their volunteers. The clinics are anticipated to run through Summer 2021.

Use of the facility will be based on the terms set by the Plan Commission as well as agreed upon terms between the local health departments and Milwaukee County Parks for incidental expenses.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney Day", written in a cursive style.

Courtney Day, RN, BSN
Director of Health and Human Services/Health Officer
Franklin Health Department

Google Maps Milwaukee County Sports Complex



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

- ⊗ = Signage
- ▨ = Handicap Parking
- ▭ = Staff Parking

January 28, 2021

RE: Parking at Sports Complex for Proposed Vaccine Clinics

The anticipated maximum number of individuals receiving vaccine on any day is 2,000, however this is dependent on vaccine supply and many days may see significantly less individuals. All individuals receiving vaccine will be by appointment only which will stagger the traffic flow throughout the day.

Staff/volunteer parking will be to the side of the building. Handicap parking will be accessible near the front door with additional spaces provided as needed.

Individuals scheduled for vaccine will enter the parking lot at the first driveway off of S. 60th St. They will exit out the driveway closest to the building. Signs will be posted at each driveway to help direct traffic. At this time we do not anticipate having individuals outside directing traffic nor any parking or traffic back-up in the City Right of Way.

No equipment or vehicles will be stored outside or stored overnight at this site.

Courtney Day, RN, BSN

Courtney Day, RN, BSN
Director of Health and Human Services/Health Officer
Franklin Health Department

Gail Olsen

From: Scott Satula
Sent: Friday, January 29, 2021 4:45 PM
To: General Planning
Cc: Dale Hochevar
Subject: FW: rtg.01_Prelim Plat_Marquette Ave_7475 S 49th St
Attachments: Rtg. 01_TU_6000 W Ryan Road.docx; application.zip

Importance: High

Inspection Services will need to conduct an inspection of the building after set-up of the temporary COVID facility but prior to occupancy.

Thanks,
Scott

W. Scott Satula

Dir. of Inspection Services
ssatula@franklinwi.gov
9229 W. Loomis Road
Franklin, WI 53132
414-425-0084
Franklinwi.gov



From: Gail Olsen
Sent: Friday, January 29, 2021 3:27 PM
To: Steve Olson <Solson@franklinwi.gov>; Catherine Heder <CHeder@franklinwi.gov>; Ronnie Asuncion <RASuncion@franklinwi.gov>; Maureen Schick <MSchick@franklinwi.gov>; Debbie.Engineering <DEngineering@franklinwi.gov>; Adam Remington <ARemington@franklinwi.gov>; Scott Satula <SSatula@franklinwi.gov>; Heath Eddy <HEddy@franklinwi.gov>; Jacqueline Clark <JClark@franklinwi.gov>; Sara Arnold <SArnold@franklinwi.gov>; Glen Morrow <GMorrow@franklinwi.gov>; Bradley Dolan <BDolan@franklinwi.gov>; Marcia LaPointe <MLaPointe@franklinwi.gov>; Dale Hochevar <DHochevar@franklinwi.gov>; Craig Liermann <CLiermann@franklinwi.gov>; Ali Alqayyim <AAlqayyim@franklinwi.gov>
Cc: Regulo Martinez-Montilva <RMartinez-Montilva@franklinwi.gov>; Marion Ecks <MEcks@franklinwi.gov>; Isabelle Jardas <IJardas@franklinwi.gov>; Gail Olsen <GOlsen@franklinwi.gov>
Subject: RE: rtg.01_Prelim Plat_Marquette Ave_7475 S 49th St
Importance: High

Please see attached. **We are expediting this request from the City's Health Department. They are requesting to have a COVID 19 vaccination site and we need your response by February 3rd.**

Please send comments to generalplanning@franklinwi.gov.

Thank you,

Gail Olsen
Planning Secretary - Department of City Development
City of Franklin
9229 W. Loomis Road
Franklin, Wisconsin 53132
Phone: 414-425-4024
Fax: 414-427-7691



Gail Olsen

From: Craig Liermann
Sent: Monday, February 1, 2021 3:59 PM
To: General Planning
Subject: FW: rtg.01_Prelim Plat_Marquette Ave_7475 S 49th St
Attachments: Rtg. 01_TU_6000 W Ryan Road.docx; application.zip

Importance: High

Are there plans for the Milwaukee County Sheriff's Office to provide site security / traffic control (as necessary) for the COVID-19 vaccination clinic, given the fact that it involves the Health Departments of multiple municipalities and is on Milwaukee County grounds?

Respectfully,

Assistant Chief Craig Liermann
Franklin Police Department
cliermann@franklinwi.gov
Desk (414) 858-2617
Dispatch (414) 425-2522



This message originates from the City of Franklin. It contains information that may be confidential or privileged and is intended only for the individual(s) named above. It is prohibited for anyone to disclose, copy, distribute, or use the contents of this message without permission, except as allowed by the Wisconsin Public Record Law. If this message is sent to a quorum of a governmental body, my intent is the same as though it were sent by regular mail and further e-mail distribution is prohibited. All personal messages express views solely of the sender, which are not attributed to the municipality I represent and may not be copied or distributed with this disclaimer. If you have received this message in error please notify me immediately.

From: Gail Olsen
Sent: Friday, January 29, 2021 3:27 PM
To: Steve Olson <Solson@franklinwi.gov>; Catherine Heder <CHeder@franklinwi.gov>; Ronnie Asuncion <RASuncion@franklinwi.gov>; Maureen Schick <MSchick@franklinwi.gov>; Debbie.Engineering <DEngineering@franklinwi.gov>; Adam Remington <ARemington@franklinwi.gov>; Scott Satula <SSatula@franklinwi.gov>; Heath Eddy <HEddy@franklinwi.gov>; Jacqueline Clark <JClark@franklinwi.gov>; Sara Arnold <SArnold@franklinwi.gov>; Glen Morrow <GMorrow@franklinwi.gov>; Bradley Dolan <BDolan@franklinwi.gov>; Marcia LaPointe <MLaPointe@franklinwi.gov>; Dale Hochevar <DHochevar@franklinwi.gov>; Craig Liermann <CLiermann@franklinwi.gov>; Ali Alqayyim <AAlqayyim@franklinwi.gov>
Cc: Regulo Martinez-Montilva <RMartinez-Montilva@franklinwi.gov>; Marion Ecks <MEcks@franklinwi.gov>; Isabelle Jardas <IJardas@franklinwi.gov>; Gail Olsen <GOlsen@franklinwi.gov>
Subject: RE: rtg.01_Prelim Plat_Marquette Ave_7475 S 49th St
Importance: High

Please see attached. **We are expediting this request from the City's Health Department. They are requesting to have a COVID 19 vaccination site and we need your response by February 3rd.**

Please send comments to generalplanning@franklinwi.gov.

Thank you,

Gail Olsen
Planning Secretary - Department of City Development
City of Franklin
9229 W. Loomis Road
Franklin, Wisconsin 53132
Phone: 414-425-4024
Fax: 414-427-7691



Marion Ecks

From: Courtney Day
Sent: Monday, February 8, 2021 1:17 PM
To: Marion Ecks
Cc: Gail Olsen
Subject: RE: Staff Comments for Temporary Use - Franklin Sports Complex 6000 W. Ryan Rd.

See below for answers to questions raised by Inspections and Police.

- Inspection Services
 - o After set-up of site and prior to opening to the public, we will schedule an appointment with Inspection Services. Date will be determined based on approval of the Plan Commission as well as approval of the County Contract to utilize the facility.
- Police Department
 - o While we believe we can accommodate 1500-2000 people per day at full capacity, the lack of vaccine available in the near future will hold these clinics to roughly 500-600 per day. Individuals are scheduled by appointment so traffic flow in and out of the facility should not back up on Ryan Rd or impact 60th St as not all will be at the facility at the same time over an 8 hour day (approximately 75 appointments per hour) which the current parking lot can hold without backup.
 - o As vaccine supply increases we will work with the County Sherriff Office to facilitate traffic control in and around the facility.

Courtney Day, RN, BSN

Courtney Day, RN, BSN
Director of Health and Human Services/Health Officer
Franklin Health Department
cday@franklinwi.gov
414-425-9101



Confidentiality Notice: This e-mail may contain information that is confidential and is intended only for the use of the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, you are notified that it is unlawful for an unauthorized person(s) to review, use, copy, disseminate or distribute any of the contents of this message to anyone other than the identified recipient of this communication. If you received this e-mail in error, please notify the sender and delete this e-mail from your system.

From: Marion Ecks
Sent: Friday, February 5, 2021 12:40 PM
To: Courtney Day <CDay@franklinwi.gov>
Cc: Gail Olsen <GOlsen@franklinwi.gov>
Subject: Staff Comments for Temporary Use - Franklin Sports Complex 6000 W. Ryan Rd.

Dear Courtney,

Planning has reviewed this Temporary Use applications and has the following comments:

- Planning staff recommends that the proposed temporary use expire on December 31, 2021.
- Staff also recommends that approval of the Temporary Use should be conditioned on revision of approved uses at this facility by Special Use Amendment, to include emergency public purposes including public health facilities.
- Note also comments from Inspection Services and Police Department, attached.

This item is scheduled for the February 18, 2021 Plan Commission. Please provide responses to these comments (you can just reply to this email or send a memo) by noon Wednesday, February 10 so they can be included in Commission materials. We will plan to provide them with the information you initially provided; please note that typically we have applicants send us copies but since this is a City application we will produce them in Planning. If there is anything additional you would like to include for Commission review I would need it by noon Wednesday as well.

Let me know if you have any questions.

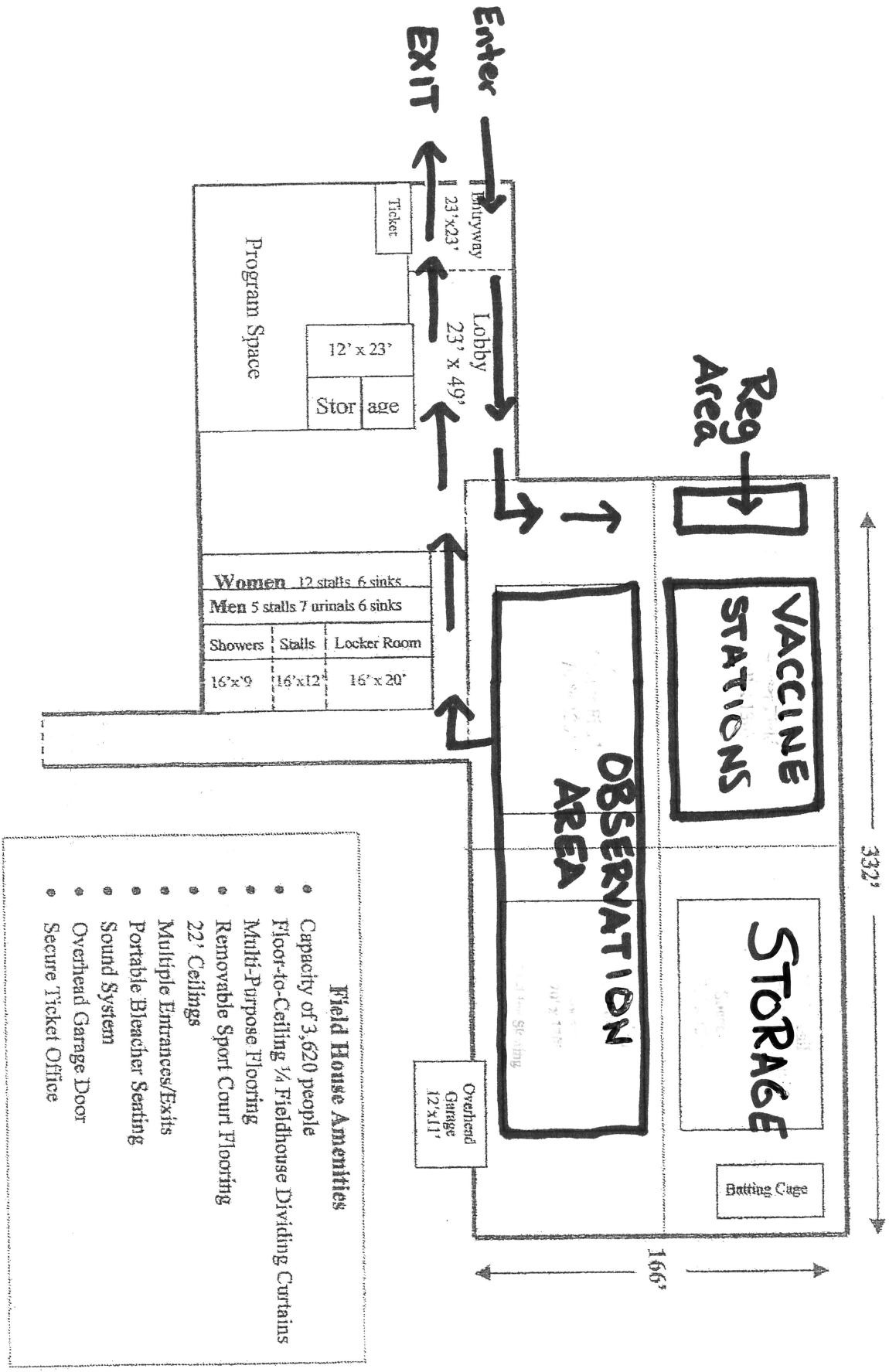
Regards,

Marion Ecks
Associate Planner
Department of City Development
City of Franklin
414-425-4024
mecks@franklinwi.gov

9229 W. Loomis Road
Franklin, Wisconsin 53132



MILWAUKEE COUNTY SPORTS COMPLEX INDOOR FACILITY DIAGRAM



Field House Amenities

- Capacity of 3,620 people
- Floor-to-Ceiling 1/4 Fieldhouse Dividing Curtains
- Multi-Purpose Flooring
- Removable Sport Court Flooring
- 22' Ceilings
- Multiple Entrances/Exits
- Portable Bleacher Seating
- Sound System
- Overhead Garage Door
- Secure Ticket Office