

CITY OF FRANKLIN  
PLAN COMMISSION MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA  
THURSDAY, SEPTEMBER 8, 2022, 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 August 18, 2022.

C. **UNIFIED DEVELOPMENT ORDINANCE (UDO) REWRITE TASK FORCE: PRESENTATION OF DIAGNOSTIC REVIEW OF THE UDO BY PROJECT CONSULTANTS HOUSEAL LAVIGNE ASSOCIATES AND BIRCHLINE PLANNING LLC**

*Please note: the below Public Hearing Business Matter was noticed to commence at 7:00 p.m., however, dependent upon addressing the and the time of completion of the UDO Rewrite Task Force item, may/shall commence after 7:00 p.m. The Strauss Brands LLC Business Matter and other Business Matters will follow the Public Hearing Business Matter.*

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

1. **PROPOSED AMENDMENT OF BOUNDARIES AND PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 6, CITY OF FRANKLIN, WISCONSIN (THE “DISTRICT”).** A. Public Hearing regarding the proposed amendment of boundaries and project plan for Tax Incremental District No. 6 (See the Public Hearing Notice which was published on August 31, 2022). B. Consideration and possible action on “A Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 6, City of Franklin, Wisconsin”. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

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

1. **STRAUSS BRANDS LLC MEAT PROCESSING FACILITY CONSTRUCTION.**

A Resolution to Amend Resolution No. 2021-7788, A Resolution to Amend Resolution No. 2020-7681, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), to Extend the Time for Commencement of the Special Use Development; and A Resolution to Amend Resolution No. 2021-023, A Resolution to Amend Resolution No. 2020-024, A Resolution Approving a Site Plan for Construction of a Meat Processing Facility with Associated Cattle Pen, a Harvest Floor, Carcass Coolers, Fabrication Areas, Packaging Areas, Warehouse Areas, Shipping Docks, Operations Offices, Employee Welfare Spaces, Associated Mechanical Support Facilities and Spaces, a Future Development Area, Stormwater Ponds, Parking Lot and Truck and Employee Vehicle Entrance Drives (the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), to Extend the Time for Commencement of the Site Plan Use Development. As the subject Special Use development upon which the Site Plan Use approval is conditioned is a subject in the litigation matter *Franklin Community Advocates, et al. v. City of Franklin, and Strauss Brands, LLC*, Milwaukee County Circuit Court Case No. 20-CV-7031, which litigation matter is in process and pending at this time, the Plan Commission may enter closed session pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Plan Commission who is rendering advice concerning strategy to be adopted by the body with respect to the subject litigation, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

2. **CAPE CROSSING SINGLE-FAMILY RESIDENTIAL SUBDIVISION PLANNED DEVELOPMENT DISTRICT DEVELOPMENT (PHASE 1).** Final Plat application by Cape Crossing, LLC, Franklin DC Land, LLC, current property owner, to create Phase 1 of The Villas at Cape Crossing/The Estates at Cape Crossing, a new single-family residential subdivision Planned Development District, Phase 1 consisting of 63 single-family residence lots, with outlots for common areas, stormwater management facilities and future phases), property located at 12200 West Ryan Road, zoned Planned Development District No. 40 (Cape Crossing); Tax Key Nos. 890-9991-001 and 890-9991-002.
3. **THE ROCK SPORTS COMPLEX/BALLPARK COMMONS C-1 BUILDING WALL SIGNAGE INSTALLATION.** Sign Review application by-Baseballism and Foth Infrastructure and Environmental, LLC, for two new illuminated wall signs (Baseballism sign (approximately 99 square feet) and a Foth sign (approximately 34 square feet), on the south building elevation (facing Rawson Avenue)), property identified in the Ballpark Commons Masterplan as building C-1 (located in the Ballpark Commons Sports Village

Commercial/Mixed Use Area of Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons)), bearing Tax Key No. 744-1007-000.

F. 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, Environmental Commission and Economic Development Commission 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, Environmental Commission and Economic Development Commission per State ex rel. Badke v. Greendale Village Board, even though the Common Council, Environmental Commission and Economic Development Commission 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: September 22, 2022

**City of Franklin  
Plan Commission Meeting  
August 18, 2022  
Minutes**

unapproved

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

Mayor Steve Olson called the August 18, 2022, 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, Alderwoman Shari Hanneman, Commissioners Patrick Leon, Kevin Haley and Patricia Hogan and City Engineer Glen Morrow. Excused was Commissioner Adam Burckhardt. Also present were Principal Planner Régulo Martínez-Montilva, Associate Planner Marion Ecks and City Attorney Jesse Wesolowski.

**B. Approval of Minutes**

**1. Regular Meeting of August 4, 2022.**

Commissioner Haley moved and Commissioner Hogan seconded a motion to approve the August 4, 2022, regular meeting minutes. On voice vote, all voted ‘aye’; motion carried (5-0-1).

**C. Public Hearing Business Matters**

**1. JAX INC. LUBRICANTS FOR MACHINERY AND PROCESSES PACKAGING BUSINESS.** Special Use application by JAX Inc., to operate an industrial, synthetic and food-grade lubricants for machinery and processes packaging business (including a fenced area for 6 LP (liquid propane) tank pads and 2 concrete pads for filling units, east of the main building) (canning and packing businesses require a Special Use permit in Planned Development District No. 7 (Franklin Industrial Park), property located at 9845 South 57th Street, zoned Planned Development District No. 7 (Franklin Industrial Park); Tax Key No. 899-0002-000.

The Official Notice of Public hearing for a Special Use was read in to the record by Associate Planner Marion Ecks and the Public Hearing was opened at 7:08 p.m. and closed at 7:08 p.m.

Principal Planner Régulo Martínez-Montilva presented the request by JAX Inc., to operate an industrial, synthetic and food-grade lubricants for machinery and processes packaging business (including a fenced area for 6 LP (liquid propane) tank pads and 2 concrete pads for filling units, east of the main building) (canning and packing businesses require a Special Use permit in Planned Development District No. 7 (Franklin Industrial Park), property located at 9845 South 57th Street, zoned Planned Development District No. 7 (Franklin Industrial Park); Tax Key No. 899-0002-000.

Commissioner Hogan moved and Alderwoman Hanneman seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use to operate an industrial, synthetic and food-grade lubricants for machinery and processes packaging business; and delete the sentence “A chain-link fence with privacy slats is acceptable for this purpose” from condition no. 8. On voice vote, all voted ‘aye’; motion carried (5-0-1).

**D. Business Matters**

**1. JOINT VENTURE L.L.C. RESIDENTIAL MULTI-FAMILY**

Principal Planner Régulo Martínez-Montilva presented the request by Joint Venture L.L.C., to allow for construction of a 24

**COMPLEX DETACHED GARAGE CONSTRUCTION.** Site Plan Amendment application by Joint Venture L.L.C., to allow for construction of a 24 foot by 30 foot detached garage (for storage of landscaping and other exterior maintenance equipment) adjacent to the parking area facing South 35th Street, property zoned R-8 Multiple-Family Residence District, C-1 Conservancy District, FC Floodplain Conservancy District and FW Floodway District, generally located at 6350 South 35th Street; Tax Key No. 714-9988-002.

foot by 30 foot detached garage (for storage of landscaping and other exterior maintenance equipment) adjacent to the parking area facing South 35th Street, property zoned R-8 Multiple-Family Residence District, C-1 Conservancy District, FC Floodplain Conservancy District and FW Floodway District, generally located at 6350 South 35th Street; Tax Key No. 714-9988-002.

Alderman Hanneman moved and Commissioner Leon seconded a motion to adopt a Resolution amending the Site Plan for property generally located at 6350 South 35th Street to allow for construction of a detached garage (tax key no. 714-9988-002). On voice vote, all voted ‘aye’; motion carried (5-0-1).

**2. WOODFIELD TRAIL, A CONDOMINIUM DEVELOPMENT.** Declaration of Condominium Plat application by Stephen R. Mills, President of Bear Development, LLC (Boomtown, LLC, property owner), for the development of a condominium complex (Woodfield Trail, a Condominium), consisting of 26 dwelling units arranged in 13 side-by-side duplex structures, property located at 12000 West Loomis Road (15.6 acres), such property being zoned R-8 Multiple-Family Residence District; Tax Key No. 891-9011-000 [a Special Use and Site Plan have already been approved for this project in June 2022, pending conditions of approval including a landscape bufferyard easement along Loomis Road and conservation easement for protected natural resources].

Principal Planner Régulo Martínez-Montilva presented the request by Stephen R. Mills, President of Bear Development, LLC (Boomtown, LLC, property owner), for the development of a condominium complex (Woodfield Trail, a Condominium), consisting of 26 dwelling units arranged in 13 side-by-side duplex structures, property located at 12000 West Loomis Road (15.6 acres), such property being zoned R-8 Multiple-Family Residence District; Tax Key No. 891-9011-000 [a Special Use and Site Plan have already been approved for this project in June 2022, pending conditions of approval including a landscape bufferyard easement along Loomis Road and conservation easement for protected natural resources].

Commissioner Leon moved and Alderman Hanneman seconded a motion to recommend approval of a Resolution conditionally approving a Condominium Plat for Woodfield Trail, a condominium at 12000 West Loomis Road. On voice vote, all voted ‘aye’; motion carried (5-0-1).

**Adjournment**

Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of August 18, 2022 at 7:19 p.m.. On voice vote, all voted ‘aye’; motion carried (5-0-1).

# Article 1. General Provisions

15-1-01. Title..... 1  
15-1-02. Purpose ..... 1  
15-1-03. Intent..... 1  
15-1-04. Interpretation ..... 2  
15-1-05. Jurisdiction..... 2  
15-1-06. Vested Rights ..... 2

## 15-1-01. Title

- A. This Ordinance shall be known as, referred to, or cited as, "Unified Development Ordinance, City of Franklin, Wisconsin" or the "UDO".

## 15-1-02. Purpose

- A. The purpose of this UDO is to promote the health, safety, morals, prosperity, aesthetics, and general welfare and to regulate and control the division of land within the limits of the City of Franklin, Wisconsin

## 15-1-03. Intent

It is the general intent of this UDO to regulate the division of land and restrict the use of all structures, lands, and waters to achieve the following objectives.

- A. Regulate and restrict development densities and formats to prevent overcrowding and to provide adequate sunlight, air, sanitation, and drainage.
- B. Regulate population density and distribution to avoid inefficient land use and development patterns, to further the orderly layout and appropriate use of land, and to facilitate the provision of adequate public service and utilities.
- C. Regulate parking, loading, and access to lessen congestion and promote the safety and efficiency of streets and highways.
- D. Ensure safety from fire, flooding, pollution, contamination, panic, and other dangers.
- E. Stabilize and protect existing and future property values.
- F. Encourage compatibility between different land uses and protect from the encroachment of incompatible development.
- G. Further the wise use and conservation of natural resources including soils, topography water, floodplains, shorelands, drainageways, wetlands and shoreland wetlands, woodlands and forests, scenic resources, and wildlife resources.
- H. Prevent flood damage to persons and property to minimize expenditures for flood relief and flood control projects.
- I. Provide for and protect a variety of suitable commercial and industrial sites.
- J. Protect the traffic-carrying capacity of existing and proposed arterial streets, highways, and collector streets.

- K. Facilitate adequate provisions for housing, transportation, water supply, stormwater, wastewater, schools, parks, playgrounds, and other public facilities and services.
- L. Restrict building sites in areas covered by poor soils or in other areas poorly suited for development due to natural resource features or other characteristics.
- M. Facilitate the appropriate division of larger tracts into smaller parcels of land.
- N. Ensure adequate legal descriptions and proper survey monumentation of subdivided land.
- O. Implement the municipal, County, watershed, or regional plans or their components adopted by the City and facilitate the enforcement of those development standards.
- P. Provide for the administration and enforcement of this UDO.

#### 15-1-04. Interpretation

- A. **Minimum Standards Established.** The provisions of this UDO shall be interpreted as minimum requirements, unless otherwise stated, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- B. **Severability.** If any part, division, section, provision, or portion of this Ordinance is adjudged unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this UDO shall not thereby be affected but shall remain in full force and effect. If an application of this UDO to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgement shall not be applicable to any other structure, land, or water not specifically included in said judgement.

#### 15-1-05. Jurisdiction

- A. The jurisdiction of this Ordinance shall apply to all structures, lands, water, and air within the corporate limits of the City of Franklin.

#### 15-1-06. Vested Rights

- A. **Construction and Uses Approved Prior to UDO Effective Date.** All buildings, structures, and uses authorized by permit prior to the effective date of this UDO or any amendment thereto shall be subject to the applicable provisions of the UDO at the time of approval.
- B. **Applicability to Pending Applications.** This UDO shall apply to all pending application for which a zoning approval has not been formally issued. Upon the refiling of any pending application after the effective date of this UDO, the refiled application shall such application shall be subject to the applicable provisions of this UDO at the time of submittal.
- C. **Construction Allowed pursuant to Approved Plans.** Nothing in this UDO shall require a change in the plans for any structure or use if a building permit or certificate of occupancy for such structure was lawfully issued prior to the effective date of this UDO or any such amendment thereto, and such building or certificate of occupancy had not by its own terms expired prior to the effective date of this UDO, and construction pursuant to such permit is commenced prior to the expiration date of such permit.
- D. **Building Permit.** Where a building permit for a building or structure has been issued prior to the effective date of this UDO and construction is commenced within ninety (90) days of the effective date of this UDO, the building or structure may be completed in accordance with the approved plans for which the building permit has been issued.
- E. **Final Subdivision Plat.** Any preliminary subdivision plat filed prior to the effective date of this UDO shall vest such approval rights upon the approval of the preliminary subdivision plat. Any subsequent final subdivision plat may be subsequently filed in accordance with the approved preliminary plat.

## Article 2. Establishment of Districts

15-2-01. Districts Established .....	1
15-2-02. Purpose and Intent of Districts .....	2
15-2-03. Official Zoning Map.....	4

### 15-2-01. Districts Established

#### A. Base Districts.

##### 1. Residential Districts.

- a. R-C - Conservation Residence District
- b. R-SE - Suburban/Estate Residence District
- c. R-SR - Suburban Residence District
- d. R-M - Multiple-Unit Residence District
- e. R-V - Village Residence District

##### 2. Commercial and Mixed-Use Districts.

- a. B-N - Neighborhood Business District
- b. B-G - General Business District
- c. B-R - Regional Business District
- d. B-MU - South 27<sup>th</sup> Street Mixed-Use District
- e. B-SM - Saint Martin's Road Historic Business District

##### 3. Industrial and Agricultural Districts.

- a. B-P - Business Park District
- b. LI - Limited Industrial District
- c. A - Agricultural District
- d. A-P - Agricultural Prime District

##### 4. Miscellaneous Districts.

- a. P - Park and Open Space District
- b. I - Institutional District
- c. L - Landfill District



- d. PDL - Planned Development Legacy District
- 5. **Floodplain Districts.**
  - a. FW - Floodway District
  - b. GFP - General Floodplain District
  - c. FF - Floodfringe District
- 6. **Overlay Districts.**
  - a. AO - Airport Overlay District

## 15-2-02. Purpose and Intent of Districts

### A. Residential Districts

1. **R-C - Conservation Residence District.** The R-C Conservation Residence District is intended to allocate land for for single-family detached uses on large lots and in low-density settings. The District is further intended to preserve open space, sensitive natural features, and maintain the community's rural residential setting and scenic viewsheds where these assets exist in the southern areas of the community.
2. **R-SE - Suburban/Estate Single-Family Residence District.** The R-SE Suburban/Estate Single-Family Residence District is intended to provide land for single-family detached residential housing in moderately-low densities and that is suburban or semi-rural in character. The District is further intended to preserve and protect the City's natural resources, including woodlands and open spaces.
3. **R-SR - Suburban Single-Family Residence District.** The R-SR Suburban Single-Family Residence District is intended to provide land for single-family detached suburban residential housing at moderately low densities. The District is designed to preserve the community's suburban and semi-rural character and its open space and natural resources. The district is intended to allow infill in locations where moderately low-density neighborhoods exist and to allow new residential growth as the community determines is appropriate.
4. **R-M - Multiple-Family Residence District.** The R-M Multiple-Family Residence District is intended to establish and preserve land for both multifamily and single-family attached residential development such as duplexes, townhomes, and rowhomes to accommodate a variety of households with different lifestyles, age ranges, and incomes. The District is intended to allow a flexible mix of scales, densities and formats throughout the community while ensuring that the single-family attached and multifamily residential uses enhance the character of Franklin's residential setting, contribute to the community's visual appeal, and ensure the adequate provision of open space.
5. **R-V - Village Residence District.** The R-V Village Residence District is intended to preserve the single-family detached residential character and architectural qualities of the Saint Martin's Historic Village Area. The District is intended to allow new single-family detached residential infill on vacant or underused sites in the Village area, provided that such development is consistent with the historic visual character and preserves its moderate residential density.

### B. Commercial and Mixed-Use Districts

1. **B-N - Neighborhood Business District.** The B-N Neighborhood Business District is intended to provide for the day-to-day retail, commercial service, and employment needs of Franklin residents, and particularly the needs of the neighborhoods adjacent to properties in the District. The District is further intended to promote a mutually supportive mix of small-scale retail establishments and to ensure safe and convenient pedestrian and vehicular circulation on-site and between adjacent sites as redevelopment of existing sites occurs.
2. **B-G - General Business District.** The B-G General Business District is intended to promote a variety of commercial service and retail uses along the City's major roadways. The District is intended to allow moderately large-scale

development that serves the general population of Franklin. It is further intended to promote commercial development in visually appealing plaza formats that promote safe and convenient pedestrian travel on sites and between adjacent sites.

3. **B-R - Regional Business District.** The B-R Regional Business District is intended to promote a variety of commercial service and retail uses along the City’s major roadways to serve the needs of Franklin residents as well as a regional consumer market beyond the City’s borders. Moderately large-scale development should be configured with groups of large-lot commercial structures with outlot commercial buildings surrounding shared parking areas and should provide safe and convenient pedestrian travel on-site.
4. **B-MU - South 27<sup>th</sup> Street Mixed Use District.** The B-MU South 27<sup>th</sup> Street Mixed Use District is intended to provide land for a mutually supportive combination of retail, commercial, office, and compact residential uses in buildings’ upper floors along South 27<sup>th</sup> Street. Development is configured in multi-building plaza formats and on relatively large sites. The District is intended to facilitate greater densities of retail, commercial, office, and residential uses than in the B-1 through B-3 Districts, given South 27<sup>th</sup> Street’s direct access to bus transit. The development should further be arranged in cohesive plaza developments that facilitate convenient vehicle and pedestrian travel and enhance the corridor’s appearance.
5. **B-SM - Village Business District.** The B-SM Village Business District is intended to promote a mix of commercial retail, service, and upper-floor residential uses in the historic Saint Martin’s Village area while maintaining the area’s traditional character and built form. The District is designed to preserve historic structures while allowing infill development on underused sites that is consistent with the area’s built characteristics and architectural qualities. Development should continue to be formatted in small lots and buildings should be placed relatively near front lot lines to preserve the area’s pedestrian oriented character.

**C. Industrial and Agricultural Districts.**

1. **B-P - Business Park District.** The B-P Business Park District is intended to promote a flexible mix of light industrial, research, and office uses in a campus like setting. Uses are conducted primarily indoors and do not have the potential to generate nuisances to adjoining properties. Circulation systems should be integrated into the site in a cohesive manner to ensure convenient pedestrian and vehicular travel.
2. **LI - Limited Industrial District.** The LI Limited Industrial District is intended to provide land for manufacturing, industrial, warehousing, and similar uses of a limited scale and intensity. The district is intended to support employment opportunities in the City while maintaining the community’s natural resources and neighborhood character.
3. **A - Agricultural District.** The A Agricultural District is intended to preserve land in the City historically used for small farming operations engaged in crop production, the raising of livestock, the cultivation of orchards, and other small-scale agricultural activities. The district also accommodates limited single-family housing. The District is intended to preserve the large contiguous parcels of land that are characteristic of the community’s rural areas.
4. **A-P - Prime Agricultural District.** The A-P Prime Agricultural District is intended to preserve and protect land in the City historically designated as prime agricultural land in the City of Franklin’s Comprehensive Plan. The District is intended to preserve the natural integrity, agricultural productivity, and scenic qualities of these lands while allowing limited single-family residential development.

**D. Miscellaneous Districts**

1. **P - Park and Open Space District.** The P Park and Open Space District is intended to provide land for parks and recreational facilities that meet the needs of the Franklin community while also preserving the City’s natural resources, including rivers, woodlands, and open space.
2. **I - Institutional District.** The I Institutional District is intended to allocate land for public or semi-public uses, municipal facilities, utilities, and noncommercial places of assembly as defined in this UDO. The district serves to accommodate existing and future public and semi-public uses and to allocate land separately from commercial and residential uses.

3. **L - Landfill District.** The L Landfill District is intended to contain and regulate existing and former landfill uses in the City while mitigating their adverse impacts such as odor, noise, and traffic on the community's commercial and residential areas.
4. **PDL - Planned Development Legacy District.** The PDL Planned Development Legacy District includes properties that have been previously zoned as a "planned development district" and are governed by a unique set of regulations as set forth in the related planned development ordinance. Properties zoned in the Legacy Planned Development District will continue to operate under their specific planned unit development ordinance. No property may be rezoned into the Legacy Planned Development District after the date of the adoption of this chapter.

**E. Floodplain Districts.**

1. **FW - Floodway District.** The FW Floodway District, is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to s. 5.1(5).
2. **GFP - General Floodplain District.** The GFP General Floodplain District is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
3. **FF - Floodfringe District.** The GFP General Floodplain District is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.

**F. Overlay Districts.**

1. **AO - Airport Overlay District.** The AO Airport Overlay District is intended to allow for the coordination, planning and development of land uses near General Mitchell Field, to control conflicts with adjoining residential and commercial uses, and to mitigate airport-related impacts such as noise.

**15-2-03. Official Zoning Map**

A. **Official Zoning Map Established.** The location and boundaries of the districts established by this UDO shall be established in the Zoning Map as amended, which is incorporated herein and hereby made a part of this Ordinance.

**B. District Boundary Description and Interpretation.**

1. **Zoning Boundary Determination.** The district boundaries shall be streets, alleys, railroads, lot lines, streams, floodplain boundaries, and wetland boundaries unless otherwise shown on the Zoning Map.
2. **Zoning Boundary Determination for Approximate Boundaries.** Where the designation of the Official Zoning Map indicates that various zoning districts are approximately bounded by a street, alley, lot line, stream, floodplain boundary, or wetland boundary, such lot line or the centerline of such street, alley, or railroad right-of-way, or centerline of the main channel of such stream, the floodplain boundaries, or wetland boundaries as delineated on maps prepared by the City or under the Root River Watershed study, or as determined through the use of on-site wetland delineation, flood profiles and accompanying hydrologic and hydraulic engineering data, shall be construed to be the zoning district boundary line.
3. **Split Zoning of New Lots Prohibited.** The split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed except for parcels split between a district and the AO, GFP, FW, and FF Districts.
4. **Zoning of Annexed Land.** Any additions to the incorporated area of the City of Franklin shall be classified in the A Agricultural District until otherwise classified by amendment.
  - a. **Annexations or Consolidations Containing Shorelands.** Annexations containing shorelands shall comply with **§ 62.231 of the Wisconsin Statutes.**

- b. **Annexations or Consolidations Containing Floodplains.** Annexations or consolidations containing floodplains shall be placed in the following districts as applicable:
  - i. All floodways and unnumbered A Zones on the FEMA map shall be placed in the FW Floodway District.
  - ii. All other floodplains shall be placed in the GFP General Floodplain District.

## Article 3. District Specific Standards

15-3-01. Bulk and Dimensional Standards ..... 1  
 15-3-02. Calculating Dimensional Standards..... 2  
 15-3-03. Exceptions to Bulk and Dimensional Standards..... 3  
 15-3-04. Permitted, Limited, Conditional, and Temporary Uses..... 4  
 15-3-05. B-SM - Saint Martin’s Road Historic Business District Specific Standards. .... 8  
 15-3-06. AO Airport Overlay District Standards. .... 9  
 15-3-07. FF Floodfringe District and GFP General Floodplain District. .... 10

### 15-3-01. Bulk and Dimensional Standards

A. **Residential District Bulk and Dimensional Standards.** Table 15-3.0100(A) establishes the bulk and dimensional requirements for development or the use of a lot in each residential district.

Table 15-3-01(A): Residential District Bulk and Dimensional Standards					
Standard	R-C	R-SE	R-SR	R-M	R-V
<i>Lot Standards (Minimum)</i>					
Lot Area (sqft)	10,000	18,000	10,000	12,000(1)	7,200
Lot Area / DU (sqft)(2)	--	--	--	4,500	--
Lot Width (ft)	60	90	80	100	60
<i>Yard Setbacks (Minimum)</i>					
Front (ft)	25	45	30	15	25
Street Side (ft)	15	35	20	10	15
Interior Side (ft)	5	10	10	5	5
Rear (ft)	25(3)	30(3)	30(3)	15(3)	25(3)
<i>Building Standards (Maximum)</i>					
Height Building (ft)	35	35	35	35	35
Impervious Surface Coverage (%)	20	40	50	60	40
<i>Notes</i>					
(1) A lot area of 6,000 square feet shall be allowed for duplex structures with a parti wall.					
(2) Lot area per dwelling unit requirements shall apply in addition to the baseline lot area requirement for each additional dwelling unit on a lot over one.					
(3) Maximum setback of 10 feet shall be allowed for garages.					

- B. **Nonresidential and Mixed-Use District Bulk and Dimensional Standards.** Table 15-3.0100 (B) establishes the bulk and dimensional requirements for development or uses of a parcel in each nonresidential or mixed-use district.

<b>Table 15-3-01(B): Mixed-Use and Nonresidential District Bulk and Dimensional Standards</b>												
Standard	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	I	P	
<i>Lot Standards (Minimum)</i>												
Lot Area (acres)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3	35	n/a	n/a	
Lot Width (ft)	50	50	50	50	50	50	50	200	300	50	50	
<i>Yard Setbacks (Minimum)</i>												
Front (ft)	25	25	40	30(1)	10	50	30	50	50	30	50	
Street Side (ft)	25	25	40	30(1)	15	50	30	50	50	20	50	
Interior Side (ft)	10	10	10	10(1)	5	20	20	25	25	10	20	
Rear (ft)	20	20	20	30(1)	20	40	15	50	50	30	50	
<i>Building Standards (Maximum)</i>												
Height Building (ft)	40	40	50	50(2)	40	95	45	35	35	45	40	
Impervious Surface Coverage (%)	60	70	70	70	100	60	70	n/a	n/a	60	n/a	
<i>Notes</i>												
(1) 40% of the required setback may be reduced when at least 15% of dwelling units on site are deed restricted to be affordable relative to 80% of the Milwaukee County Area Median Household Income. A minimum of 1 total dwelling units shall be provided on site to qualify.												
(2) An additional ten (10) feet of building height shall be allowed when at least 15% of dwelling units on site are deed restricted to be affordable relative to 80% the Milwaukee County Area Median Household Income. A minimum of 1 total dwelling unit shall be provided on site to qualify.												

### 15-3-02. Calculating Dimensional Standards

- A. **Lot Width.** Lot width shall be measured as the distance between the side lot lines of a lot at right angles to its depth along a straight line parallel to the front lot line.
- B. **Lot Widths for Lots that Abut a Cul-de-Sac.** The lot width of all lots which abut a cul-de-sac may be reduced by a maximum of twenty (20) percent of the required lot width for the district in which it is located, as measured from the front lot line.
- C. **Yard Setbacks.**
1. A required yard setback shall be measured as the horizontal distance from the center point of the applicable lot line into the interior of the lot for the minimum distance specified in [Table 15-3.0100\(A\)](#) or [Table 15-3.0100\(B\)](#).
  2. The span of a yard setback shall be measured as follows.
    - a. **Front Yard.** From the interior side lot line to the other interior side lot line or street side lot line as applicable.
    - b. **Street Side Yard.** From the front yard setback line to the rear lot line.
    - c. **Interior Side Yard.** From the front yard setback line to the rear yard setback line.
    - d. **Rear Yard.**
      1. From the interior side lot line to the other interior side lot line; or

II. From the interior side lot line to the street side yard setback line.

- D. **Height.** Building height shall be the vertical distance measured from the mean elevation of the finished lot grade along the building frontage to the highest elevation of the roof.

### 15-3-03. Exceptions to Bulk and Dimensional Standards

- A. **Height Exceptions.** The following structures may exceed the height limitations established in Table ##-### and ##-### as follows.

1. **Architectural Projections.** Architectural projections such as antennae, spires, steeples, belfries, parapet walls, cupolas, domes, flues, and chimneys may exceed the height limit for the district to provide for projections usual and customary to the proposed use.
2. **Special Structures.** Structures such as elevator penthouses, mechanical penthouses, gas tanks, grain elevators, observation towers, and scenery lofts, manufacturing equipment and necessary appurtenances, cooling towers, fire towers, substations, and smoke stacks are exempt from the height limitations of this UDO provided the structures are an integral part of and do not detract from the design of the principal structure as approved by the Plan Commission and/or Architectural Board.
3. **Essential Services, Utilities, Water Towers, and Electric Power and Communication Transmission Lines.** Essential services, utilities, water towers, and electric power and communication transmission lines are exempt from the height limitations of this Ordinance. Building-mounted earth station dish antennas shall not exceed the maximum height regulation of the district in which they are located.
4. **Agricultural Structures.** Agricultural structures, such as barns, silos, windmills, shall not exceed in height twice their distance from the nearest lot line.
5. **Public or Semipublic Facilities.** Public or semipublic facilities, such as schools, churches, hospitals, monuments, sanatoriums, libraries, and governmental offices and stations, may be erected to a height of 60 feet, provided all required yards are increased not less than one foot for each foot the structure exceeds the district's maximum height requirement.
6. **Modification of Other Ordinances and Regulations Not Permitted Under this Division.** Modifications permitted under this Division of this Ordinance do not modify any requirements of federal, State, or local building codes relating to the elements addressed in this Division of this Ordinance.

- B. **Yard Exceptions.** Obstructions into the yard requirements specified in Section ##-### and ##-### may be permitted as follows.

1. **Uncovered Stairs, Landings, and Fire Escapes.** Uncovered stairs, landings, and fire escapes may project a maximum of six (6) feet into a required yard and shall not be closer than three (3) feet to any lot line.
2. **Architectural Projections.** Architectural projections including chimneys, flues, sills, eaves, belt courses, and ornamental features, may project a maximum of two (2) feet into a required yard. Bay windows may project a maximum of three (3) feet into a required yard.
3. **Utility and Electric Power and Communication Transmission Lines.** Utility and electric power and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.
4. **Terraces, Patios, Uncovered Decks.** Terraces, patios, uncovered decks, and ornamental features which do not extend more than three (3) feet above or below the adjacent grade may project a maximum of ten (10) feet into any required yard, however any such structure shall be setback at least five (5) feet from any property line.

5. **Lampposts and Flagpoles.** Lampposts with a maximum height of ten (10) feet and flag poles with a maximum height of thirty five (35) feet may project into required yards, however any such structure shall be set back at least five (5) feet from any property line.
6. **Air Conditioning Units.** Air conditioning units may project up to five (5) feet into a required side or rear yard but shall not be closer than five (5) feet from any property line.
7. **Rainwater Harvesting Structures.** Rainwater harvesting structures with two-hundred (200) gallons or less of storage may project into a required side or rear yard but shall not be closer than five (5) feet from any property line. Rainwater harvesting structures with over two-hundred (200) gallons of capacity meet the location standards for accessory structures in **Section ##-###.**
8. **Below-Ground Stairways and Windows.** Stairways and windows that are constructed entirely below the site's finished grade may project into any required yard.

**15-3-04. Permitted, Limited, Conditional, and Temporary Uses.**

- A. The following key shall be used in the interpretation of **Table 15-3.0400(B) and (C).**
  1. **Permitted Uses.** Uses which are marked as "P" in the table shall be allowed subject to all applicable regulations of this UDO.
  2. **Conditional Uses.** Uses which are marked as "C" in the table shall be allowed upon the approval of a Conditional Use Permit as detailed in **Section ##-###.**
  3. **Temporary Uses.** Uses which are marked "T" in the tables shall be allowed upon the approval of a Temporary Use Permit as detailed in **Section ##-###**
  4. **Prohibited Uses.** A blank space in the tables indicates that a use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this UDO.
  5. **Uses Not Listed.** If a proposed use is not listed in the tables, the Zoning Administrator shall determine if the use is substantially similar to a use listed on the tables per **Section ##-###.** If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
  6. **Additional Regulation.** If a use has use specific standards they are highlighted in green. Use specific standards shall apply to permitted, special, and temporary uses.
- B. **Permitted, Special, and Temporary Uses in Residential Districts.**

Table 15-3-04(B): Permitted, Special, and Temporary Uses in Residential Districts					
Use	R-C	R-SE	R-SR	R-M	V-R
<i>Residential</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-M</i>	<i>V-R</i>
Community Living, 1-15 Persons	P	P	P	P	P
Community Living, 16 + Persons	C	C	C	C	C
Single-Family Detached	P	P	P		P
Mobile/Manufactured Home Park, Existing Prior to this UDO				P	
Duplex			C	P	
Townhome				P	
Multifamily Building				P	
Multifamily Complex				P	
Senior Housing, Assisted Living	C	C	C	C	C



**DRAFT FOR REVIEW ONLY**

Table 15-3-04(B): Permitted, Special, and Temporary Uses in Residential Districts					
Use	R-C	R-SE	R-SR	R-M	V-R
Senior Housing, Nursing Care	C	C	C	C	C
Senior Housing, Total Life Care				C	
<i>Institutional</i>	R-C	R-SE	R-SR	R-M	V-R
Educational Facility	C	C	C	C	C
<i>Place of Assembly</i>	R-C	R-SE	R-SR	R-M	V-R
Noncommercial Place of Assembly, ##### sqft or less	P	P	P	P	P
Noncommercial Place of Assembly, more than ##### sqft	C	C	C	C	C
<i>Recreation, Amusement, and Lodging</i>	R-C	R-SE	R-SR	R-M	V-R
Lodging House	P	P	P	P	P
Short Term Rental	P	P	P	P	P
<i>Agricultural</i>	R-C	R-SE	R-SR	R-M	V-R
Community Garden	P	P	P	P	P
Crop Production	C				
Indoor Agriculture	C				
Telecommunications Tower	C	C	C	C	C
<i>Accessory</i>	R-C	R-SE	R-SR	R-M	V-R
Accessory Dwelling, Detached/Attached	C	C	C	C	C
Accessory Dwelling, Internal	P	P	P	P	P
Accessory Structure	P	P	P	P	P
Artisan Workshop	P	P	P	P	P
Home Based Business	P	P	P	P	P
Solar Energy Collection System, canopy	P	P	P	P	P
Solar Energy Collection System, ground mounted	P	P	P	P	P
Solar Energy Collection System, roof mounted	P	P	P	P	P
<i>Temporary</i>	R-C	R-SE	R-SR	R-M	V-R
Construction Related	T	T	T	T	T
Food Truck	T	T	T	T	T

**C. Permitted, Special, and Temporary Uses in Nonresidential and Mixed-Use Districts.**

Table 15-3-04(C): Permitted, Special, and Temporary Uses in Nonresidential and Mixed-Use Districts													
Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
<i>Residential</i>	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Single-Family Detached								P	P				
Multifamily, above ground floor only	P	P	P	P	P								
<i>Institutional</i>	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Educational Facility											C		
Governmental Uses											C		

**DRAFT FOR REVIEW ONLY**

**Table 15-3-04(C): Permitted, Special, and Temporary Uses in Nonresidential and Mixed-Use Districts**

Health Care Facility	P	P	P	P			P				C		
Cemetery											C		
<i>Place of Assembly</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Indoor Commercial Place of Assembly, ##### sqft or less	P	P	P	P	P			C	C		P		
Indoor Commercial Place of Assembly, more than ##### sqft	S	P	P	P	S			C	C		P		
Outdoor Commercial Place of Assembly	C	C	C	C	C			C	C		P		
Noncommercial Place of Assembly, ##### sqft or less								C	C		P		
Noncommercial Place of Assembly, more than ##### sqft								C	C		P		
<i>Recreation, Amusement, and Lodging</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Campground								C	C				P
Lodging House								P	P				
Hotel	C	C	C	C									
Recreation Area													P
Short Term Rental					P			P	P				
<i>Retail</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Adult Establishment							C						
General Retail, ##### sqft or less	P	P	P	P	P								
General Retail, more than ##### sqft	C	P	P	P	C								
Multitenant Shopping Center	C	C	C	C									
Wholesale Establishment							C						
<i>Service</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Animal Boarding Facility/Kennel and/or Veterinary Service	C	C					C	C					
General Service, ##### sqft or less	P	P	P	P	P								
General Service, more than ##### sqft	S	P	P	P	C	P							
Financial Institution	P	P	P	P		P							
Funeral Home	C	C											
Office, above ground floor only				P	P								
Office, ##### sqft or less	P	P	P	P		P							
Office, more than ##### sqft	P	P	P	P		P							
Office Complex/Business Park						P							
<i>Eating and Drinking</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Bar/Tavern	P	P	P	P	P								
Brewery/Winery/Distillery							C						
Brewery/Winery/Distillery Tasting Room	P	P	P	P	P								
Food Truck Court	C	C	C	C	C	C							

**DRAFT FOR REVIEW ONLY**

**Table 15-3-04(C): Permitted, Special, and Temporary Uses in Nonresidential and Mixed-Use Districts**

Micro Brewery/Winery/Distillery		P	P	P	P								
Restaurant, Delivery/Carry Out		P	P										
Restaurant, Fast Casual		P	P	P									
Restaurant, Sit Down	P	P	P	P	P								
<i>Vehicle Related</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Auto Sales/Rental and Service		C	C				P						
Carwash		C	C				P						
Major Automotive Repair			C				P						
Minor Automotive Repair			P				P						
Vehicle Fuel Sales		C	C				P						
<i>Agricultural</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Community Garden								P	P				
Crop Production								P	P				
Animal Husbandry								P	P				
Indoor Agriculture							P	P	P				
Nursery Retail	P	P	P					P	P				
Nursery Wholesale								P	P				
<i>Industrial</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Artisan Manufacturing	P	P	P	P	P								
Brewery/Winery/Distillery							P	P	P				
Composting/ Recycling Facility							S	P	P				
Distribution Facility							C						
Equipment Rental, Sales, and Service	P	P	P				P						
Extractive Industry							C	C					
Heavy Industry							C						P
Home Improvement Center/ Lumberyard	P	P	P				P						
Landfill												C	
Light Industry							C						
Self-Service Storage Facility			C				P						
Solid Waste Facility/ Solid Waste Transfer Station							C					C	
Storage Yard							C						
Warehouse							C						
<i>Utility and Transportation</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Airport/ Heliport											C		
Helistop		C	C	C		C					C		
Loading Areas, Parking Areas, and Landing Strips As a Principal Use													P
Railroad Use											C		
Sanitary Sewer or Water Supply Lines													C
Solar Farm								C	C				

Table 15-3-04(C): Permitted, Special, and Temporary Uses in Nonresidential and Mixed-Use Districts

Telecommunications Tower	C	C	C	C	C	C	C	C	C	C	C	C	
Wastewater Treatment Ponds and Facilities													P
Waterborne Transportation Uses													P
Wind Farm								C	C				
<i>Accessory</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Accessory Retail	P	P	P	P	P	P	C						
Accessory Structure	P	P	P	P	P	P	P	P	P	P	P	P	
Artisan Workshop								P	P				
Drive Through	C	C	C	C									
Donation Drop Box	P	P	P	P			P						
Outdoor Activity/ Operation/Storage							C						
Outdoor Dining	P	P	P	P	P								
Outdoor Display/ Sale of Merchandise	P	P	P	P	P								
Solar Energy Collection System, canopy	P	P	P	P	P	P	P	P	P	P	P	P	
Solar Energy Collection System, ground mounted	P	P	P	P	P	P	P	P	P	P	P	P	
Solar Energy Collection System, roof mounted	P	P	P	P	P	P	P	P	P	P	P	P	
<i>Temporary</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Construction Related	T	T	T	T	T	T	T	T	T	T	T	T	
Farmers Market	T	T	T	T	T			T	T				
Food Truck	T	T	T	T	T	T		T	T				
Seasonal Sales	T	T	T	T				P	P				

**15-3-05. B-SM - Saint Martin’s Road Historic Business District Specific Standards.**

**A. Canopies and Awnings.**

1. Building canopies, awnings, or similar weather protection devices are encouraged on the first floor of all buildings.
2. If provided, the device shall project a minimum of three (3) feet and a maximum of five (5) feet from the façade to which it is affixed.

**B. Building Frontage.** The primary façade of all nonresidential and mixed-use development shall meet the standards of one (1) of the frontage types detailed in subsection one through four below. The use of the resulting front yards or porches for outdoor dining or other activity generating uses that support the subject lot’s principal use is encouraged.

1. **Projecting Porch.** The primary façade of the building shall be sufficiently set back from the property line to accommodate the projecting porch within the front yard. The resulting front yard may or may not be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch shall be open on three (3) sides and have a roof form that shall be separate from the principal structure. A projecting porch may encroach into a required front yard to a maximum extent of ten (10) feet. The following minimum standards shall apply to projecting porches.
  - a. **Width.** Ten (10) feet
  - b. **Depth.** Eight (8) feet

- c. **Height.** Eight (8) feet
- 2. **Storefront.** The primary façade of the building shall adjoin the required minimum front setback. Accordion-style windows and doors or other operable windows are encouraged. The following standards shall apply to shopfronts.
  - a. **Window Area.** Sixteen (16) square feet
  - b. **Window Width.** Three (3) feet
  - c. **Window Height.** Four (4) feet
  - d. **Sill Height.** Three (3) feet
- C. **Entrance Orientation.** Main entrances to buildings shall be oriented toward the primary street adjoining the subject property. Secondary entrances are encouraged along secondary streets or along building frontages not adjoining a street.
- D. **Parking Location.** Off-street parking spaces and lots shall be located to the rear or interior side of the principal building.

### 15-3-06. AO Airport Overlay District Standards.

- A. **Establishment of District Boundaries and Districts.** The AO Airport Overlay District boundaries shall be based on the General Mitchell International Airport Part 150 Noise Study Update. Boundaries shall be subject to periodic updating and amendment. The AO Airport Overlay District boundaries shall be established to distinguish between the severity of the noise impact to ensure that appropriate uses and acoustical performance standards can be established to mitigate the adverse impacts of aircraft noise to protect the public health, safety, and welfare.
  - 1. **Noise Zones.** Noise levels shall be classified into noise zones, and the Day-Night Average Sound Level (DNL) classifications shall be used for all noise sources. DNL shall be mathematically symbolized as Ldn.
  - 2. **Two Airport Noise Impact Areas Established.** For the purpose of administering these regulations, there shall be two Airport Noise Impact Areas established as follows:
    - a. The AO-1 District for areas of Ldn 65-70.
    - b. The AO-2 District for areas of Ldn 70-75.
- B. **Permitted Uses in the AO Airport Overlay Districts.** All permitted uses in the underlying zoning district(s) shall be permitted by right, except as qualified by § 15-3.0608(C).
- C. **Special Uses in the AO Airport Overlay Districts.** All special uses which may be allowed in the underlying zoning district(s) may be permitted as special uses, except as qualified by § 15-3.0608(C).
- D. **Use Limitations and Noise Level Reduction Standards in the AO-1 Airport Overlay District.** Measures to achieve an interior level of relative sound of twenty five (25) decibels shall be incorporated into the design and construction of all residential and nonresidential buildings.
- E. **Use Limitations and Noise Level Reduction Standards in the AO-2 Airport Overlay District.** Uses within the AO-2 District shall be permitted only in accordance with the following guidelines:
  - 1. **Residential Uses.** Measures to achieve an interior level of relative sound of thirty (30) decibels must be incorporated into the design and construction of the residential structures.
  - 2. **Nonresidential Uses.**
    - a. Measures to achieve an interior level of relative sound of twenty-five (25) decibels must be incorporated into the design and construction of the structures for retail, service, utility and transportation, uses.

- b. Measures to achieve an interior level of relative sound of thirty (30) decibels must be incorporated into the design and construction of the structures.

### 15-3-07. FF Floodfringe District and GFP General Floodplain District.

#### A. Statutory Authorization, Finding of Fact, Statement of Purpose, Title, and General Provisions

1. This ordinance is adopted pursuant to the authorization in Wisconsin Statutes Annotated s. 61.35 and 62.23 and the requirements in s. 87.30.
2. Uncontrolled development and use of the floodplains and rivers within the City of Franklin would impair the public health, safety, convenience, general welfare, and tax base.
3. This ordinance is intended to regulate floodplain development in order to:
  - a. Protect life, health and property;
  - b. Minimize expenditures of public funds for flood control projects;
  - c. Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
  - d. Minimize business interruptions and other economic disruptions;
  - e. Minimize damage to public facilities in the floodplain;
  - f. Minimize the occurrence of future flood blight areas in the floodplain;
  - g. Discourage the victimization of unwary land and homebuyers;
  - h. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
  - i. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.
4. This Section shall constitute, for statutory purposes, the Floodplain Zoning Ordinance for the City of Franklin, Wisconsin.
5. **General Provisions.**
  - a. **Areas to be Regulated.** This Section regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, VE, V1-30, or V on the Flood Insurance Rate Map.
  - b. **Official Maps and Revisions.** Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, VE, V1-30, or V on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (i) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the **Planning Manager**.
  - c. **Official Maps.**
    - i. Flood Insurance Rate Map (FIRM) panel number 55079C0144E, effective on 09/26/2008; number 55079C0142E, effective on 09/26/2008; number 55079C0161E, effective on 09/26/2008; number 55079C0163E, effective on 09/26/2008. [NOTE: CHECK WITH GIS MANAGER & SEWRPC to ensure all are included & correct; from <https://msc.fema.gov/portal/search?AddressQuery=Franklin%2C%20Wisconsin#searchresultsanchor> ].

6. **Establishment of Floodplain Zoning Districts.** The flood hazard areas regulated by this ordinance are divided into districts as follows and collectively shall be known as the “Floodplain Districts”:
- a. The **Floodway District (FW)**, is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM [see Section 5(c)(ii) above], or within A Zones shown on the FIRM when determined according to Wisconsin Statutes Annotated s. 5.1(5).
  - b. The **Floodfringe District (FF)** is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to s. 5.1(5), within A Zones shown on the FIRM.
  - c. The **General Floodplain District (GFP)** is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
7. **Locating Floodplain Boundaries.**
- a. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subsections (7)(d) or (7)(e) below. If a significant difference exists, the map shall be amended according to Section [XX], Amendments.
  - b. The Zoning Administrator may rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Zoning Administrator shall be responsible for documenting actual pre- development field conditions and the basis upon which the district boundary was determined. Disputes between the Zoning Administrator and an applicant over the district boundary line shall be settled according to [SECTION XX] 7.3(3) and the criteria in (a) and (b) below.
  - c. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to [sXX] Amendments.
  - d. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
  - e. Where flood profiles do not exist for projects, including any boundary of zone A or AO, the location of the boundary shall be determined by the map scale.
8. **Removal of Lands from Floodplain.**
- a. Compliance with the provisions of this section shall not be grounds for removing land from the floodplain unless the affected land is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0 Amendments.
  - b. The delineation of any of the Floodplain Districts may be revised by the City of Franklin where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The Zoning Administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
    - i. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation; and
    - ii. the fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F.

- c. Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

#### 9. Compliance.

- a. No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
- b. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with **s. 9.0.**
- c. Floodplain development permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Zoning Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with **s. 9.0.**

#### 10. Municipalities and State Agencies Regulated.

- a. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if **s. 13.48(13)**, Stats., applies.
- b. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when **s. 30.2022**, Stats., applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards.
- c. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project **under s. 30.2022**, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply:
  - i. The City provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under **s. 30.123(6)(d)**,
  - ii. The capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source.
  - iii. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the City in the analysis of the project site.

#### 11. Abrogation and Greater Restrictions

- a. This Section supersedes all the provisions of the this UDO which relate to floodplains. A more restrictive provision shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- b. This Section is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this Section shall prevail.

12. **Interpretation.** In their interpretation and application, the provisions of this Section are the minimum requirements liberally construed in favor of the City of Franklin, and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this Section, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this Section or in effect on the date of the most recent text amendment to this Section.



13. **Warning and Disclaimer of Liability.** The flood protection standards in this Section are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man-made or natural causes. This Section does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This Section does not create liability on the part of, or a cause of action against, the City of Franklin, or any officer or employee thereof, for any flood damage that may result from reliance on this Section.
14. **Severability.** Should any portion of this Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected.

**B. General Standards Applicable to All Floodplain Districts.**

1. Applicability.
  - a. The City of Franklin Zoning Administrator shall review all permit applications to determine compliance with the provisions of this Section.
  - b. If a proposed building site is in a Floodplain District as defined in this Section , all new construction and substantial improvements shall:
    - i. Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
    - ii. Be constructed with flood-resistant materials;
    - iii. Be constructed by methods and practices that minimize flood damages; and
    - iv. Be constructed in a manner wherein mechanical and utility equipment is elevated to or above the flood protection elevation.
  - c. If a subdivision or other proposed new development is in a Floodplain District as defined in this Section, the Zoning Administrator shall assure that:
    - i. Such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the Floodplain District;
    - ii. Public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
    - iii. Adequate drainage is provided to reduce exposure to flood hazards.
  - d. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in **s. 7.1(2)**.
2. **Hydraulic and Hydrologic Analyses.**
  - a. No development within a Floodplain District shall:
    - i. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
    - ii. Cause any increase in the regional flood height due to floodplain storage area lost.
  - b. The Zoning Administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of **s. 8.0** Amendments are met

3. **Watercourse Alterations**

- a. No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the Zoning Administrator has notified in writing all adjacent municipalities, the Wisconsin Department of Natural Resources, and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of Subsection B.2 above must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.
- b. As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to **s. 8.0** Amendments, the City of Franklin shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

4. **Applicability of Chapter 30 and 31, Wisconsin Statutes, Development.** Development which requires a permit from the Department, under Chapters 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to this Section are made in accordance with **s. 8.0** Amendments.

5. **Public or Private Campgrounds.** Public or private campgrounds ~~shall have a low flood damage potential and~~ shall meet the following provisions:

- a. The campground is approved by the Wisconsin Department of Agriculture, Trade and Consumer Protection;
- b. A land use permit for the campground can properly be issued by the Zoning Administrator;
- c. The character of the river system and the campground elevation are such that a 72- hour warning of an impending flood can be given to all campground occupants;
- d. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, officials of the City of Franklin (including but not the City's emergency government coordinator and the **chief law enforcement official**) which specifies the flood elevation at which evacuation shall occur, **personnel responsible for monitoring flood elevations**, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- e. This agreement shall be for no more than one (1) calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in **sub. (4)** - to remain in compliance with all applicable regulations, including those of the Wisconsin Department of Agriculture, Trade and Consumer Protection and all other applicable regulations.
- f. All mobile recreational vehicles placed on site must meet one of the following:
  - i. Be fully licensed, if required, and ready for highway use; or
  - ii. Not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours; or
  - iii. Meet the requirements in either **s. 3.0, 4.0, 5.1, or 5.3** for the floodplain district in which the structure is located;
- g. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- h. All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which shall be kept on file at the campground. Such authorization shall allow placement of a camping unit consistent with 2.4(6) and shall ensure compliance with all the provisions of this section;

- i. The City of Franklin shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
  - j. The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
  - k. All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.
  - l. Standards for structures in a campground:
    - i. All structures must comply with the applicable requirements in ss. 3.0, 4.0, 5.1, or 5.3 for the floodplain district in which the structure is located;
    - ii. A portable deck or landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with subsections (a) through (j) above. Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
  - m. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the City of Franklin pursuant to subsection 5(d) and 5(e) above.
  - n. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the City pursuant to subsection 5(d) and 5(e) above.
6. A land use permit shall be obtained as provided under 7.1(2) before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

### C. Floodway District (FW)

1. **Applicability.** This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(5).
2. **Permitted Uses.** The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:
  - a. The uses are not prohibited by any other provision of these Regulations;
  - b. The standards in this Subsection C are met; and
  - c. All permits or certificates have been issued in accordance with section 7.1.
  - d. Permitted Uses:

- i. Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting
  - ii. Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
  - iii. Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
  - iv. Uses or structures accessory to open space uses or classified as historic structures that comply with s. 3.3 and 3.4.
  - v. Extraction of sand, gravel or other materials that comply with s. 3.3(4).
  - vi. Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Chapters 30 and 31, Wisconsin Statutes.
  - vii. Public utilities, streets and bridges that comply with s. 3.3(3).
  - viii. Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Chapter SPS 383, Wisconsin Administrative Code.
  - ix. Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and Chapters NR 811 and NR 812, Wisconsin Administrative Code
  - x. Wastewater treatment ponds or facilities permitted under Sections NR 110.15(3)(b), Wisconsin Administrative Code
  - xi. Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway, which development complies with the regulations for the floodplain area occupied.
3. **Standards for Developments in the Floodway.**
- a. Any development in the floodway shall comply with Subsection B above and have a low flood damage potential.
  - b. Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to Subsection B.2 and 7.1(2)(c). The analysis must be completed by a professional engineer registered in the state of Wisconsin.
  - c. Any encroachment in the regulatory floodway is prohibited unless the data submitted for subd. 3.3(1)(b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in Subsection A(8) above.
4. **Structures.** Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:
- a. Not designed for human habitation
  - b. Does not have a high flood damage potential
  - c. Is constructed to minimize potential flood damage;

- d. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
    - i. The lowest floor is elevated to or above the regional flood elevation and is dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water, and completely dry to the flood protection elevation without human intervention during flooding;
    - ii. Has structural components capable of meeting all provisions of Subsection 6, Certification below and;
    - iii. Has certification by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Subsection 6, Certification, below.
  - e. Shall be anchored to resist flotation, collapse, and lateral movement
  - f. Mechanical and utility equipment are elevated to or above the flood protection elevation; and
  - g. Does not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
5. **Design for Automatic Entry of Floodwaters.** For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets Subsection (4)(a) through (4)(e) above, and meets or exceeds the following standards:
- a. The lowest floor must be elevated to or above the regional flood elevation;
  - b. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - c. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
  - d. The use must be limited to parking, building access or limited storage.
6. **Certification:** Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
- a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
  - b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 3.4(4) and 3.4(5);
  - c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
  - d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
  - e. Placement of utilities to or above the flood protection elevation.
7. **Public Utilities, Streets, and Bridges.** Public utilities, streets and bridges may be allowed by permit, if:
- a. Adequate floodproofing measures are provided to the flood protection elevation; and
  - b. Construction meets the development standards of s. 2.1.
8. **Fills or Deposition of Materials.** Fills or deposition of materials may be allowed by permit, if:

- a. The requirements of **s. 2.1** are met;
  - b. No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
  - c. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
  - d. The fill is not classified as a solid or hazardous material.
9. **Prohibited Uses.** All uses not listed as permitted uses in Subsection C(2) above are prohibited, including the following uses:
- a. Habitable structures, structures with high flood damage potential, and structures not associated with permanent open-space uses;
  - b. Storage of materials that are buoyant, flammable, explosive, or potentially injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
  - c. Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
  - d. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department- approved campgrounds that meet the applicable provisions of City of Franklin ordinances and Chapter SPS 383, Wisconsin Administrative Code.
  - e. Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of City of Franklin ordinances and Chapters NR 811 and NR 812, Wisconsin Administrative Code
  - f. Any solid or hazardous waste disposal sites;
  - g. Any wastewater treatment ponds or facilities, except those permitted under Sections NR 110.15(3)(b), Wisconsin Administrative Code;
  - h. Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

#### D. Floodfringe District (FF)

1. **Applicability.** This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to **s. 5.1(5)**.
2. **Permitted Uses.** Any structure, land use, or development is allowed in the Floodfringe District if the standards in **s. 4.3** are met, the use is not prohibited by the City of Franklin Land Development Regulations, or any other ordinance or regulation of the City of Franklin; and all permits or certificates specified in **s. 7.1** have been issued.
3. **Standards for Development in the Floodfringe District.** The provisions of Subsection (C) above shall apply in addition to the following requirements, according to the proposed use. Any existing structure in the Floodfringe District must meet the requirements **of s. 6.0**, Nonconforming Uses.
  - a. **Residential Uses.** Any existing structure in residential use in the Floodfringe District must meet the requirements of s. 6.0 Nonconforming Uses. Any structure for residential use, including a manufactured home, which is to be newly constructed or moved into the Floodfringe District, shall meet or exceed the following standards:
    - i. All new construction, including placement of manufactured homes, and all substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill.

The fill around the structure shall be one foot or more above the regional flood elevation for an area extending at least 15 feet beyond the limits of the structure. No area may be removed from the Floodfringe District unless the resulting condition can be shown to meet **s. 1.5(5)**.

- ii. Notwithstanding Subsection (D)(4)(a) above, a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation.
- iii. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subsection (d)(1) through (d)(2) below.
- iv. In developments where existing street or sewer line elevations make compliance with Subsection (4)(c) above impractical, the City of Franklin may permit new development and substantial improvements where roads are below the regional flood elevation, if:
  - a) The City of Franklin Zoning Administrator has secured written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
  - b) The City of Franklin has adopted and in place a DNR-approved emergency evacuation plan applicable to the site that follows acceptable hazard mitigation planning guidelines.
- b. **Accessory Structures and Uses.** In addition to meeting the provisions of Section B, General Standards, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- c. **Commercial Uses.** In addition to meeting the provisions of Section B, General Standards, any commercial structure which is erected, altered or moved into the Floodfringe District shall meet the requirements of **s. 4.3(1)**. Subject to the requirements of **s. 4.3(5)**, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- d. **Manufacturing and Industrial Uses.** In addition to meeting the provisions of Section B, General Standards, any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in s 7.5. Subject to the requirements of **s. 4.3(5)**, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- e. **Storage of Materials.** Materials that are buoyant, flammable, explosive, or potentially injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with **s. 7.5**. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- f. **Public Utilities, Streets, and Bridges.** All public utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans. In addition, the following criteria shall apply:
  - i. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if the proposed improvements are designed to comply with **s. 7.5**.
  - ii. Minor roads or non-essential utilities may be constructed at lower elevations if ~~they are~~ designed to withstand flood forces to the regional flood elevation.

- g. **Sewage Systems.** All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all City of Franklin standards and Chapter SPS 383, Wisconsin Administrative Code.
- h. **Wells.** All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- i. **Solid Waste Disposal Sites Prohibited.** Disposal of solid or hazardous waste is prohibited in floodfringe areas.
- j. **Deposition of Material.** Any deposition of material must meet all the provisions of this Section.
- k. **Manufactured Homes.**
  - i. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
  - ii. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
    - a) have the lowest floor elevated to the flood protection elevation; and
    - b) be anchored so that the manufactured home does not float, collapse or move laterally during a flood
  - iii. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).
- l. **Mobile Recreational Vehicles.** A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions. All mobile recreational vehicles must be on site for less than 180 consecutive days and be either:
  - i. fully licensed and ready for highway use; or
  - ii. shall meet the elevation and anchoring requirements in s. 4.3 (11)(b) and (c).

#### E. General Floodplain District (GFP)

1. **Applicability.** The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in s. 1.5(2)(a).
2. **Floodway Boundaries.** For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in s. 1.5(2)(a), the boundaries of the regulatory floodway shall be determined pursuant to s. 5.1(5).
  - a. If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of s 3.0.
  - b. If the development is located entirely within the floodfringe, the development is subject to the standards of s. 4.0.
3. **Permitted Uses.** Pursuant to s. 5.1(5) for any application for development, the Zoning Administrator shall determine whether proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (Section C) and Floodfringe (Section D) Districts are allowed within the General Floodplain District, according to the standards of s. 5.1(4), provided that all permits or certificates required under s. 7.1 have been issued.



4. **Standards for Development in the General Floodplain District.** Any development within the floodway, as determined pursuant to 5.1(5), shall comply with the provisions of Section C, Floodway. Any development within the floodfringe, as determined pursuant to Section 5.1(5), shall comply with the provisions of Section D, Floodfringe.
  - a. New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:
    - i. to or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
    - ii. if the depth is not specified on the FIRM, to or above two (2) feet above the highest adjacent natural grade.
  - b. New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
  - c. In AO/AH zones, adequate drainage paths shall be provided to guide floodwaters around structures.
  - d. All development in zones AO and zone AH shall meet the requirements of s. 4.0 applicable to flood fringe areas.
5. **Determination of Floodway and Floodfringe Limits.** Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the Zoning Administrator shall:
  - a. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.
  - b. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
    - i. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c).
    - ii. A plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information; and
    - iii. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

## F. Non-Conforming Uses

1. **Applicability.**
  - a. The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with Section 87.30, Wisconsin Statutes, Sections NR 116.12-14, Wisconsin Administrative Code, and 44 CFR 59-72.
  - b. These standards shall apply to all modifications or additions to any nonconforming use or structure, and to the use of any structure or premises which was lawful before the passage of this Section or any amendment thereto.
  - c. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.

As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, the City of Franklin shall develop a list of those nonconforming buildings, their present equalized assessed value and a list of the costs of those activities associated with changes to those buildings.

2. **Continuation of Use.** The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this Section may continue subject to the following conditions:
- a. No modifications or additions to a nonconforming use or structure shall be permitted unless such modifications or additions comply with applicable provisions of this Section. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use.
    - i. Maintenance is not considered a modification; maintenance shall include painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities.
    - ii. Any costs associated with the repair of a damaged structure shall not be considered maintenance.
  - b. The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure shall not be considered an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
  - c. If a nonconforming use or the use of a nonconforming structure is discontinued for twelve (12) consecutive months, the non-conforming use or use of the non-conforming structure is no longer permitted. Any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this Section.

The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;

- d. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed fifty (50) percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- e. No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- f. If on a per event basis the total value of the work being done under (d) and (e) above equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- g. Except as provided in subdivision (h) below, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, re-constructed, or rebuilt unless the use and the structure meet the current requirements of this Section. A structure is considered substantially damaged if the

total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

- h. For nonconforming buildings that are substantially damaged or destroyed by a non-flood event, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met and all required permits have been granted prior to the start of construction:
    - i. **Residential Structures.** All such residential structures:
      - a) Shall have the lowest floor, including basement, elevated to or above the flood protection elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).
      - b) Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
      - c) Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
      - d) In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
      - e) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
      - f) In AO Zones, have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.
    - ii. **Nonresidential Structures.** All such non-residential structures:
      - a) Shall meet the requirements of s. 6.1(2)(h)1a-f.
      - b) Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5 (1) or (2).
      - c) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
      - d) A nonconforming historic structure may be altered if the alteration does not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3 (1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 6.1 (2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.
3. **Floodway District.**
- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
    - i. Has been granted a permit or variance in conformance with all ordinance requirements;
    - ii. Meets the requirements of s. 6.1;

- iii. Shall not increase the obstruction to flood flows or regional flood height;
  - iv. Any addition to the existing structure shall be floodproofed, pursuant to **s. 7.5**, by means other than the use of fill, to the flood protection elevation; and
  - v. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    - a) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    - b) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    - c) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    - d) The use must be limited to parking, building access or limited storage.
  - vi. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, **s. 7.5(3)** and Chapter SPS 383, Wisconsin Administrative Code.
  - vii. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, **s. 7.5(3)** and Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- b. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all City of Franklin ordinances, **s. 7.5(3)** of this Section, and Chapter SPS 383, Wisconsin Administrative Code.
  - c. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all City of Franklin ordinances, **s. 7.5(3)**, and Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- 4. Floodfringe District**
- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of **s. 4.3** except where **s. 6.3(2)** is applicable.
  - b. Where compliance with the provisions of **subd. (1)** would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in **s. 7.3**, may grant a variance from those provisions of **subd. (1)** for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if all of the following are met:
    - i. No floor is allowed below the regional flood elevation for residential or commercial structures;

- ii. Human lives are not endangered;
  - iii. Public facilities, such as water or sewer, shall not be installed;
  - iv. Flood depths shall not exceed two feet;
  - v. Flood velocities shall not exceed two feet per second; and
  - vi. The structure shall not be used for storage of materials as described in **s. 4.3(5)**.
- c. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all City of Franklin ordinances, s. 7.5 (3) and Chapter SPS 383, Wisconsin Administrative Code.
- d. All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this Section, **s. 7.5 (3)** and Chapter NR 811 and NR 812, Wisconsin Administrative Code.

**G. Administration**

**1. Zoning Administrator; Land Use Permits; Certificates of Compliance**

- a. Duties and Powers. The Zoning Administrator is authorized to administer this Section and shall have the following duties and powers:
- i. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications
  - ii. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
  - iii. Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
  - iv. Keep records of all official actions such as:
    - a) All permits issued, inspections made, and work approved;
    - b) Documentation of certified lowest floor and regional flood elevations;
    - c) Floodproofing certificates.
    - d) Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
    - e) All substantial damage assessment reports for ~~floodplain~~ structures in floodplain districts.
    - f) Lists of nonconforming structures and uses.
  - v. Submit copies of the following items to the Department Regional office:
    - a) Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
    - b) Copies of case-by-case analyses and other required information.
    - c) Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

- vi. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
  - vii. Submit copies of amendments to the FEMA Regional office.
- b. **Land Use Permit.** A land use permit shall be obtained before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the Zoning Administrator shall include:
- i. **General Information**
    - a) Name and address of the applicant, property owner and contractor;
    - b) Legal description, proposed use, and whether it is new construction or a modification;
  - ii. **Site Development Plan.**
    - a) A site plan drawn to scale shall be submitted with the permit application form and shall contain:
      - (i) Location, dimensions, area and elevation of the lot;
      - (ii) Location of the ordinary highwater mark of any abutting navigable waterways;
      - (iii) Location of any structures with distances measured from the lot lines and street center lines;
      - (iv) Location of any existing or proposed on-site sewage systems or private water supply systems;
      - (v) Location and elevation of existing or future access roads;
      - (vi) Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
      - (vii) The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
      - (viii) Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
      - (ix) Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).
  - iii. **Hydraulic and Hydrologic Studies**
    - a) All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State of Wisconsin. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Wisconsin Department of Natural Resources.
      - (i) **In Zone A floodplains and in AE zones within which a floodway is not delineated:**
        1. **Hydrology:** The appropriate method shall be based on the standards in Chapter NR 116.07(3), Wisconsin Administrative Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
        2. **Hydraulic modeling:** The regional flood elevation shall be based on the standards in Chapter NR 116.07(4), Wisconsin Administrative Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- a. Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
  - b. Channel sections must be surveyed.
  - c. A minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
  - d. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
  - e. The most current version of HEC-RAS shall be used.
  - f. A survey of bridge and culvert openings and the top of road is required at each structure.
  - g. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
  - h. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
  - i. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- (ii) **Mapping.** A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
1. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
  2. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided
- (iii) **In Zone AE Floodplains:**
1. **Hydrology:** If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Chapter NR 116.07(3), Wisconsin Administrative Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
  2. **Hydraulic model:** The regional flood elevation shall be based on the standards in Chapter NR 116.07(4), Wisconsin Administrative Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- a. **Duplicate Effective Model:** The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
  - b. **Corrected Effective Model:** The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for Department review.
  - c. **Existing (Pre-Project Conditions) Model:** The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
  - d. **Revised (Post-Project Conditions) Model.** The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
  - e. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
  - f. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
3. **Mapping.** Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
- a. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
  - b. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
  - c. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
  - d. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
  - e. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
  - f. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
  - g. Both the current and proposed floodways shall be shown on the map.



- h. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.
  - iv. **Expiration.** All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.
- c. **Certificate of Compliance.** No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:
  - i. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this Section;
  - ii. Application for such certificate shall be concurrent with the application for a land use permit;
  - iii. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
  - iv. The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a Wisconsin registered professional engineer or architect that the requirements of **s. 7.5** are met.
  - v. Where applicable pursuant to **s. 5.1(4)**, the applicant must submit a certification by a registered Wisconsin professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
  - vi. Where applicable pursuant to **s. 5.1(4)**, the applicant must submit certifications by a Wisconsin registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by **s. 5.1(4)**.
- d. **Other Permits.** Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

**2. Plan Commission; Role and Responsibilities.**

- a. The Plan Commission of the City of Franklin shall, with respect to this Section:
  - i. Oversee the functions of the office of the zoning administrator; and
  - ii. Review and advise the Common Council body on all proposed amendments to this ordinance, maps and text; and
  - iii. Publish adequate notice pursuant to Chapter 985, Wisconsin Statutes, specifying the date, time, place and subject of any public hearing.
- b. The Plan Commission of the City of Franklin shall not, with respect to this Section:
  - i. Grant variances to the terms of the ordinance in place of action by the Board of Appeals; or
  - ii. Amend the text or zoning maps in place of official action by the governing body.

3. **Board of Appeals; Role and Responsibilities.** The Board of Appeals established pursuant to Section 62.23(7)(e) Wisconsin Statutes is hereby authorized or shall be appointed to act for the purposes of this Section. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Zoning Administrator shall not be the secretary of the Board.
  - a. **Powers and Duties.** The Board of Appeals shall:
    - i. **Appeals** - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this Section;
    - ii. **Boundary Disputes** - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
    - iii. **Variances** - Hear and decide, upon appeal, variances from the ordinance standards.
  - b. **Appeals to the Board.**
    - i. **Standing to Appeal.** Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the Board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the Board all records regarding the matter appealed.
    - ii. **Notice and Hearing for Appeals and Variances.**
      - a) **Notice.** The Board shall:
        - (i) Fix a reasonable time for the hearing;
        - (ii) Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
        - (iii) Assure that notice shall be mailed to the parties in interest and the Wisconsin Department of Natural Resources Regional office at least 10 days in advance of the hearing.
      - b) **Hearing.** Any party may appear in person or by agent. The Board shall:
        - (i) Resolve boundary disputes according to **s. 7.3(3)**;
        - (ii) Decide variance applications according to **s. 7.3(4)**; and
        - (iii) Decide appeals of permit denials according to **s. 7.4**.
      - c) **Decision.** The final decision regarding the appeal or variance application shall:
        - (i) Be made within a reasonable time;
        - (ii) Be sent to the Department Regional office within 10 days of the decision;
        - (iii) Be issued in the form of a written determination signed by the chairman or secretary of the Board;
        - (iv) State the specific facts which are the basis for the Board's decision;
        - (v) Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and

- (vi) Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings
- c. **Boundary Disputes.** The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:
  - i. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
  - ii. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
  - iii. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to **s. 8.0** Amendments.
- d. **Variance.**
  - i. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
    - a) Literal enforcement of the ordinance will cause unnecessary hardship;
    - b) The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises (in which case the ordinance or map must be amended to grant a permit);
    - c) Issuance of the variance will not result in an outcome or precedent contrary to the public interest; and
    - d) The variance is consistent with the purpose of this ordinance as set forth in Subsection A.
  - ii. In addition to the criteria in Subsection (i) above, to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
    - a) The variance shall not cause any increase in the regional flood elevation;
    - b) The applicant has shown good and sufficient cause for issuance of the variance;
    - c) Failure to grant the variance would result in exceptional hardship;
    - d) Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and
    - e) The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
  - iii. A variance shall not:
    - a) Grant, extend or increase any use prohibited in the zoning district;
    - b) Be granted for a hardship based solely on an economic gain or loss;
    - c) Be granted for a hardship which is self-created;
    - d) Damage the rights or property values of other persons in the area;
    - e) Allow actions without the amendments to this ordinance or map(s) required in **s. 8.0**, Amendments; or

- f) Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- iv. When a floodplain variance is granted the Board shall notify the applicant in writing that the authorized action may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy of this notice shall be maintained with the variance record.

**4. Review of Appeals and Permit Denials.**

- a. The Board of Appeals shall review all data related to the appeal including, but not limited to:
  - i. Permit application data listed **in s. 7.1(2)**;
  - ii. Floodway/floodfringe determination data **in s. 5.1(5)**;
  - iii. Data listed in **s. 3.3(1)(b)** in cases where the applicant has not submitted this information to the Zoning Administrator; and
  - iv. Other data submitted with the application or submitted to the Board with the appeal.
- b. For appeals of ~~all~~ denied permits, the Board shall:
  - i. Follow the procedures of **s. 7.3**;
  - ii. Consider recommendations of the Plan Commission; and
  - iii. Either uphold the denial or grant the appeal.
- c. For appeals concerning increases in regional flood elevation the Board shall:
  - i. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements **of s. 8.0** Amendments; or
  - ii. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

**5. Floodproofing Standards.**

- a. No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards set forth in **ss. 2.0, 3.0, 4.0, 5.1, or 5.3**.
- b. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
  - i. Certified by a registered Wisconsin professional engineer or architect; or
  - ii. Meeting or exceeding the following standards:
    - a) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
    - b) The bottom of all openings shall be no higher than one-foot above grade; and

- c) Openings ~~may be~~ equipped with screens, louvers, valves, or other coverings or devices provided that these permit the automatic entry and exit of floodwaters.
- iii. Floodproofing measures shall be designed, as appropriate, to:
  - a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
  - b) Protect structures to the flood protection elevation;
  - c) Anchor structures to foundations to resist flotation and lateral movement;
  - d) Minimize or eliminate infiltration of flood waters;
  - e) Minimize or eliminate discharges into flood waters;
  - f) ~~Placement of~~ Locate essential utilities to or above the flood protection elevation; and
  - g) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    - (i) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    - (ii) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    - (iii) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    - (iv) The use must be limited to parking, building access or limited storage.

H. **Amendments.**

1. **General Provisions.** Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Section H.2 below
  - a. **In AE Zones with a mapped floodway**, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with **s. 8.1**. Any such alterations must be reviewed and approved by FEMA and the Wisconsin Department of Natural Resources.
  - b. In **A Zones** increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this Section, the official floodplain maps, floodway lines, and water surface profiles, in accordance with **s. 8.1**.
2. **Action by Common Council.** The Common Council shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:
  - a. Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
  - b. Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;

- c. Any changes to any other officially adopted floodplain maps listed in **s. 1.5 (2)(b)**;
- d. Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- e. Correction of discrepancies between the water surface profiles and floodplain maps;
- f. Any upgrade to a floodplain zoning text required by Section NR 116.05, Wisconsin Administrative Code, or otherwise required by law, or for changes by the City of Franklin; and
- g. All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

3. **Procedures.**

- a. Amendments may be made upon petition of any party according to the provisions of Section 62.23, Wisconsin Statutes. The petitions shall include all data required by **s. 5.1(5) and 7.1(2)**. The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.
- b. The proposed amendment shall be referred to the Plan Commission for a public hearing and recommendation to the Common Council. The amendment and notice of Common Council public hearing shall be submitted to the Wisconsin Department of Natural Resources Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Section 62.23, Wisconsin Statutes.
- c. No amendments shall become effective until reviewed and approved by the Wisconsin Department of Natural Resources.
- d. All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

- I. **Enforcement and Penalties.** Any violation of the provisions of this Section by any person shall be unlawful and shall be referred to the City of Franklin attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the City of Franklin, the State of Wisconsin, or any citizen thereof pursuant to Section 87.30, Wisconsin Statutes.

## Article 4. Use-Specific Standards

15-4-01. Residential Use-Specific Standards .....	1
15-4-02. Institutional Use-Specific Standards .....	3
15-4-03. Place of Assembly Use-Specific Standards .....	3
15-4-04. Recreation Use-Specific Standards .....	3
15-4-05. Lodging Use-Specific Standards .....	4
15-4-06. Retail Use-Specific Standards .....	4
15-4-07. Service Use-Specific Standards .....	5
15-4-08. Eating and Drinking Use-Specific Standards .....	5
15-4-09. Vehicle-Related Use-Specific Standards .....	6
15-4-10. Agricultural Use-Specific Standards .....	8
15-4-11. Industrial Use-Specific Standards .....	8
15-4-12. Utility and Transportation Use-Specific Standards .....	9
15-4-13. Accessory Use-Specific Standards .....	13
15-4-14. Temporary Use-Specific Standards .....	19

### 15-4-01. Residential Use-Specific Standards

#### A. Community Living, All Capacities.

1. No community living arrangement shall be established within two thousand five hundred (2,500) feet of any other such facility regardless of its capacity.
2. Foster homes housing four (4) or fewer children and licensed under [Sec. 48.62, Wis. Stats.](#), shall not be subject to these provisions.

#### B. Duplex.

1. Duplexes primary entrances shall be oriented toward the designated front lot line.
2. A minimum of one (1) of the parking spaces, as specified in [Section 16-6-1\(E\)](#) of this UDO, shall be provided in an attached or detached garage.
3. Attached garages are encouraged to be located on rear façades. If attached garages are located on the primary façade they shall:
  - a. Not exceed forty-five (45) percent of the façade's total width,
  - b. Be setback a minimum of twenty-five (25) feet from the property line, and
  - c. Be recessed from the primary front façade (excluding porches) of the duplex a minimum of five (5) feet.

4. Exterior building cladding materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture.

**C. Townhome.**

1. Townhomes shall be oriented with their primary entrances either:
  - a. Toward the designated front lot line. The primary entrance of end unit townhomes on corner lots may be oriented toward the designated front or exterior side lot line.
  - b. Toward an internal courtyard space. The primary entrance of end unit townhomes closest to the designated front lot line shall be oriented toward the designated front lot line.
2. Individual townhome units should be articulated through the exterior design of the townhome cluster. This can be accomplished through dormers, porches, vertical design elements, varying roof forms, or other architectural devices.
3. The maximum length of a townhome cluster shall be two hundred (200) lineal feet.
4. The siting of the townhome units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.
5. A minimum of one (1) of the parking spaces, as detailed in **Section #-#-##** of this UDO shall be provided in an attached or detached garage.
6. Attached or detached garages shall be located on rear or side façades, unless otherwise approved.
7. Exterior building cladding materials shall be time- and weather- tested materials and techniques such as but not limited to masonry, stone veneer systems, stucco, precast panels with inlaid or stamped brick texture.

**D. Multifamily Building.**

1. The building's primary façade and principal entrance shall be oriented toward a public street.
2. A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise approved by the Zoning Administrator.
3. All off-street parking, as specified in **Section 16-6-1(E)** of this UDO, shall be located in the rear and/or interior side of the primary building. Off-street parking located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.
4. ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.
5. Service areas, dumpsters, utilities and the required nonvegetative screening of these features shall not be visible from rights-of-way.
6. Multifamily uses shall operate in accordance with all other applicable federal, state, and local laws and, if additional permits are required, such permits were obtained prior to beginning operation.
7. All multifamily buildings shall meet the design standards of **Section 11-6-##**.

**E. Multifamily Complex.**

1. **Primary Façade.**
  - a. The primary entrance and front façade of buildings within a multifamily complex shall be oriented towards the following, listed in priority order:



- I. Perimeter streets,
  - II. Primary internal streets,
  - III. Parks or other common open space,
  - IV. Secondary internal streets, or
  - V. Parking areas only if approved by the Zoning Administrator.
2. Parking shall be integrated into the overall site design to minimize visual impact, reduce the loss of trees, and be visually concealed from public rights-of-way.
  3. ADA compliant pedestrian walkways shall be provided to all building entries and parking areas and shall connect to the sidewalk at the street frontage.

### **15-4-02. Institutional Use-Specific Standards**

#### **A. Cemetery.**

1. The minimum lot size for a cemetery shall be three (3) acres.
2. Adequate space shall be provided within the site for the parking and maneuvering of funeral corteges.
3. All interment shall be set back at least fifty (50) feet from any adjoining lot line.
4. All structures shall be set back at least fifty (50) feet from any boundary line of the cemetery property plus two (2) feet for each one (1) foot of structure height over 25 feet to the maximum height permitted by the district in which it is located.
5. All requirements of the Wisconsin State Statutes regarding the interment of human dead shall be met.

### **15-4-03. Place of Assembly Use-Specific Standards**

RESERVE

### **15-4-04. Recreation Use-Specific Standards**

#### **A. Campgrounds.**

1. All campgrounds shall have direct access to an arterial street, however no direct access to an individual site shall be permitted from a public street.
2. All campgrounds shall have a minimum site area of thirty (30) contiguous acres.
3. All trailer and vehicle parking spaces are to be paved with asphaltic concrete.
4. No more than fifteen (15) percent of a travel trailer park site shall be used for campground purposes.
5. The following accessory uses may be allowed.
  - a. Recreational facilities.
  - b. Laundry buildings.
  - c. One (1) service retail store not to exceed 2,000 square feet in total floor area.

- d. A manager's office and storage buildings, sanitary facilities, and fences, constructed in accordance with all the provisions of this Ordinance and all other applicable City of Franklin regulations.
- e. No accessory buildings or structures shall be used for human occupancy, except as explicitly approved.
6. A maximum density of 15 campsites per acre shall be allowed.
7. One hundred (100) square feet of recreation area shall be provided per campsite.
8. All public utilities shall be placed underground.
9. Campground areas of any travel trailer park shall provide a minimum of 500 square for each tent site. A ten foot separation shall be maintained between tents.
10. Every campground there shall be provided at least one (1) sanitary garbage pickup area on the site.
11. All campgrounds shall comply with all State and local regulations.

### 15-4-05. Lodging Use-Specific Standards

#### A. Lodging House.

1. The property must be developed, maintained, and operated so that the principal building, accessory buildings, yards, drive, and street frontage complement the appearance and character of its adjacent neighborhood and do not detract from abutting properties.
2. Cooking facilities shall not be permitted in any of the guest rooms.
3. The Zoning Administrator may require a lodging house to be screened from abutting residential properties by the erection and maintenance of a Transition Area per [Section 11-60#](#), the type of which shall be determined by the Zoning Administrator.
4. The principal use is for lodging with accessory uses such as catering or events venue requiring temporary use permit.

#### B. Short Term Rental.

1. A maximum of [#### \(#\)](#) guests per bedroom shall be allowed.
2. The duration of guest stay shall be a minimum of [#### \(#\)](#) days and a maximum of [#### \(#\)](#) days.
3. A residence may be utilized as a short term rental for a maximum of [#### \(#\)](#) days per calendar year.
4. The residential dwelling in which short term rental operates shall be the primary residence of the property owner.
5. Short-term rentals shall be subject to the hotel tax provisions established in [Chapter 138-25](#) of the City of Franklin Code of Ordinances.

### 15-4-06. Retail Use-Specific Standards

#### A. Adult Establishment.

1. Adult establishments shall locate at least one-thousand (1,000) feet from any parcel in a residential district or with an existing use classified in the following categories.
  - a. Residential.
  - b. Institutional.

- c. Place of Assembly.
- d. Lodging.
- e. Eating and drinking.
2. Adult establishments shall locate at least one thousand (1,000) feet from another adult establishment.
3. A Type D Bufferyard shall be provided along all property lines shared with an existing use categorized in subsection (A)(1) or when adjoining a residential district.
4. The hours of operation shall be limited to between 11:30 am and 1:00 am, except for cleaning and maintenance activities necessary for the property's operation, which may occur or after the hours specified in this subsection.
5. No amplified sound equipment audible outside the principal building shall be allowed.
6. Adult uses shall comply with all federal, state, county, and local laws, rules, and regulations, as amended.

#### **15-4-07. Service Use-Specific Standards**

##### **A. Animal Boarding Facility/Kennel and/or Veterinary Services.**

1. No livestock or large animals shall be boarded, treated, or kept on the premises.
2. Buildings shall be located no closer than seventy-five (75) feet from any adjacent residential property.
3. Enclosed exercise areas shall be at least one-hundred fifty (150) feet from any residential property. All exercise areas shall be enclosed by a fence and adjacent to the principal building.
4. All litter and waste shall be contained and controlled on site by having appropriate flushing drains and other physical elements to properly dispose of cleaning waste from the boarding area. Solid waste shall be removed from outdoor areas after each use of the area.
5. All activities, except animal exercise areas, shall be conducted within an enclosed building designed with noise resistant materials and which allows for adequate ventilation.
6. Drainage from outdoor areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.
7. Solid waste will be removed from the outdoor area after each use of the area.
8. All outdoor areas shall be screened with a solid opaque fence or wall at least six (6) feet in height. Slatted chain link fences shall not meet this requirement.
9. Use of outdoor exercise areas between the hours of 10:00 pm and 7:00 am is prohibited.

#### **15-4-08. Eating and Drinking Use-Specific Standards**

##### **A. Food Truck Court.**

1. The maximum number of food trucks allowed on site shall depend on the size of the lot and site's ability to provide required electrical access and parking. Site plans shall be provided to the City for review before permitting.
2. A minimum of ten (10) feet of clearance shall be provided between food truck stalls.

3. Food truck stalls shall be clearly defined and separated from all patron parking with an enclosure. Any use of fencing or planters to separate the food truck park from parking shall provide visibility into the site and shall not exceed four (4) feet in height.
4. Food truck courts are encouraged to create an inviting and attractive aesthetic environment and shall include seating and shade elements.
5. A minimum of (2) permanent restrooms that meet ADA standards shall be made accessible to patrons within two hundred (200) feet of the food truck court during hours of operation.
6. Electrical service shall be provided to each food truck.
7. A minimum of one (1) trash receptacle and one (1) recycling receptacle shall be provided per food truck. The food truck park shall also provide a commercial dumpster outside of the designated patron area for waste disposal. The dumpster shall be screened in accordance with [Section 11-60#](#).

### 15-4-09. Vehicle-Related Use-Specific Standards

#### A. Auto Sales/Rental and Service.

1. All outdoor display areas for sales, rental, and service shall be improved with all-weather surfaces.
2. Parking lots used for the outdoor display of motor vehicles for sale and/or rent shall be exempt from the landscape spacing requirements for the parking area perimeter zone, as detailed in [Section 11-60#](#), and instead may cluster required landscape elements to preserve views to motor vehicles offered for sale and/or rent.
3. No vehicles shall be parked within the public right-of-way.
4. Repair bays shall not front adjacent public rights-of-way or face a parcel with a residential use or in a residential district.
5. No more than one (1) elevated display shall be used, raising the vehicle no more than three (3) feet off the ground.
6. Accessory uses and structures, such as car wash facilities and their incidental functions (vacuums and air compressors) shall be set back at least fifty (50) feet from public rights-of-way or a residential use or district.
7. No existing buildings shall be occupied or re-used for vehicle sales, rental and service unless all requirements of this UDO are met. The use shall operate in accordance with all other applicable federal, state, and local laws. If additional permits are required, such permits shall be obtained prior to the operation's approval.
8. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

#### B. Carwash.

1. Hours of operation shall be restricted to between 7am and 10pm.
2. All car wash facilities and accessory equipment such as vacuums, dryers, and accessory buildings and structures shall be set back a minimum of two hundred (200) feet from any parcel with an existing residential use or in a residential district. Such facilities and equipment shall be enclosed within a building, except for self-service vacuum units.
3. If self-service vacuum facilities are provided, a minimum of one (1) parking space for each vehicle capable of being serviced at any one time at such vacuum facility shall be provided. Such parking spaces for accessory vacuum facilities shall not interfere with circulation or entrance or exit drives.
4. Accessory equipment such as vacuum facilities shall be set back a minimum of twenty (20) feet from all property lines.

5. All full-service or conveyor-based carwash facilities shall be equipped with a water recycling system that shall recycle a minimum of fifty (50) percent of the water being used by the facility
6. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

**C. Major Automotive Repair.**

1. A Type C transition area, as detailed in **Section 11-60#**, shall be required along lot lines adjacent to any parcel in a nonresidential district.
2. A Type D transition area, as detailed in **Section 11-60#**, shall be required along lot lines adjacent to any parcel in a residential district.
3. All vehicle repair activities shall be within a completely enclosed building.
4. All storage of vehicles awaiting needed parts shall be within the building or in an enclosed or screened-in yard.
5. All damaged or nonoperable parts shall be stored indoors until removed from the premises.
6. All vehicle parts within a completely enclosed building.
7. Service bay entrances shall not front a public right-of-way unless specifically approved.
8. The maximum allowable number of tow trucks which can be parked at the site shall be determined by the Plan Commission as a condition of approval of the Conditional Use Permit.
9. Drainage from major automotive repair areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

**D. Vehicle Fuel Sales.**

1. All fuel sales stations shall have direct access to an arterial or collector street.
2. Any fuel pumps, underground fuel storage tanks, and islands, shall be at least fifty (50) feet from any street or abutting lot line.
3. All fuel pumps shall be set back a minimum of twenty-five (25) feet from the street right-of-way and side or rear lot lines.
4. All fuel pump canopies shall be located a minimum of twenty (20) feet from the street right-of-way and side or rear lot lines.
5. All fuel pumps and fuel pump canopies shall be located a minimum of fifty (50) feet from any residential district boundary line.
6. Fuel pump canopies shall have a maximum height of twenty-five (25) feet.
7. Fuel pump canopy columns shall be clad in masonry, stucco, fiber cement, or stone veneer systems with a minimum thickness of three (3) inches, for a minimum of four (4) feet from the base of the column.
8. Fuel pump canopies shall be lit with only fully recessed lighting.
9. A Type B transition area, as detailed in **Section 11-60#**, shall be required along lot lines adjacent to any parcel in a nonresidential district.
10. A Type D transition area, as detailed in **Section 11-60#**, shall be required along lot lines adjacent to any parcel in a residential district.

11. No signs shall be permitted on fuel pump canopy roofs or fascia.
12. Drainage from vehicle fuel sales areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

#### **15-4-10. Agricultural Use-Specific Standards**

##### **A. Nursery, Retail.**

1. The overall area of any outdoor sales accessory use shall not exceed the area of the principal enclosed building.
2. All retail nurseries shall comply with Chapter 183 Orderly Conduct of the City of Franklin Municipal Code.

#### **15-4-11. Industrial Use-Specific Standards**

##### **A. Artisan Manufacturing.**

1. Gross floor area shall not exceed five thousand (5,000) square feet.
2. Outdoor storage shall be prohibited.
3. Outdoor operations or activities may be approved with a temporary use permit.
4. Artisan manufacturing shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties.
5. Retail sales of goods manufactured on-site shall be required and shall comprise a minimum of ten (10) percent of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows.
6. Manufacturing areas are encouraged to be visible from retail areas.
7. A maximum of one (1) residential unit shall be permitted within the same unit/leasable area as the artisan manufacturing use but shall be limited to twenty-five (25) percent of the total area of the building.

##### **B. Landfill.**

###### **1. Performance Criteria and Standards.**

- a. All City of Franklin or County roads to be used to service the site shall be constructed to meet the City of Franklin, Milwaukee County, and Wisconsin Department of Transportation standards appropriate for the weight of the trucks using the facility prior to the operation of the facility.
- b. A bond written by a licensed surety company, a certified check, letter of credit, or other financial guarantee in an amount sufficient to cover the costs associated with the repair of the affected road(s) to standard upon closure or if the road deteriorates due to the traffic to the facility shall be provided..
- c. An additional three (3) feet of final cover shall be required in addition to the amount required in the Wisconsin Administrative Code, and the facility shall be landscaped in approved ground cover of prairie plantings as determined appropriate by the City of Franklin.
- d. The disposal operation shall be conditioned on approval by those state agencies having authority for such approval, and the use shall meet all applicable federal, Milwaukee County, and City of Franklin requirements.

2. The City of Franklin shall enter into negotiation and arbitration procedures as set forth in Chapter 144.445 of the Wisconsin Statutes as amended for the approval of a solid waste disposal facility or expansion thereof.

**C. Self-Service Storage Facility.**

1. Outdoor storage, with the exception of recreational vehicles, boats, and other recreational equipment as regulated in subsection 2 below, shall be prohibited.
2. Outdoor storage of recreational vehicles, boats, and other recreational equipment shall be allowed if screened with a solid wall or opaque fence constructed from materials approved by the Zoning Administrator and not less than six (6) feet or more than eight (8) feet in height in areas visible from an existing or proposed arterial roadway or from a property in any district other than the LI District.
3. The storing of hazardous or toxic materials is prohibited.
4. No storage space shall be used for residential occupancy, business sales or operation, the storage of commercial or industrial inventory or raw materials, or the operation of machinery.

**15-4-12. Utility and Transportation Use-Specific Standards****A. Airport/Heliports.**

1. The site shall be at least fifteen (15) contiguous acres in area.
2. The site shall be sufficient in size to meet the standards for the type of facility proposed of the Federal Aviation Administration and the Department of Transportation in accordance with their published rules and regulations.
3. Any proposed landing area shall be situated so that any structures, high voltage power lines, towers, chimneys, and natural obstructions within the approach zones, shall comply with regulations for height restrictions in airport approach zones of the Federal Aviation Administration, Wisconsin Division of Aeronautics, or other airport authority qualified to establish zoning regulations.
4. No planned approach areas shall be permitted over parcels with existing residential uses or planned residential uses, according to the City of Franklin's Comprehensive Plan.
5. Landing and take-off areas shall be at least one hundred fifty (150) feet from any lot boundary and at least five hundred (500) feet from any dwelling unit or residential zoning district.
6. Hangers, repair facilities, or other airport/heliport buildings shall be at least one hundred (100) feet from any street right-of-way line and least one hundred fifty (150) feet from any lot boundary
7. All repair of airplanes and mechanical equipment shall take place inside enclosed hangars.
8. Residential uses shall not be located within the approach path unless measures to achieve a noise level reduction of 25 dBA (outdoor to indoor) are incorporated into the design and construction of the residential structures.
9. Heliports shall meet all applicable Federal, state and local regulations.

**B. Helistops.** Helistops shall meet the following requirements:

1. The site shall be sufficient in size and the site shall otherwise be adequate to meet the rules and regulations established by the Federal Aviation Administration and the Department of Transportation.
2. Landing and take-off areas shall be located a minimum of one-hundred fifty (150) feet from any parcel boundary and a minimum of five hundred (500) feet from any residential parcel boundary.
3. Landing areas shall be situated so that any structures, high voltage power lines, towers, chimneys, and natural obstructions within the approach zones, shall comply with regulations for height restrictions in airport approach zones of the Federal Aviation Administration, Wisconsin Division of Aeronautics, or other airport authority qualified by law to establish hazard zoning regulations.

4. No planned approach areas shall be permitted over parcels with existing residential uses or planned residential uses, according to the City of Franklin's Comprehensive Plan.
5. Heliports shall meet all applicable Federal, state and local regulations.

C. **Solar Farm.**

1. Properties on which a public utility owns or leases the land shall be exempt from the standards for solar farms.
2. No solar farm shall be erected on any lot less than four (4) acres in size.
3. A certified professional engineer shall certify that the foundation and design on the solar panels are within accepted professional standards, given local soil and climate conditions.
4. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground.
5. Systems, equipment, and structures shall not exceed thirty feet (30) in height when ground mounted.
6. Ground mounted solar energy collection systems as part of a solar farm shall have a minimum setback for all equipment, excluding fences, of:
  - a. Front and Corner Yards: one hundred (100) feet,
  - b. Side and Rear Yards: fifty (50) feet from nonresidential property lines and one hundred (100) feet from residential property lines.
7. Systems equipment and structures shall be fully enclosed and secured by a fence or wall with a height of eight (8) feet. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
  - a. **Warnings.**
    - i. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Administrator.
    - ii. The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the City monthly. The recorded calls shall be maintained for at least twelve (12) months.
8. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the solar farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.
9. **Materials Handling, Storage, and Disposal.**
  - a. All solid wastes related to the construction, operation, and maintenance of the solar farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
  - b. A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the solar farm shall be handled, stored, transported, and disposed of in accordance with all applicable local, state and federal laws.
10. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the solar farm project is properly decommissioned, which shall include:



- a. Provisions describing the triggering events for decommissioning the solar farm project. Any nonfunctioning solar panel/array of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such solar panel/array or component.
  - b. Procedures for the removal of structures, debris, and cabling, including those below the soil surface,
  - c. Provisions for the restoration of the natural soil and vegetation,
  - d. An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.
  - e. Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to the professional engineer's certified estimate of the decommissioning cost.
11. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

**D. Wind Farm.**

- 1. Public utilities shall be exempt from the standards for wind farms.
- 2. No wind farm shall be erected on any lot less than four (4) acres in size.
- 3. **Design and Installation.**
  - a. **Safety Certification.**
    - i. Wind farm systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL), Det Norske Veritas (DNV), Germanischer Lloyd Wind Energic (GL), or an equivalent third party prior to plan approval.
    - ii. Following plan approval, a professional engineer shall certify, as part of the building permit application, that the foundation and tower design of the wind farm system is within accepted professional standards, given local soil and climate conditions.
  - b. **Controls and Brakes.** All wind farm systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
  - c. **Electrical Components.** All electrical components of the wind farm systems shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g., ANSI and international electrical commission). Utility lines connecting the towers, substations, etc., shall be placed underground where practical.
  - d. **Turbine Consistency.** To the extent feasible, the project shall consist of turbines of similar design and size, including tower height. Further, all turbines shall rotate in the same direction.
  - e. **Warnings.**
    - i. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
    - ii. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.

- iii. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Administrator.
- iv. The signs shall be made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed. These phone numbers shall remain active with all calls being voice recorded for verification purposes and with comments and complaints logged and reported to the Zoning Administrator monthly. The recorded calls shall be maintained for at least twelve (12) months.
- f. **Climb Prevention.** All wind farm towers must be unclimbable by design or protected by anti-climbing devices such as:
  - i. Fences with locking portals at least six (6) feet high, or
  - ii. Anti-climbing devices twelve (12) feet vertically from the base of the wind farm tower.
- g. **Setbacks.** Wind farm towers and appurtenant structures shall meet the following minimum setbacks.
  - i. Wind farm towers shall be six (6) times the height of the wind farm tower or at least three thousand, two hundred fifty (3,250) feet, whichever is greater, from any principal structure or use on the subject or neighboring property.
  - ii. Wind farm towers shall be one and one-tenth (1.10) times the wind farm tower height from public roads, third party transmission lines, and communication towers.
  - iii. Wind farm towers shall be one thousand six hundred forty (1,640) feet from adjacent property lines, as measured from the center of the wind farm tower foundation.
  - iv. No part of a wind farm tower or foundation shall encroach on a public or private sewage disposal (septic) system
  - v. Above ground transmission facilities and poles shall be set back one-hundred fifty (150) feet from any portion any principal structure or use on the subject or neighboring property.
- h. **Use of Public Roads.** An applicant, owner, or operator proposing to use any City or County Road for the purpose of transporting and installation of wind farm or substation parts and/or equipment for construction, operation, or maintenance of the wind farm or substations, shall:
  - i. Identify all such public roads, and
  - ii. Obtain applicable weight and size permits from relevant government agencies prior to construction.
  - iii. To the extent an applicant, owner, or operator must obtain a weight or size permit from the City, County, or State, the applicant shall provide:
    - a) Financial assurance, in a reasonable amount agreed to by the relevant parties, for the purpose of repairing any damage to public roads caused by constructing, operating, or maintaining the wind farm prior to the issuance of building permits.
    - b) A signed copy of any agreements pertaining to the use of public roads prior to the issuance of building permits.
- i. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.

4. **Operation.**

a. **Maintenance.**

- i. The owner or operator of the wind farm must submit, upon request a summary of the operation and maintenance reports to the county. In addition to the annual summary mentioned in this subsection, the owner or operator must furnish such operation and maintenance reports as the City reasonably requests.
- ii. Any replacement of equipment that is not a like-kind replacement using the same equipment in plan as approved shall require that an amendment to the Conditional Use.

b. **Materials Handling, Storage, and Disposal.**

- i. All solid wastes related to the construction, operation, and maintenance of the wind farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.
- ii. A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the wind farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

c. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the wind farm project is properly decommissioned, which shall include:

- i. Provisions describing the triggering events for decommissioning the wind farm project. Any nonfunctioning wind turbine of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such wind turbine or component.
- ii. Procedures for the removal of structures, debris, and cabling, including those below the soil surface,
- iii. Provisions for the restoration of the natural soil and vegetation,
- iv. An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.
- v. Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to the professional engineer's certified estimate of the decommissioning cost.
- vi. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

### 15-4-13. Accessory Use-Specific Standards

A. **Accessory Dwelling, Detached / Attached.**

1. One (1) detached, attached, or internal accessory dwelling unit shall be allowed per lot.
2. If a lot has a detached garage, a detached accessory dwelling unit shall be located above the detached garage. A standalone detached garage and standalone detached accessory dwelling unit shall not be allowed on a lot.
3. The detached / attached accessory dwelling shall be located to the interior side or rear of the principal dwelling.
4. The maximum size of a detached accessory dwelling shall be:
  - a. Seven hundred twenty (720) square feet on properties forty thousand (40,000) square feet in area or less.

b. Nine hundred (900) square feet on properties more than forty thousand (40,000) square feet in area.

5. The maximum height of a standalone detached accessory dwelling shall be seventeen (17) feet or the height of the principal dwelling, whichever is less.
6. The maximum, combined height of a detached accessory dwelling located above a detached garage and the detached garage shall be twenty-seven (27) feet or the height of the principal dwelling, whichever is less.
7. Detached accessory dwellings shall be setback a minimum of five (5) feet from the rear and interior side yard lot lines.
8. Attached accessory dwellings shall be located fully within the buildable area of the lot.
9. The principal dwelling and detached / attached accessory dwelling shall be served by a common driveway.
10. The detached / attached accessory dwelling shall have similar architectural features including roof pitch; window type, size, and placement, and exterior building cladding materials and similar exterior colors as the principal dwelling.
11. The principal dwelling or detached / attached accessory dwelling shall be the primary residence of the owner of the property.

**B. Accessory Dwelling, Internal.**

1. One (1) detached, attached, or internal accessory dwelling unit shall be allowed per lot.
2. The maximum size of the internal accessory dwelling shall be twenty-five (25) percent of the floor area of the principal dwelling.
3. The principal dwelling and internal accessory dwelling shall be served by a common driveway.
4. The principal dwelling or internal accessory dwelling shall be the primary residence of the owner of the property.

**C. Accessory Retail.**

1. The total area devoted to retail activity shall not exceed twenty-five (25) percent of the total area of the building in which the accessory retail activity shall be located.
2. Restroom facilities, if provided, shall be directly accessible from the accessory retail/restaurant sales area.
3. Accessory retail sales areas shall be physically separated from other activity areas by a wall.

**D. Accessory Structures.**

1. No accessory building shall be constructed on a site without a principal building.
2. Accessory structures shall have a maximum height of seventeen (17) feet, or the height of the principal building, whichever is less.
3. No accessory structure shall be constructed within or on an easement.
4. **Location.** An accessory structure shall be located as follows.
  - a. Completely within the required rear yard and five (5) feet from rear yard lot lines.
  - b. Completely within the buildable area of the lot and to the interior side or rear of the principal building.
  - c. At least ten (10) feet from the principal building unless constructed with a one (1) hour fire rating, in which case the accessory structure shall be set back at least six (6) feet from the principal building.
  - d. Wetland setbacks and buffers as specified in **Article 6** may further limit the location of accessory structures.

5. **Maximum Area.**

- a. Accessory structures on properties forty thousand (40,000) square feet or less in area shall not exceed seven hundred twenty (720) square feet in area.
- b. Accessory structures on properties exceeding forty thousand (40,000) square feet in area shall not exceed nine hundred (900) square feet in area.
- c. An accessory structure constructed of masonry may be up to twelve-hundred (1,200) square feet in area.
- d. Accessory structures may exceed 1,200 square feet on parcels in the RC - Conservation Residence or R-SE - Suburban/Estate Residence District with an existing active agricultural use subject to the following regulations.
  - i. The minimum lot area shall be three (3) acres.
  - ii. The maximum accessory structure size shall be five hundred (500) square feet per acre. No accessory structure shall exceed five thousand (5,000) square feet.
  - iii. No accessory over twelve hundred (1,200) square feet structure shall exceed forty (40) feet in height.
  - iv. An accessory structure over twelve hundred (1,200) square feet shall not be located closer to a side or rear lot line than a distance equal to its height.
  - v. An accessory structure over twelve hundred (1,200) square feet shall not be used for commercial or residential use.

E. **Artisan Workshop.**

1. The artisan workshop shall be wholly within the principal building and any accessory building.
2. The principal building shall be the primary residence of the property owner.
3. No alterations shall be made to the principal building or accessory building that changes its residential character or appearance or otherwise gives evidence of the artisan workshop.
4. The sale of goods or materials on site shall be prohibited.
5. No persons, other than the residents of the dwelling unit, shall be employed on site.
6. Mechanical or electrical equipment supporting the artisan workshop shall be self-contained within the structure and normally used for office, domestic, or household purposes.
7. The outdoor display or storage of goods, materials, merchandise, or equipment related to the artisan workshop shall be prohibited.
8. The artisan workshop shall not require the delivery or shipment of goods, materials, merchandise, or equipment beyond what is typical for a residential use.
9. The artisan workshop shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties.
10. The artisan workshop shall not discharge any material which is radioactive, poisonous, or detrimental to either wastewater or storm water systems.

F. **Drive Through.**

1. Drive throughs shall be permitted a maximum of four (4) total menu boards with a combined maximum area of 100 square feet.
  - a. Each menu board or pre-order board shall not exceed sixty (60) square feet in area and ten (10) feet in height. Menu boards and pre-order boards may utilize electrically activated changeable copy message centers for one hundred (100) percent of the permitted menu board or pre-order board area and must follow all regulations of [Section 11-825.04.C.2.](#)
2. Any speaker or intercom associated with a drive through shall not be audible beyond the boundaries of the property.
3. Drive through canopies shall maintain a uniform and consistent roofline with the building to which the drive-through is associated.
4. Stacking spaces and lanes for drive through stations shall not impede on- and off-street traffic movement, shall not cross off-street parking areas or drive aisles and shall not impede pedestrian access to a public building entrance.
5. Drive through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked, or otherwise delineated.
6. Drive through facilities shall be provided with a bypass lane with a minimum width of ten (10) feet unless an alternative means of exit is approved.
7. Stacking lanes shall have a minimum depth of twenty (20) feet per stacking space and the following minimum lane widths:
  - a. One (1) lane: twelve (12) feet,
  - b. Two (2) or more lanes: ten (10) feet per lane.
8. Drive through facilities shall be required to provide a minimum number of stacking spaces as detailed in [Table 11-511\(E\).](#)

<b>Table 15-4-13(F): Drive Through Stacking Requirements</b>		
<b>Use</b>	<b>Minimum Stack</b>	<b>Measure From</b>
<i>Automated Teller Machine</i>	3 per machine	teller machine
<i>Bank Teller Lane</i>	2 per lane	teller or window
<i>Restaurant</i>	6 per order box	order box (1)
<i>Carwash Stall, Automatic</i>	5 per stall	stall entrance
<i>Carwash Stall, Manual</i>	3 per stall	stall entrance
<i>Oil Change Shop</i>	3 per service bay	service bay entrance
<i>Pharmacy</i>	4 per lane	machine or window
<b>Notes:</b>		
(1) 4 of the required stacking spaces are to be located between the order-box and pick-up window, including the stacking space at the order box.		

**G. Donation Drop Box.**

1. Donation drop boxes shall be on properties that contain a legally existing and operating use.
2. No more than two (2) donation drop boxes shall be permitted on a lot less than or equal to two (2) acres.
3. No more than three (3) donation drop boxes shall be permitted on a lot greater than two (2) acres.
4. Each donation drop box shall not exceed seven (7) feet in height and twenty-five (25) square feet in ground area.

5. Donation drop boxes shall only be located in side or rear yards.
6. Donation drop boxes shall be located on an asphalt or concrete paved surface.
7. Donation drop boxes shall not locate in a driveway or drive aisle and shall not reduce the width of paved clear space for the passage of pedestrians to less than five (5) feet. Boxes shall not locate in such a way as to disrupt the flow of vehicular or pedestrian traffic.
8. Donation drop boxes shall not be located nearer than forty (40) feet from an adjoining lot in a residential district.
9. Donation drop boxes shall be located to the side or rear of the primary façade of the building.
10. A notice must be permanently affixed to each donation drop box in a highly visible location prohibiting the placement of items outside of the box. The name and twenty-four (24) hour telephone number of the owner/operator must be permanently affixed to each donation drop box.

**H. Home Based Business.**

1. The home based business shall be conducted wholly within the principal building and any accessory building.
2. The home based business shall only employ individuals that reside on-site.
3. The home based business shall encompass no more than twenty five (25) percent of the floor area of the dwelling unit shall.
4. The home based business shall not alter the outside appearance of the building, accessory structure, or premises that changes in a way that changes its residential character or appearance .
5. The outdoor display, storage, sale of goods, materials, merchandise or equipment related to the home based business shall be prohibited.
6. No mechanical equipment shall be used except such that is normally used for purely domestic or household purposes, and shall be contained within the principal or accessory building or structure.
7. No commodity or good produced off-site shall be sold on the premises, displayed on the exterior or interior of the premises or warehoused on the premises for sale elsewhere.
8. No vehicular or pedestrian traffic shall be generated by such home occupation or home office in greater volume than would normally be expected from the principal use.
9. No noise, emissions, radiation, vibration, heat, glare, smoke, dust, fumes, odors, or electrical interference created which is detectable to the normal senses outside the dwelling unit in excess of that normally associated with a residential household use shall be allowed.
10. The home based business shall not generate refuse exceeding the amount allowable for regular residential pick-up shall be generated by any home occupation.
11. The home based business shall not generate or store toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials on the site except those which are ordinarily used for household.
12. **Nuisance Causing Activities.** No home occupation shall cause or create any nuisance, cause or create any substantial or undue adverse impact on any adjacent property or the character of the area, or threaten the public health, safety or general welfare, or be noxious, offensive, or hazardous.
13. **Materials Which Decompose by Detonation Prohibited.** No materials which decompose by detonation shall be allowed in conjunction with a home occupation.

14. No home occupation shall be permitted which generates wastewater or water use in excess of the quantity typically required for a residential dwelling unit.

**I. Outdoor Activity/Operation/Storage, Accessory.**

1. Any property with permanent outdoor activity/operation/storage shall have a minimum lot size of five (5) acres.
2. Outdoor activity/operation/storage shall be conducted between the hours of 7:00 am and 9:00 pm.
3. Outdoor activity/operation/storage shall be located to the rear or interior side of the principal building on the lot.
4. Outdoor activity/operation/storage shall be prohibited in front or street side yards.
5. Outdoor activities and operations shall be setback a minimum of fifty (50) feet from all property lines when adjacent properties are zoned B-G and B-R Districts.
6. Outdoor activities and operations shall be setback a minimum of one hundred (100) feet from all property lines when adjacent properties in the R-C, R-SE, R-SR, R-M, R-V, B-N, B-MU, and B-SM Districts.
7. The following minimum screening requirements shall apply to permanent outdoor activities and operations visible from the right-of-way of an existing or proposed arterial or collector roadway or a property zoned R-C, R-SE, R-SR, R-M, R-V, B-N, B-MU, B-V Districts.
  - a. A solid wall constructed from materials, not including metal, identical to those used on the exterior of the principal building, unless otherwise approved by the Planning Commission, and not less than six (6) feet and not more than eight (8) feet in height shall be erected to screen the portions of permanent outdoor activity and operations areas visible from an existing or proposed arterial or collector roadway or a property zoned in the R-C, R-SE, R-SR, R-M, R-V, B-N, or B-SM Districts.
  - b. A landscape strip, not less than five (5) feet wide shall be located in front of the wall. The landscape strip shall be improved with a Type A Transition Area per [Section 11-60#](#).

**J. Outdoor Dining.**

1. The outdoor dining area shall be located on an approved hard paved surface.
2. Outdoor dining areas may utilize a maximum of twenty (20) percent of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.
3. Outdoor dining areas shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five (5) feet.
4. A fence, landscape hedge, or wall with a height of four (4) feet shall be utilized to segregate the outdoor dining area.
5. Use of outdoor dining areas shall be limited to the posted operational hours of the associated eating and drinking use.

**K. Outdoor Display/Sale of Merchandise.**

1. Only those goods and materials associated with the existing on-site use may be displayed or sold.
2. Permanent outdoor display or sales areas shall not be located within any required yard or parking area.
3. Permanent outdoor display or sales areas shall be surfaced with an approved hard surface material. Partially paved or unpaved outdoor display or sales areas shall be prohibited.
4. Permanent outdoor display or sales areas shall not exceed ten (10) percent of the gross floor area of the primary building on the property unless approved as a Conditional Use.

**L. Solar Energy Collection System, Canopy.**



1. The height of canopy solar energy collection systems shall not exceed the height of the primary building that the parking area serves.
2. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

**M. Solar Energy Collection System, Ground-Mounted.**

1. Ground mounted solar energy collection systems shall be permitted in the rear yard only.
2. The maximum height of ground mounted solar energy collection systems shall be five (5) feet in height, measured from the grade at the base of the pole to the highest edge of the system.
3. Minimum clearance between the lowest point of the system and the surface on which the system is mounted is twelve (12) inches.
4. All parts of the freestanding system shall be set back ten (10) feet from the side and rear lot lines and shall not be located in a public utility easement.

**N. Solar Energy Collection System, Roof Mounted.**

1. Roof mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.
2. Systems on residential structures shall not extend beyond twelve (12) inches parallel to the roof surface of a pitched roof or flat roof.
3. Systems on nonresidential structures shall not extend beyond thirty-six (36) inches parallel to the roof surface of a pitched roof or flat roof.
4. Systems on all structures shall not extend above the highest peak of a pitched roof. Height is measured from the roof surface on which the system is mounted to the highest edge of the system.
5. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.

**15-4-14. Temporary Use-Specific Standards**

**A. Food Truck.**

1. Sites for Food Trucks are required to have full public improvements including curb, gutter, sidewalk, and an access drive, etc.
2. Food trucks shall locate on paved surfaces. The location of a food truck on unimproved surfaces, landscape areas, in required setbacks, or on dirt or gravel areas is prohibited.
3. One (1) food truck shall be allowed per lot.
4. Food trucks shall obtain written permission from the property owner(s) and shall submit such documentation as part of the temporary use approval process specified in **Section ##-###.**
5. A food truck, including all vending activity, tables, chairs, and trash receptacles may occupy no more than four (4) parking stalls or six hundred and fifty (650) square feet of parking area, whichever is less.
6. Tables and chairs shall be permitted and located on improved or paved surfaces and shall not locate in parking stalls, landscape areas, or drive aisles, aside from the four (4) parking stalls designated for vending.
7. Food trucks shall not occupy or operate within an ADA parking stall or pedestrian path.

8. A minimum of one (1) trash receptacle and one (1) recycling receptacle shall be provided per food truck.
9. Required tables, chairs, and trash and recycling receptacles shall not be retained on-site overnight.
10. Drive aisles, sidewalks, access to trash enclosures, and similar areas may not be blocked by any vending activity.
11. Food trucks shall be located a minimum of five hundred (500) feet from any brick-and-mortar restaurant as measured from the property line.

**B. Seasonal Sales.**

1. Seasonal sales shall be permitted for a period not to exceed ninety (90) days per calendar year, unless otherwise approved.
2. Seasonal sales areas may utilize a maximum of twenty (20) percent of the parking spaces required for the operation of the principal use or two thousand (2,000) square feet, whichever is less.
3. Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five (5) feet.
4. All tents, canopies, or other temporary structures shall require review and approval by the Building Inspector.



*Draft 8/31/22*

## RESOLUTION NO. 2022-\_\_\_\_\_

A RESOLUTION DESIGNATING PROPOSED AMENDED BOUNDARIES  
AND APPROVING A PROJECT PLAN AMENDMENT FOR  
TAX INCREMENTAL DISTRICT NO. 6, CITY OF FRANKLIN, WISCONSIN

---

WHEREAS, the City of Franklin (the “City”) has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 6 (the “District”) was created by the City on October 16, 2018 as a mixed-use district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the “Amendment”) in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory from the District as permitted under Wisconsin Statutes Section 66.1005(4)(h)2.
- b. Amend the categories, locations or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1005(4)(h)1.

WHEREAS, an amended Project Plan for the District (the “Amendment”) has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the district promotes the orderly

- development of the City;
- k. An opinion of the City Attorney advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Franklin Public School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on September 8, 2022 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Franklin that:

1. It recommends to the Common Council that the boundaries of Tax Incremental District No. 6 be amended with boundaries as designated in Exhibit A of this Resolution.
2. It approves and adopts the amended Project Plan for the District, attached as Exhibit B, and recommends its approval to the Common Council.
3. Amendment of the Project Plan and Boundaries of the District promotes orderly development in the City.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED:

ATTEST:

\_\_\_\_\_  
Stephen R. Olson, Chairman

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

**Exhibit A**

**LEGAL BOUNDARY DESCRIPTION OR MAP OF  
TAX INCREMENTAL DISTRICT NO. 6, CITY OF FRANKLIN, WISCONSIN**

THIS CAN BE FOUND IN THE PROJECT PLAN

**Exhibit B**

**PROJECT PLAN**

THIS WILL BE HANDED OUT SEPARATELY

September 8, 2022

PROJECT PLAN AMENDMENT

# City of Franklin, Wisconsin

## Tax Incremental District No. 6



---

Prepared by:

Ehlers

N21W23350 Ridgeview Parkway West,

Suite 100

Waukesha, WI 53188

---

**BUILDING COMMUNITIES. IT'S WHAT WE DO.**



## KEY DATES

Organizational Joint Review Board Meeting Held:	Scheduled for Sep. 7, 2022
Public Hearing Held:	Scheduled for Sep. 8, 2022
Approval by Plan Commission:	Scheduled for Sep. 8, 2022
Adoption by Common Council:	Scheduled for Sep. 20, 2022
Approval by the Joint Review Board:	Sep. 26, 27, 28, 2022 Proposed

## TABLE OF CONTENTS

Executive Summary.....	3
Preliminary Map of Original District Boundary and Territory to be Added .....	7
Map Showing Existing Uses and Conditions Within the Territory to be Added .....	10
Preliminary Identification of Parcels to be Added .....	12
Equalized Value Test .....	14
Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District .....	15
Map Showing Proposed Improvements and Uses Within the Territory to be Added..	22
Detailed List of Estimated Project Costs .....	24
Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred.....	25
Annexed Property.....	30
Estimate of Property to be Devoted to Retail Business .....	30
Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances.....	30
Statement of the Proposed Method for the Relocation of any Persons to be Displaced .....	31
How Amendment of the Tax Incremental District Promotes the Orderly Development of the City.....	31
List of Estimated Non-Project Costs .....	32
Legal Opinion Advising Whether the Plan is Complete and Complies with Wis. Stat. § 66.1105(4)(f).....	33
Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions.....	34
Certified Survey Map Creating the Parcel Added to the District.....	35

# SECTION 1:

## Executive Summary

---

### DESCRIPTION OF DISTRICT

Tax Incremental District (“TID”) No. 6 (“District”) is a 233-acre Mixed Use District created on October 16, 2018, to pay the cost of public infrastructure and development incentives necessary to allow for commercial, industrial, and residential development (“Project”). On May 5, 2020, the District’s Project Plan was amended to add territory. The amendment also increased the total of projected Project Costs to be incurred.

### PURPOSE OF AMENDMENT

The purpose of this Amendment (referred to hereafter as the “Plan,” the “Amendment,” or the “Plan Amendment”), is to:

- **Add territory to the District as permitted under Wis. Stat. § 66.1105(4)(h)2.** A portion of tax parcel 938-9994-004 was combined by Certified Survey Map with adjacent property located in the District. Since the District can consist only of whole parcels, the territory amendment is needed to align the District’s boundary with the new parcel boundary. The area to be incorporated into the District, along with areas within the existing District, will be the site for the RISE Commercial District, an 18-building business incubator. This Amendment is the second of four permitted territory amendments available to the District.
- **Amend the categories, locations, or costs of project costs to be made as permitted under Wis. Stat. § 66.1105(4)(h)1.** Current projections anticipate total Project Cost expenditures of \$20 million, a decrease of approximately \$380,000 from the estimated costs included in the first amendment to the Plan. While this decrease does not necessitate an amendment to the Plan, costs have been updated since the Plan is being amended to add territory. There is no limit to the number of times a Project Plan can be amended to modify costs.

### ESTIMATED TOTAL PROJECT COST EXPENDITURES

The City anticipates making total expenditures of approximately \$20 million (“Project Costs”) to undertake the projects listed in this Plan Amendment reflecting a reduction of approximately \$380,000 as compared to the previous estimated total. Of the \$20 million in total estimated costs, approximately \$9.92 million has been spent as of the end of 2021. Remaining costs are detailed in this Plan Amendment.

## **INCREMENTAL VALUATION**

As of January 1, 2022, a total of \$2.72 million in incremental value has been created within the District. The City projects that total incremental land and improvements value of approximately \$85.8 million will result from the Project. Creation of this additional value will be made possible by the Project Costs made within the District. A table detailing assumptions as to the development timing and associated values is included in the Economic Feasibility Study located within this Plan.

## **EXPECTED TERMINATION OF DISTRICT**

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within 13 of its allowable 20 years.

## **SUMMARY OF FINDINGS**

As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

1. **That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.** The original Project Plan and subsequent first amendment identified the considerations noted below as factors necessitating creation of the District. These considerations remain applicable with respect to the Project Costs that have already been incurred, and to the prospective costs the City will incur to fully implement the Plan:
  - Some of the sites proposed for development have remained vacant for years due to lack of adequate infrastructure and ownership by multiple parties. Given that the sites have not developed as would have been expected under normal market conditions, it is the judgment of the City that the use of tax Incremental Financing will be required to provide the necessary infrastructure and inducements to encourage development on the sites consistent with that desired by the City.
  - To make the areas included within the District suitable for development, the City will need to make a substantial investment to pay for the costs of property, right-of-way and easement acquisition, site preparation, installation of utilities; installation of streets and related streetscape items; development incentive payments, and other associated costs. Due to the extensive initial investment in public infrastructure that is required in order to allow development to occur, the City has determined that development of the area will not occur solely as a result of private

investment. Accordingly, the City finds that absent the use of Tax Incremental District, development of the area is unlikely to occur.

- In June of 2015, Graef conducted a Planning and Engineering Analysis of the land near W. Loomis Road (STH 36) and W. Ryan Road, referred to as Area G. GRAEF concluded that the City should work to create a Tax Increment District around this area to aid in the cost of the required infrastructure for development to occur.
2. **The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.** In making this determination, the City has considered that in addition to the incremental value to be created, that the Project is expected to create residential housing, industrial sites and commercial sites to meet market demand. Employment and commercial opportunities related to the construction and operation of the Project are anticipated as well.
  3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because the Project would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
  4. Not less than 50% by area of the real property within the District, as amended, is suitable for mixed use development as defined by Wis. Stat. § 66.1105(2)(cm).
  5. Based on the foregoing finding, the District remains designated as a mixed-use district.
  6. The Project Costs relate directly to promoting mixed use development in the District, consistent with the purpose for which the District is created. Lands proposed for or developed as newly-platted residential development comprise no more than 35% of the real property area within the amended District. Costs related to newly-platted residential development may be incurred based on the proposed development having a density of at least three (3) units per acre as defined in Wis. Stat. § 66.1105(2)(f)3.a.

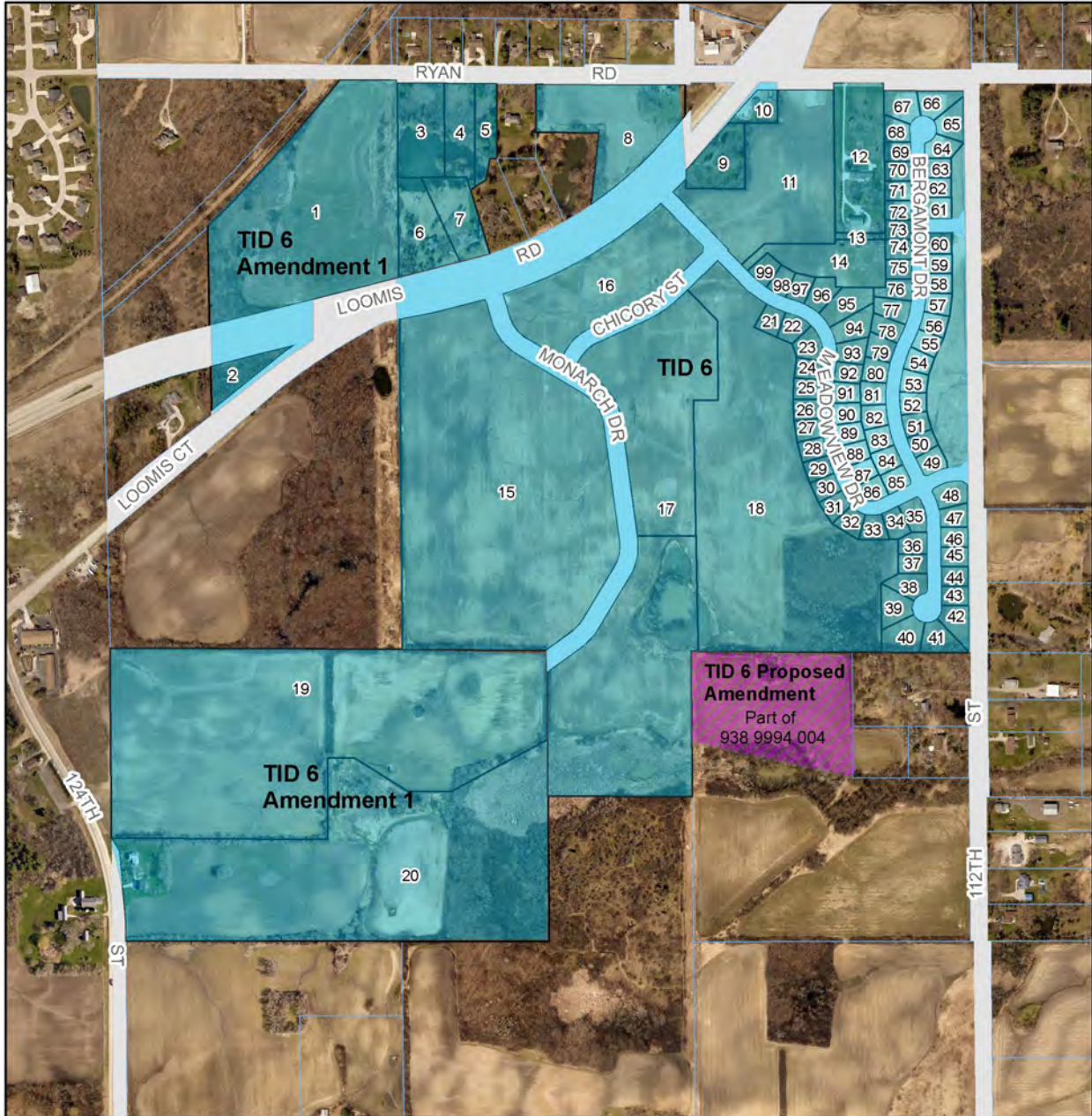
7. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
8. The equalized value of taxable property within the territory to be added to the District, plus the incremental value of all existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.
9. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
10. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).
11. That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.

## **SECTION 2: Preliminary Maps of Original District Boundary and Territory to be Added**

---

Maps Found on Following Pages.

To the extent District boundaries include wetlands identified on a map prepared under Wis. Stat. § 23.32, the wetlands are excluded from the District.



GIS Department  
 9229 W Loomis Rd  
 Franklin, WI 53132  
 www.franklinwi.gov



0 100 200 400 Feet

### Existing TID #6 and Proposed Amendment

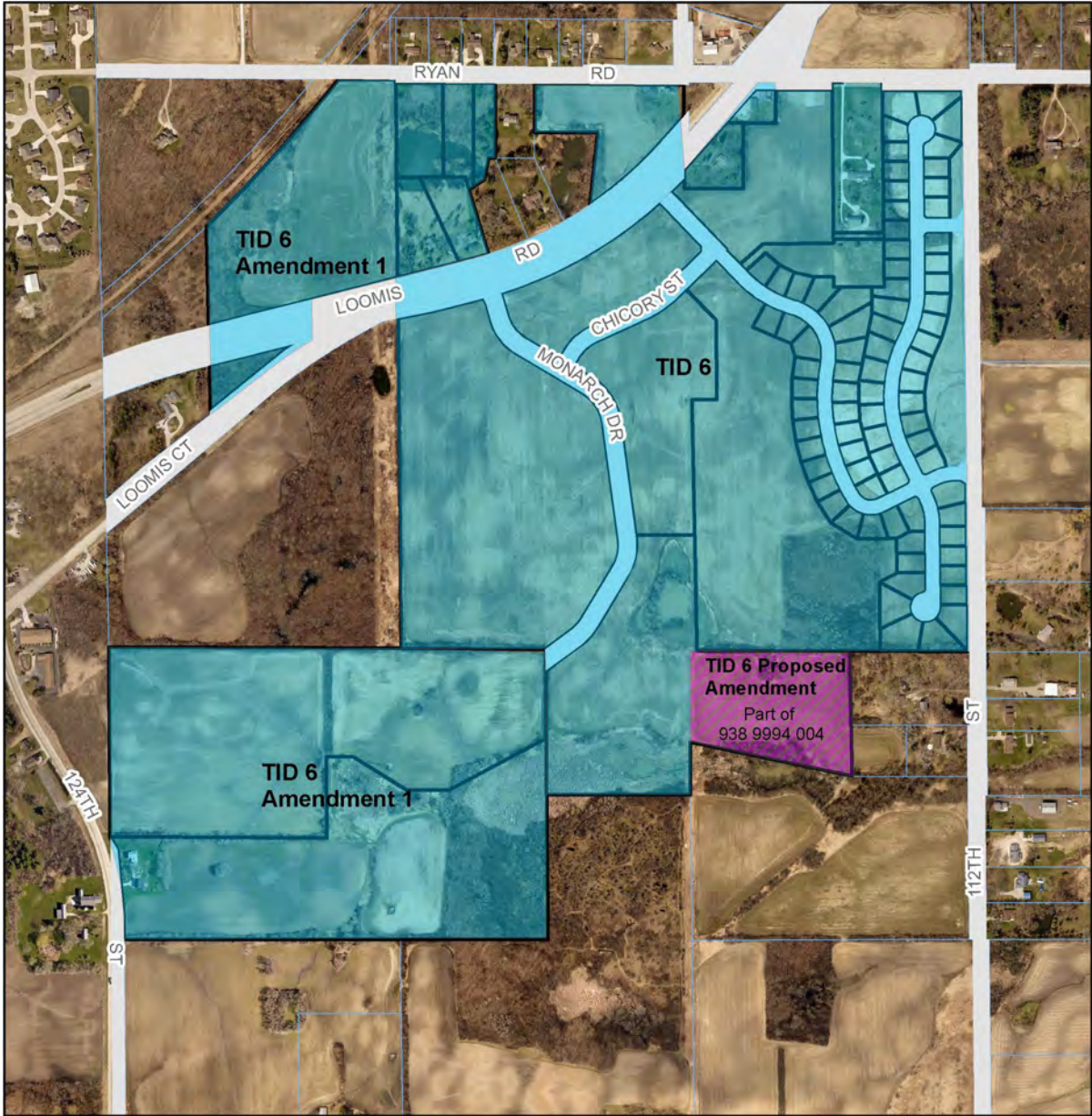
Parcel Update Through 2021

Existing TID #6  
 TID 6 Proposed Amendment

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.

Franklin Wisconsin  
 11/17/2021 10:00 AM

### Map of Parcel Boundary on January 1, 2022



**Franklin**  
WISCONSIN  
GIS Department  
9229 W Loomis Rd  
Franklin, WI 53132  
www.franklinwi.gov



**Existing TID #6 and  
Proposed Amendment**  
Includes CSM Parcel Update in 2022

Existing TID #6  
TID 6 Proposed Amendment

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.

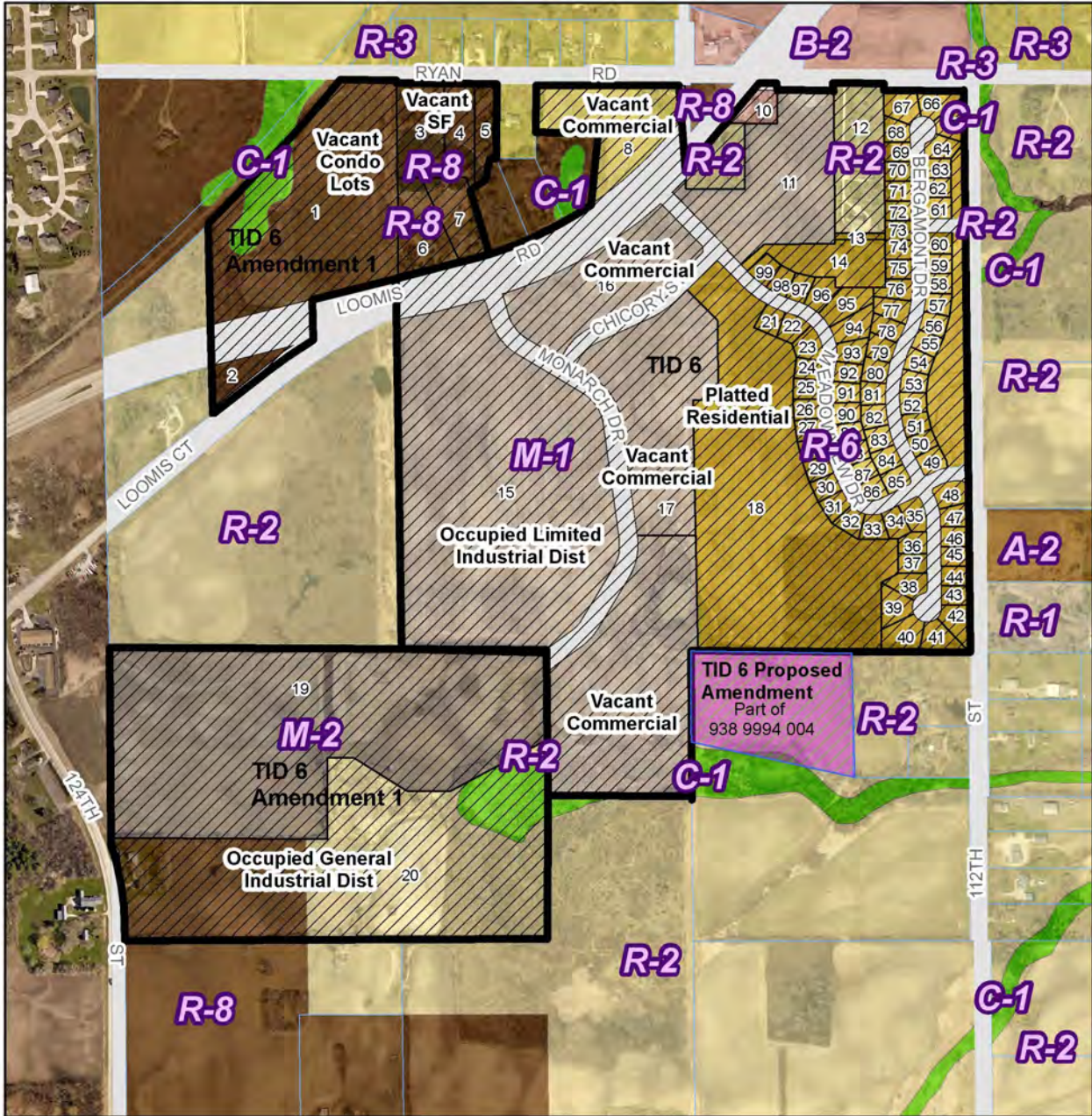
**Map of Parcel Boundary at District Creation  
(See Also Section 18 for Copy of Certified Survey Map)**



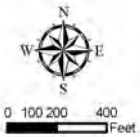
**SECTION 3:**  
**Map Showing Existing Uses and Conditions Within the  
Territory to be Added**

---

Map Found on Following Page.



GIS Department  
 9229 W Loomis Rd  
 Franklin, WI 53132  
 www.franklinwi.gov



### Existing TID #6 and Proposed Amendment

Includes CSM Parcel Update in 2022

Existing TID #6	Zoning District M-1	Zoning District R-3
TID 6 Proposed Amendment	Zoning District A-2	Zoning District R-6
	Zoning District M-2	Zoning District R-8
	Zoning District R-1	
	Zoning District C-1	
	Zoning District R-2	

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.

10/06/2022 11:02:22 AM \\franklin\GIS\Projects\TID6\TID6\_Amendment\_2022\map0000\_3

**SECTION 4:**  
**Preliminary Identification of Parcels to be Added**

---

Parcels within the original District, and the first territory amendment, total to 233.11 acres with mixed uses as identified on the table below.

**Current District Mixed Use Allocation**

	Acres	Suitable For Mixed Use		
		Commercial	Industrial	Residential
Original District	145.00	25.42	30.20	37.82
First Amendment	88.11	61.25	22.32	4.54
<b>Total</b>	<b>233.11</b>	<b>86.67</b>	<b>52.52</b>	<b>42.36</b>

The Amendment adds 8.4175 acres of territory to the District. As of January 1, 2022, this area was part of tax parcel 938-9994-004 and became a separate parcel following approval of a Certified Survey Map recorded on June 28, 2022. A copy of the Certified Survey Map is included in Section 18 for reference. The estimated addition to base value reflects an apportionment of the total \$7,700 parcel value based on 31.93 total acres.

**Identification of Territory to be Added to District**

Parcel #	938-9994-004 (Part of)
Acres	8.42
Estimated Base Value	\$2,000
Use	Suitable for Commercial Development

The added territory, along with a portion of the existing District territory, will be the site for the RISE Commercial District, an 18-building business incubator. Based on this use, the City has classified the added acres as suitable for commercial development. The table on the following page reflects the post-Amendment mixed use allocations and confirms that more than 50% of the territory in the Amended District is suitable for mixed use development, and that no more than 35% of the area has or will be developed for newly-platted residential uses.

### Post Amendment Mixed Use Allocation

Acres Suitable for:	Existing District	Added Territory	Total	Percentage
Commercial Use	86.67	8.42	95.09	39.37%
Industrial Use	52.52		52.52	21.74%
Residential Use	42.36		42.36	17.54%
<b>Total Suitable Acres</b>	<b>181.55</b>	<b>8.42</b>	<b>189.97</b>	<b>78.65%</b>
Not Suitable for Mixed Use Development	51.56		51.56	21.35%
<b>Total Acres</b>	<b>233.11</b>	<b>8.42</b>	<b>241.53</b>	<b>100%</b>

## **SECTION 5: Equalized Value Test**

---

The following calculations demonstrate that the City expects to be in compliance with Wis. Stat. § 66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property in the proposed District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

### Calculation of City Equalized Value Limit

City TID IN Equalized Value (Jan. 1, 2022)	\$ 5,423,303,100
TID Valuation Limit @ 12% of Above Value	\$ 650,796,372

### Calculation of Value Subject to Limit

Estimated Base Value of Added Territory	\$ 2,000
Incremental Value of Existing Districts (Jan. 1, 2022)	\$ <u>171,188,600</u>
Total Value Subject to 12% Valuation Limit	\$ 171,190,600

The equalized value of the increment of existing tax incremental districts within the City, plus the estimated base value of the territory to be added to the District, totals \$171,190,600, which is 3.16% of the City's total equalized value. This value is less than the maximum of \$650,796,372 (12%) in equalized value that is permitted for the City.

## **SECTION 6: Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District**

---

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments, or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs. The map found in Section 7 of this Plan along with the Detailed List of Project Costs found in Section 8 provide additional information as to the kind, number, and location of potential Project Costs.

The “Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District” included in the District’s amended Project Plan dated May 5, 2020 remains unchanged but is restated in this Section reflecting the types of projects that have, will, or may need to, be undertaken through the remaining expenditure period.

### **Property, Right-of-Way, and Easement Acquisition**

#### ***Property Acquisition for Development***

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed

the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered “real property assembly costs” as defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

### **Property Acquisition for Conservancy**

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

### **Acquisition of Rights-of-Way**

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate, and acquire rights-of-way are eligible Project Costs.

### **Acquisition of Easements**

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate, and acquire easement rights are eligible Project Costs.

### **Relocation Costs**

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include but are not limited to preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

## **Site Preparation Activities**

### **Environmental Audits and Remediation**

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

### **Demolition**

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

### **Site Grading**

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

## **Utilities**

### **Sanitary Sewer System Improvements**

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.



### **Water System Improvements**

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding, or expansion of distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

### **Stormwater Management System Improvements**

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

### **Electric Service**

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

### **Gas Service**

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

### **Communications Infrastructure**

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

## **Streets and Streetscape**

### **Street Improvements**

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

### **Streetscaping and Landscaping**

To attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include but are not limited to landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces, and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

## **Community Development**

### **Cash Grants (Development Incentives)**

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

## **Miscellaneous**

### **Projects Outside the Tax Increment District**

Pursuant to Wis. Stat. § 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries; and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following Project Cost expenditures outside the District or within the rights of way adjacent to the District: water system improvements, sanitary sewer system improvements, street improvements, intersection improvements, streetscaping and pedestrian pathways

### **Professional Service and Organizational Costs**

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

### **Administrative Costs**

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

**Financing Costs**

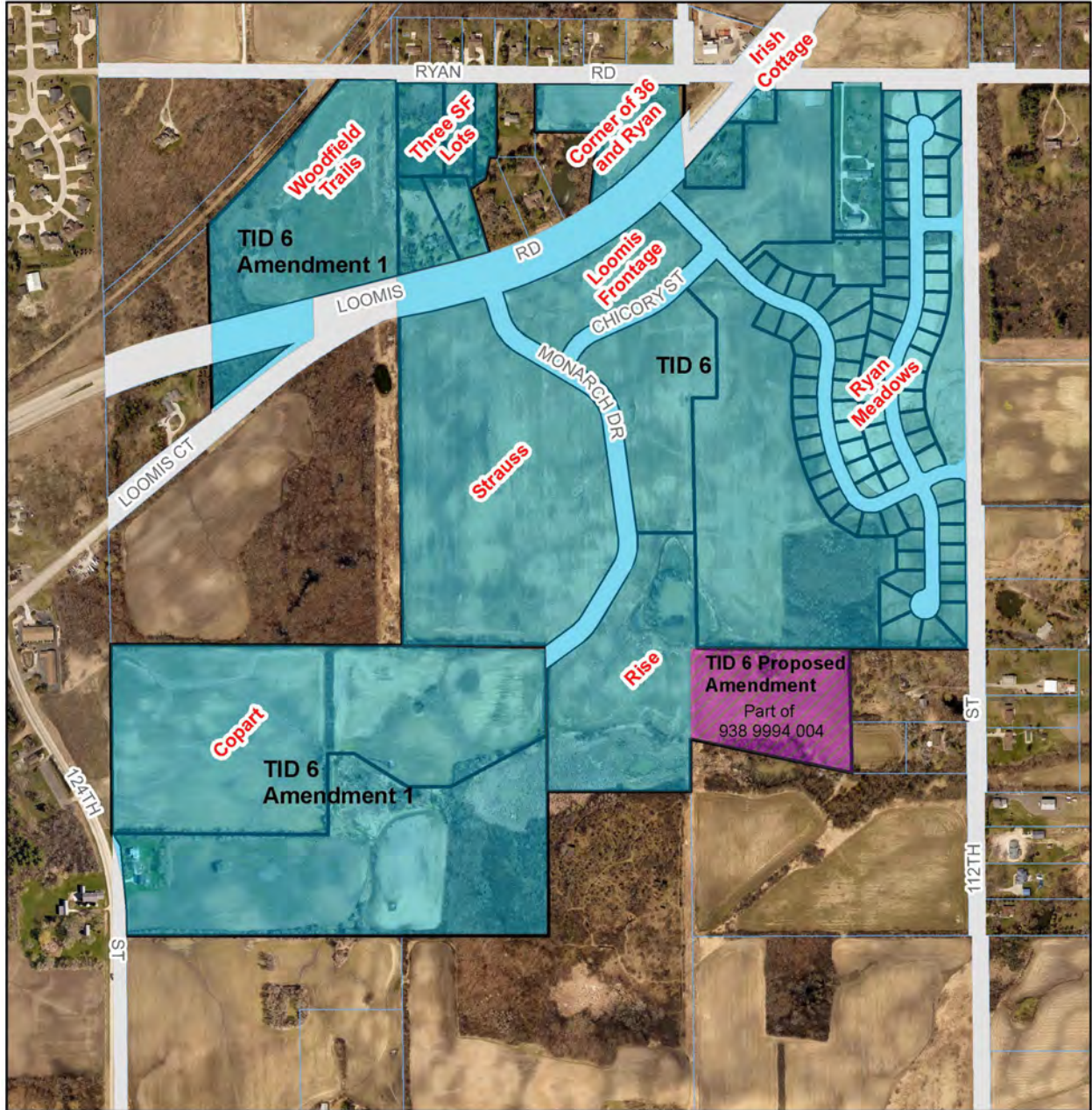
Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

## **SECTION 7: Map Showing Proposed Improvements and Uses Within the Territory to be Added**

---

Map Found on Following Page.

Labeled areas on map correspond to the development projects identified in Table 1 in Section 9 and indicate the improvements and uses to be developed within each area. The City has or will undertake the projects listed in Section 8 to permit development to occur in these areas.



GIS Department  
 9229 W Loomis Rd  
 Franklin, WI 53132  
 www.franklinwi.gov



0 100 200 400 Feet

### Existing TID #6 and Proposed Amendment

Includes CSM Parcel Update in 2022

- Existing TID #6
- TID 6 Proposed Amendment

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.

© 2022 City of Franklin, Wisconsin. All rights reserved. August 31, 2022 Update.

**SECTION 8:  
Detailed List of Estimated Project Costs**

The following list identifies the Project Costs that the City has made, expects to make, or may need to make in conjunction with the implementation of the District’s Plan or this Plan Amendment. All projects identified and related costs reflect the best estimates available as of the date of preparation of this Plan Amendment. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 6 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

<b>City of Franklin, Wisconsin</b>					
<b>Tax Increment District # 6</b>					
<b>Detailed List of Estimated Project Costs</b>					
<u>Project Name/Type</u>	<u>Original Plan</u>	<u>1st Amend.</u>	<u>Total</u>	<u>Current Estimate</u>	<u>Change</u>
Capital Outlay	8,360,000	1,500,000	9,860,000	9,611,951	<b>(248,049)</b>
Administrative & Professional Services	580,000	30,000	610,000	920,081	<b>310,081</b>
Interest on LT Debt & Financing Costs	3,117,082	299,514	3,416,596	3,038,490	<b>(378,106)</b>
Development Incentives (MRO Bond)	3,710,000	0	3,710,000	4,600,000	<b>890,000</b>
Interest on MRO Bond	2,780,910	0	2,780,910	1,826,204	<b>(954,706)</b>
<b>Totals</b>	<b><u>18,547,992</u></b>	<b><u>1,829,514</u></b>	<b><u>20,377,506</u></b>	<b><u>19,996,726</u></b>	<b><u>(380,780)</u></b>

## **SECTION 9:**

### **Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred**

---

This Section includes an updated forecast of the valuation increases expected within the District, the associated tax increment collections, a summary of how remaining Project Costs would be financed, and a projected cash flow demonstrating that the District remains economically feasible.

#### **Key Assumptions**

The Project Costs the City has made or plans to make are expected to create \$85.8 million in incremental value by January 1, 2027. Estimated valuations and timing for construction of the Project are included in **Table 1**. Assuming the City's current equalized TID Interim tax rate of \$20.59 per thousand of equalized value, and no economic appreciation or depreciation, the Project would generate \$27.38 million in incremental tax revenue over the 20-year term of the District as shown in **Table 2**.



# City of Franklin, Wisconsin

## Tax Increment District # 6

### Development Assumptions<sup>1</sup>

Const. Year	Actual	Development Contributing to the "MRO Bond" <sup>2</sup>							Development Contributing to the "Additional MRO Bond"			Annual Total	Min. Value Requirements			Const. Year	
		Original Exhibit A-1							Woodfield Trails				Bear <sup>3</sup>	Strauss	Co-Part		
		Strauss	Corner of 36/Ryan	Loomis Frontage	Lot 1 (N. of Rise Parcel)	Irish Cottage	Rise (5/13ths)	Ryan Meadows	Copart	Rise (8/13ths)	Condos		Single Family (3 Lots)				
1 2019	(11,200)											(11,200)				2019	1
2 2020	1,679,800											1,679,800	10,500,000	12,000,000	3,000,000	2020	2
3 2021	1,056,000											1,056,000	21,000,000	12,000,000	6,000,000	2021	3
4 2022									1,184,615	19,500,000		22,580,000	21,000,000	12,000,000	6,000,000	2022	4
5 2023									4,738,462	10,000,000		24,120,000	21,000,000	12,000,000	6,000,000	2023	5
6 2024										10,000,000		15,500,000	21,000,000	12,000,000	6,000,000	2024	6
7 2025				3,000,000							4,000,000	5,400,000	21,000,000	12,000,000	6,000,000	2025	7
8 2026			1,500,000		10,000,000						4,000,000	15,500,000	21,000,000	12,000,000	6,000,000	2026	8
9 2027												0	21,000,000	12,000,000	6,000,000	2027	9
10 2028												0	21,000,000	15,000,000	6,000,000	2028	10
11 2029												0	21,000,000	15,000,000	6,000,000	2029	11
12 2030												0	21,000,000	15,000,000	6,000,000	2030	12
13 2031												0	21,000,000	15,000,000	6,000,000	2031	13
14 2032												0	21,000,000	15,000,000	6,000,000	2032	14
15 2033												0	21,000,000	15,000,000	6,000,000	2033	15
16 2034												0	21,000,000	15,000,000	6,000,000	2034	16
17 2035												0	21,000,000	15,000,000	6,000,000	2035	17
18 2036												0	21,000,000	15,000,000	6,000,000	2036	18
19 2037												0	21,000,000	15,000,000	6,000,000	2037	19
20 2038												0	21,000,000	15,000,000	6,000,000	2038	20
<b>Totals</b>	<b>2,724,600</b>	<b>0</b>	<b>1,500,000</b>	<b>3,000,000</b>	<b>10,000,000</b>	<b>0</b>	<b>5,923,077</b>	<b>39,500,000</b>	<b>0</b>	<b>9,476,923</b>	<b>11,700,000</b>	<b>2,000,000</b>	<b>85,824,600</b>				

**Notes:**

<sup>1</sup>Assumed valuations provided by Developer. Increment contributing to the MRO Bond and Expansion MRO will be based on actual value and tax increment generated, may vary from projections, is not guaranteed.

<sup>2</sup>Increment generated by development in the original TID boundary and included as part of Exhibit A-1 of the Development Agreement as proposed to be further modified through an additional amendment to the Development Agreement.

<sup>3</sup>Minimum value requirement applies to non-residential property only per Article II, I of the Development Agreement. Developer may transfer the minimum value requirement to purchasers of land within the District.

**Table 1 - Development Assumptions**

# City of Franklin, Wisconsin

## Tax Increment District # 6

### Tax Increment Projection Worksheet

Type of District	Mixed Use		Base Value	2,020,400
District Creation Date	October 16, 2018		Appreciation Factor	0.00%
Valuation Date	Jan 1,	2019	Base Tax Rate	\$20.59
Max Life (Years)	20		Rate Adjustment Factor	0.00%
Expenditure Period/Termination	15	10/16/2033		
Revenue Periods/Final Year	20			2040
Extension Eligibility/Years	Yes	3		
Eligible Recipient District	No			

	Construction		Valuation		Inflation		Total		Revenue		Tax	
	Year	Value Added	Year	Increment	Year	Increment	Year	Tax Rate	Year	Tax Rate	Year	Increment
1	2019	-11,200	2020	0	2021	-11,200	2021	\$21.37	2021	\$21.37	2021	0
2	2020	1,679,800	2021	0	2022	1,668,600	2022	\$20.59	2022	\$20.59	2022	34,349
3	2021	1,056,000	2022	0	2023	2,724,600	2023	\$20.59	2023	\$20.59	2023	56,087
4	2022	22,580,000	2023	0	2024	25,304,600	2024	\$20.59	2024	\$20.59	2024	520,903
5	2023	24,120,000	2024	0	2025	49,424,600	2025	\$20.59	2025	\$20.59	2025	1,017,420
6	2024	15,500,000	2025	0	2026	64,924,600	2026	\$20.59	2026	\$20.59	2026	1,336,492
7	2025	5,400,000	2026	0	2027	70,324,600	2027	\$20.59	2027	\$20.59	2027	1,447,652
8	2026	15,500,000	2027	0	2028	85,824,600	2028	\$20.59	2028	\$20.59	2028	1,766,725
9	2027	0	2028	0	2029	85,824,600	2029	\$20.59	2029	\$20.59	2029	1,766,725
10	2028	0	2029	0	2030	85,824,600	2030	\$20.59	2030	\$20.59	2030	1,766,725
11	2029	0	2030	0	2031	85,824,600	2031	\$20.59	2031	\$20.59	2031	1,766,725
12	2030	0	2031	0	2032	85,824,600	2032	\$20.59	2032	\$20.59	2032	1,766,725
13	2031	0	2032	0	2033	85,824,600	2033	\$20.59	2033	\$20.59	2033	1,766,725
14	2032	0	2033	0	2034	85,824,600	2034	\$20.59	2034	\$20.59	2034	1,766,725
15	2033	0	2034	0	2035	85,824,600	2035	\$20.59	2035	\$20.59	2035	1,766,725
16	2034	0	2035	0	2036	85,824,600	2036	\$20.59	2036	\$20.59	2036	1,766,725
17	2035	0	2036	0	2037	85,824,600	2037	\$20.59	2037	\$20.59	2037	1,766,725
18	2036	0	2037	0	2038	85,824,600	2038	\$20.59	2038	\$20.59	2038	1,766,725
19	2037	0	2038	0	2039	85,824,600	2039	\$20.59	2039	\$20.59	2039	1,766,725
20	2038	0	2039	0	2040	85,824,600	2040	\$20.59	2040	\$20.59	2040	1,766,725
<b>Totals</b>		<b>85,824,600</b>		<b>0</b>					<b>Future Value of Increment</b>			<b>27,380,321</b>

**Notes:**

<sup>1</sup>Tax rates shown for the 2022 and preceding revenue years are actual per DOR Form PC-202 (Tax Increment Worksheet).

**Table 2 - Tax Increment Projection Worksheet**

## **Financing and Implementation**

The City has previously issued \$9.41 million in General Obligation debt to pay the cost of public infrastructure to serve the District. Debt service will be paid from tax increment on a priority basis. The City also expects to issue an additional \$845,000 in General Obligation debt to fund utility extensions.

The agreement with the site developer provides for issuance of two “pay as you go” obligations: The “MRO Bond” and the “Additional MRO Bond”.

- The MRO Bond is currently pending City acceptance of developer constructed public infrastructure and will be issued in a principal amount of \$3.1 million bearing interest at a rate of 5.5%. The MRO Bond reimburses the developer for public infrastructure constructed to serve the development sites identified on **Table 1** in this section as the “Development Contributing to the MRO Bond”
- The Additional MRO Bond may be issued following the developer’s incurrence of certain eligible costs related to the development sites identified as “Development Contributing to the Additional MRO Bond” on **Table 1**. The maximum total of eligible costs that may be reimbursed is \$1.5 million. The Additional MRO Bond will also bear interest at a 5.5% rate.

100% of the tax increment generated by the development contributing to the MRO Bond and 60% of the tax increment generated by development contributing to the Additional MRO Bond is available to make payments to the developer after first netting out City debt service and administrative costs.

Based on the Project Cost expenditures as included within the cash flow exhibit (**Table 3**), the District is projected to accumulate sufficient funds by the year 2033 to pay off all Project cost liabilities and obligations. The projected closure is based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.



## **SECTION 10: Annexed Property**

---

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. None of the territory proposed to be added to the District was annexed during the past three years.

## **SECTION 11: Estimate of Property to be Devoted to Retail Business**

---

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

## **SECTION 12: Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances**

---

### **Zoning Ordinances**

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

### **Master (Comprehensive) Plan and Map**

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for mixed use development.

### **Building Codes and Ordinances**

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan Amendment conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

## **SECTION 13:**

### **Statement of the Proposed Method for the Relocation of any Persons to be Displaced**

---

Should the continued implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

## **SECTION 14:**

### **How Amendment of the Tax Incremental District Promotes the Orderly Development of the City**

---

This Plan Amendment promotes the orderly development of the City by creating opportunities for mixed use development, providing necessary public infrastructure improvements, and providing appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as creation of residential housing, industrial sites and commercial sites to meet market demand. Employment and commercial opportunities related to the construction and operation of the Project are anticipated as well.

## **SECTION 15:**

### **List of Estimated Non-Project Costs**

---

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.

**SECTION 16:**  
**Legal Opinion Advising Whether the Plan is Complete  
and Complies with Wis. Stat. § 66.1105(4)(f)**

---

**INSERT SIGNED LEGAL OPINION**

**SAMPLE**

Mayor  
City of Franklin  
9229 W Loomis Rd  
Franklin, Wisconsin 53132

**RE: Project Plan Amendment for Tax Incremental District No. 6**

Dear Mayor:

Wisconsin Statute 66.1105(4)(f) requires that a project plan for a tax incremental financing district include an opinion provided by the City Attorney advising as to whether the plan is complete and complies with Wisconsin Statute 66.1105. As City Attorney for the City of Franklin, I have been asked to review the above-referenced project plan amendment for compliance with the applicable statutory requirements. Based upon my review, in my opinion, the amended Project Plan for the City of Franklin Tax Incremental District No. 6 is complete and complies with the provisions of Wisconsin Statute 66.1105.

Sincerely,

City Attorney



**SECTION 17:  
Calculation of the Share of Projected Tax Increments  
Estimated to be Paid by the Owners of Property in the  
Overlying Taxing Jurisdictions**

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4.

Revenue Year	Milwaukee County	MMSD	City of Franklin	Franklin School District	MATC	Total	Revenue Year
2021	0	0	0	0	0	0	2021
2022	7,032	2,418	7,585	15,575	1,739	34,349	2022
2023	11,482	3,949	12,385	25,432	2,839	56,087	2023
2024	106,642	36,673	115,026	236,195	26,366	520,903	2024
2025	208,291	71,630	224,668	461,333	51,498	1,017,420	2025
2026	273,613	94,093	295,126	606,011	67,649	1,336,492	2026
2027	296,370	101,919	319,672	656,415	73,275	1,447,652	2027
2028	361,692	124,383	390,130	801,093	89,425	1,766,725	2028
2029	361,692	124,383	390,130	801,093	89,425	1,766,725	2029
2030	361,692	124,383	390,130	801,093	89,425	1,766,725	2030
2031	361,692	124,383	390,130	801,093	89,425	1,766,725	2031
2032	361,692	124,383	390,130	801,093	89,425	1,766,725	2032
2033	361,692	124,383	390,130	801,093	89,425	1,766,725	2033
2034	361,692	124,383	390,130	801,093	89,425	1,766,725	2034
2035	361,692	124,383	390,130	801,093	89,425	1,766,725	2035
2036	361,692	124,383	390,130	801,093	89,425	1,766,725	2036
2037	361,692	124,383	390,130	801,093	89,425	1,766,725	2037
2038	361,692	124,383	390,130	801,093	89,425	1,766,725	2038
2039	361,692	124,383	390,130	801,093	89,425	1,766,725	2039
2040	361,692	124,383	390,130	801,093	89,425	1,766,725	2040
<b>Totals</b>	<b>5,605,429</b>	<b>1,927,661</b>	<b>6,046,158</b>	<b>12,415,176</b>	<b>1,385,897</b>	<b>27,380,321</b>	

## **SECTION 18: Certified Survey Map Creating the Parcel Added to the District**

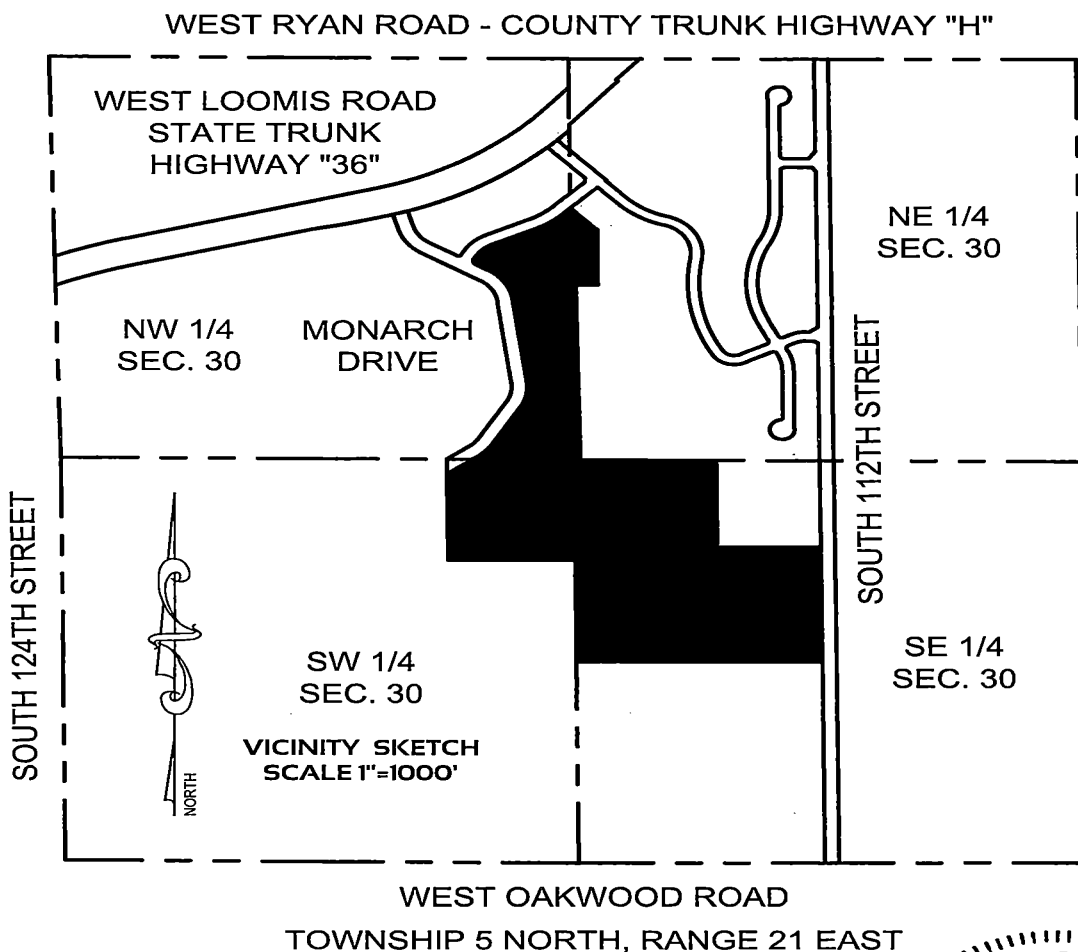
---

A copy of the Certified Survey Map recorded on June 28, 2022, is included in this Section for reference. The territory to be added to the District is a portion of Lot 2 of the CSM, with the balance of that lot already located within the District. This Amendment aligns the District boundary with Lot 2.

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel I of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

DOC # 11260729  
RECORDED:  
06/28/2022 03:36 PM  
ISRAEL RAMON  
REGISTER OF DEEDS  
MILWAUKEE COUNTY, WI  
AMOUNT: 30.00



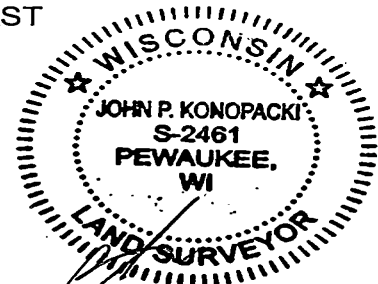
WEST OAKWOOD ROAD  
TOWNSHIP 5 NORTH, RANGE 21 EAST

Owner/Subdivider:  
LOOMIS & RYAN INC.  
4015 80th Street  
Kenosha, WI 53142

Owner:  
Gurjit Singh & Gurmit Kaur  
15308 67th Street  
Kenosha, WI 53142

Prepared By:

**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888



MARCH 15, 2022

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEGJOB#809.90A  
SHEET 1 OF 18

# CERTIFIED SURVEY MAP NO. 9421

SEE SHEET 14 FOR  
BOUNDARY  
CURVE TABLE  
AND NOTES



**CHICORY STREET**  
(PUBLIC R.O.W.)

N45°57'27"E  
53.22'

N30°52'54"E  
29.00'  
N14°02'32"W  
27.27'  
N59°07'06"W  
82.77'

N65°23'24"E  
245.97'

VCE SEE SHEET 14  
FOR DETAIL & NOTE

**LOT 1**  
409,070  
SQ. FT.  
9.3910  
ACRES

NW CORNER, NE 1/4 SEC. 30, T5N, R21E  
N=324,097.27; E=2,520,162.66  
(FOUND CONC. MON. W/ BRASS CAP)  
(WISCONSIN STATE PLANE CO-  
ORDINATE SYSTEM, SOUTH ZONE)

S44°24'10"E  
200.97'

WEST LINE OF THE NE 1/4  
S00°34'43"E 2650.62'

S00°34'43"E  
365.13'

S89°25'17"W  
116.04'

**OUTLOT 3  
RYAN MEADOWS**  
OWNER: LOOMIS  
AND RYAN INC  
ZONED: R6

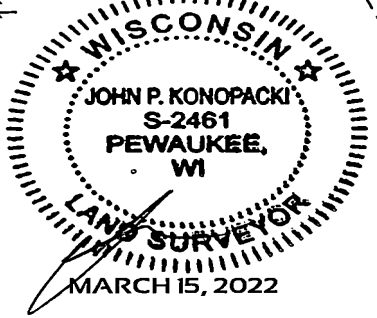
Being all of Lot 84 in Ryan Meadows and  
a part of Parcel 1 of Certified Survey Map  
No. 975, located in the Southwest 1/4 and  
Northwest 1/4 of the Northeast 1/4 AND  
the Northwest 1/4 of the Southeast 1/4  
AND the Northeast 1/4 of the Southwest  
1/4 AND the Northeast 1/4 and the  
Southeast 1/4 of the Northwest 1/4 all in  
Section 30, Township 5 North, Range 21  
East, City of Franklin, Milwaukee County,  
Wisconsin

**LEGEND:**

- Denotes Found 1" Iron Pipe
- Denotes Found 1-1/4" Iron Rod
- Denotes Found 3/4" Iron Rod
- Denotes Found Mag Nail
- Denotes Set 3/4" X 18" Iron Rebar, 150 LBS./FT
- Denotes Wetland
- (R) - Denotes "Recorded As"

**LOT 83  
RYAN MEADOWS**

OWNER: STRAUSS  
INVESTMENTS LLC  
ZONED: M1



((R) N89°20'00"W (CSM 975))  
S89°42'41"E 2645.59'

SOUTH LINE OF THE NE 1/4  
SEC. 30, T5N, R21E

S89°42'41"E 708.82'

NW CORNER, SW 1/4  
SW CORNER, NW 1/4  
SEC. 30, T5N, R21E  
(FOUND CONC. MON.  
W/ BRASS CAP)  
N=321,462.69  
E=2,517,517.76

N53°44'29"E  
201.16'

N89°39'32"W 2671.72'  
SOUTH LINE OF THE NW 1/4  
SEC. 30, T5N, R21E

2008.73'  
NORTH LINE OF THE SW 1/4  
SEC. 30, T5N, R21E

S00°34'08"E  
98.50'

**LOT 1  
C.S.M. NO. 9276**  
OWNER: COPART OF  
CONNECTICUT INC  
ZONED: M2

**LOT 2  
C.S.M. NO. 9276**  
OWNER: MATHSON  
ZONED: C1

N31°05'13"E  
282.33'

N31°05'13"E  
282.33'

662.99'  
DEDICATED FOR  
PUBLIC ROAD RIGHT  
OF WAY PURPOSES  
**MONARCH DRIVE** SEE  
SHEET 15 FOR DETAIL

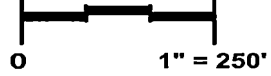
**LOT 2**  
999,038 SQ. FT.  
22.9348 ACRES

WETLAND  
ZONED: C1

**LOT 3**  
UNPLATTED LANDS  
OWNER: GRANDLICH  
ZONED: R2

ZONED: M1

**GRAPHICAL  
SCALE (FEET)**



SEE SHEET 3

ZONED: M1

ZONED: C1

**LOT 3**  
1,026,964 SQ. FT.  
23.5758 ACRES ZONED: R2

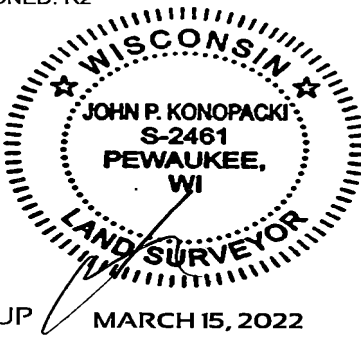
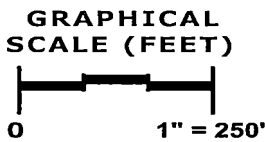
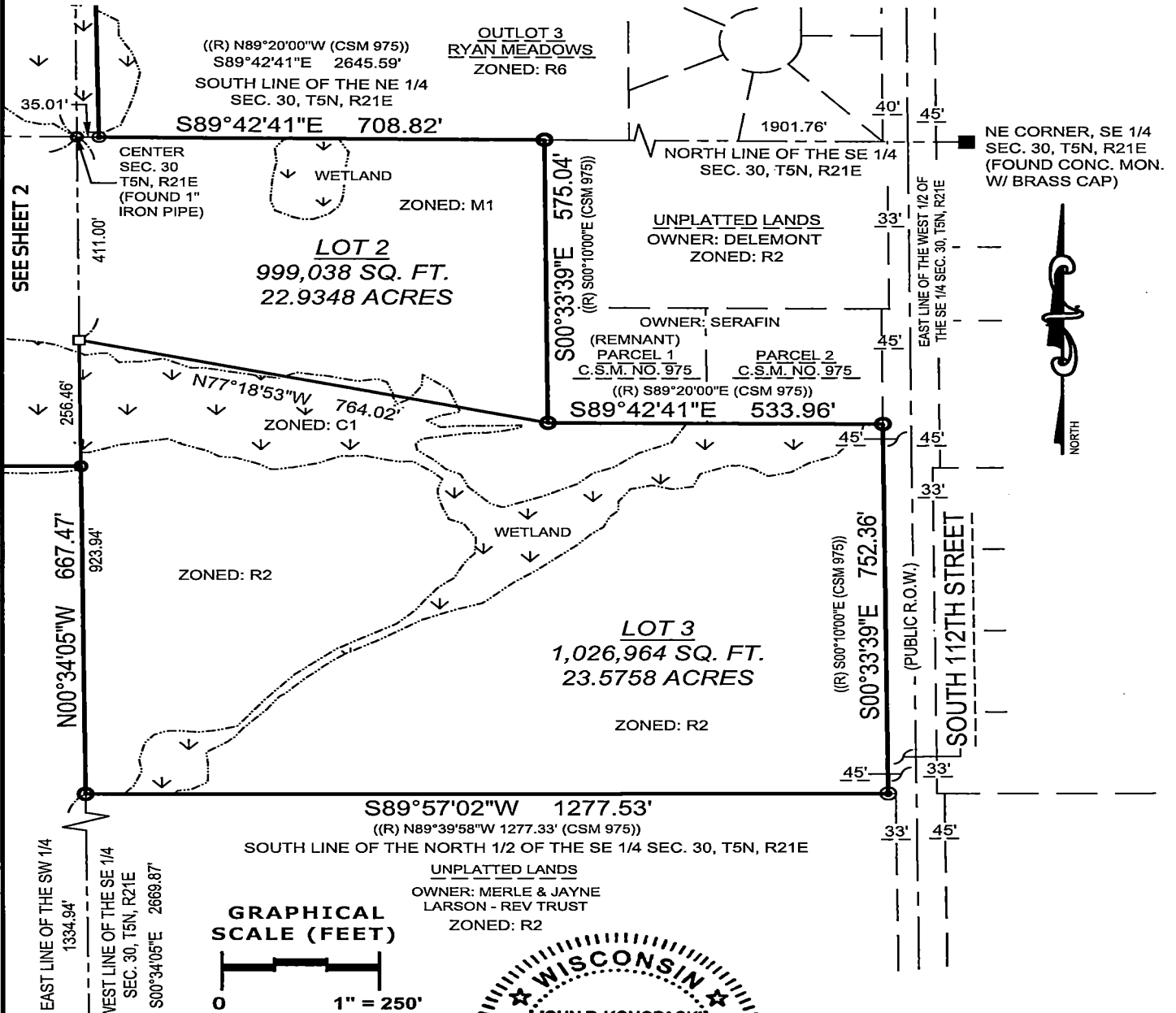
Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
SHEET 2 OF 18

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin



- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - ⊙ - Denotes Found 1-1/4" Iron Rod
  - ⊚ - Denotes Found 3/4" Iron Rod
  - - Denotes Set 3/4" X 18" Iron Rebar, 1,50 LBS./FT
  - ∨ - Denotes Wetland
  - (R) - Denotes "Recorded As"

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

MARCH 15, 2022

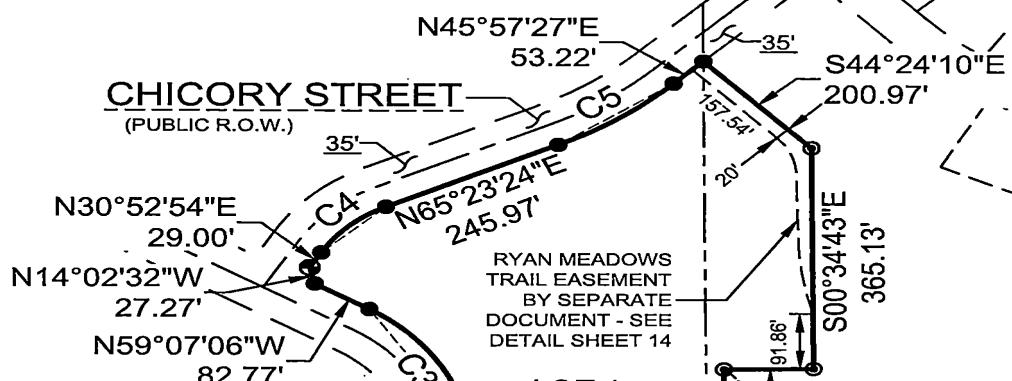
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEGJOB#809.90A  
**SHEET 3 OF 18**

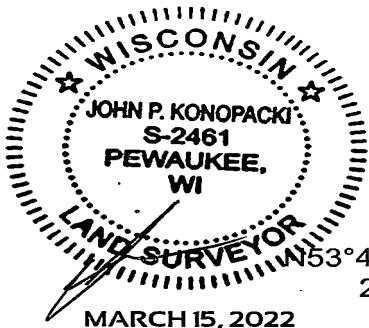
# CERTIFIED SURVEY MAP NO. 9421



**CHICORY STREET**  
(PUBLIC R.O.W.)



Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin



CONSERVATION EASEMENT

**SEE SHEET 12 AND SHEET 14 FOR CONSERVATION EASEMENT LINE TABLE AND NOTES**

CONSERVATION EASEMENT

CONSERVATION EASEMENT

50' WETLAND SETBACK NO BUILD AND CONSERVATION EASEMENT

30' WETLAND BUFFER NO TOUCH

DEDICATED FOR PUBLIC ROAD RIGHT OF WAY PURPOSES  
**MONARCH DRIVE** SEE SHEET 15 FOR DETAIL

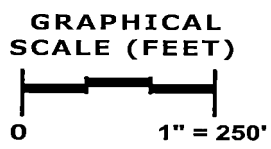
- LEGEND:**
- Denotes Found 1" Iron Pipe
  - Denotes Found 1-1/4" Iron Rod
  - Denotes Found 3/4" Iron Rod
  - Denotes Found Mag Nail
  - Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
  - Denotes Wetland

50' WETLAND SETBACK NO BUILD AND 50' CONSERVATION EASEMENT

30' WETLAND BUFFER - NO TOUCH

WETLANDS DELINEATED BY R.A. SMITH NATIONAL, INC. ON DECEMBER 8, 2014

WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP, INC. 2021



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

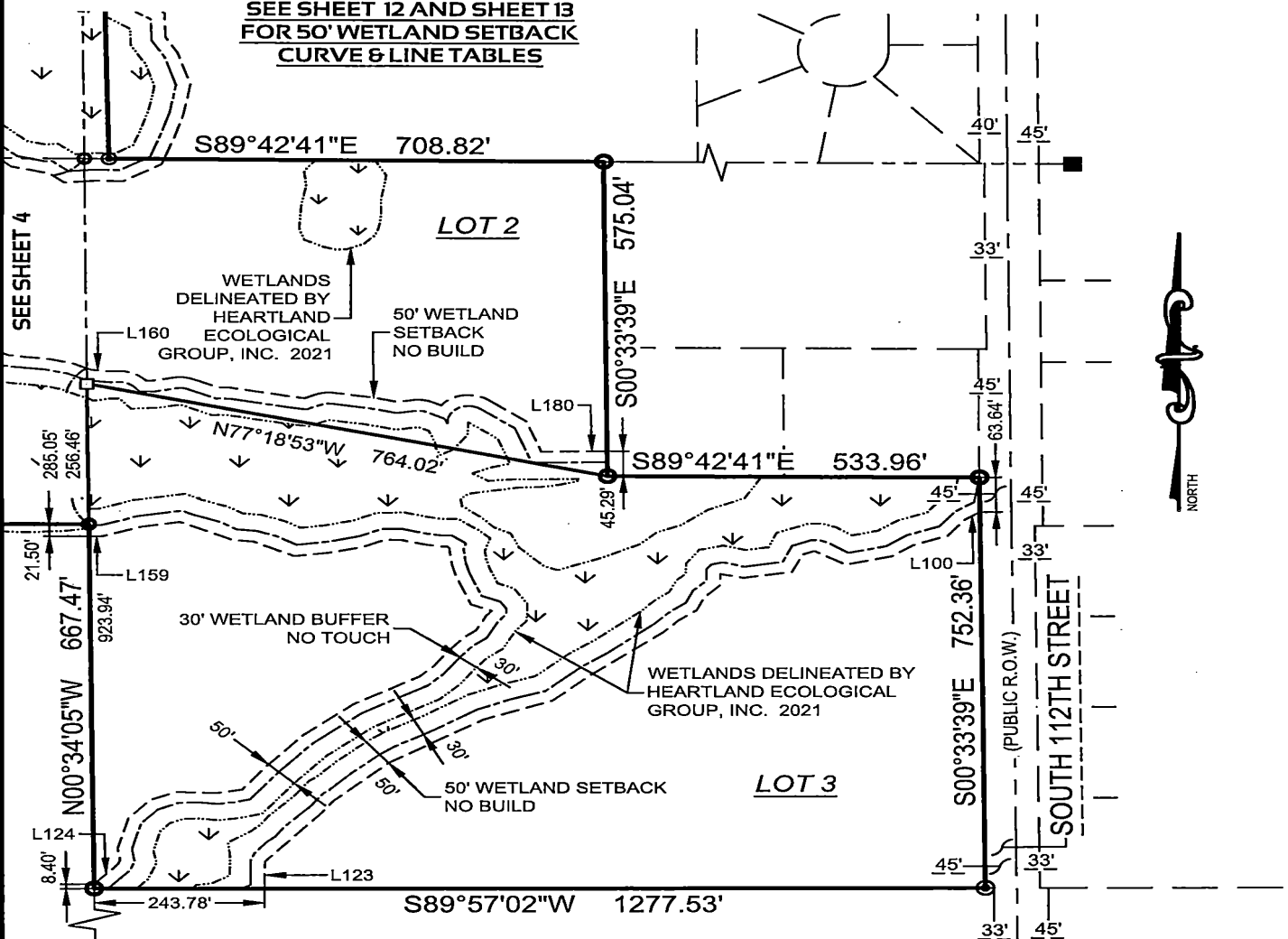
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
**SHEET 4 OF 18**

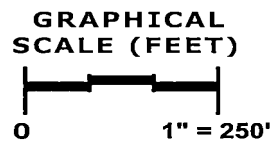
# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

**SEE SHEET 12 AND SHEET 13  
FOR 50' WETLAND SETBACK  
CURVE & LINE TABLES**



WISCONSIN  
 JOHN P. KONOPACKI  
 S-2461  
 PEWAUKEE, WI  
 LAND SURVEYOR  
 MARCH 15, 2022



- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - - Denotes Found 1-1/4" Iron Rod
  - ⊙ - Denotes Found 3/4" Iron Rod
  - ⊗ - Denotes Found Mag Nail
  - - Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
  - ↓ - Denotes Wetland

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
**SHEET 5 OF 18**

# CERTIFIED SURVEY MAP NO. 9421



**CHICORY STREET**  
(PUBLIC R.O.W.)

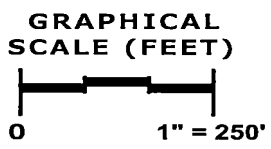
**MONARCH DRIVE**  
(PUBLIC R.O.W.)

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

**JOHN P. KONOPACKI**  
 S-2461  
 PEWAUKEE, WI  
 LAND SURVEYOR  
 MARCH 15, 2022

DEDICATED FOR PUBLIC ROAD RIGHT OF WAY PURPOSES  
**MONARCH DRIVE** SEE SHEET 15 FOR DETAIL

- LEGEND:**
- Denotes Found 1" Iron Pipe
  - Denotes Found 1-1/4" Iron Rod
  - Denotes Found 3/4" Iron Rod
  - Denotes Found Mag Nail
  - Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
  - Denotes Wetland



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

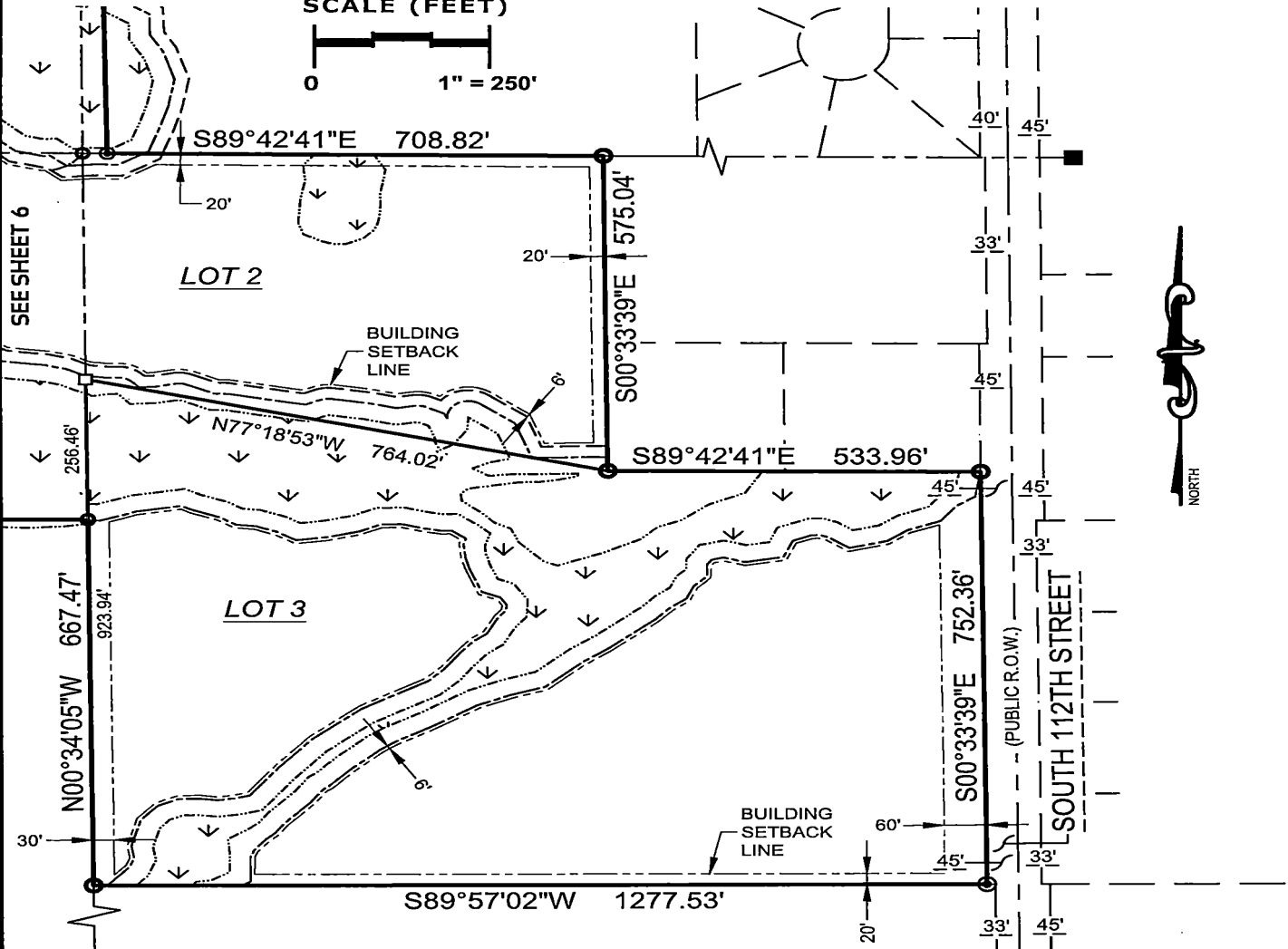
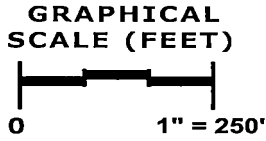
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
**SHEET 6 OF 18**



# CERTIFIED SURVEY MAP NO. 942

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin



**WISCONSIN**  
 JOHN P. KONOPACKI  
 S-2461  
 PEWAUKEE,  
 WI  
 LAND SURVEYOR  
 MARCH 15, 2022

- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - - Denotes Found 1-1/4" Iron Rod
  - ⊙ - Denotes Found 3/4" Iron Rod
  - - Denotes Set 3/4" X 18" Iron Rebar, 150 LBS./FT
  - ↓ - Denotes Wetland

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
**SHEET 7 OF 18**

# CERTIFIED SURVEY MAP NO. 9421



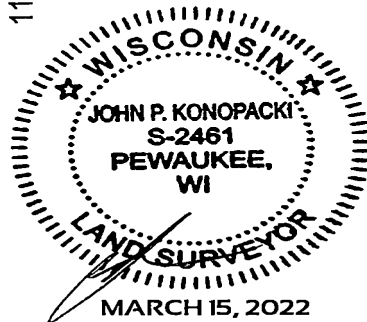
**CHICORY STREET**  
(PUBLIC R.O.W.)



Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

100' WEPCO EASEMENT PER DOC. NO. 2674520  
CENTERLINE WEPCO EASEMENT PER DOC. NO. 2679800

50' WEPCO EASEMENT PER DOC. NO. 2679800



DEDICATED FOR PUBLIC ROAD RIGHT OF WAY PURPOSES  
**MONARCH DRIVE**  
SEE SHEET 15 FOR DETAIL

**LEGEND:**

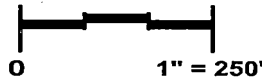
- - Denotes Found 1" Iron Pipe
- - Denotes Found 1-1/4" Iron Rod
- ⊙ - Denotes Found 3/4" Iron Rod
- ⊙ - Denotes Found Mag Nail
- - Denotes Set 3/4" X 18" Iron Rebar, 150 LBS./FT
- ∨ - Denotes Wetland

CENTERLINE WEPCO EASEMENT PER DOC. NO. 2679800 & NO. 2679801

20' WEPCO EASEMENT PER DOC. NO. 2679801

50' WEPCO EASEMENT PER DOC. NO. 2679800

**GRAPHICAL SCALE (FEET)**



**LOT 2**

**LOT 3**

SEE SHEET 9

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

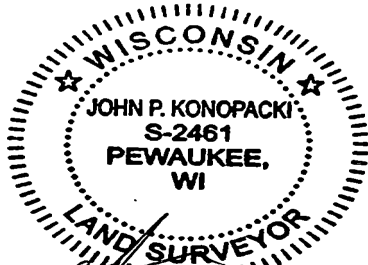
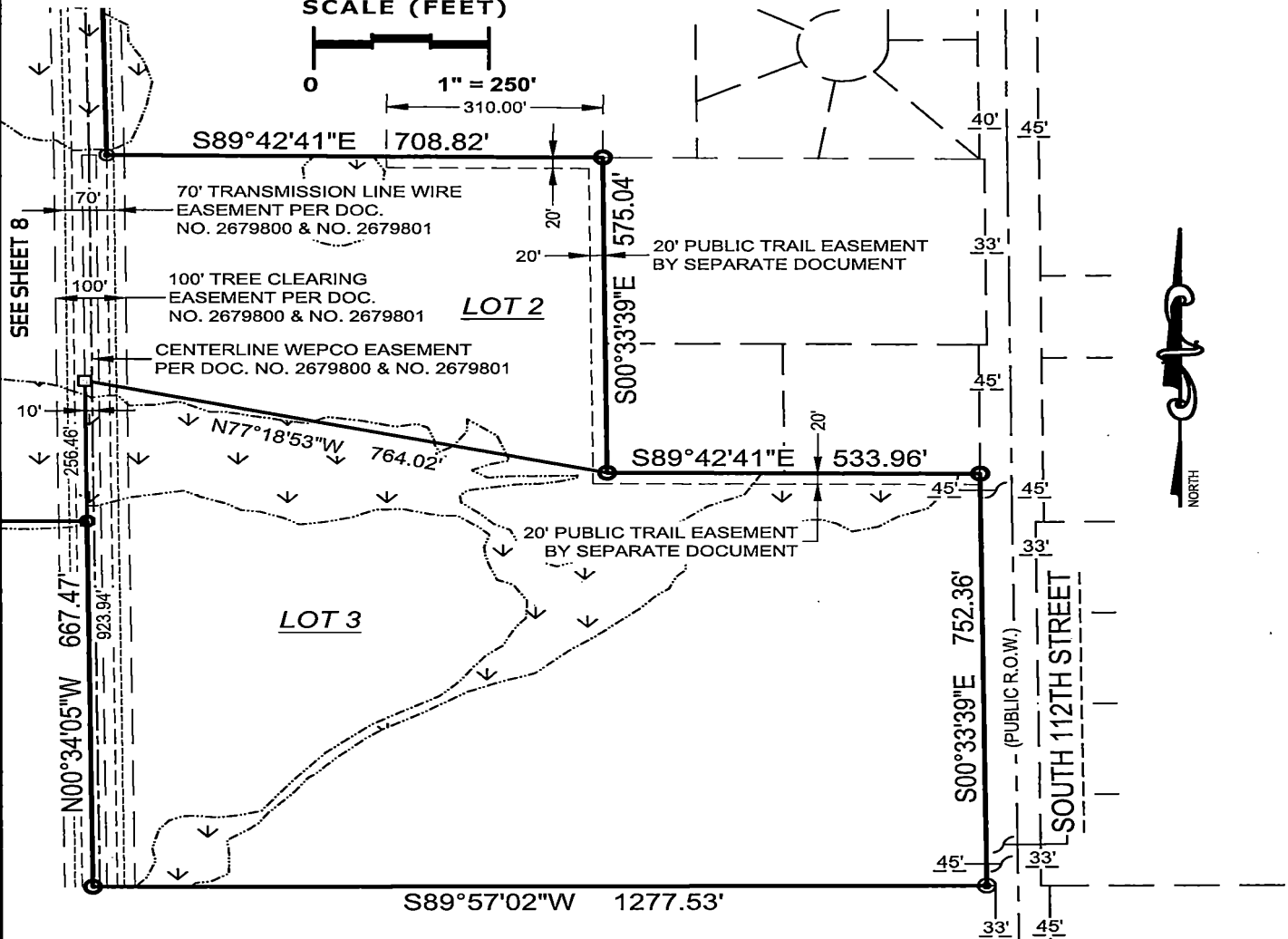
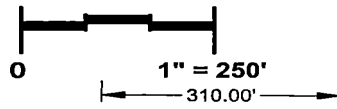
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
**SHEET 8 OF 18**

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## GRAPHICAL SCALE (FEET)



MARCH 15, 2022

- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - - Denotes Found 1-1/4" Iron Rod
  - ⊙ - Denotes Found 3/4" Iron Rod
  - - Denotes Set 3/4" X 18" Iron Rebar, 150 LBS./FT
  - ↓ - Denotes Wetland

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

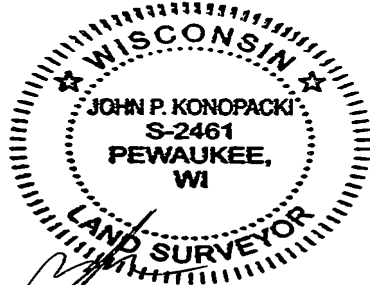
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
**SHEET 9 OF 18**

# CERTIFIED SURVEY MAP NO. 9421

**CHICORY STREET**  
(PUBLIC R.O.W.)

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin



MARCH 15, 2022

DEDICATED FOR PUBLIC ROAD RIGHT OF WAY PURPOSES  
**MONARCH DRIVE** SEE SHEET 15 FOR DETAIL

**LEGEND:**

- Denotes Found 1" Iron Pipe
- Denotes Found 1-1/4" Iron Rod
- Denotes Found 3/4" Iron Rod
- Denotes Found Mag Nail
- Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
- Denotes Wetland

**MONARCH DRIVE**  
(PUBLIC R.O.W.)

**LOT 1**  
409,070  
SQ. FT.  
9.3910  
ACRES

**LOT 2**  
999,038 SQ. FT.  
22.9348 ACRES

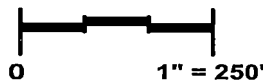
**LOT 3**  
1,026,964 SQ. FT.  
23.5758 ACRES

**EXISTING TOPOGRAPHY**

Vertical Datum: National Geodetic Vertical Datum of 1929 (NGVD29). Contours are shown at a 2' interval based on actual ground survey of the current ground terrain.  
Reference Benchmark: Concrete monument with brass cap at the Northwest corner of the Northeast 1/4 Section 30, Town 5 North, Range 21 East, Elevation = 803.18.



**GRAPHICAL SCALE (FEET)**



SEE SHEET 11

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

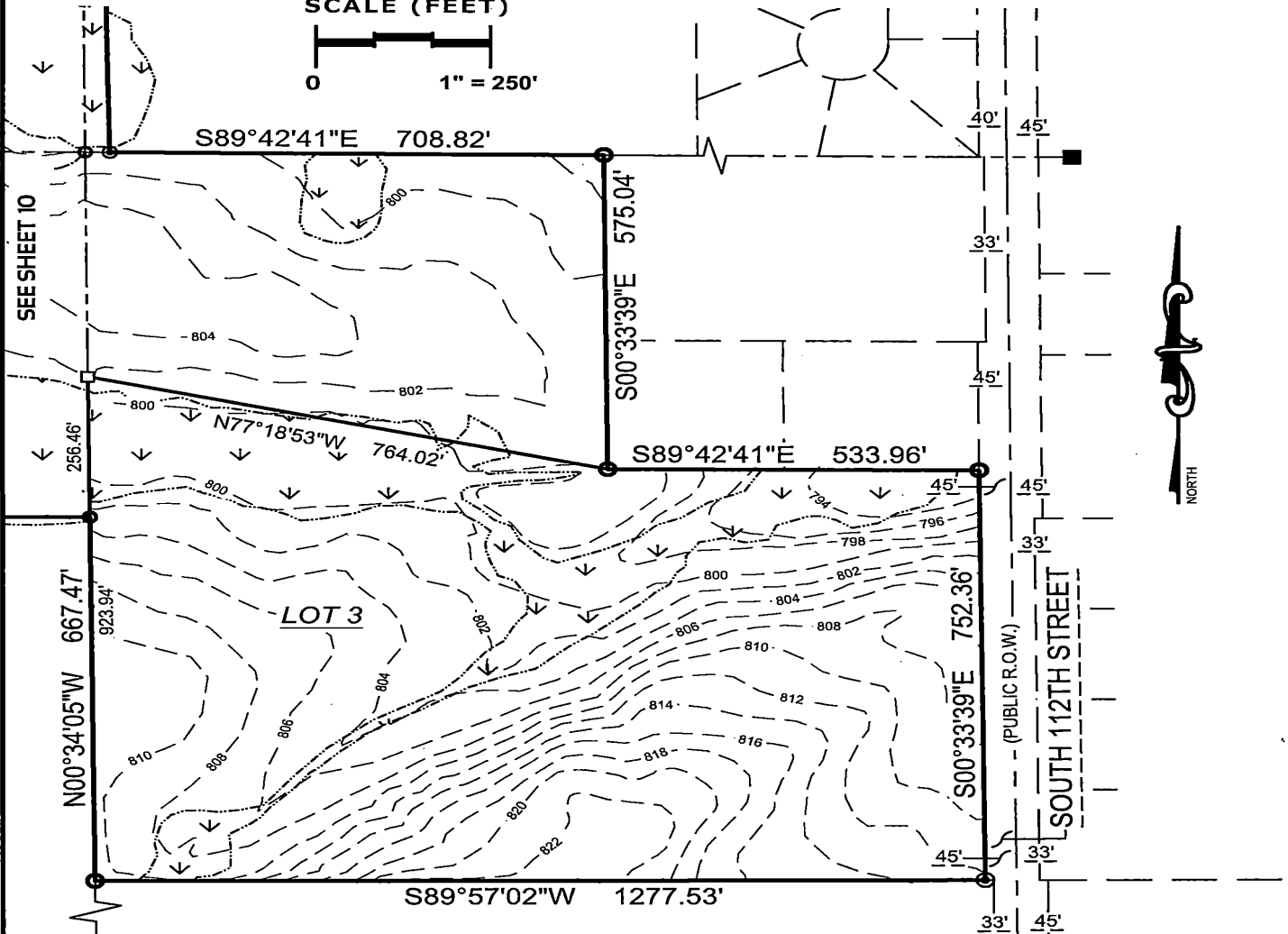
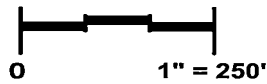
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
SHEET 10 OF 18

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## GRAPHICAL SCALE (FEET)



WISCONSIN  
 JOHN P. KONOPACKI  
 S-2461  
 PEWAUKEE,  
 WI  
 LAND SURVEYOR  
 MARCH 15, 2022

### EXISTING TOPOGRAPHY

Contours on Lot 3 of this Certified Survey Map are shown at a 2' interval based Milwaukee County GIS & Land Information Map.

### LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Found 1-1/4" Iron Rod
- ⊙ - Denotes Found 3/4" Iron Rod
- - Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
- ∨ - Denotes Wetland

Prepared By:

**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
 SHEET 11 OF 18

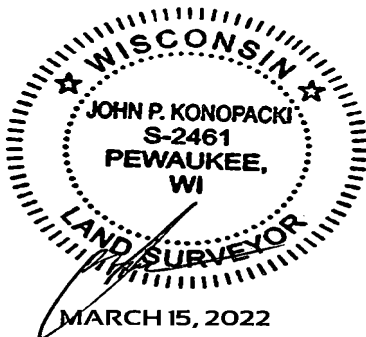
# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## 50' CONSERVATION EASEMENT

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N75°22'21"E	39.14'
L2	S83°24'58"E	22.94'
L3	N81°01'31"E	12.95'
L4	N64°22'19"E	35.35'
L5	S72°46'48"E	38.10'
L6	S84°45'14"E	19.51'
L7	N89°55'05"E	35.37'
L8	N78°42'05"E	35.25'
L9	N78°13'06"E	34.92'
L10	N76°36'18"E	38.42'
L11	N78°25'24"E	42.12'
L12	N80°05'35"E	32.68'
L13	N86°06'12"E	30.49'
L14	N88°33'35"E	28.34'
L15	S78°35'50"E	28.25'
L16	S61°51'16"E	43.50'
L17	S51°40'09"E	26.71'
L18	S60°48'43"E	32.81'
L19	S82°18'03"E	25.35'
L20	S83°46'43"E	34.76'
L21	S76°59'19"E	32.39'
L22	S65°37'25"E	23.62'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L23	S85°51'26"W	29.14'
L24	N52°02'25"W	30.19'
L25	S85°12'42"W	5.62'
L26	N76°55'48"W	47.86'
L27	N49°54'31"W	53.03'
L28	N64°32'14"W	50.77'
L29	N54°16'58"W	57.16'
L30	N32°49'08"W	60.42'
L31	N03°52'01"E	91.68'
L32	N35°53'42"E	38.67'
L33	N31°25'06"E	39.65'
L34	N47°16'20"E	22.14'
L35	N21°59'20"E	43.89'
L36	N33°40'08"W	23.04'
L37	N02°49'59"W	42.67'
L38	N25°21'49"E	65.72'
L39	N19°04'30"E	47.01'
L40	N60°46'28"E	57.64'
L41	N88°06'54"E	57.62'
L42	S32°06'26"E	66.20'
L43	S21°57'55"E	45.18'
L44	S20°02'47"W	9.71'
L45	S60°15'57"W	63.07'
L46	N88°29'43"W	37.52'
L47	S85°51'26"W	17.77'



50' WETLAND SETBACK CURVE TABLE				
CURVE NO.	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C162	42.67'	50.00'	S67°23'09"E	41.38'
C165	29.41'	50.00'	S83°54'24"E	28.99'
C171	26.78'	50.00'	N83°18'32"E	26.46'
C175	29.86'	50.00'	S81°56'24"E	29.41'
C177	75.88'	50.00'	N82°05'53"E	68.80'

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. 5-2461

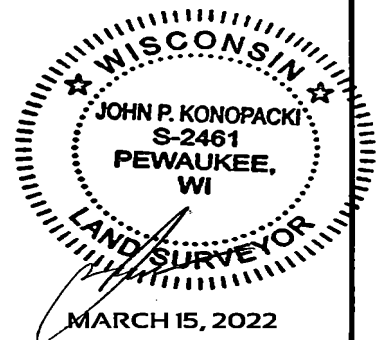
PEG JOB#809.90A  
**SHEET 12 OF 18**

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

50' WETLAND SETBACK LINE TABLE		
LINE NO.	BEARING	DISTANCE
L100	S57°40'03"W	25.90'
L101	S39°43'16"W	38.13'
L102	S70°39'45"W	52.68'
L103	S56°23'49"W	36.22'
L104	S76°56'24"W	68.04'
L105	N60°58'17"W	51.44'
L106	S69°52'34"W	18.43'
L107	S24°46'20"W	34.92'
L108	S80°58'28"W	70.70'
L109	N77°57'40"W	34.13'
L110	S02°21'24"W	21.91'
L111	S46°50'06"W	29.57'
L112	S25°47'47"W	26.79'
L113	S54°03'13"W	32.95'
L114	S45°02'16"W	28.37'
L115	S53°01'35"W	134.22'
L116	S49°36'03"W	70.58'
L117	S71°02'07"W	104.78'
L118	S59°48'38"W	157.10'
L119	S48°37'07"W	105.22'
L120	S37°30'10"W	28.63'
L121	S42°03'00"W	76.31'
L122	S42°09'10"W	44.31'
L123	S00°33'49"W	49.53'
L124	N43°15'19"E	50.13'
L125	N22°40'41"E	8.06'
L126	N09°13'26"W	22.15'
L127	N15°42'06"E	58.39'
L128	N42°56'52"E	44.68'
L129	N67°43'24"E	40.44'
L130	S88°05'13"E	59.21'
L131	N79°56'16"E	36.20'
L132	N39°15'12"E	59.37'
L133	N42°56'04"E	72.45'
L134	N51°55'12"E	91.95'
L135	N61°49'37"E	106.96'
L136	N46°42'59"E	27.87'

50' WETLAND SETBACK LINE TABLE		
LINE NO.	BEARING	DISTANCE
L137	N37°30'29"E	37.06'
L138	N41°29'16"E	31.44'
L139	N54°04'47"E	21.42'
L140	N28°58'54"E	30.90'
L141	N40°51'40"E	11.15'
L142	N67°26'44"W	31.85'
L143	N22°29'02"W	54.67'
L144	N16°26'59"W	22.78'
L145	N06°55'59"W	30.80'
L146	N41°33'50"W	4.17'
L147	S87°45'05"W	8.08'
L148	N80°49'10"W	25.48'
L149	N76°19'12"W	34.93'
L150	S89°02'00"W	22.87'
L151	S67°44'03"W	31.66'
L152	S77°18'36"W	48.75'
L153	S82°55'01"W	52.66'
L154	N65°37'45"W	63.75'
L155	N84°04'12"W	30.77'
L156	N66°17'18"W	81.18'
L157	S80°49'02"W	57.64'
L158	S72°15'51"W	56.36'
L159	N88°55'13"W	19.60'
L160	S80°12'36"E	31.98'
L161	N88°10'07"E	13.12'
L163	S42°56'25"E	2.35'
L164	N81°39'15"E	40.08'
L166	S67°03'25"E	38.15'
L167	S88°23'53"E	17.61'
L168	S79°35'26"E	91.35'
L169	S81°56'01"E	16.27'
L170	N67°57'46"E	17.22'
L172	S81°20'43"E	54.52'
L173	S77°17'05"E	37.45'
L174	N80°57'12"E	21.98'
L176	S64°50'01"E	13.00'
L178	S54°25'38"E	66.59'
L179	S21°16'40"E	59.71'
L180	N89°23'44"E	94.36'



Prepared By:

**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
 SHEET 13 OF 18

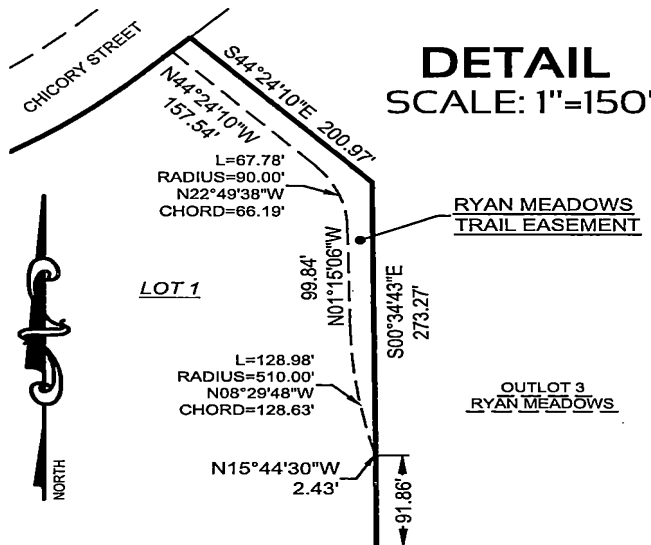
# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

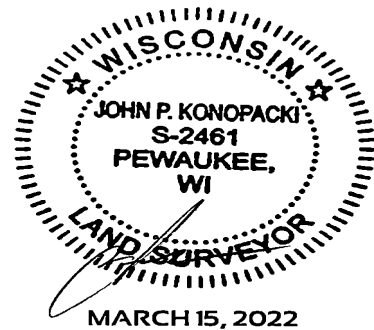
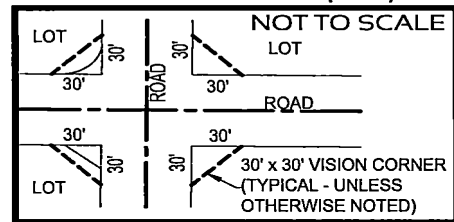
BOUNDARY CURVE TABLE							
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT	TANGENT
C1	106.76'	270.00'	022°39'16"	N42°24'51"E	106.06'	N53°44'29"E	N31°05'13"E
C2	183.30'	270.00'	038°53'49"	N11°38'18"E	179.80'	N31°05'13"E	N07°48'36"W
C3	241.78'	270.00'	051°18'30"	N33°27'51"W	233.79'	N07°48'36"W	N59°07'06"W
C4	114.43'	190.00'	034°30'30"	N48°08'09"E	112.71'	N30°52'54"E	N65°23'24"E
C5	181.45'	535.00'	019°25'57"	N55°40'26"E	180.58'	N65°23'24"E	N45°57'27"E

**NOTES:**

1. Flood Zone Classification: The property lies within Zone "X" of the Flood Insurance Rate Map Community Panel No. 55079C0206E AND 55079C0205E dated SEPTEMBER 26, 2008. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
2. Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The north line of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East bears S89°44'26"E.
3. VISION CORNER EASEMENTS: No Obstructions Permitted. No visual obstructions, such as structures, parking, or vegetation, shall be permitted between the heights of 2.5 feet and 10 feet above the plane through the mean curb grades within the Vision Corner Easement.
4. Lots 1 and Lot 2 are served by Public Sewer and Water. Lot 3 is not served by Public Water.
5. Storm Water Facility Maintenance Agreement for the pond on Lot 2 has previously been recorded.
6. CONSERVATION EASEMENT RESTRICTIONS:
  - No construction or placement of buildings or any structure;
  - No construction or any improvements, unless, notwithstanding covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like;
  - No excavation, dredging, grading mining, drilling, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees; with the exception of limited grading within the wetland setback area as defined by the City of Franklin Unified Development Ordinance. Grading within the wetland setback is limited to the grading shown in the approved Final Engineering Plans for the Strauss Brands Facility development.
  - No filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, or other landscape materials, ashes, garbage, or debris;
  - No planting of any vegetation not native to the protected property or not typical wetland vegetation;
  - No operating snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of Motorized vehicles.
7. Recording of conservation easements for protected natural resources present on the lots in this Certified Survey Map are required prior to the issuance of building or land disturbance permits.



**CITY OF FRANKLIN VISION CORNER EASEMENT DETAIL (VCE)**



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

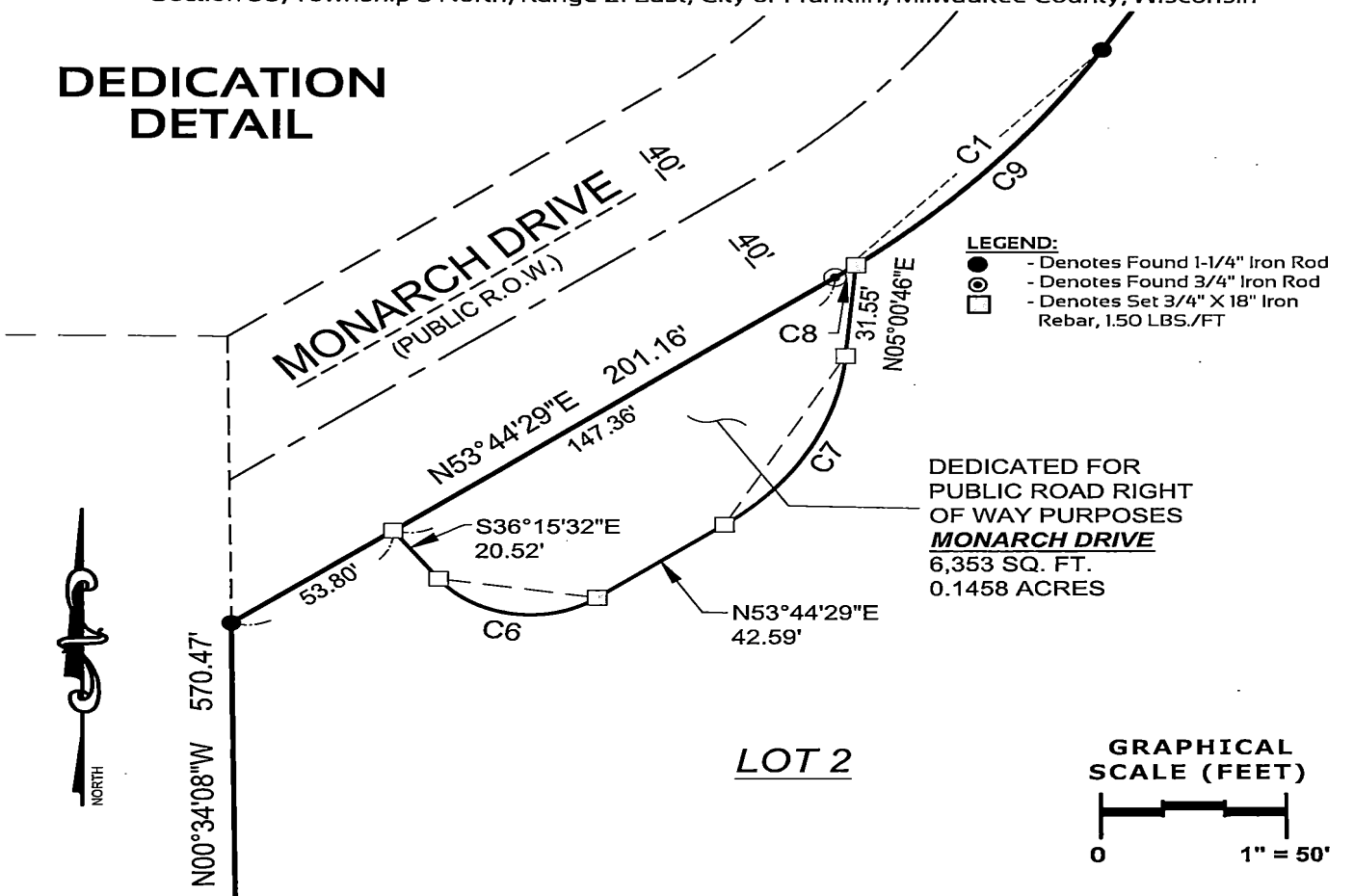
PEG JOB#809.90A  
**SHEET 14 OF 18**



# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

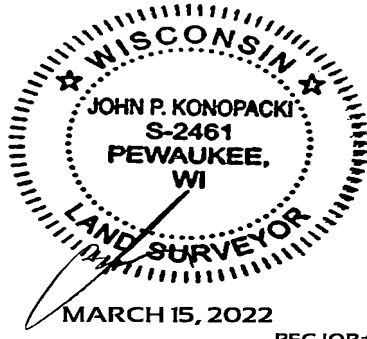
## DEDICATION DETAIL



**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT	TANGENT
C1	106.76'	270.00'	022°39'16"	N42°24'51"E	106.06'	N53°44'29"E	N31°05'13"E
C6	47.91'	30.50'	089°59'59"	S81°15'32"E	43.13'	S36°15'32"E	N53°44'29"E
C7	68.46'	80.50'	048°43'42"	N29°22'38"E	66.42'	N53°44'29"E	N05°00'46"E
C8	7.05'	270.00'	001°29'44"	N52°59'37"E	7.05'	N53°44'29"E	N52°14'44"E
C9	99.71'	270.00'	021°09'31"	N41°39'59"E	99.14'	N52°14'44"E	N31°05'13"E

**NOTE:**  
Temporary Turn Around Easement shown on the recorded plat of Ryan Meadows to be vacated via separate document.



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
SHEET 15 OF 18

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided all of Lot 84 in Ryan Meadows, as recorded in the Register of Deeds office for Milwaukee County as Document No. 10962414, and a part of Parcel 1 of Certified Survey Map No. 975, as recorded in the Register of Deeds office for Milwaukee County as Document No. 4446377, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County Wisconsin, described as follows:

Commencing at the southwest corner of the Northwest 1/4 of said Section 30; Thence South 89°39'32" East along the south line of said Northwest 1/4 and then along a south line of Ryan Meadows, a recorded subdivision, 2008.73 feet to the north right of way line of Monarch Drive and a west line of said Ryan Meadows; Thence South 00° 34'08" East along said west line of Ryan Meadows, 98.50 feet to the south right of way line of Monarch Drive and the Point of Beginning;

Thence North 53°44'29" East along said south right of way line, 201.16 feet to a point of curvature; Thence northeasterly 106.76 feet along the arc of said curve to the left and said right of way line, whose radius is 270.00 feet and whose chord bears North 42°24'51" East, 106.06 feet; Thence North 31°05'13" East along said right of way line, 282.33 feet to a point of curvature; Thence northeasterly 183.30 feet along the arc of said curve to the left and said right of way line, whose radius is 270.00 feet and whose chord bears North 11°38'18" East, 179.80 feet; Thence North 07°48'36" West along said right of way line, 543.63 feet to a point of curvature; Thence northwesterly 241.78 feet along the arc of said curve to the left and said right of way line, whose radius is 270.00 feet and whose chord bears North 33°27'51" West, 233.79 feet; Thence North 59°07'06" West along said right of way line, 82.77 feet; Thence North 14°02'32" West, 27.27 feet to the south right of way line of Chicory Street; Thence North 30°52'54" East along said south right of way line, 29.00 feet to a point of curvature; Thence northeasterly 114.43 feet along the arc of said curve to the right and said right of way line, whose radius is 190.00 feet and whose chord bears North 48°08'09" East, 112.71 feet; Thence North 65°23'24" East along said right of way line, 245.97 feet to a point of curvature; Thence northeasterly 181.45 feet along the arc of said curve to the left and said right of way line, whose radius is 535.00 feet and whose chord bears North 55°40'26" East, 180.58 feet; Thence North 45°57'27" East along said right of way line, 53.22 feet to the west line of Outlot 3 in said Ryan Meadows; Thence South 44°24'10" East along said west line, 200.97 feet; Thence South 00°34'43" East along said west line, 365.13 feet; Thence South 89°25'17" West along said west line, 116.04 feet; Thence South 01°10'06" East along said west line, 1155.10 feet to the south line of the Northeast 1/4 of said Section 30 and a south line of Ryan Meadows and a north line of Parcel 1 of Certified Survey Map No. 975; Thence South 89°42'41" East along said south line, 708.82 feet; Thence South 00°33'39" East along an east line of said Parcel 1 and then continuing, 575.04 feet; Thence South 89°42'41" East and then along the south line of Parcel 2 of said Certified Survey Map No. 975, 533.96 feet to the west right of way line of South 112th Street; Thence South 00°33'39" East along said west right of way line, 752.36 feet to the south line of the North 1/2 of the Southeast 1/4 of said Section 30; Thence South 89°57'02" West along said south line, 1277.53 feet to the west line of said Southeast 1/4; Thence North 00°34'05" West along said west line, 667.47 feet to the south line of said Ryan Meadows; Thence North 89°47'21" West along said south line, 662.96 feet to a west line of said Ryan Meadows; Thence North 00°34'08" West along said west line, 570.47 feet to the Point of beginning.

Dedicating that portion of land as graphically shown for public road right of way purposes.

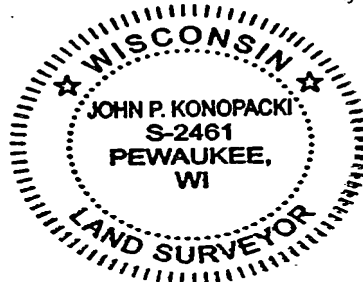
Containing 2,441,425 square feet (56.0474 acres) of land Gross, and 2,435,072 square feet (55.9016 acres) of land Net, more or less.


That I have made such survey, land division and map by the direction of LOOMIS & RYAN INC. and GURJIT SINGH and GURMIT KAUR owners of said land.

That such plat 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 requirements of Chapter 236 of the Wisconsin State Statutes and the City of Franklin Land Division Ordinance and the Unified Development Ordinance Division - 15 of the City of Franklin in surveying the certified survey map.

Date: MARCH 15, 2022



  
John P. Konopacki  
Professional Land Surveyor S-2461

Prepared By:

**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
SHEET 16 OF 18

# CERTIFIED SURVEY MAP NO. 9421

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## OWNER'S CERTIFICATE OF DEDICATION

LOOMIS & RYAN INC, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this certified survey map to be surveyed, divided, dedicated and mapped as represented on this certified survey map.

GURJIT SINGH and GURMIT KAUR, as owners, hereby certify that we caused the land described on this map to be surveyed, divided, dedicated and mapped as represented on this map in accordance with the requirements of the City of Franklin.

LOOMIS & RYAN INC and GURJIT SINGH and GURMIT KAUR, as owners, also certify that this map is required by s.236.10 or s.236.12 of the Wisconsin State Statutes and the Unified Development Ordinance Division-15 of the City of Franklin to be submitted to the following for approval or objection:

- 1. City of Franklin

IN WITNESS WHEREOF, the said LOOMIS & RYAN INC has caused these presents to be signed by (name - print) Stephen R. Mills, (title) President, at (city) Kenosha, Kenosha County, Wisconsin, on this 25<sup>th</sup> day of April, 2022.

In the presence of: LOOMIS & RYAN INC.

Name (signature) - Title  
[Signature]  
Date 4/25/2022

[Signature]  
GURJIT SINGH

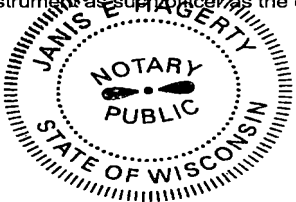
Date 4/25/2022

[Signature]  
GURMIT KAUR

STATE OF WISCONSIN) Kenosha COUNTY) SS

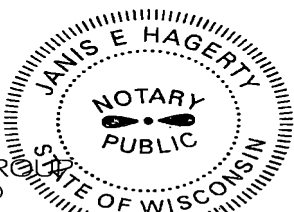
Personally came before me this 25<sup>th</sup> day of April, 2022, (name) Stephen R. Mills, (title) President, of the above named LOOMIS & RYAN INC, to me known to be the persons who executed the foregoing instrument, and to me known to be such President (title) of said corporation and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

[Signature]  
Notary Public  
Name: Janis E. Hagerty  
State of Wisconsin  
My Commission Expires: 02/10/2024



Personally came before me this 25<sup>th</sup> day of April, 2022, GURJIT SINGH and GURMIT KAUR, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

[Signature]  
Notary Public  
Name: Janis E. Hagerty  
State of Wisconsin  
My Commission Expires: 02/10/2024



MARCH 15, 2022

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A  
SHEET 17 OF 18

**CERTIFIED SURVEY MAP NO. 9421**

Being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

**CONSENT OF CORPORATE MORTGAGEE - LOOMIS & RYAN INC.**

Bloomtown, LLC, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, dedication and mapping of the land described in the forgoing affidavit of John P. Konopacki, surveyor, and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said Bloomtown, LLC, has caused these presents to be signed by Stephen R. Mills, its President, and its corporate seal to be hereunto affixed this 27<sup>th</sup> day of June, 2022.

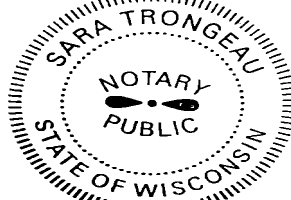
June 27, 2022  
Date

[Signature]  
President

STATE OF WISCONSIN)  
Kenosha COUNTY) SS

Personally came before me this 27<sup>th</sup> day of June, 2022, Stephen R. Mills, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

[Signature]  
Notary Public  
Name: Sara Tronreau  
State of Wisconsin  
My Commission Expires: 8/25/25



**CONSENT OF CORPORATE MORTGAGEE - GURJIT SINGH and GURMIT KAUR**

~~\_\_\_\_\_~~, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, dedication and mapping of the land described in the forgoing affidavit of John P. Konopacki, surveyor, and does hereby consent to the above certification of owners.

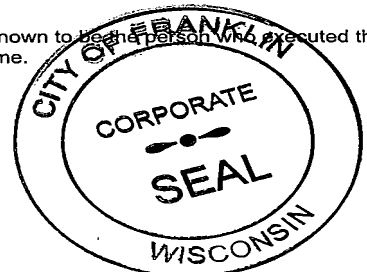
~~IN WITNESS WHEREOF, the said \_\_\_\_\_, has caused these presents to be signed by \_\_\_\_\_, its President, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.~~

~~\_\_\_\_\_ Date \_\_\_\_\_ President \_\_\_\_\_~~

~~STATE OF WISCONSIN)  
MILWAUKEE COUNTY) SS~~

~~Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.~~

~~Notary Public  
Name: \_\_\_\_\_  
State of Wisconsin  
My Commission Expires: \_\_\_\_\_~~



**CITY OF FRANKLIN COMMON COUNCIL APPROVAL**

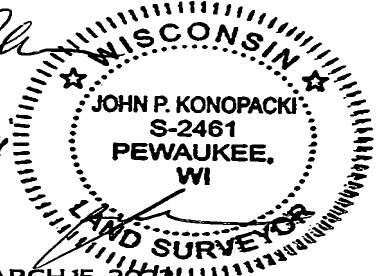
Approved and dedication accepted by the Common Council of the City of Franklin by Resolution No. 2022-7825. Signed this 23<sup>rd</sup> day of June, 2022.

6/23/2022  
Date

[Signature]  
Stephen R. Olson, Mayor

6/23/2022  
Date

[Signature]  
Sandra L. Wesolowski, City Clerk



MARCH 15, 2022

PEG JOB#809.90A  
SHEET 18 OF 18

Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461



**CITY OF FRANKLIN**  
**REPORT TO THE PLAN COMMISSION**  
**Meeting of September 8, 2022**

**Item E.1.**

**SPECIAL USE/SITE PLAN TIME EXTENSION**

**RECOMMENDATION:** City Development staff recommends approval of a second 1-year time extension for the previously approved Special Use and Site Plan, subject to the conditions in attached draft resolution.

<b>Project Name:</b>	Time extension for Strauss Brands, Inc.
<b>Project Address:</b>	Ryan Meadows Lot 83 (Tax Key No. 891-1083-000)
<b>Owner:</b>	Strauss Brands, LLC
<b>Zoning:</b>	M-1 Limited Industrial District
<b>2025 Comprehensive Plan:</b>	Business Park
<b>Use of Surrounding Properties:</b>	Loomis Road and residential lots zoned R-8 to the north, future Monarch Drive and vacant M-1 zoned land to the east, Copart to the south and vacant land zoned R-2 to the west.
<b>Applicant Action Requested:</b>	Approval of a second 1-year extension for approved Site Plan and recommendation of approval to the Common Council of a second 1-year time extension for the Special Use
<b>Staff Planner:</b>	Régulo Martínez-Montilva, AICP, Principal Planner

On October 8, 2020, the Plan Commission conditionally approved the Site Plan for Strauss Brands, Inc. to construct a 152,035 square foot meat packing plant, along with a recommendation for approval of a Special Use for the same facility, as required in the M-1 Limited Industrial District. Plan Commission Resolution No. 2020-024 reflecting the Site Plan approval is attached.

On November 2, 2020, the Common Council conditionally approved a Special Use for the SIC No. 2011, Meat Packing Plants, authorizing the use of the property for Strauss Brands, Inc. proposed operation. Attached is Common Council Resolution 2020-7681 as recorded with the Milwaukee County Register of Deeds.

Condition No. 3 of the above-referenced Plan Commission resolution states the expiration of the Site Plan approval within one year from the date of adoption, which would be midnight on October 7, 2021, or the approval “shall be null and void, without any further action by the City of Franklin.”

It should be noted that the Site Plan approval is conditional (as per Condition No. 5 of the Plan Commission resolution) on the approval of the Special Use. The Special Use approval under Common Council Resolution No. 2020-7681 expires at midnight on November 1, 2021, and this approval is currently under legal challenge. Until the legal challenge is concluded, the applicant is not able to begin construction. Therefore, an extension of both approvals is a reasonable expectation.

It is noted that a first 1-year extension was granted on October 5, 2021, per Resolution 2021-7788 which expires on October 5, 2022. The Site Plan approval was extended on September 23, 2021, per Plan Commission Resolution No. 2021-023 which expires on September 23, 2022.

**CONCLUSION:**

City Development staff recommends approval of a second 1-year time extension for a previously approved Site Plan (Plan Commission Resolution No. 2020-024) and Special Use (Common Council Resolution No. 2020-7681), subject to the conditions outlined in the attached resolution.

## RESOLUTION NO. 2022-\_\_\_\_\_

A RESOLUTION TO AMEND RESOLUTION NO. 2021-7788, A RESOLUTION TO AMEND RESOLUTION NO. 2020-7681, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE (LOT 83 OF RYAN MEADOWS SUBDIVISION) (STRAUSS BRANDS LLC, APPLICANT), TO EXTEND THE TIME FOR COMMENCEMENT OF THE SPECIAL USE DEVELOPMENT

---

WHEREAS, the Common Council having adopted Resolution No. 2020-7681, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 Of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), on November 2, 2020, and pursuant to Resolution No. 2021-7788 adopted on October 5, 2021, the time for commencement of the development was extended for one year from the date thereof; and

WHEREAS, Resolution No. 2020-7681 provides in a FURTHER RESOLVED provision that “pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of a building permit for such use”; and

WHEREAS, §15-9.0103G. of the Unified Development Ordinance provides “[i]n any case where a special use has not been established within one year after the date of granting thereof, then without further action by the Plan Commission or the Common Council, the special use authorization shall be null and void. The criteria for determining establishment of a special use may be set forth by the Common Council in the approving Special Use Resolution”; and §15-3.0701G. of the Unified Development Ordinance provides “[s]ubject to an extension of time granted by the Common Council, upon recommendation of the Plan Commission, no Special Use Permit shall be valid for a period longer than one year unless a Building Permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a Zoning Compliance Permit is issued and a use commenced within that period”; and

WHEREAS, the subject Special Use development is a subject in the litigation matter *Franklin Community Advocates, et al. v. City of Franklin, and Strauss Brands, LLC*, Milwaukee County Circuit Court Case No. 20-CV-7031, which litigation matter is in process and pending at this time; and

WHEREAS, the subject Special Use development is to be upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive

(Lot 83 of Ryan Meadows Subdivision, approximately 30.2 acres), bearing Tax Key No. 891-1083-000, more particularly described as follows:

Parts of Lot 1 and Outlot 1, of Certified Survey Map No. 9095 as recorded in the register of deeds office for Milwaukee County as Document No. 10830741, being a part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the southwest corner of the Northwest 1/4 of said Section 30; thence South 89°39'32" East along the south line of said Northwest 1/4, 1345.74 feet to the southwest corner of Lot 1 Certified Survey Map No. 9095 and the Point of Beginning; Thence North 00°34'12" West, along the west line of said Lot 1, 1523.10 feet to the southerly line of said right-of-way of West Loomis Road; thence North 79°00'41" East along the southerly line of said right-of-way, 156.97 feet; thence North 75°45'51" East along the southerly line of said right-of-way, 215.80 feet to a point of curvature; thence northeasterly along the southerly line of said right-of-way, 30.51 feet along the arc of said curve to the left, whose radius is 1979.86 feet and whose chord bears North 75°19'22" East, 30.51 feet; thence South 29°08'47" East, 22.47 feet; thence South 16°09'38" East, 83.27 feet to a point of curvature; thence southeasterly 198.68 feet along the arc of said curve to the left, whose radius is 265.00 feet and whose chord bears South 37°38'23" East, 194.06 feet; thence South 59°07'06" East, 356.12 feet to a point of curvature; thence southeasterly 170.14 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 33°27'51" East, 164.52 feet; thence South 07°48'36" East, 543.63 feet to a point of curvature; thence southwesterly 128.99 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 11°38'18" West, 126.52 feet; thence South 31°05'13" West, 282.33 feet to a point of curvature; thence southwesterly 75.12 feet along said curve to the right, whose radius is 190.00 feet and whose chord bears South 42°24'51" West, 74.64 feet; thence South 53°44'29" West, 143.69 feet to the south line of said Northwest 1/4; thence North 89°39'32" West along said south line, 662.99 feet to the Point of Beginning. Containing 1,316,168 square feet (30.2151 acres) of land, more or less; and

WHEREAS, the Plan Commission and the Common Council having reviewed the subject Special Use development with regard to the pending litigation, and the Common Council having determined it fair and reasonable to provide an extension of time for commencement of the Special Use development under circumstances currently present and pending.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Resolution No. 2021-7788, A Resolution to Amend Resolution No. 2020-7681, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner



of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 Of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), to Extend the Time for Commencement of the Special Use Development, be and the same is hereby amended, specifically and only with regard to as stated therein, “the fourth FURTHER RESOLVED provision stated therein, which provision is immediately prior to the FINALLY RESOLVED provision on Page 5 of the Resolution”, to state as follows: “BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under Resolution No. 2020-7681 adopted on November 2, 2020, and pursuant to Resolution No. 2021-7788 adopted on October 5, 2021, as the time for commencement of the development was extended for one year from the date thereof, be and the same is hereby granted an extension of time for the commencement of the Special Use development, which extension of time granted hereunder shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of a building permit for such use.”

BE IT FURTHER RESOLVED, that all terms and conditions of Resolution No. 2021-7788, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of \_\_\_\_\_, 2022.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_ NOES \_\_\_\_ ABSENT \_\_\_\_

## RESOLUTION NO. 2022-\_\_\_\_\_

A RESOLUTION TO AMEND RESOLUTION NO. 2021-023, A RESOLUTION TO AMEND RESOLUTION NO. 2020-024, A RESOLUTION APPROVING A SITE PLAN FOR CONSTRUCTION OF A MEAT PROCESSING FACILITY WITH ASSOCIATED CATTLE PEN, A HARVEST FLOOR, CARCASS COOLERS, FABRICATION AREAS, PACKAGING AREAS, WAREHOUSE AREAS, SHIPPING DOCKS, OPERATIONS OFFICES, EMPLOYEE WELFARE SPACES, ASSOCIATED MECHANICAL SUPPORT FACILITIES AND SPACES, A FUTURE DEVELOPMENT AREA, STORMWATER PONDS, PARKING LOT AND TRUCK AND EMPLOYEE VEHICLE ENTRANCE DRIVES (THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE (LOT 83 OF RYAN MEADOWS SUBDIVISION) (STRAUSS BRANDS LLC, APPLICANT), TO EXTEND THE TIME FOR COMMENCEMENT OF THE SITE PLAN USE DEVELOPMENT

---

WHEREAS, the Plan Commission having adopted Resolution No. 2021-023, A Resolution to Amend Resolution No. 2020-024, A Resolution Approving a Site Plan for Construction of a Meat Processing Facility with Associated Cattle Pen, a Harvest Floor, Carcass Coolers, Fabrication Areas, Packaging Areas, Warehouse Areas, Shipping Docks, Operations Offices, Employee Welfare Spaces, Associated Mechanical Support Facilities and Spaces, a Future Development Area, Stormwater Ponds, Parking Lot and Truck and Employee Vehicle Entrance Drives (the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), to Extend the Time for Commencement of the Site Plan Use Development, on September 23, 2021; and

WHEREAS, Resolution No. 2020-024 provides at condition No. 4. “[t]hat the Strauss Brands LLC meat processing facility construction project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin”; and at condition No. 5. that “[t]his Site Plan is conditioned upon the approval of a Special Use to allow for meat packing plants”, such Special Use approval having been granted by the Common Council pursuant to Resolution No. 2020-7681 on November 2, 2020, and pursuant to Resolution No. 2021-7788 adopted on October 5, 2021, the time for commencement of the development was extended for one year from the date thereof; and

WHEREAS, §15-7.0106 of the Unified Development Ordinance provides “[e]xcept in the case of approved PDD Planned Development Districts, no site plan approval shall be valid for a period longer than one year unless a Building Permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless

AMEND STRAUSS BRANDS LLC – SITE PLAN  
RESOLUTION NO. 2021-023

RESOLUTION NO. 2022-\_\_\_\_\_  
Page 2

a Zoning Compliance Permit, Special Use Permit, or Occupancy Permit is issued and a use commences within that period”; and

WHEREAS, the subject Special Use development upon which the Site Plan Use approval is conditioned is a subject in the litigation matter *Franklin Community Advocates, et al. v. City of Franklin, and Strauss Brands, LLC*, Milwaukee County Circuit Court Case No. 20-CV-7031, which litigation matter is in process and pending at this time; and

WHEREAS, the Plan Commission having reviewed the subject Site Plan development with regard to the pending litigation, and the Plan Commission having determined it fair and reasonable to provide an extension of time for commencement of the Site Plan Use development under circumstances currently present and pending.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that Resolution No. 2021-023, A Resolution to Amend Resolution No. 2020-024, A Resolution Approving a Site Plan for Construction of a Meat Processing Facility with Associated Cattle Pen, a Harvest Floor, Carcass Coolers, Fabrication Areas, Packaging Areas, Warehouse Areas, Shipping Docks, Operations Offices, Employee Welfare Spaces, Associated Mechanical Support Facilities and Spaces, a Future Development Area, Stormwater Ponds, Parking Lot and Truck and Employee Vehicle Entrance Drives (the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), to Extend the Time for Commencement of the Site Plan Use Development, as to the Now, Therefore, Be It Resolved provision, be and the same is hereby amended as to condition No. 4 stated therein to read as follows: “That the Strauss Brands LLC meat processing facility construction project Site Plan approval granted under Resolution No. 2020-024 adopted on October 8, 2020, for which a time extension of one year was granted pursuant to Resolution No. 2021-23 adopted on September 23, 2021, be and the same is hereby granted an extension of time for the commencement of the Site Plan Use development, which extension of time granted hereunder shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless a Building Permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion.”; and as to condition No. 5. stated therein to read as follows: “The Site Plan Use development time extension granted hereunder is conditioned upon the approval of a grant of time extension for the Special Use approval having been granted by the Common Council pursuant to Resolution No. 2020-7681 on November 2, 2020, as previously extended pursuant to Resolution No. 2021-7788 adopted on October 5, 2021, for one year from the date thereof by the Common Council.”

AMEND STRAUSS BRANDS LLC – SITE PLAN  
RESOLUTION NO. 2021-023

RESOLUTION NO. 2022-\_\_\_\_\_  
Page 3

BE IT FURTHER RESOLVED, that all terms and conditions of Resolution No. 2021-023, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

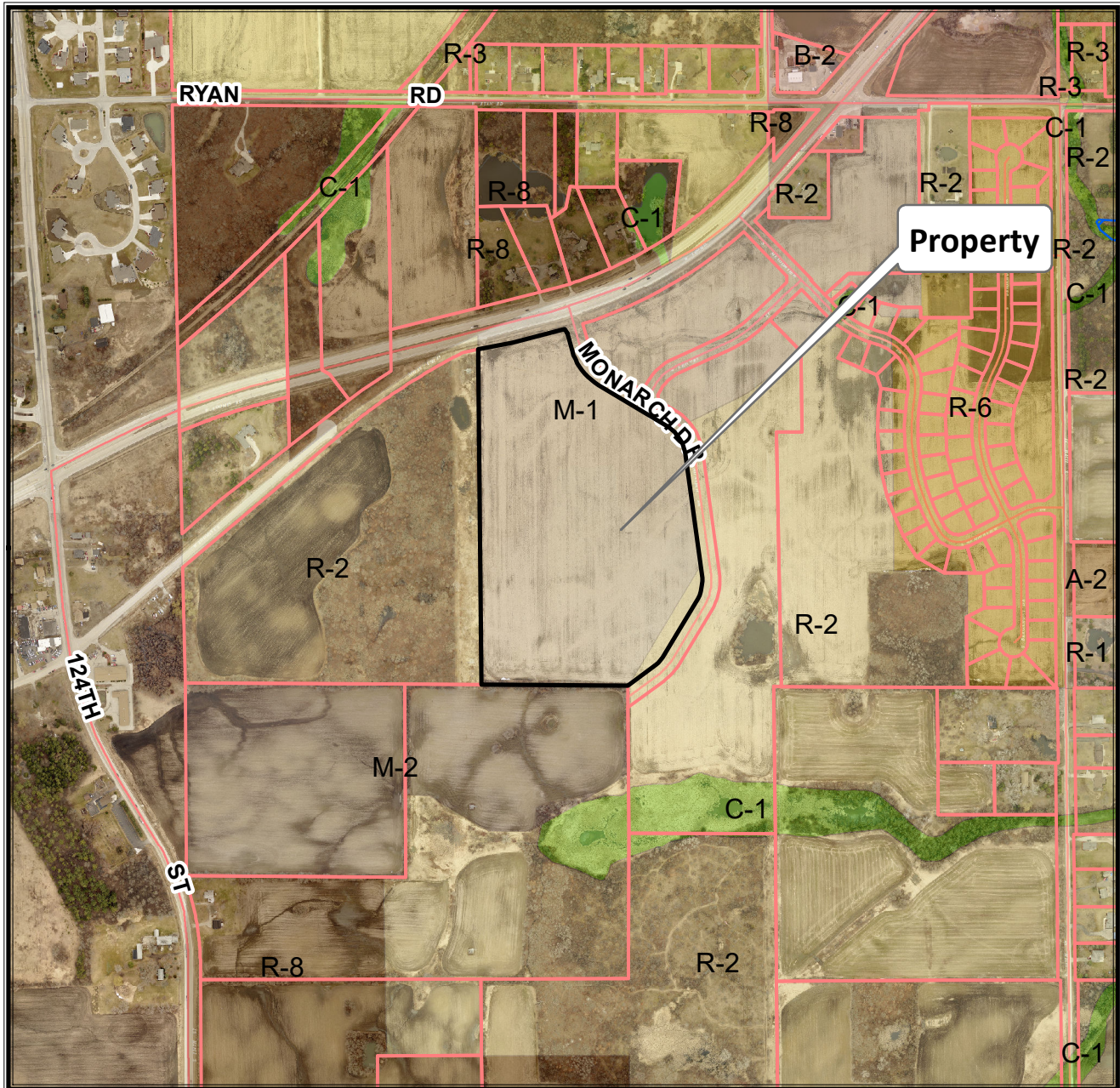
APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Chairman

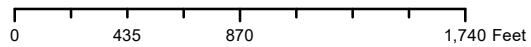
ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

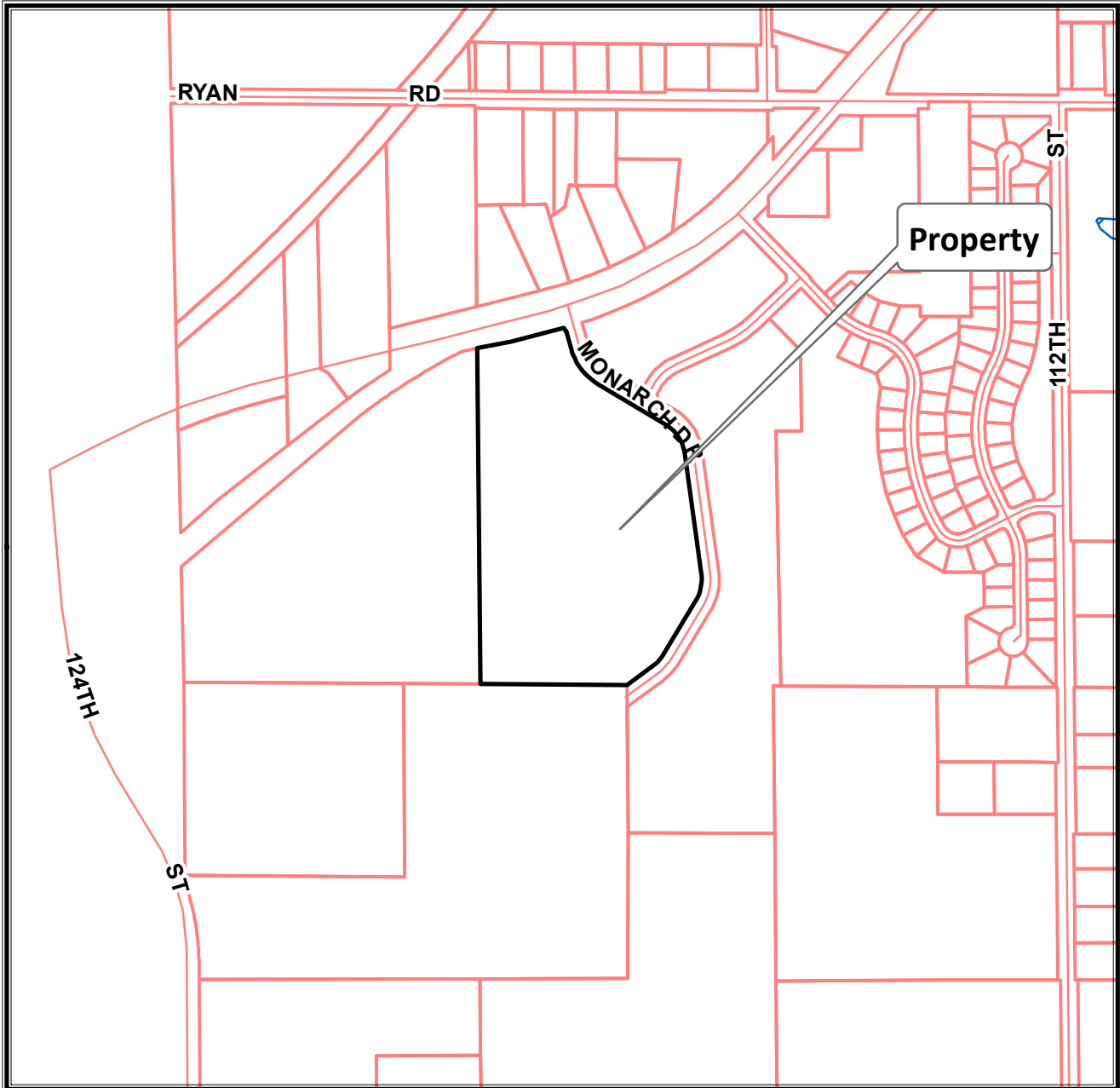


**Planning Department**  
**(414) 425-4024**

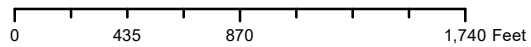


*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*

TKN: 891 1083 000



**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.*



## RESOLUTION NO. 2020-024

A RESOLUTION APPROVING A SITE PLAN FOR CONSTRUCTION OF A MEAT PROCESSING FACILITY WITH ASSOCIATED CATTLE PEN, A HARVEST FLOOR, CARCASS COOLERS, FABRICATION AREAS, PACKAGING AREAS, WAREHOUSE AREAS, SHIPPING DOCKS, OPERATIONS OFFICES, EMPLOYEE WELFARE SPACES, ASSOCIATED MECHANICAL SUPPORT FACILITIES AND SPACES, A FUTURE DEVELOPMENT AREA, STORMWATER PONDS, PARKING LOT AND TRUCK AND EMPLOYEE VEHICLE ENTRANCE DRIVES  
(THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE (LOT 83 OF RYAN MEADOWS SUBDIVISION)  
(STRAUSS BRANDS LLC, APPLICANT)

---

WHEREAS, Strauss Brands LLC having applied for approval of a proposed site plan for construction of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, including cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces, associated mechanical support facilities and spaces [the proposed Site Plan includes a building positioned north/south on the site (roughly centered on the site) with employee/visitor parking on the east side of the building (280 spaces) and an access drive located along the south, west, and north sides of the building for truck traffic, with all access to the site via Monarch Drive (two access drives will be provided, one for employee auto parking and one for truck receiving and shipping) (the western portion of the site is identified as future building expansion area) (the site is designed to detain all stormwater on-site in three (3) detention ponds; the ponds are designed with a capacity to accommodate the future phases of work as indicated on the site drawings)], property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision (approximately 30.2 acres)); and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan for the construction of a 152,035 square foot meat processing facility designed to process 250 to 500 head of cattle per day, including cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces, associated mechanical support

STRAUSS BRANDS LLC – SITE PLAN

RESOLUTION NO. 2020-024

Page 2

facilities and spaces [the proposed Site Plan includes a building positioned north/south on the site (roughly centered on the site) with employee/visitor parking on the east side of the building (280 spaces) and an access drive located along the south, west, and north sides of the building for truck traffic, with all access to the site via Monarch Drive (two access drives will be provided, one for employee auto parking and one for truck receiving and shipping) (the western portion of the site is identified as future building expansion area) (the site is designed to detain all stormwater on-site in three (3) detention ponds; the ponds are designed with a capacity to accommodate the future phases of work as indicated on the site drawings)], property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision (approximately 30.2 acres)) as depicted upon the plans dated September 28, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Strauss Brands LLC meat processing facility dated September 28, 2020.
2. Strauss Brands LLC, successors and assigns, and any developer of the Strauss Brands LLC meat processing facility construction 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, for the Strauss Brands LLC meat processing facility construction project, 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.
3. The approval granted hereunder is conditional upon the Strauss Brands LLC meat processing facility construction project (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.
4. That the Strauss Brands LLC meat processing facility construction project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
5. This Site Plan is conditioned upon the approval of a Special Use to allow for meat packing plants.



STRAUSS BRANDS LLC – SITE PLAN  
RESOLUTION NO. 2020-024  
Page 3

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 8th day of October, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 8th day of October, 2020.

APPROVED:

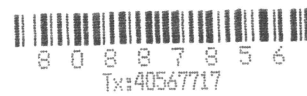
  
\_\_\_\_\_  
Stephen R. Olson, Chairman

ATTEST:

  
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES 4 NOES 1 (Haley) ABSTENTION 1 (Burckhardt)

10



**RESOLUTION 2020-7681**

Document Number

DOC # 11057644  
RECORDED:  
12/17/2020 02:22 PM  
ISRAEL RAMON  
REGISTER OF DEEDS  
MILWAUKEE COUNTY, WI  
AMOUNT: 30.00

Recording Area

**Name and Return Address**

Shirley J. Roberts, Deputy City  
Clerk  
City of Franklin  
9229 West Loomis Road  
Franklin, Wisconsin 53132

**891-1083-000**

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

## RESOLUTION NO. 2020-7681

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY  
USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE  
INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE  
(LOT 83 OF RYAN MEADOWS SUBDIVISION)  
(STRAUSS BRANDS LLC, APPLICANT)

---

WHEREAS, Strauss Brands LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 2011 "Meat Packing Plants" to allow for construction of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, which will include cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces, upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision, approximately 30.2 acres), bearing Tax Key No. 891-1083-000, more particularly described as follows:

Parts of Lot 1 and Outlot 1, of Certified Survey Map No. 9095 as recorded in the register of deeds office for Milwaukee County as Document No. 10830741, being a part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the southwest corner of the Northwest 1/4 of said Section 30; thence South 89°39'32" East along the south line of said Northwest 1/4, 1345.74 feet to the southwest corner of Lot 1 Certified Survey Map No. 9095 and the Point of Beginning; Thence North 00°34'12" West, along the west line of said Lot 1, 1523.10 feet to the southerly line of said right-of-way of West Loomis Road; thence North 79°00'41" East along the southerly line of said right-of-way, 156.97 feet; thence North 75°45'51" East along the southerly line of said right-of-way, 215.80 feet to a point of curvature; thence northeasterly along the southerly line of said right-of-way, 30.51 feet along the arc of said curve to the left, whose radius is 1979.86 feet and whose chord bears North 75°19'22" East, 30.51 feet; thence South 29°08'47" East, 22.47 feet; thence South 16°09'38" East, 83.27 feet to a point of curvature; thence southeasterly 198.68 feet along the arc of said curve to the left, whose radius is 265.00 feet and whose chord bears South 37°38'23" East, 194.06 feet; thence South 59°07'06" East, 356.12 feet to a point of curvature; thence southeasterly 170.14 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 33°27'51" East, 164.52 feet; thence South 07°48'36" East, 543.63 feet to a point of curvature; thence southwesterly 128.99 feet along the arc of said

curve to the right, whose radius is 190.00 feet and whose chord bears South 11°38'18" West, 126.52 feet; thence South 31°05'13" West, 282.33 feet to a point of curvature; thence southwesterly 75.12 feet along said curve to the right, whose radius is 190.00 feet and whose chord bears South 42°24'51" West, 74.64 feet; thence South 53°44'29" West, 143.69 feet to the south line of said Northwest 1/4; thence North 89°39'32" West along said south line, 662.99 feet to the Point of Beginning. Containing 1,316,168 square feet (30.2151 acres) of land, more or less; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 17th day of September, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Strauss Brands LLC, for the approval of a Special Use 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. That this Special Use is approved only for the use of the subject property by Strauss Brands LLC, successors and assigns, as a meat processing facility use, which shall be developed in substantial compliance with, and operated and maintained by Strauss Brands LLC, pursuant to those plans City file-stamped September 28, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Strauss Brands LLC, successors and assigns, 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, for the Strauss Brands LLC meat processing facility, 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.

STRAUSS BRANDS LLC – SPECIAL USE

RESOLUTION NO. 2020-7681

Page 3

3. The approval granted hereunder is conditional upon Strauss Brands LLC and the meat processing facility use for the property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision): (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.
4. Hours of livestock delivery shall be between the hours of 1:00 AM to 1:00 PM, Monday thru Friday, unless unforeseen conditions occur. Hours of operation for the harvest area shall be from 5:00 AM to 6:00 PM, Monday thru Friday. These conditions shall not apply to fabrication, grinding, maintenance, cleaning, and administrative activities which can operate 24 hours per day, Monday thru Saturday.
5. No outside storage of supplies and/or equipment shall be permitted.
6. No livestock shall be kept outside the buildings.
7. No livestock shall be kept on the premise overnight except when requested by state or federal inspector.
8. A maximum of 14 empty livestock trucks shall be permitted to park on the premise overnight.
9. No livestock trucks shall be washed or cleaned on the premise.
10. All processing waste shall be removed from the premise daily.
11. Removal of snow from private parking lots, walks and access drives shall be the responsibility of the owner.
12. A site plan amendment shall be required for the future building expansion areas, future truck maintenance facility, future parking and future driveways.
13. This Special Use is not approving any signs, signage requires a separate permit from the Inspection Services Department prior to installation.
14. The applicant shall prepare conservation easements for all protected natural resource features for staff review and Common Council approval, and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.
15. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.
16. The minimum required off-street parking is 280 parking stalls.

STRAUSS BRANDS LLC – SPECIAL USE

RESOLUTION NO. 2020-7681

Page 4

17. The maximum driveway width is 28 feet for the employee parking lot and 48 feet for the truck entrance.
18. The maximum height is 8 feet for chain link fences and 10 feet for masonry walls, measured from grade.
19. The cattle barns and harvest areas shall be ventilated to dissipate odors. Trucks and trailers used to remove remainder animal wastes shall be loaded in enclosed dock areas to reduce spread of odors.
20. In the event of obnoxious odors detected off the premise, the Department of City Development shall immediately notify the operator and the federal or state inspector assigned to the facility.
21. The applicant, successors and assigns, shall implement sound control devices, including, but not limited to additional chimneys or baffles, to reduce the sound from exhaust and ventilation fans to a maximum of 65 decibels at the ground level adjacent to the building.
22. The applicant, successors and assigns, shall mitigate truck traffic noise and impact by installing a 5-foot high landscape berm on the east side of the livestock loading area to provide additional screening and sound deflection.
23. The applicant, successors and assigns, shall further mitigate truck traffic noise and impact by increasing the height of the berm along the north property line by an average of 2 feet over that shown on the existing approved site plan. This berm shall be designed to appear natural.
24. The applicant, successors and assigns, shall submit a revised Landscape Plan which shows the approved changes to berms and landscape buffers as provided in Conditions 22. and 23., above.
25. The applicant, successors and assigns, shall establish and maintain a citizen complaint procedure, in which concerned residents contact a designated representative of the applicant, successors or assigns, and provide details of any complaints. The applicant, successors and assigns, shall compile any and all complaints and submit a monthly report of the complaints to the City Health Department, along with any actions taken. This procedure shall be in addition to current coordination with the City Health Department regarding complaints and coordinating responses thereto.

BE IT FURTHER RESOLVED, that in the event Strauss Brands LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and

STRAUSS BRANDS LLC – SPECIAL USE

RESOLUTION NO. 2020-7681

Page 5

failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

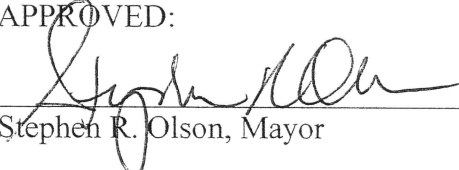
BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of a building permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of November, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 2nd day of November, 2020.

APPROVED:

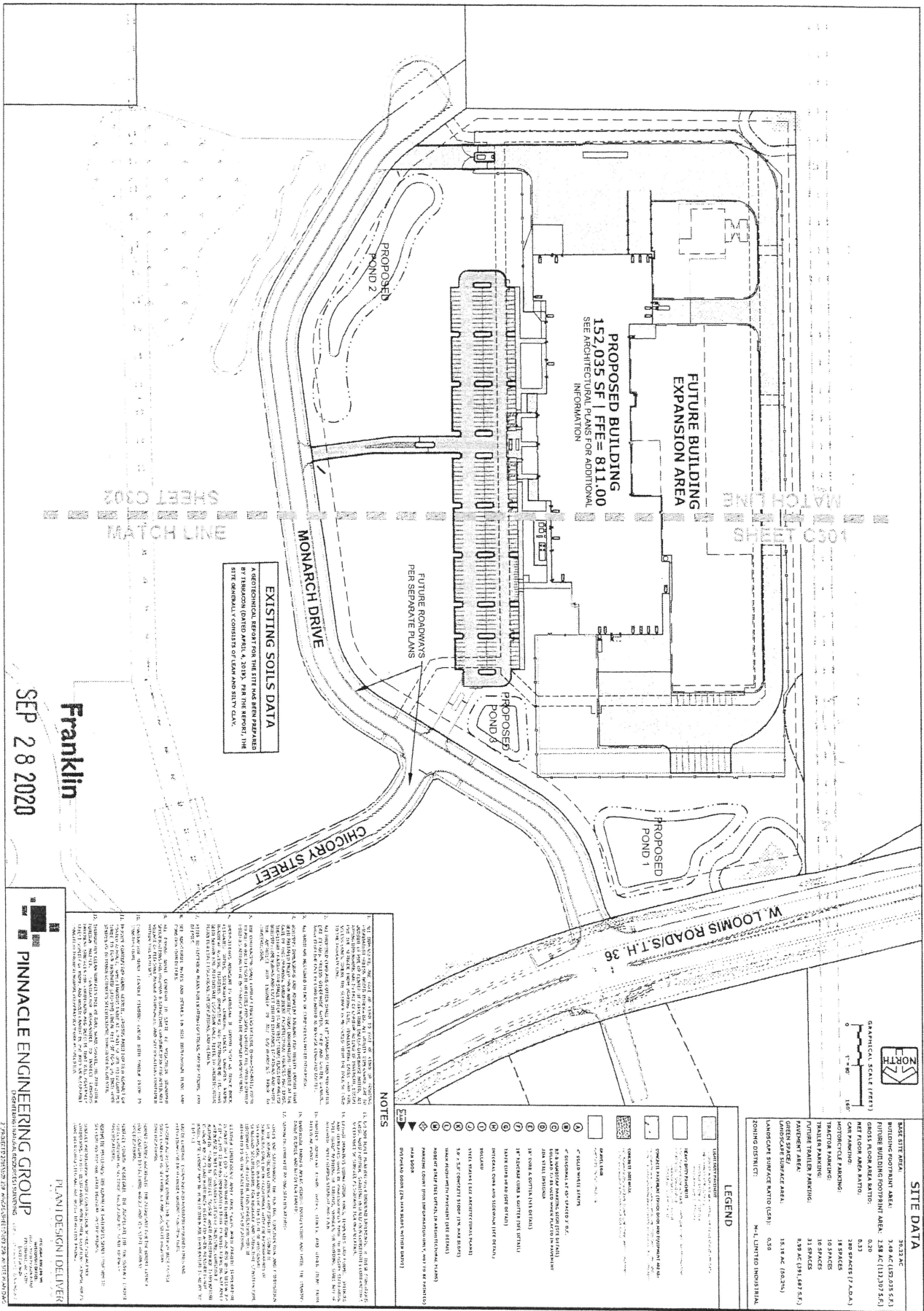
  
\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES 4      NOES 3      ABSENT 0

# Exhibit A



**EXISTING SOILS DATA**  
 A GEOTECHNICAL REPORT FOR THE SITE HAS BEEN PREPARED BY TERRACON (DATED APRIL 4, 2019). PER THE REPORT, THE SITE ORIGINALLY CONSISTS OF LEAM AND SILTY CLAY.

**PROPOSED BUILDING**  
 152,035 SF | FEE = 811.00  
 SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION

SEP 28 2020  
**Franklin**  
 City Development

**PINNACLE ENGINEERING GROUP**  
 275 WEST WISCONSIN STREET, SUITE 200, MILWAUKEE, WI 53233  
 TEL: 414.224.1100 | FAX: 414.224.1101  
 WWW.PINNACLEENGINEERING.COM

**NOTES**  
 1. ALL DIMENSIONS ARE GIVEN IN FEET OR INCHES UNLESS OTHERWISE NOTED.  
 2. THE PROPOSED BUILDING EXPANSION AREA IS SHOWN WITH DASHED LINES.  
 3. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN ZONING ORDINANCE.  
 4. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN SUBDIVISION ORDINANCE.  
 5. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN PLANNING DEPARTMENT REVIEW.  
 6. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN PLANNING DEPARTMENT REVIEW.  
 7. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN PLANNING DEPARTMENT REVIEW.  
 8. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN PLANNING DEPARTMENT REVIEW.  
 9. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN PLANNING DEPARTMENT REVIEW.  
 10. THE PROPOSED BUILDING EXPANSION AREA IS SUBJECT TO THE CITY OF FRANKLIN PLANNING DEPARTMENT REVIEW.

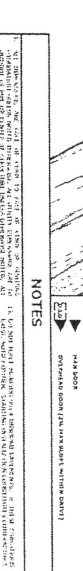
**LEGEND**  
 [Symbol] PROPOSED BUILDING  
 [Symbol] PROPOSED POND 1  
 [Symbol] PROPOSED POND 2  
 [Symbol] FUTURE BUILDING EXPANSION AREA  
 [Symbol] FUTURE ROWWAYS PER SEPARATE PLANS  
 [Symbol] MONARCH DRIVE  
 [Symbol] CHICORY STREET  
 [Symbol] W. LOOMIS ROAD/T.H. 36

**SITE DATA**

BASE SITE AREA:	392,311 AC
PROPOSED BUILDING AREA:	152,035 AC (152,035 S.F.)
PROPOSED POND AREA:	152,035 AC (152,035 S.F.)
NET FLOOR AREA RATIO:	0.39
CAR PARKING:	280 SPACES (7 A.D.M.)
TRUCK/PICKUP PARKING:	18 SPACES
TRAILER PARKING:	10 SPACES
PROPOSED POND AREA:	152,035 AC (152,035 S.F.)
LANDSCAPE SURFACE AREA:	152,035 AC (152,035 S.F.)
LANDSCAPE SURFACE LATIO (L/S):	0.39
ZONING DISTRICT:	M-1, UNITED INDUSTRIAL

**PLANNING DESIGN DELIVER**  
 DATE: 09/01/20  
 DRAWING NO: C300  
 PROJECT NO: 20-157-01

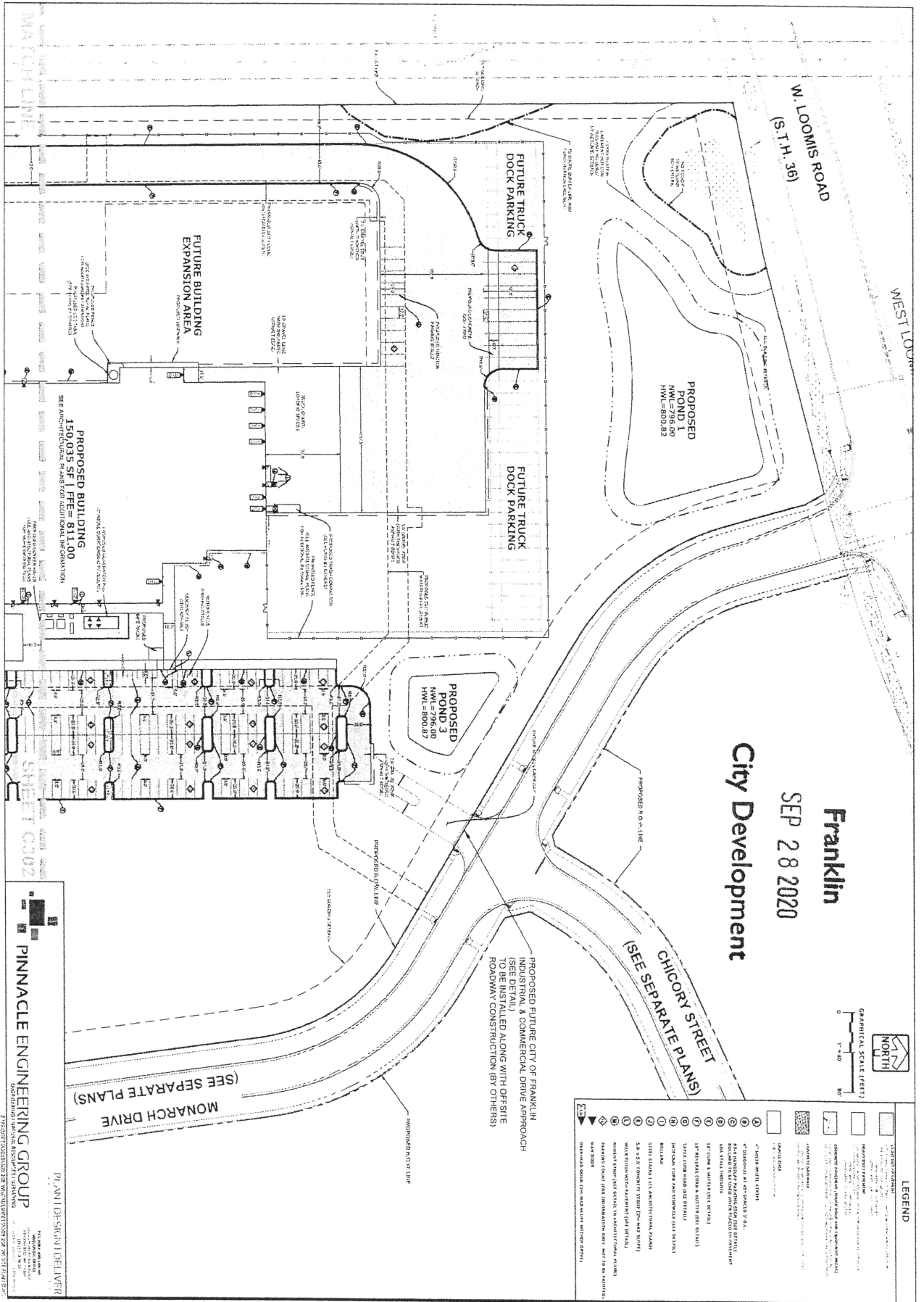
**PROPOSED NEW FACILITY FOR STRAUSS BRANDS, INC.**  
 LOOMIS ROAD  
 FRANKLIN, WI 53132



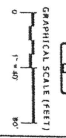
**ESI**  
 DESIGN PARTNERS  
 1000 W. WISCONSIN STREET, SUITE 200, MILWAUKEE, WI 53233  
 TEL: 414.224.1100 | FAX: 414.224.1101  
 WWW.ESI-DESIGN.COM

**PRELIMINARY NOT FOR CONSTRUCTION**





Franklin  
 SEP 28 2020  
 City Development



**LEGEND**

1	EXISTING IMPROVEMENTS
2	PROPOSED IMPROVEMENTS
3	PROPOSED CONSTRUCTION
4	PROPOSED FUTURE CONSTRUCTION
5	PROPOSED FUTURE CONSTRUCTION
6	PROPOSED FUTURE CONSTRUCTION
7	PROPOSED FUTURE CONSTRUCTION
8	PROPOSED FUTURE CONSTRUCTION
9	PROPOSED FUTURE CONSTRUCTION
10	PROPOSED FUTURE CONSTRUCTION
11	PROPOSED FUTURE CONSTRUCTION
12	PROPOSED FUTURE CONSTRUCTION
13	PROPOSED FUTURE CONSTRUCTION
14	PROPOSED FUTURE CONSTRUCTION
15	PROPOSED FUTURE CONSTRUCTION
16	PROPOSED FUTURE CONSTRUCTION
17	PROPOSED FUTURE CONSTRUCTION
18	PROPOSED FUTURE CONSTRUCTION
19	PROPOSED FUTURE CONSTRUCTION
20	PROPOSED FUTURE CONSTRUCTION
21	PROPOSED FUTURE CONSTRUCTION
22	PROPOSED FUTURE CONSTRUCTION
23	PROPOSED FUTURE CONSTRUCTION
24	PROPOSED FUTURE CONSTRUCTION
25	PROPOSED FUTURE CONSTRUCTION
26	PROPOSED FUTURE CONSTRUCTION
27	PROPOSED FUTURE CONSTRUCTION
28	PROPOSED FUTURE CONSTRUCTION
29	PROPOSED FUTURE CONSTRUCTION
30	PROPOSED FUTURE CONSTRUCTION
31	PROPOSED FUTURE CONSTRUCTION
32	PROPOSED FUTURE CONSTRUCTION
33	PROPOSED FUTURE CONSTRUCTION
34	PROPOSED FUTURE CONSTRUCTION
35	PROPOSED FUTURE CONSTRUCTION
36	PROPOSED FUTURE CONSTRUCTION
37	PROPOSED FUTURE CONSTRUCTION
38	PROPOSED FUTURE CONSTRUCTION
39	PROPOSED FUTURE CONSTRUCTION
40	PROPOSED FUTURE CONSTRUCTION
41	PROPOSED FUTURE CONSTRUCTION
42	PROPOSED FUTURE CONSTRUCTION
43	PROPOSED FUTURE CONSTRUCTION
44	PROPOSED FUTURE CONSTRUCTION
45	PROPOSED FUTURE CONSTRUCTION
46	PROPOSED FUTURE CONSTRUCTION
47	PROPOSED FUTURE CONSTRUCTION
48	PROPOSED FUTURE CONSTRUCTION
49	PROPOSED FUTURE CONSTRUCTION
50	PROPOSED FUTURE CONSTRUCTION

**Pinnacle Engineering Group**  
 ENGINEERING AND ARCHITECTURAL SERVICES  
 2155 WEST WISCONSIN AVENUE, SUITE 200  
 MILWAUKEE, WI 53227  
 TEL: 414.224.2200  
 WWW.PINACPLEENGINEERING.COM

**PLANSIGN IDEALVER**  
 1450 WEST WISCONSIN AVENUE  
 MILWAUKEE, WI 53227  
 TEL: 414.224.2200  
 WWW.PINACPLEENGINEERING.COM

**PROPOSED NEW FACILITY FOR STRAUSS BRANDS, INC.**  
 LOOMIS ROAD  
 FRANKLIN, WI 53132

**PRELIMINARY NOT FOR CONSTRUCTION**

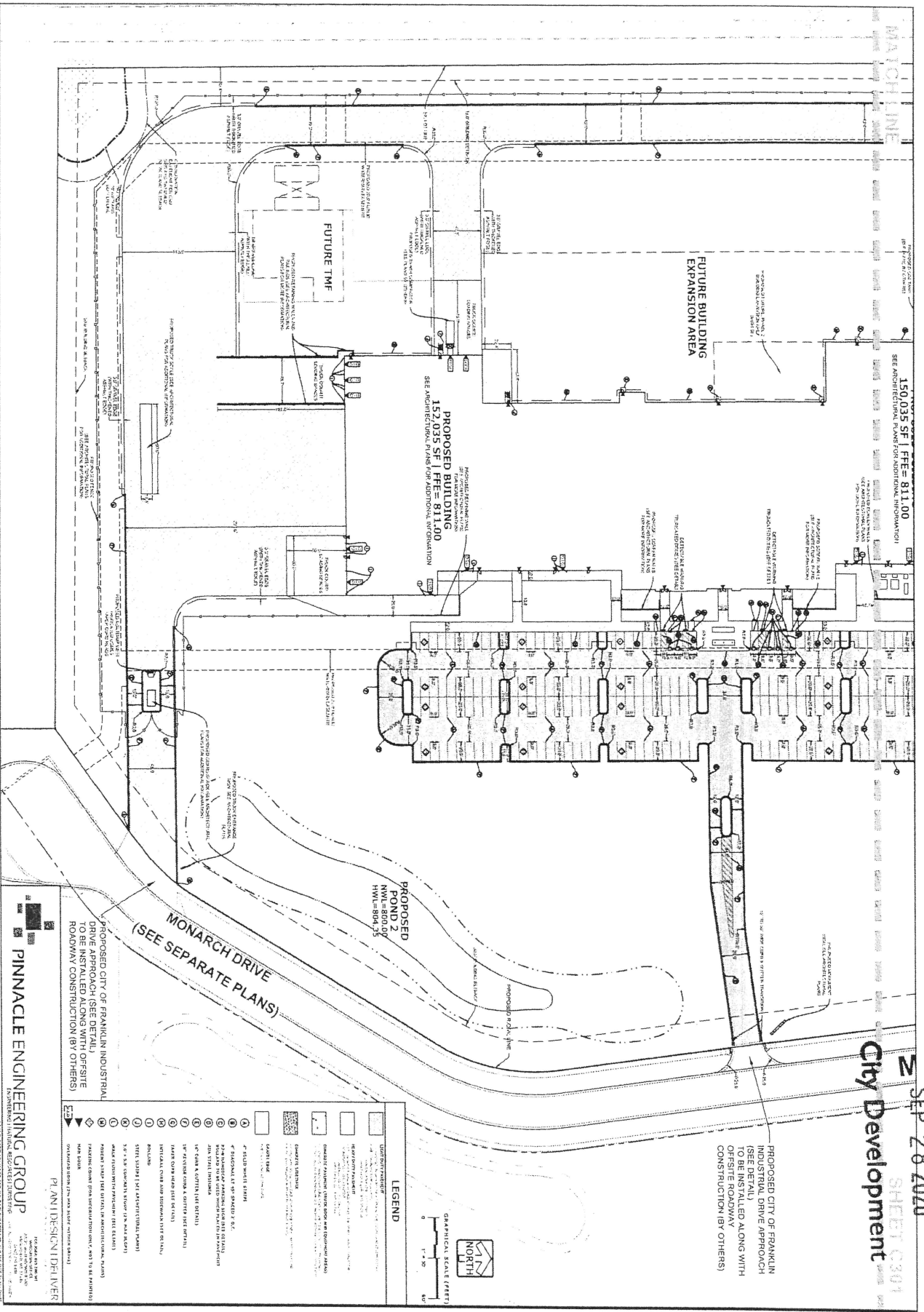
**C301**  
 SITE DIMENSIONAL & PAVING PLAN  
 Sheet No. 09.01.20  
 Date: 09.01.20  
 DDC / HJC  
 20-1257-01  
 20-1257-01  
 CIVIL

Franklin

SEP 28 2020

City Development

SHEET C301



**LEGEND**

- |  |                      |
|--|----------------------|
|  | UTILITY RIGHT-OF-WAY |
|  | EASEMENT             |
|  | PROPOSED PAVEMENT    |
|  | PROPOSED SIDEWALK    |
|  | PROPOSED DRIVE       |
|  | PROPOSED ROADWAY     |
|  | PROPOSED ROAD        |
|  | PROPOSED ROADWAY     |
|  | PROPOSED ROAD        |
|  | PROPOSED ROADWAY     |
|  | PROPOSED ROAD        |
|  | PROPOSED ROADWAY     |
|  | PROPOSED ROAD        |

Pinnacle Engineering Group  
 7325 S. WISCONSIN AVENUE, SUITE 200  
 MILWAUKEE, WI 53214  
 PHONE: 414.480.7000  
 FAX: 414.480.7001  
 WWW.PINACLEENG.COM  
 PROJECT NO. 20-1257-01

PROPOSED NEW FACILITY FOR  
 STRAUSS BRANDS, INC.  
 LOOMIS ROAD  
 FRANKLIN, WI 53132



PRELIMINARY NOT FOR CONSTRUCTION



**CITY OF FRANKLIN**  
**REPORT TO THE PLAN COMMISSION**  
**Meeting of September 8, 2022**

Item E.2.

**FINAL PLAT**

**RECOMMENDATION:** City Development Staff recommends approval of this Final Plat, subject to conditions set forth in the attached draft resolution.

**Project name:** Cape Crossing Phase 1, Final Plat  
**Property Owner:** Franklin DC Land, LLC  
**Applicant:** Cape Crossing, LLC  
**Agent:** Eric Obarski. Cape Crossing, LLC  
**Property Address/TKN:** 12200 W Ryan Rd. / 890 9991 001 & 890 9991 002  
**Aldermanic District:** District 6  
**Zoning District:** PDD-40 – Cape Crossing  
**Staff Planner:** Régulo Martínez-Montilva, AICP, Principal Planner  
**Submittal date:** 08-04-2022  
**Application number:** PPZ22-0126

**Introduction/Background:**

Final Plat for Phase 1 of the Cape Crossing Subdivision. The proposed plat contains 63 single family residential lots, with outlots for common areas, stormwater management facilities and future phases. On March 5, 2022, the Common Council adopted Resolution 2022-7839 conditionally approving the Preliminary Plat for this subdivision.

Pursuant to Wisconsin Statutes §236.11(2)(a)., the approving authority (Common Council) shall take action within 60 days of application submittal unless a time extension is granted by the subdivider, this time frame will expire on October 3, 2022.

A Concept Review for the Planned Development District was presented before the Common Council on August 3, 2021, the first concept version had 180 lots, then it was reduced to 142 lots and finally to the current design with 130 lots.

The Cape Crossing Planned Development District (PDD) was conditionally approved by the Common Council on January 18, 2022, Ordinance 2022-2492, which establishes the development standards for this subdivision. The former zoning was is R-3 – Suburban/Estate Single-Family Residence District.

The Cape Crossing Planned Development District (PDD) has two areas with different developments standards: The Villas and The Estates. The Villas is the south half of the subdivision and allows for smaller lots with a minimum lot size of 9,000 feet, 76 lots are located in The Villas area. The Estates is the north half with 54 larger lots, 12,000 square feet minimum.

**Project Description/Analysis:**

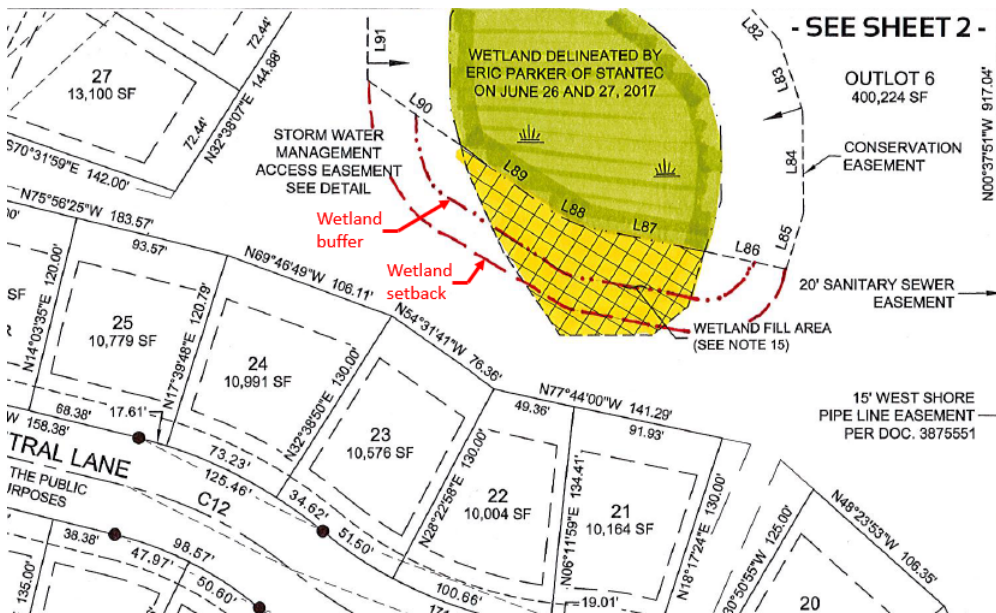
The approved preliminary plat consists of 3 phases. This Phase 1 has a total of 63 single-family residential lots, 46 lots in “The Villas” area and 17 lots in “The Estates” area, as well as 11 outlots for future phases, natural resource protection, stormwater management and easements. All residential lots to be served by public sewer and water facilities.

Resolution 2022-7839 conditionally approving the Preliminary Plat for this subdivision set forth 18 conditions. The subdivider submitted the first Final Plat application on June 16, 2022, then City Development staff informed the applicant that additional information was required to comply with the conditions of approval. The subdivider submitted the information requested and the application was deemed complete on August 4, with the exception of the Department of Administration “Letter of Certification”, the subdivider must submit this letter prior to recording (see condition of approval #9).

**Natural resource protection:**

The subdivider received a Nonfederal Wetland Exemption Determination from the Department of Natural Resources (Appendix #1), to allow for impacts to a portion of wetland W-3 (8,346 square feet) and the entire wetland W-4. Additionally, wetlands W-3 and W-4 are not federally jurisdictional per letter dated May 26, 2022 from the U.S. Army Corps of Engineers. When a wetland is not subject to state and federal regulations, local protections standards set forth in the UDO Part 4 “Natural Resource Protection” do not apply, this is the case of the 8,346 square foot portion of wetland W-3 and the entire wetland W-4. However, these local protection standards still apply to the remaining area of wetland W-3 and its 30-foot buffer and 50-foot setback, note that grading is not allowed in the buffer, grading is allowed in the setback but structures are prohibited.

In order to allow for grading activities in the surrounding buffer of the remaining area of wetland W-3 (20,768 square feet approx.), the subdivider needs to obtain a Natural Resource Special Exception (NRSE). Otherwise, the subdivider must revise the plat and conservation easement documents to add the 50-foot wetland setback around the remaining area of wetland W-3 to the conservation easement area (see condition of approval #10).



**Wetland W-3, wetland fill area, wetland buffer and wetland setback.**  
Notes by City Development staff.

Potential trail head on Outlot 4:

Outlot 4 is designated as a trail head in the Ryan Creek Trail Plan (Appendix #2). Unified Development Ordinance (UDO), Section 15-5.0110B. “Parks, Playground and Other Recreational and Municipal Facilities” states that: “The Plan Commission shall, at the time of reviewing the Certified Survey Map, Preliminary Plat, Condominium, any residential special use, any residential PDD Planned Development District, and residential uses in a mixed PDD Planned Development District, or multiple-family dwelling development, recommend to the Common Council one of the following options. The Common Council, at the time of reviewing the development and after reviewing the recommendation of the Plan Commission, shall select one of the following options and incorporate same into any approval granted” [emphasis added]:

1. **Dedicate** open space lands designated on the County development plan or component thereof, City of Franklin Comprehensive Master Plan or plan component; or
  - Staff recommended condition: The subdivider must revise sheet 2, note 5, to indicate dedication of Outlot 4 to the City of Franklin. The subdivider may obtain a credit or credit refund of the total park impact fee obligation per UDO Section 15-5.0110F.4.b.
2. **Reserve** such open space lands and require a Park, Playground and Other Recreational Facility development fee payment pursuant to Division 15-5.0110(F)(4); or
  - Staff comment: This is the applicant’s proposal, Sheet 2, note 5 states that: “OUTLOT 4 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED BY THE DEVELOPER FOR THE EVENTUAL PURPOSE OF CREATING A PUBLIC TRAIL HEAD”. Reservations for purchase are valid for 5 years unless extended by mutual agreement per UDO Section 15-5.0110E.
3. Where no open space lands are directly involved, require a Park, Playground and Other Recreational Facility development **fee payment** pursuant to Division 15-5.0110(F)(4).
  - No additional condition of approval recommended for this option.

Since outlot 4 is designated as a trail head, City Development staff recommends that this outlot should be dedicated to the public by the subdivider (Option 1). The Ryan Creek Trail Plan states that “The City should make sure lands along the trail route are reserved as private development occurs (i.e. easements, dedications, reservations, etc.)”, page 23.

**Staff recommendation:**

A motion to recommend approval of the Cape Crossing Final Plat, subject to the conditions as noted in the attached draft resolution.

The Plan Commission shall recommend one of the three options for Outlot 4: dedication, reservation or fee payment.

**Appendices:**

1. Nonfederal Wetland Exemption Determination from the Department of Natural Resources, letter dated August 10, 2022, EXE-SE-2022-41-02358.
2. Ryan Creek Trail Plan, adopted by the Common Council on June 21, 2022, pages 17 & 23.

## RESOLUTION NO. 2022-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A  
FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
(AT 12200 WEST RYAN ROAD)  
(CAPE CROSSING, LLC, APPLICANT)

---

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a final plat for Phase 1 of The Villas at Cape Crossing/The Estates at Cape Crossing subdivision, such plat being a part of the Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 12200 West Ryan Road, Phase 1 consisting of 63 single-family residence lots, with outlots for common areas, stormwater management facilities and future phases), bearing Tax Key Nos. 890-9991-001 and 890-9991-002, Cape Crossing, LLC, applicant; said Final Plat having been reviewed by the City Plan Commission following the reviews and recommendations or reports of the City Planning Department and the City Engineering Department, and the Plan Commission having recommended approval thereof at its meeting on September 8, 2022, 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 final plat 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 Final Plat of The Villas at Cape Crossing/The Estates at Cape Crossing subdivision, as submitted by Cape Crossing, 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, and that all minor technical deficiencies within the Final Plat be rectified, all prior to the recording of the Final Plat.
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 Code and Ordinance provisions may be amended from time to time.

CAPE CROSSING, LLC - FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
RESOLUTION NO. 2022-\_\_\_\_\_

Page 2

3. Pursuant to §236.13(1) and (2), Stats., pertaining to conditions of plat approval and the provision of public improvements reasonably necessary, respectively, and §15-8.0101 and §15-2.0303 of the Unified Development Ordinance, pertaining to required improvements and the financial security to be provided therefore as conditions of plat approval, the required improvements prescribed in the Unified Development Ordinance for land divisions are required as a condition of the approval of the Final Plat for The Villas at Cape Crossing/The Estates at Cape Crossing subdivision; a Subdivision Development Agreement (“Subdivider’s Agreement”), as may be approved by the Common Council upon the recommendation of the City Engineer and as secured by a letter of credit in form as approved by the City Attorney, shall provide for the furnishing, construction and installation of the required improvements and such other matters as set forth therein, and shall be entered into and executed by Cape Crossing, LLC prior to the recording of the Final Plat.
4. Each and any easement shown on the Final Plat 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 Final Plat.
5. That any and all submissions, reviews and approvals, for any and all matters required to be submitted, reviewed and/or approved within the final plat application process as specified within the Unified Development Ordinance, which may not have been submitted, reviewed and/or approved as of the date of adoption of this Resolution, if any, including for matters of utility easements, a declaration of deed restrictions and protective covenants, conservation easements, other public purpose easements, stormwater management agreements, and homeowners’ association legal instruments, shall be so submitted, reviewed and/or approved, prior to the recording of the Final Plat.
6. Franklin DC Land, LLC, successors and assigns and any developer of The Villas at Cape Crossing/The Estates at Cape Crossing Phase 1, 63 lot and outlots single-family residential subdivision development 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, for The Villas at Cape Crossing/The Estates at Cape Crossing Phase 1, 63 lot and outlots single-family residential subdivision development, 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

CAPE CROSSING, LLC - FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
RESOLUTION NO. 2022-\_\_\_\_\_

Page 3

- and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
7. The approval granted hereunder is conditional upon Cape Crossing, LLC and The Villas at Cape Crossing/The Estates at Cape Crossing Phase 1, 63 lot and outlots single-family residential subdivision development project for the property located at 12200 West Ryan 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.
  8. The Villas at Cape Crossing/The Estates at Cape Crossing Phase 1, 63 lot and outlots single-family residential subdivision development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
  9. The subdivider must submit the Department of Administration “Letter of Certification” to the Department of City Development, prior to recording this final plat with the Milwaukee County Register of Deeds.
  10. This Final Plat approval is contingent upon the applicant obtaining a Natural Resource Special Exception for impacts to protected natural resources, including but not limited to grading within the wetland buffer of wetland W-3, prior to recording the Final Plat. Otherwise, the subdivider must revise the plat and conservation easement documents to add the 50-foot wetland setback around the remaining area of wetland W-3 to the conservation easement area.
  11. The subdivider shall obtain Common Council approval of the proposed easements (Watermain, Sanitary Sewer, Storm Water Management Access, Storm Drainage, Conservation and Landscape Bufferyard) prior to recording this final plat and said easements.
  12. Pursuant to the Unified Development Ordinance Section 15-7-.0603.D, the declaration of protective covenants is subject to review by the City Attorney.
  13. The applicant shall be responsible for filing a Subdivision Development Agreement consistent with all regulations of the Unified Development Ordinance and Municipal. Common Council approval of said Subdivision Development Agreement is required prior to recording this Final Plat.
  14. Final Engineering Department approval of the grading, erosion control and storm water management plan is required prior to recording this Final Plat.
  15. Final Engineering Department approval of sewer and water extensions is required prior



CAPE CROSSING, LLC - FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
RESOLUTION NO. 2022-\_\_\_\_\_

Page 4

to recording this Final Plat.

16. Separate site plan approval shall be required for amenity areas, such as clubhouse and fire pit. Signage shall be subject to issuance of a Sign Permit from the City Development Department.

BE IT FURTHER RESOLVED, that the Final Plat of The Villas at Cape Crossing/The Estates at Cape Crossing subdivision development, 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 12 months from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 12 months 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 final plat, the City Clerk is hereby directed to obtain the recording of the Final Plat of The Villas at Cape Crossing/The Estates at Cape Crossing subdivision 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 \_\_\_\_\_, 2022.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED:

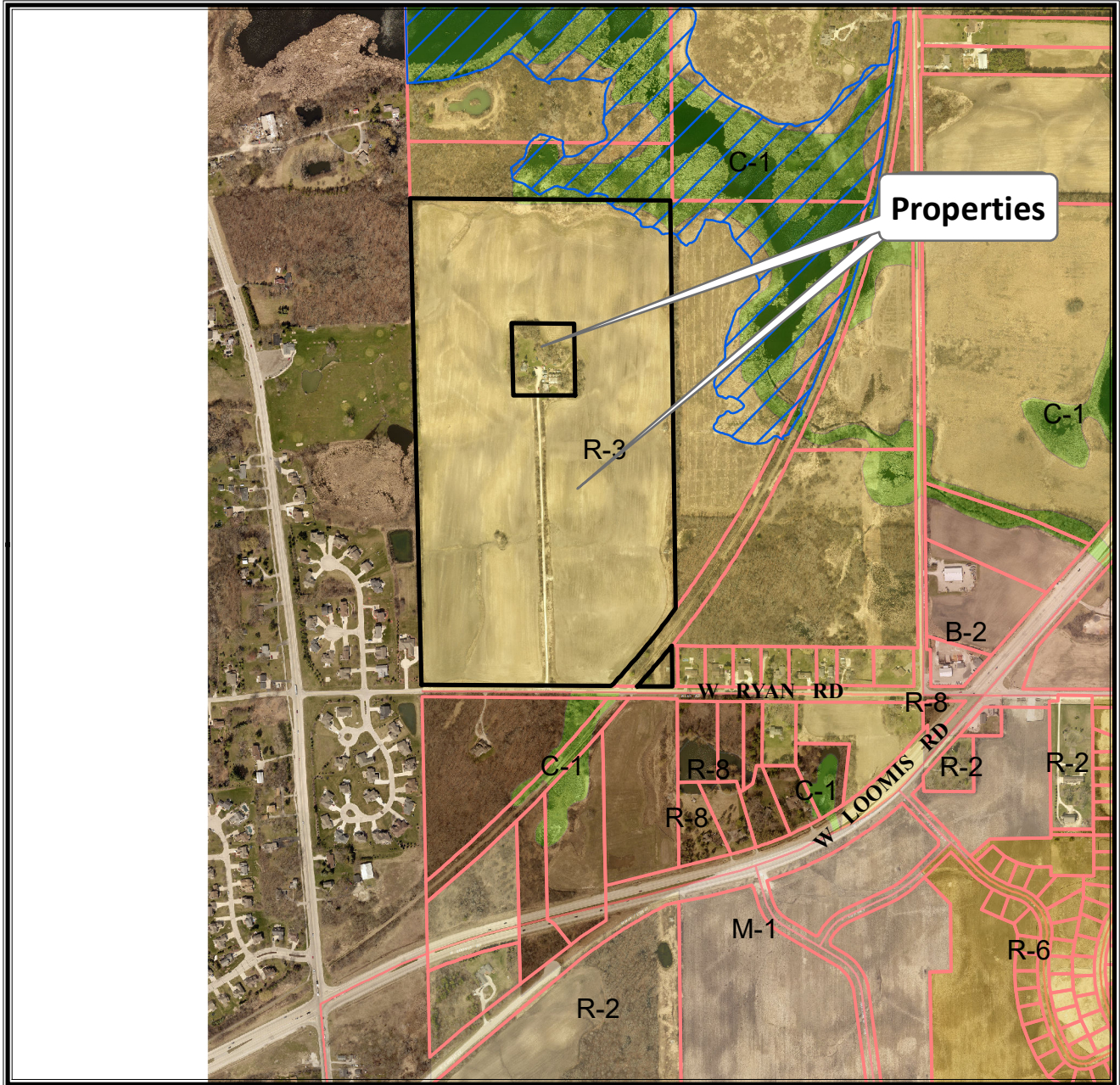
\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

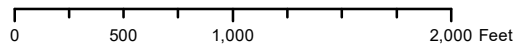
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

Address: 12200 W. Ryan Road  
 TKNs: 890-9991-001 and 890-9991-002



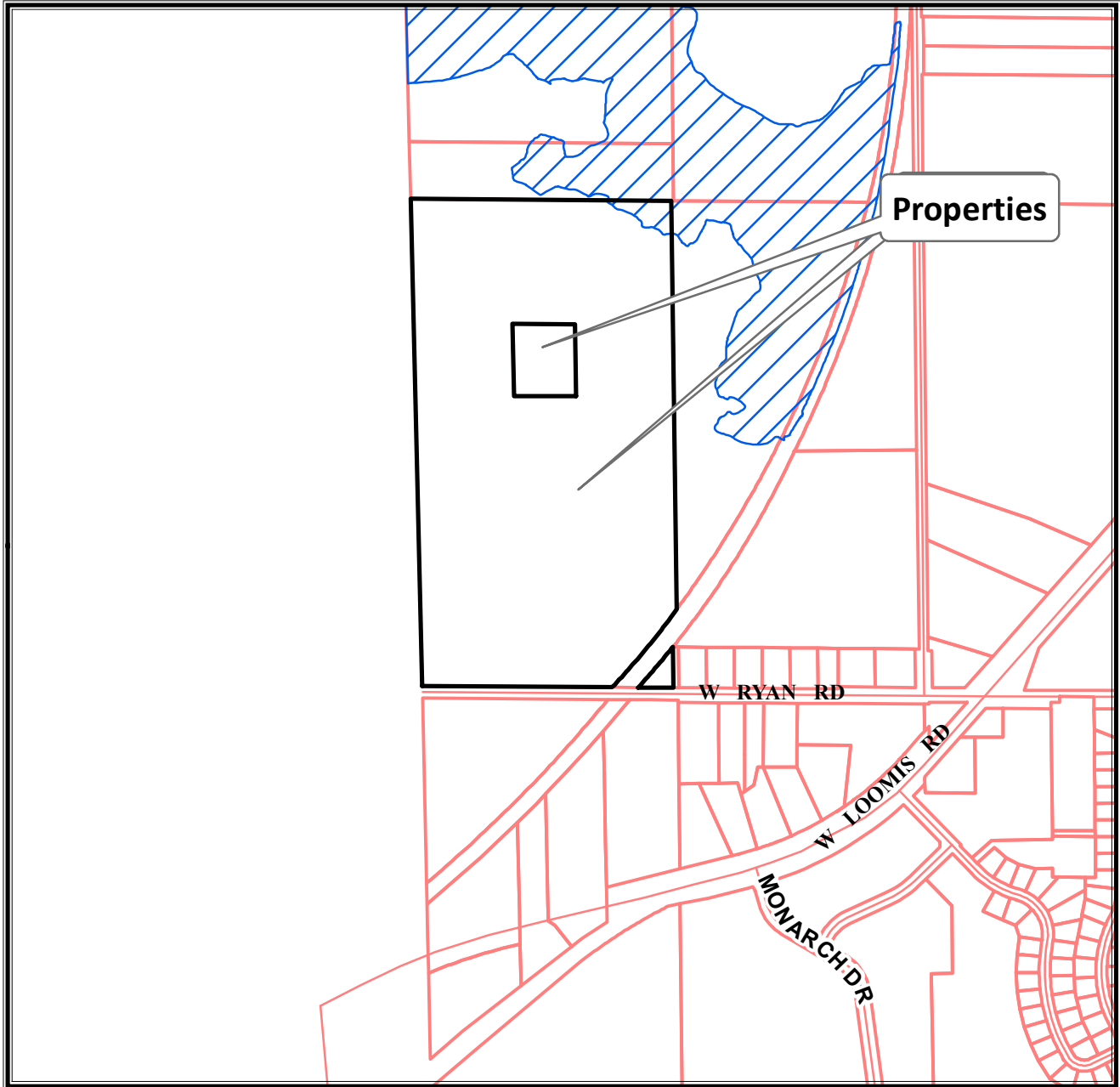
**Planning Department**  
 (414) 425-4024



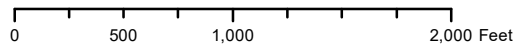
2021 Aerial Photo

*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.*

Address: 12200 W. Ryan Road  
TKNs: 890-9991-001 and 890-9991-002



**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.*



**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
1155 Pilgrim Rd.  
Plymouth, WI, 53073

Tony Evers, Governor  
Preston D. Cole, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



#1

August 10<sup>th</sup>, 2022

EXE-SE-2022-41-02358

Neumann Developments, Inc.  
Bryan Lindgren  
N27 W24025 Paul Ct., Suite 100  
Pewaukee, WI 53072

RE: Nonfederal Wetland Exemption Determination for an area described as a portion of Wetland W-3, and Wetland W-4 located in the SW ¼ of the SW ¼ of Section 19, Township 05 North, Range 21 East, City of Franklin, Milwaukee County

Dear Mr. Lindgren:

This letter is in response to your request for a nonfederal wetland exemption determination for the above-mentioned wetlands.

According to 281.36 (4n), State Stat., a nonfederal wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact, and must be done in compliance with applicable stormwater management zoning ordinances or stormwater Wisconsin Pollution Discharge Elimination System (WPDES) permits to qualify for this exemption (s. 281.36(4n)(b)3, Wis. Stat.). In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n)(a)3, Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information
- Stormwater compliance information
- U.S. Army Corps of Engineers AJD Document

Below is a summary of our findings:

#### Request Narrative

According to the request narrative, a portion of wetland W-3 (8,346 square feet) and wetland W-4 (475 square feet) are the focus of this non-federal wetland exemption request. Wetland W-3 is a fresh wet meadow/farmed wetland in an agricultural setting. Wetland W-4 is a roadside ditch. The total non-federal wetland impact area on the parcel (Tax Key# 8909991001) is 8,821 square feet. The purpose of this project is to grade/fill these areas for the construction of proposed residential development, and a associated berm for a stormwater management facility. The wetland impact is less than 10,000 square feet in the City of Franklin. A 12" equalizer pipe will be installed to maintain wetland hydrology in the remaining portion of wetland W-3 that was not requested.

### Site Location and Photographs

The site is located on an agricultural lot off of W. Ryan Road in the City of Franklin (Parcel Tax Key: 8909991001). The parcel is in the City of Franklin, and confirms that the wetland is located in an **urban area** as defined by s. 281.36(4n)(a)5 Wis. Stats. Wetland photographs also show the W-3 and W-4 wetland areas are fresh wet meadow/farmed wetland depressions with unvegetated/low quality and rudimentary plant species in an agricultural setting.

### Wetland Delineation Information

The wetland delineation shows that wetland W-3 is a low quality-rudimentary fresh wet meadow/farmed wetland depression, in a farm field. The surrounding areas are being developed for the proposed residential subdivision. Wetland 4 is a fresh wet meadow roadside ditch along Ryan Road. These wetland areas are not rare/high quality wetland types as defined by s. 281.36(4n)(a)3 Wis. Stats.

### Stormwater Compliance Information

The applicant is responsible for obtaining all other state and/or local stormwater and erosion control approvals as deemed necessary by the applicable officials. The applicant provided general knowledge of these requirements and stated that they will comply with state and local requirements. A 12" equalizer culvert will be installed at an appropriate elevation as shown on plans to allow water to flow into the remaining portion of wetland W-3 (not requested) during regularly occurring storm events to maintain wetland hydrology of this remaining feature. The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. [59.693](#), [60.627](#), [61.354](#), or [62.234](#), Wis. Stats.

### U.S. Army Corps of Engineers AJD letter

The AJD letter dated May 26<sup>th</sup>, 2022 from the U.S. Army Corps of Engineers indicated that wetland W-3 and W-4 located in the AJD review area are not waters of the United States. Therefore, the area described as wetland W-3 and W-4 are not federally jurisdictional.

### Conclusion:

Based upon the documentation provided above, the proposed project impacting a 8,346 square foot portion of Wetland W-3 and wetland W-4 meets the eligibility criteria pursuant to s. 281.36 (4n), State Stats. **You are able to proceed with this project impacting a 8,346 square foot portion of Wetland W-3 and wetland W-4** Please see the attached figures for reference. If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (715) 492-0200 or email [Ryan.Pappas@wisconsin.gov](mailto:Ryan.Pappas@wisconsin.gov) .

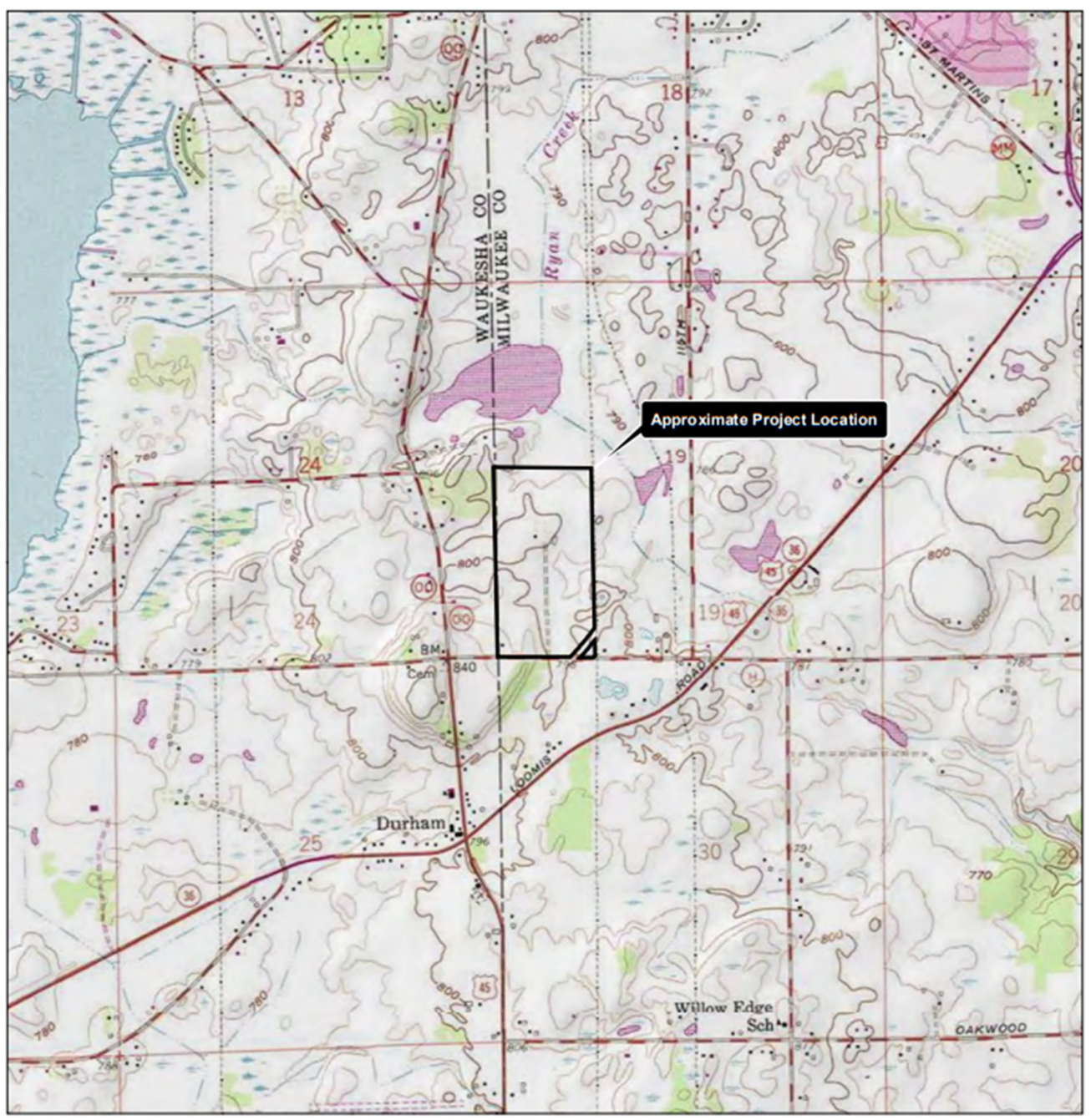
Sincerely,



Ryan Pappas  
Wetland Exemption Specialist

Enc. Site Maps and Determination Sketches

cc: U.S. Army Corps of Engineers  
City of Franklin  
Eric Parker, Heartland Ecological Group



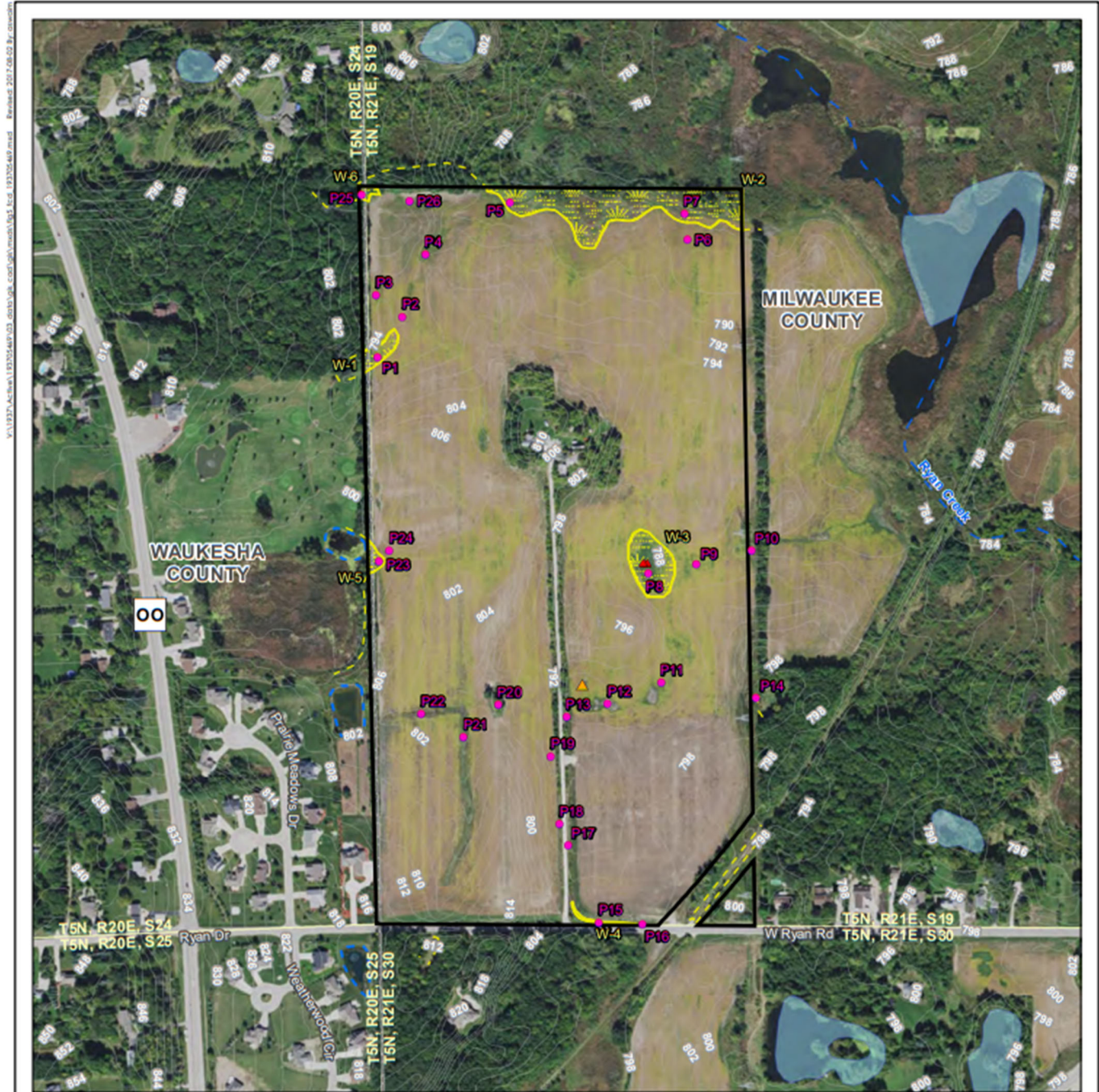
**Legend**  
 [Black Box] Approximate Project Boundary

**Notes**  
 1. Coordinate System: NAD 1983 StatePlane Wisconsin South 1983 4803 Feet  
 2. Data Sources include: Stantec, WDNR, WDMR  
 3. Background: USGS 7.5' Topographic Quadrangles  
 Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its offices, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Figure No. **1**  
 Title **Project Location and Topography**  
 Client/Project **Franklin DC Land, LLC  
 Wetland Delineation**

Project Location **193705489**  
 ISN, R21E, S19, Prepared by JM on 2017-06-12  
 C. of Franklin, Technical Review by SF on 2017-06-13  
 Milwaukee Co., WI Independent Review by EP on 2017-08-01





V:\193705469\193705469\_023.dwg, c:\p\m\m\m\193705469.mxd, 193705469.mxd, 2017-06-12 10:02:31 AM



**Notes**

- Coordinate System: NAD 1983 StatePlane Wisconsin South FIPS 4803 Feet
- Data Sources include: Stantec, WDOR, WDNR
- Orthophotography: NAD 2015

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

- Legend**
- Approximate Project Boundary
  - 2ft Elevation Contour
  - Sample Point
  - ▲ Tile Inlet
  - ▲ Tile Blowout
  - Field Delineated Wetland Area \*
  - Offsite Ponds
  - DNR 24k Hydrography
  - Perennial Stream
  - Intermittent Stream
  - Waterbody

\*Dashed Where Inferred Offsite

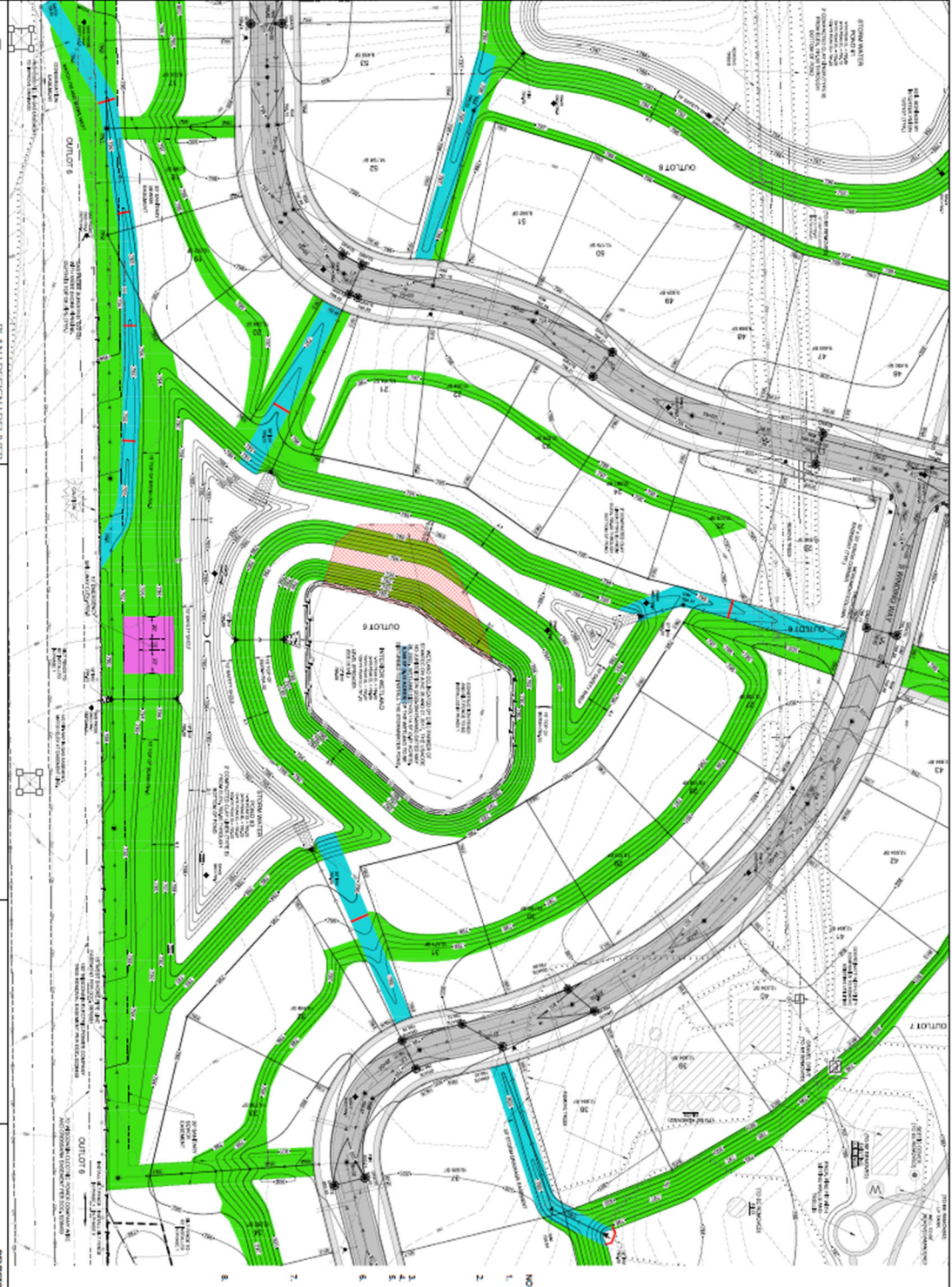
Figure No. **5**  
 Title **Field Collected Data**

Client/Project  
 Walker & Durlap  
 Franklin DC Land, LLC  
 Wetland Delineation

Project Location  
 T5N, R21E, S19, Prepared by JM on 2017-06-12  
 C. of Franklin, Technical Review by SF on 2017-06-13  
 Milwaukee Co., WI Independent Review by EP on 2017-08-01



NO.	DATE	DESCRIPTION



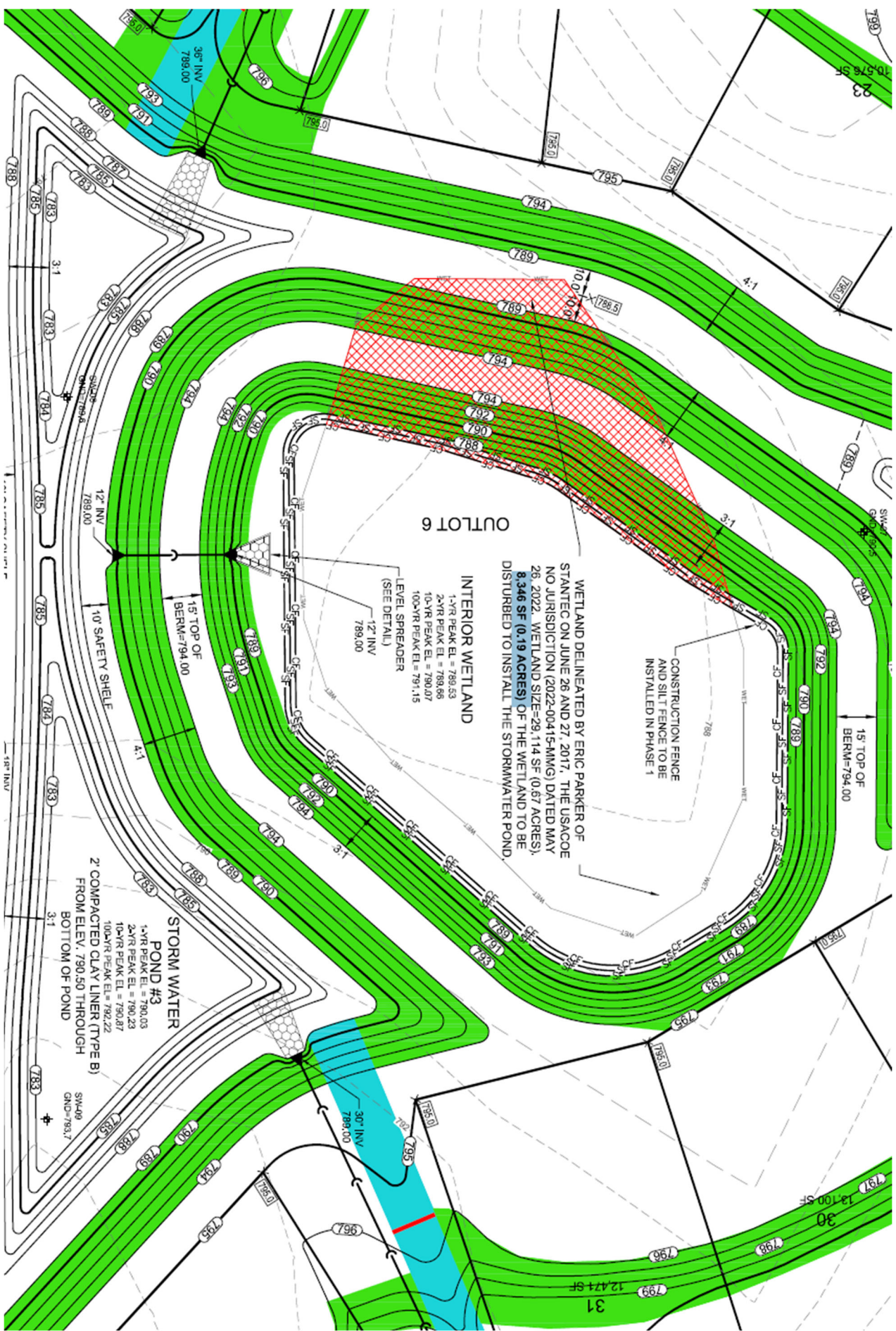
**LEGEND**

	PROPOSED BUILDING FOOTPRINT
	PROPOSED PAVED AREA
	PROPOSED GRADING
	PROPOSED EROSION CONTROL STRUCTURE
	PROPOSED STORMWATER MANAGEMENT STRUCTURE
	PROPOSED STORMWATER INLET
	PROPOSED STORMWATER OUTLET
	PROPOSED STORMWATER CONDUIT
	PROPOSED STORMWATER BASIN
	PROPOSED STORMWATER POND
	PROPOSED STORMWATER TREATMENT STRUCTURE
	PROPOSED STORMWATER STORAGE STRUCTURE
	PROPOSED STORMWATER DETENTION STRUCTURE
	PROPOSED STORMWATER RETENTION STRUCTURE
	PROPOSED STORMWATER DIVERSION STRUCTURE
	PROPOSED STORMWATER INFILTRATION STRUCTURE
	PROPOSED STORMWATER COLLECTION STRUCTURE
	PROPOSED STORMWATER DISTRIBUTION STRUCTURE
	PROPOSED STORMWATER TREATMENT STRUCTURE
	PROPOSED STORMWATER STORAGE STRUCTURE
	PROPOSED STORMWATER DETENTION STRUCTURE
	PROPOSED STORMWATER RETENTION STRUCTURE
	PROPOSED STORMWATER DIVERSION STRUCTURE
	PROPOSED STORMWATER INFILTRATION STRUCTURE
	PROPOSED STORMWATER COLLECTION STRUCTURE
	PROPOSED STORMWATER DISTRIBUTION STRUCTURE

**NOTES:**

- THE INTERIM GRADING PLANS FOR THE INDIVIDUAL BUILDING FOOTPRINTS SHALL BE SUBMITTED TO THE CITY OF FRANKLIN FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. USE THE INTERIM GRADING PLAN FOR CONSTRUCTION.
- THE MAXIMUM ALLOWABLE DRAINAGE GRADE FROM THE CITY OF FRANKLIN IS 10% UNDER NORMAL CONDITIONS. SLOPES GREATER THAN 1% AND 5% A GRASS COVERED SLOPE FOR ANY DRIVEWAY WITH A SLOPE GREATER THAN 5%.
- SEE NOTES AND DETAILS ON SHEETS C-31 & C-32.
- THE BUILDING FOOTPRINT SHALL BE DESIGNED TO KEEP THE INTERIM GRADING PLAN WIND DIRECTION TO KEEP THE BUILDING FROM LOW SO THAT EROSION CONTROL STRUCTURES, SEDIMENT TRAPS, AND ALL OTHER DISTURBED AREAS SHALL BE PROTECTED FROM THE WIND DIRECTION OF THE PRESSURE WINDS. THE WIND DIRECTION SHALL BE DETERMINED BY THE WIND DIRECTION IN THE BUFFER AND SETBACK AREAS. THESE AREAS CAN BE LIMITED WITH NO STEEP SLOPES FOR MORE THAN SEVEN FEET. TOPSOIL SHALL BE APPLIED TO ALL DISTURBED AREAS WITHIN 7 DAYS OF LAID. LAND AGRICULTURAL SITE WITH A SEEDING RATE OF 3.15/1000 SQUARE FEET. MINERAL STABILIZER ON THE DOWNWIND SIDE OF THE ANY EXISTING DRAIN TILES THAT ARE DISPOSED NEED TO BE INTERCEPTED AND CONNECTED TO THE STORMWATER POND. STABILIZER ON DIRECTED INTO THE STORMWATER POND.





OUTLET 6

INTERIOR WETLAND

WETLAND DELINEATED BY ERIC PARKER OF STANTEC ON JUNE 26 AND 27, 2017, THE USASCOE NO JURISDICTION (2022-00415-MMG) DATED MAY 26, 2022. WETLAND SIZE=29,114 SF (0.67 ACRES), 8,346 SF (0.19 ACRES) OF THE WETLAND TO BE DISTURBED TO INSTALL THE STORMWATER POND.

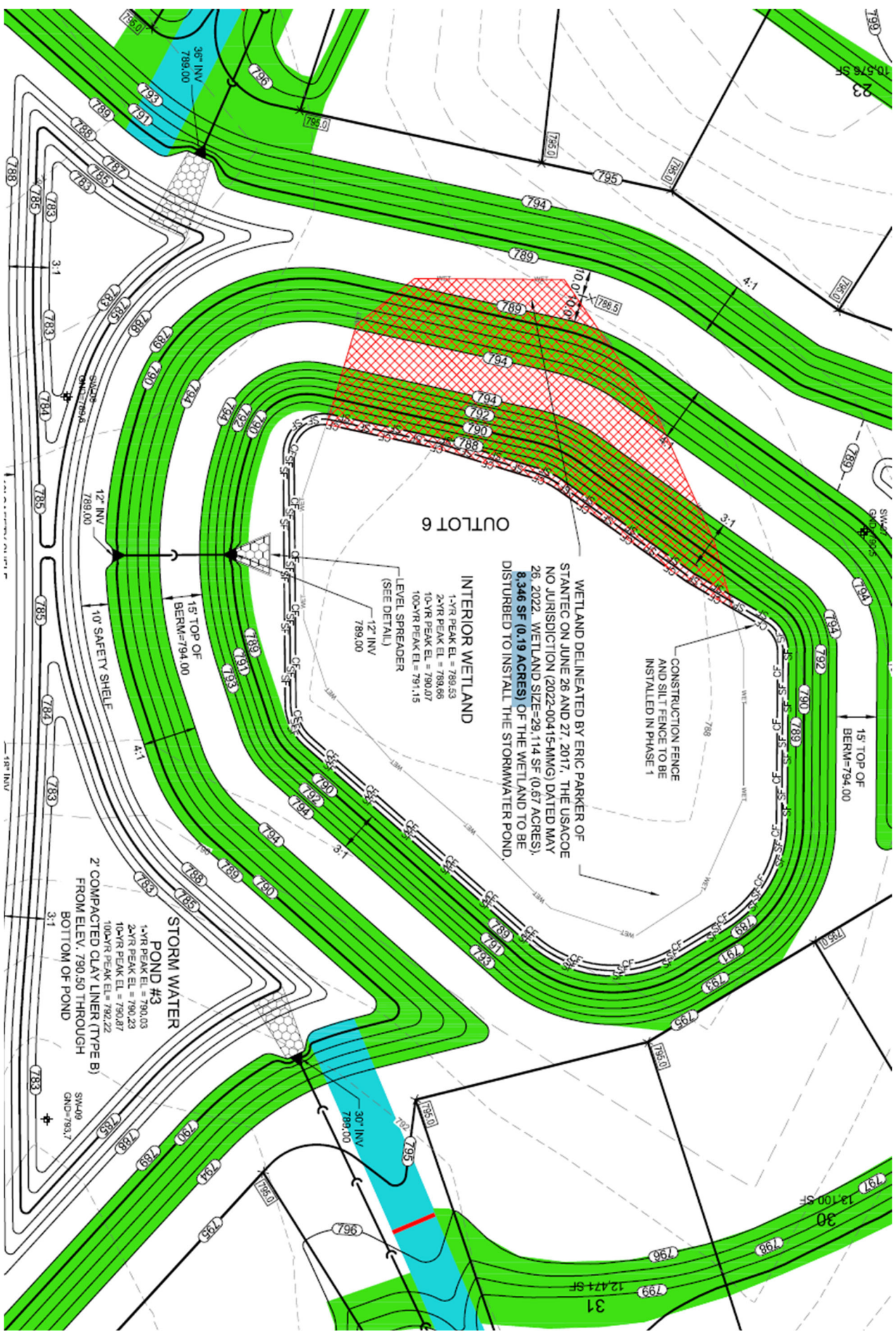
CONSTRUCTION FENCE AND SILT FENCE TO BE INSTALLED IN PHASE 1

STORM WATER POND #3  
 2' COMPACTED CLAY LINER (TYPE B) FROM ELEV. 790.50 THROUGH BOTTOM OF POND

1-YR PEAK EL. = 789.03  
 2-YR PEAK EL. = 790.23  
 10-YR PEAK EL. = 790.87  
 100-YR PEAK EL. = 792.22

LEVEL SPREADER (SEE DETAIL)  
 12' INV 789.00

10' SAFETY SHELF  
 15' TOP OF BERM=794.00



OUTLET 6

INTERIOR WETLAND

WETLAND DELINEATED BY ERIC PARKER OF STANTEC ON JUNE 26 AND 27, 2017, THE USASCOE NO JURISDICTION (2022-00415-MMG) DATED MAY 26, 2022. WETLAND SIZE=29,114 SF (0.67 ACRES), 8,346 SF (0.19 ACRES) OF THE WETLAND TO BE DISTURBED TO INSTALL THE STORMWATER POND.

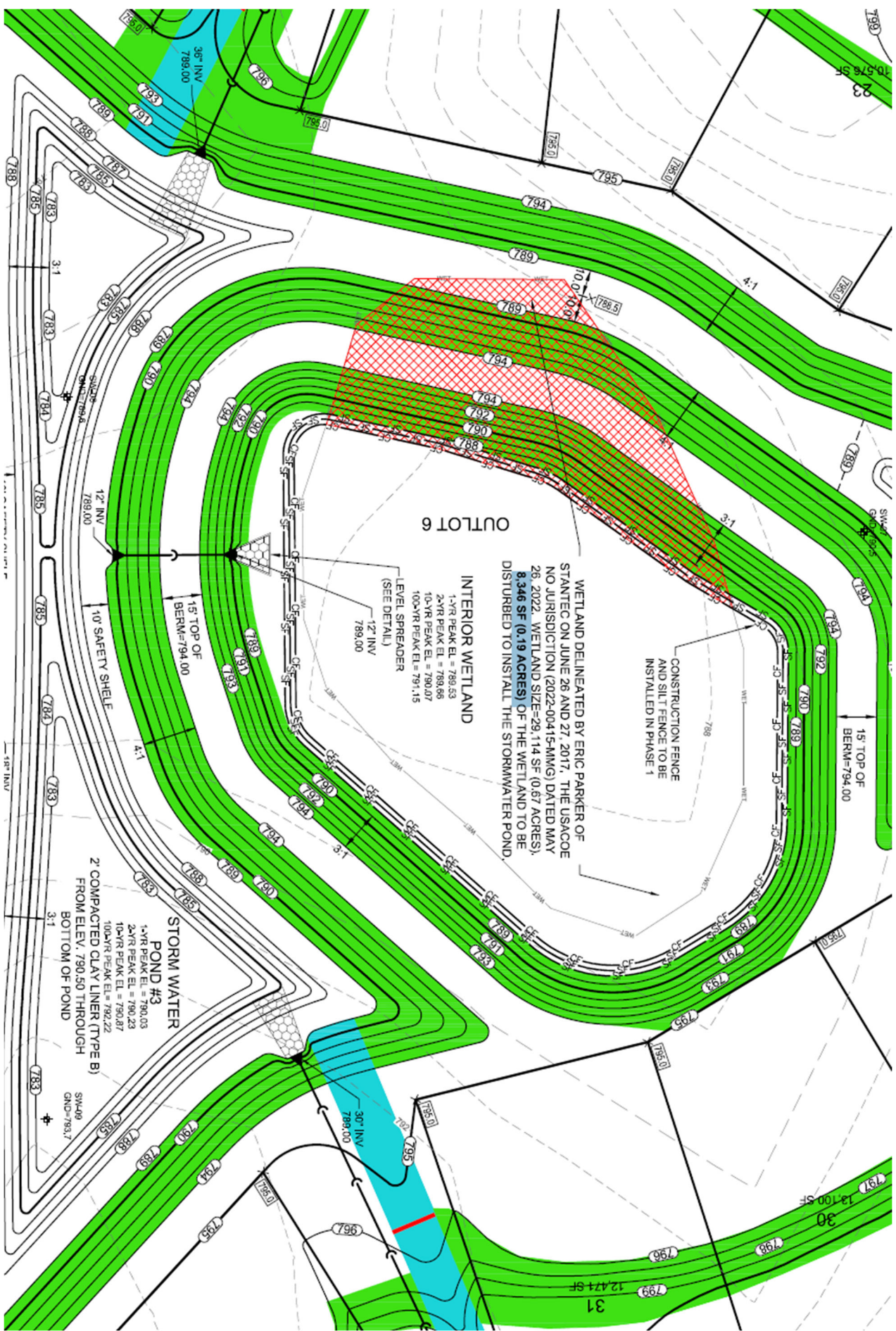
CONSTRUCTION FENCE AND SILT FENCE TO BE INSTALLED IN PHASE 1

STORM WATER POND #3  
 2' COMPACTED CLAY LINER (TYPE B) FROM ELEV. 790.50 THROUGH BOTTOM OF POND

1-YR PEAK EL. = 789.03  
 2-YR PEAK EL. = 790.23  
 10-YR PEAK EL. = 790.87  
 100-YR PEAK EL. = 792.22

LEVEL SPREADER (SEE DETAIL)  
 12' INV 789.00

10' SAFETY SHELF  
 15' TOP OF BERM=794.00



OUTLET 6

INTERIOR WETLAND

WETLAND DELINEATED BY ERIC PARKER OF STANTEC ON JUNE 26 AND 27, 2017, THE USASCOE NO JURISDICTION (2022-00415-MMG) DATED MAY 26, 2022. WETLAND SIZE=29,114 SF (0.67 ACRES), 8,346 SF (0.19 ACRES) OF THE WETLAND TO BE DISTURBED TO INSTALL THE STORMWATER POND.

CONSTRUCTION FENCE AND SILT FENCE TO BE INSTALLED IN PHASE 1

STORM WATER POND #3  
 2' COMPACTED CLAY LINER (TYPE B) FROM ELEV. 790.50 THROUGH BOTTOM OF POND

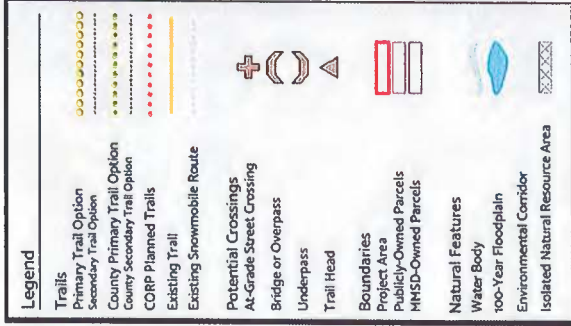
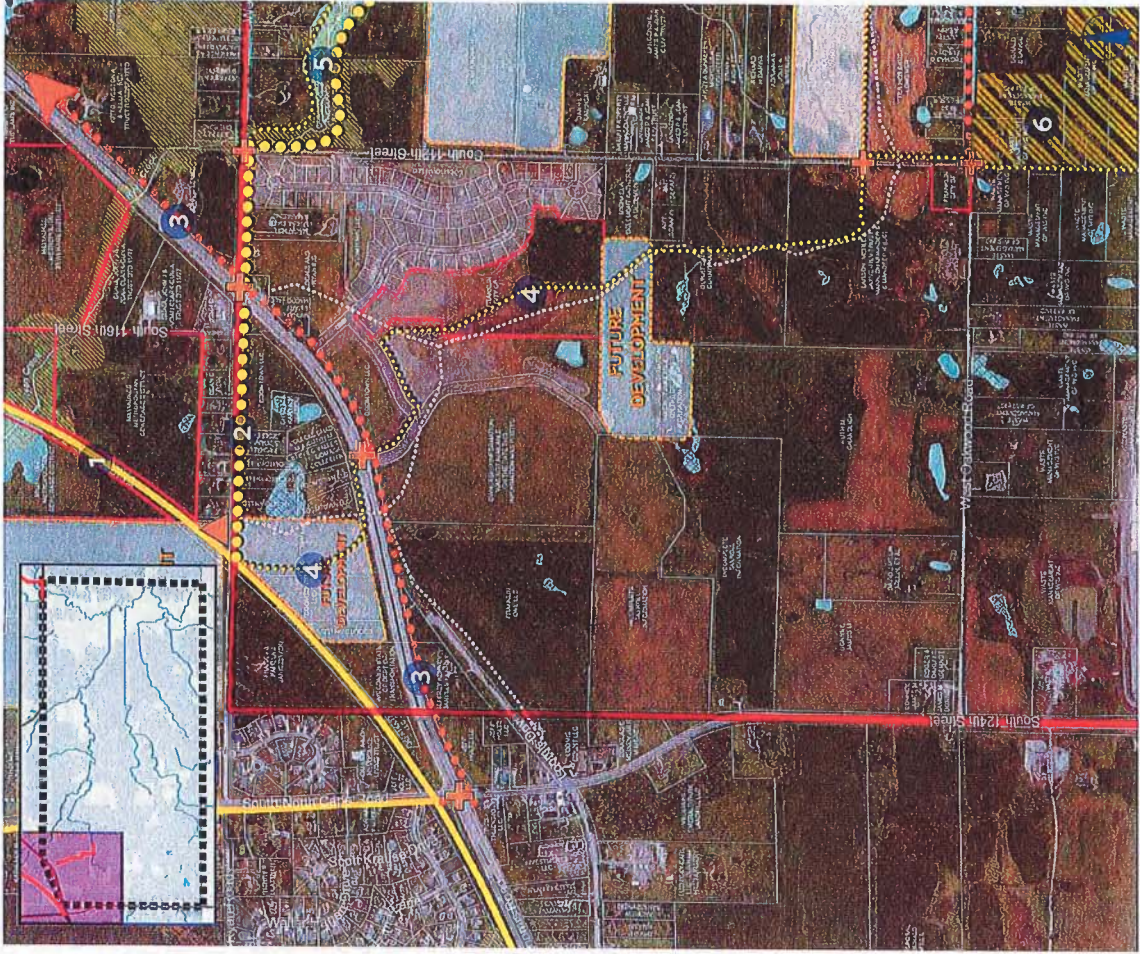
1-YR PEAK EL. = 789.03  
 2-YR PEAK EL. = 790.23  
 10-YR PEAK EL. = 790.87  
 100-YR PEAK EL. = 792.22

LEVEL SPREADER (SEE DETAIL)  
 12' INV 789.00

10' SAFETY SHELF  
 15' TOP OF BERM=794.00

# TRAIL ROUTE RECOMMENDATIONS

- 1 Existing 116th Street Trail
- 2 Recommended off-street sidepath trail along south side of Ryan Road (most direct route from 116th Street Trail to Ryan Creek corridor; fewer roadway crossings compared to north side of Ryan Road; fewer individual property owners compared to north side of the road)
- 3 Recommended off-street sidepath trail along south side of Loomis Road (provides bike/ped access to future mixed-use development along Loomis; 10-15 minute bike ride north to City Hall / Library)
- 4 Recommended off-street trail that connects through existing or planned development areas
- 5 Recommended Primary Trail located on south side of Ryan Creek (fewer individual property owners; more direct connection to future development lands to the south)
- 6 Future City Park

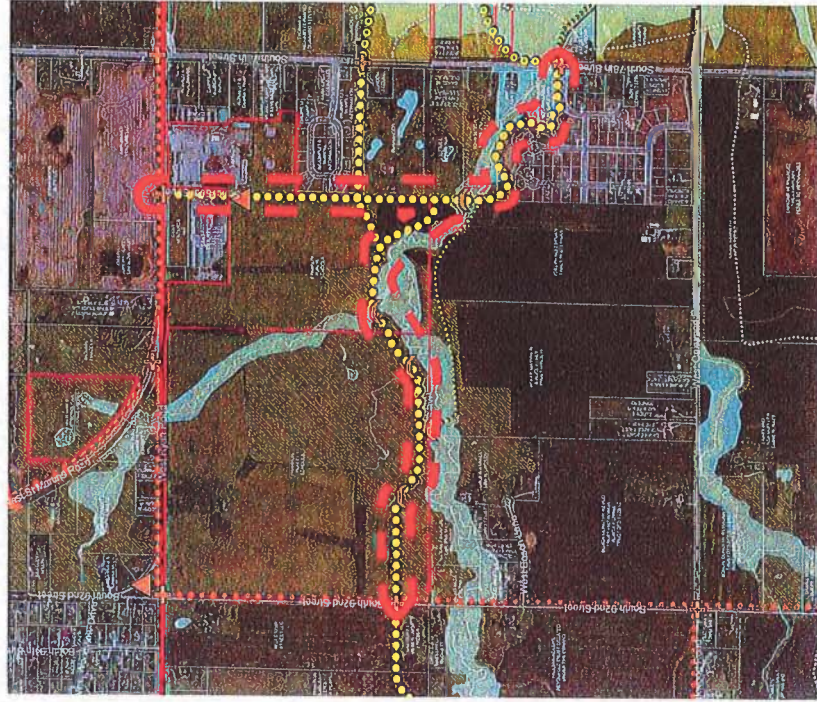


# IMPLEMENTATION

Due to the overall length, the Ryan Creek Trail is unlikely to be completed all at once. The City may choose to design and build different portions at different times based on funding availability, private sector development, and intergovernmental coordination. Generally, the trail is intended to be constructed on publicly owned lands where possible and extended into privately owned lands as they are developed. The City should make sure lands along the trail route are reserved as private development occurs (i.e. easements, dedications, reservations, etc.).

This plan identifies one segment of trail from South 92nd Street to South 76th Street along the north of Ryan Creek as a priority for Phase I. This segment includes 4 or 5 creek crossings, one trail head, and two at grade crossings. It spans approximately 9,781 linear feet (not including redundant segments, see pg. 22 for details on trail route alternatives). The estimated cost for this segment is as follows:

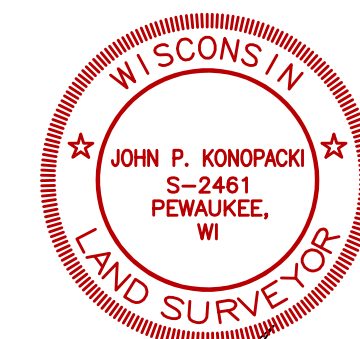
<b>Trail Phase I Cost Opinion:</b>	
• 9,781 LF	= \$880,300-\$1,124,800
• 4-5 creek crossings (bridges 4-8)	= \$450,000-\$1,440,000
• 10-20% elevated boardwalk	= \$244,500-\$586,800
• 1 trail head	= \$27,000-\$115,000
• (depending on presence of restrooms)	
• 2 at-grade crossings	= \$40,000-\$60,000
• <b>TOTAL</b>	<b>= \$1,641,800-\$3,326,600</b>



Trail Phase I

# CAPE CROSSING

Being a part of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.



JUNE 6, 2022  
REVISED: JULY 13, 2022  
REVISED: AUGUST 4, 2022  
REVISED: AUGUST 26, 2022

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The south line of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East has a bearing of S89°31'45"E.

### BUILDING SETBACKS

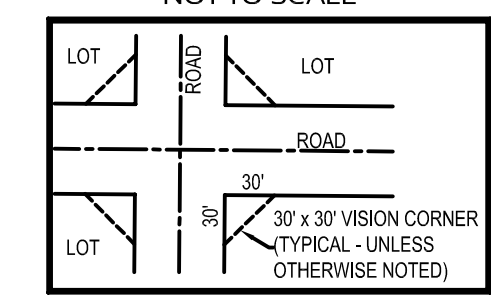
"THE VILLAS"  
LOTS 1 - 26 & LOTS 44-63

FRONT SETBACK = 25 FEET  
SIDE SETBACK = 7.5 FEET  
SIDE SETBACK CORNER = 25 FEET  
REAR SETBACK = 25 FEET

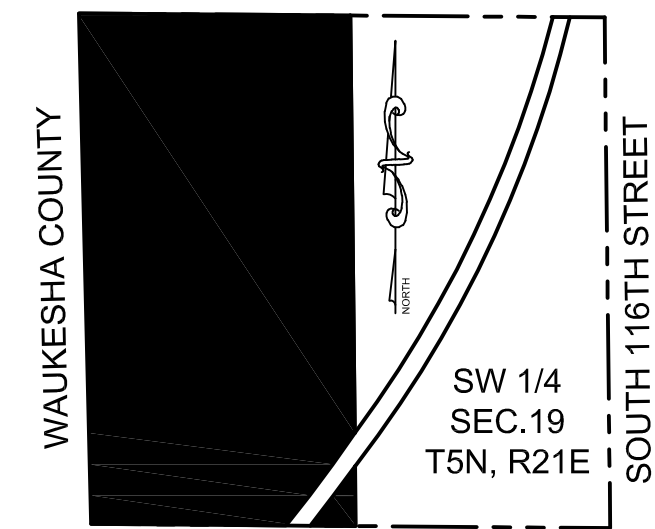
### "THE ESTATES" LOTS 27-43

FRONT SETBACK = 25 FEET  
SIDE SETBACK = 10 FEET  
REAR SETBACK = 25 FEET

VISION CORNER EASEMENT DETAIL  
NOT TO SCALE



VICINITY SKETCH  
SCALE 1"=1000'



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_

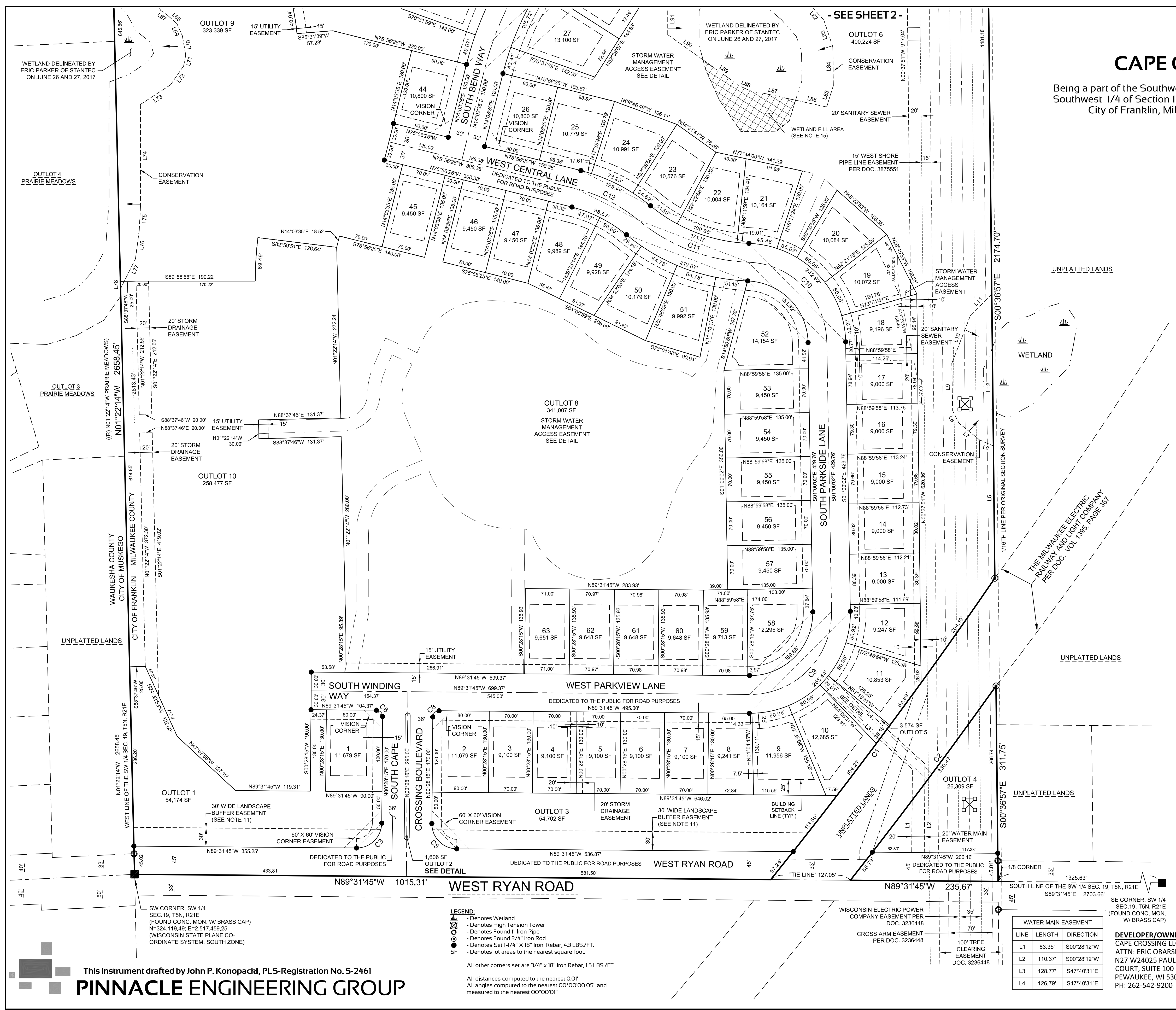
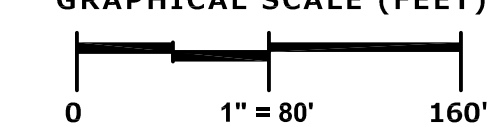
Department of Administration

Prepared by:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

SE CORNER, SW 1/4 SEC. 19, T5N, R21E  
S89°31'45"E 2703.66'

**DEVELOPER/OWNER:**  
CAPE CROSSING LLC  
ATTN: ERIC OBARSKI  
N27 W24025 PAUL COURT, SUITE 100  
PEWAUKEE, WI 53072  
PH: 262-542-9200

GRAPHICAL SCALE (FEET)



- LEGEND:**
- Denotes Wetland
  - Denotes High Tension Tower
  - Denotes Found 1" Iron Pipe
  - Denotes Found 3/4" Iron Rod
  - Denotes Set 1/4" x 18" Iron Rebar, 4.3 LBS./FT.
  - Denotes lot areas to the nearest square foot.
- All other corners set are 3/4" x 18" Iron Rebar, 15 LBS./FT.
- All distances computed to the nearest 0.01'
- All angles computed to the nearest 00°00'00.00" and measured to the nearest 00°00'01"

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461  
**PINNACLE ENGINEERING GROUP**

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
Certified \_\_\_\_\_, 20\_\_\_\_  
Department of Administration

# CAPE CROSSING

Being a part of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

### GENERAL NOTES

- FLOOD ZONE CLASSIFICATION: THE PROPERTY LIES WITH IN ZONE "X" AND ZONE "A" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 55079C0139E WITH AN EFFECTIVE DATE OF SEPTEMBER 26, 2008. ZONE "X" AREAS ARE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. ZONE "A" AREAS DO NOT HAVE BASE FLOOD ELEVATIONS DETERMINED.
- VISION CORNER EASEMENT: NO VISUAL OBSTRUCTIONS, SUCH AS STRUCTURES, PARKING, OR VEGETATION, SHALL BE PERMITTED BETWEEN THE HEIGHTS OF 2.5 FEET AND 10 FEET ABOVE THE PLANE THROUGH THE MEAN CURB GRADES WITHIN THE VISION CORNER EASEMENT
- OUTLOT 1, OUTLOT 3, OUTLOT 5 AND OUTLOT 7 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED AND MAINTAINED BY THE CAPE CROSSING HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND PEDESTRIAN PATHS.
- OUTLOT 2 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED AND MAINTAINED BY THE CAPE CROSSING HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND MONUMENT SIGN.
- OUTLOT 4 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED BY THE DEVELOPER FOR THE EVENTUAL PURPOSE OF CREATING A PUBLIC TRAIL HEAD.
- OUTLOT 6 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED AND MAINTAINED BY THE CAPE CROSSING HOMEOWNERS ASSOCIATION FOR OPEN SPACE AND STORM WATER MANAGEMENT.
- OUTLOT 8 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION FOR OPEN SPACE, STORM WATER MANAGEMENT, COMMUNITY CLUBHOUSE AND POOL.
- OUTLOT 9, OUTLOT 10 AND OUTLOT 11 OF THE PLAT OF CAPE CROSSING SHALL BE OWNED BY THE DEVELOPER FOR FUTURE DEVELOPMENT.
- EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDABLE FRACTIONAL OWNERSHIP OF OUTLOTS 1 THROUGH OUTLOT 8 AND THAT MILWAUKEE COUNTY AND THE CITY OF FRANKLIN SHALL NOT BE LIABLE FOR ANY FEES OR SPECIAL ASSESSMENTS IN THE EVENT MILWAUKEE COUNTY OR THE CITY OF FRANKLIN SHOULD BECOME THE OWNER OF ANY LOT IN THE SUBDIVISION BE REASON OF DELINQUENCY. THE HOMEOWNERS ASSOCIATION SHALL MAINTAIN SAID OUTLOTS IN AN UNOBSTRUCTED CONDITION SO AS TO MAINTAIN ITS INTENDED PURPOSE. THE HOMEOWNERS ASSOCIATION GRANTS TO THE CITY THE RIGHT (BUT NOT THE RESPONSIBILITY) TO ENTER UPON THESE OUTLOTS IN ORDER TO INSPECT, REPAIR OR RESTORE SAID OUTLOTS TO ITS INTENDED PURPOSE. EXPENSES INCURRED BY THE CITY FOR SAID INSPECTION, REPAIR OR RESTORATION OF SAID OUTLOTS MAY BE PLACED AGAINST THE TAX ROLL FOR SAID ASSOCIATION AND COLLECTED AS A SPECIAL CHARGE BY THE CITY.
- WETLAND AS DELINEATED BY STANTEC ON JUNE 26 AND 27, 2017 AND CONCURRED WITH BY THE WISCONSIN DNR ON DECEMBER 18, 2017.
- LANDSCAPE BUFFERYARD EASEMENT: This strip is reserved for the planting of trees and shrubs; the building of structures (other than a pedestrian path, sidewalk and a subdivision monument sign) hereon is prohibited.
- DIMENSIONS ALONG CURVES ARE ARC LENGTHS.
- ALL ROADS WITHIN THIS PLAT WILL BE DEDICATED TO THE PUBLIC.
- CONSERVATION EASEMENT RESTRICTIONS:
  - No construction or placement of buildings or any structure;
  - No excavation, dredging, grading, mining, drilling, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees;
  - No filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, or other landscape materials, ashes, garbage, or debris;
  - No planting of any vegetation not native to the protected property or not typical wetland vegetation;
  - No operating snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.
- THE HATCHED AREA OF THE WETLAND WAS DEEMED NO JURISDICTION FROM THE USACOE ON MAY 26, 2022 (2022-00415-MMG), A NONFEDERAL WETLAND EXEMPTION FROM THE WISCONSIN DNR ON AUGUST 10, 2022 (EXE-SE-2022-41-02358) WAS RECEIVED TO ALLOW FOR FILLING OF THE HATCHED AREA.

UNPLATTED LANDS

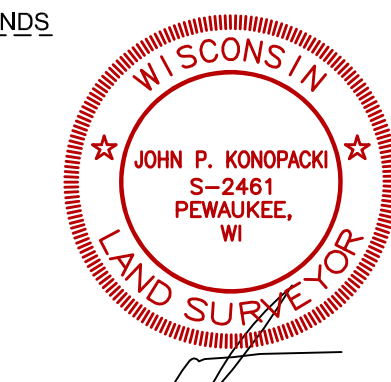
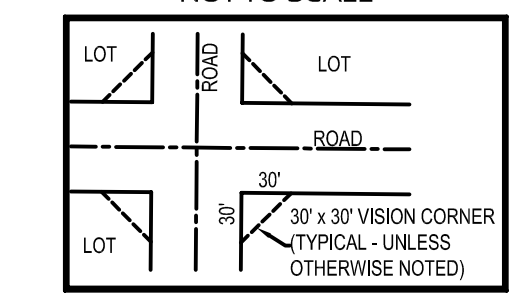
**BUILDING SETBACKS**  
"THE VILLAS"  
LOTS 1 - 26 & LOTS 44-63  
FRONT SETBACK = 25 FEET  
SIDE SETBACK = 7.5 FEET  
REAR SETBACK = 25 FEET

"THE ESTATES"  
LOTS 27 - 43  
FRONT SETBACK = 25 FEET  
SIDE SETBACK = 10 FEET  
REAR SETBACK = 25 FEET

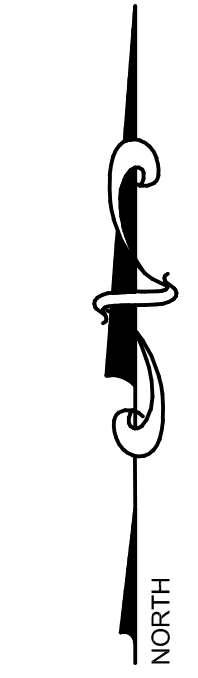
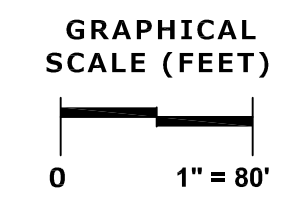
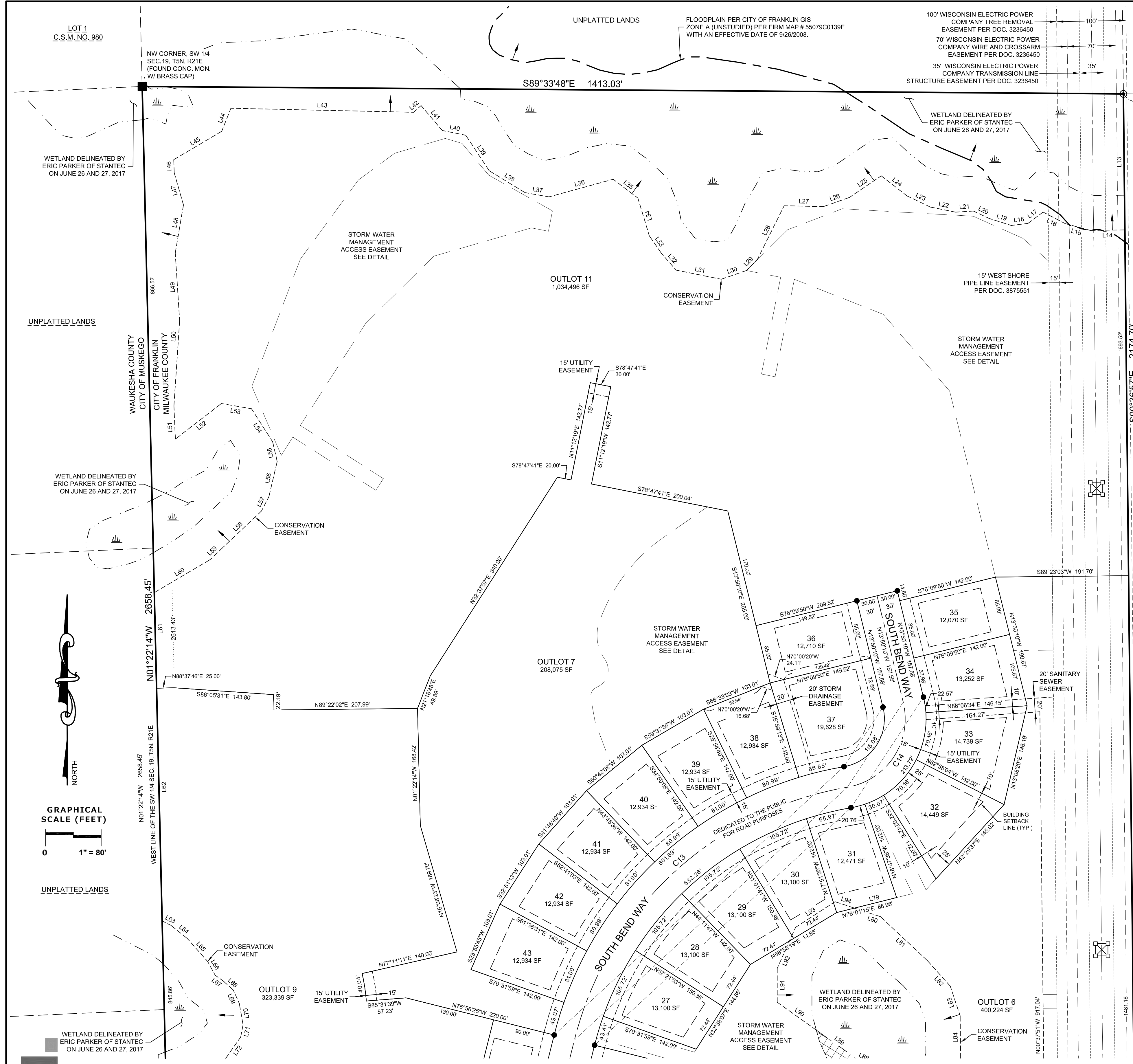
**LEGEND:**  
- Denotes Wetland  
- Denotes High Tension Tower  
- Denotes Found 1" Iron Pipe  
- Denotes Found 3/4" Iron Rod  
- Denotes Set 1-1/4" X 18" Iron Rebar, 4.3 LBS./FT.  
SF - Denotes lot areas to the nearest square foot.

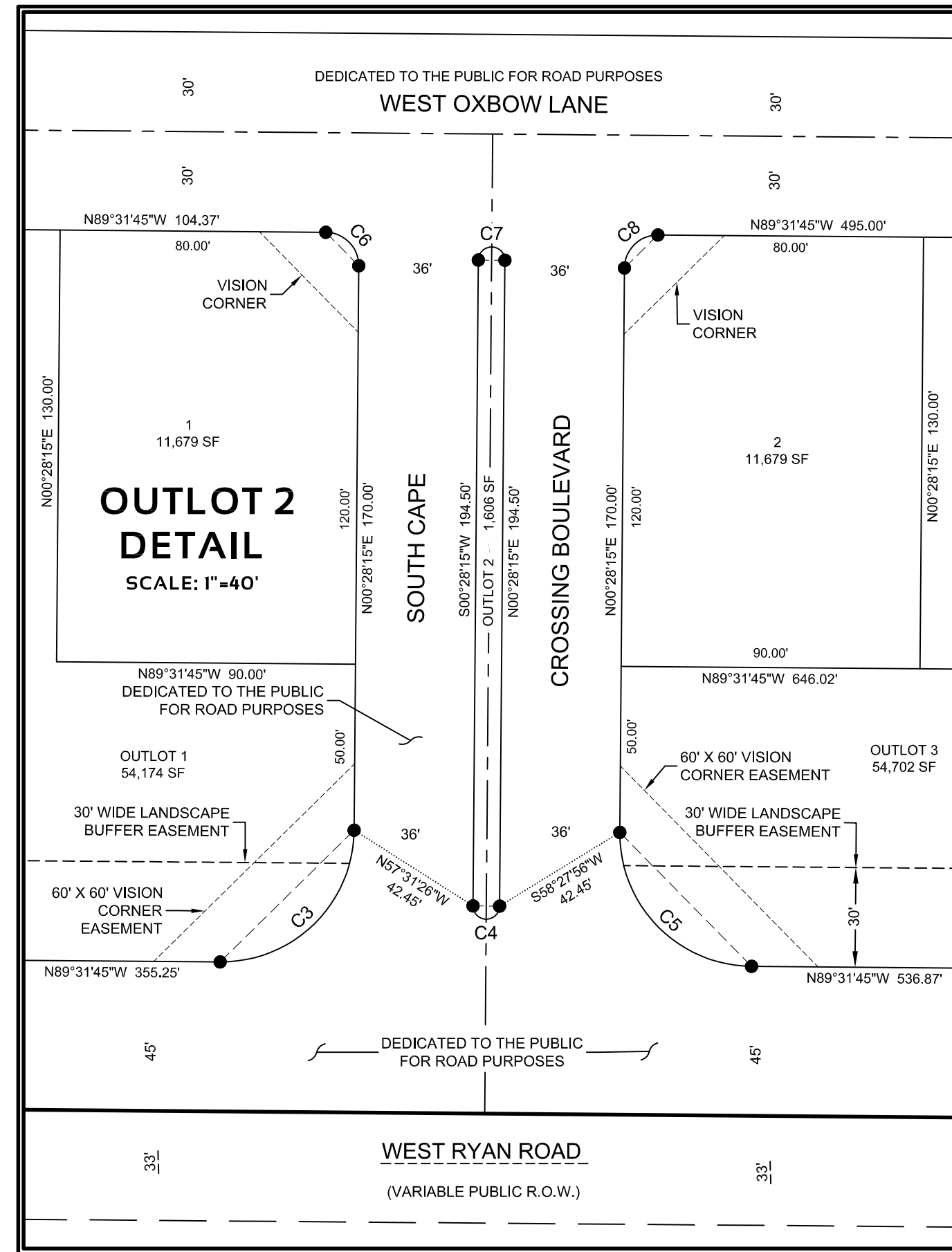
All other corners set are 3/4" x 18" Iron Rebar, 15 LBS./FT.  
All distances computed to the nearest 0.01'  
All angles computed to the nearest 00°00'00.00" and measured to the nearest 00°00'01"

VISION CORNER EASEMENT DETAIL  
NOT TO SCALE

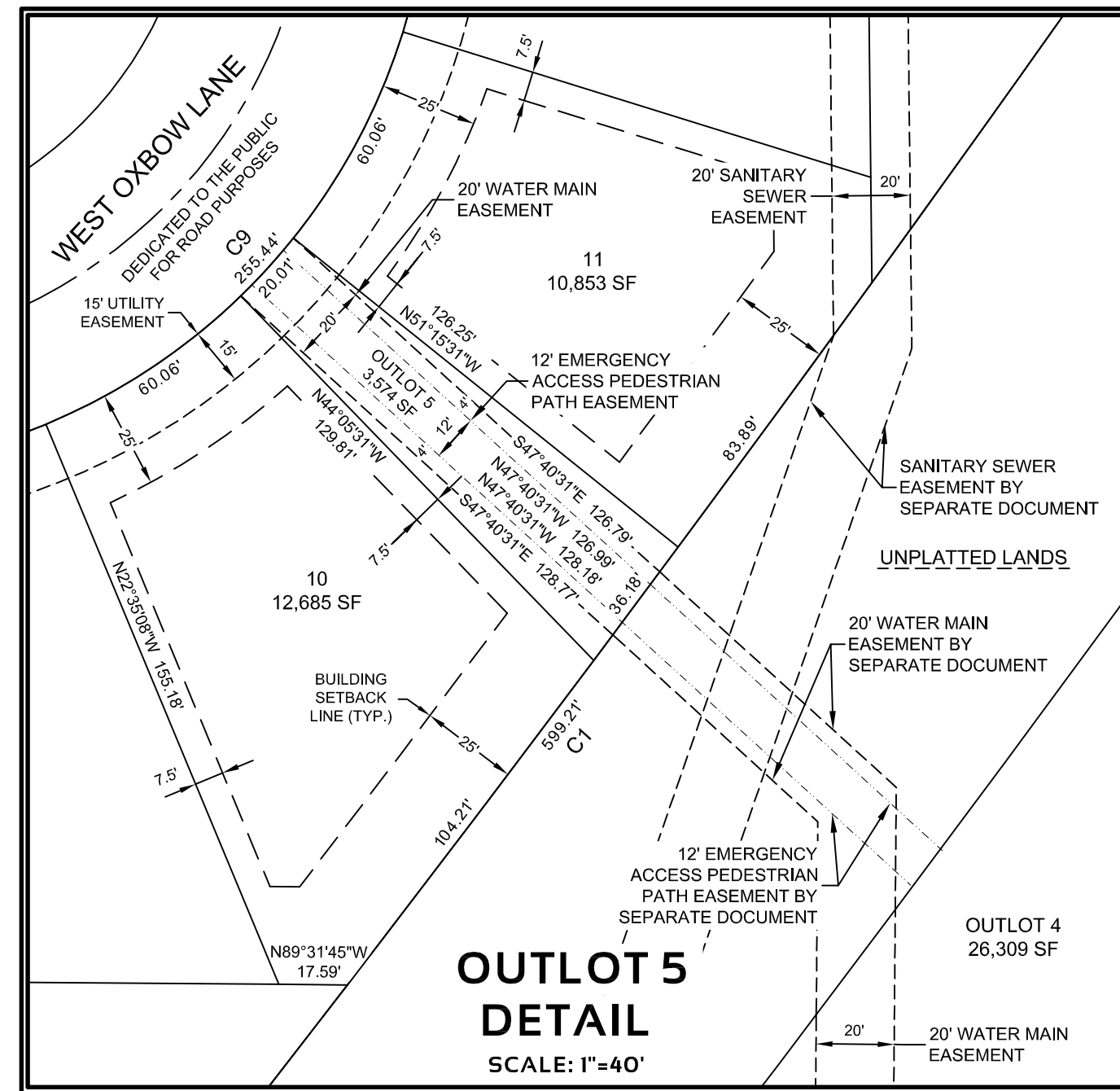


JUNE 8, 2022  
REVISED: JULY 13, 2022  
REVISED: AUGUST 4, 2022  
REVISED: AUGUST 26, 2022





**LEGEND:**  
 ● - Denotes Set 1-1/4" x 18" Iron Rebar, 4.3 LBS./FT.  
 SF - Denotes lot areas to the nearest square foot.  
 All other corners set are 3/4" x 18" Iron Rebar, 1.5 LBS./FT.

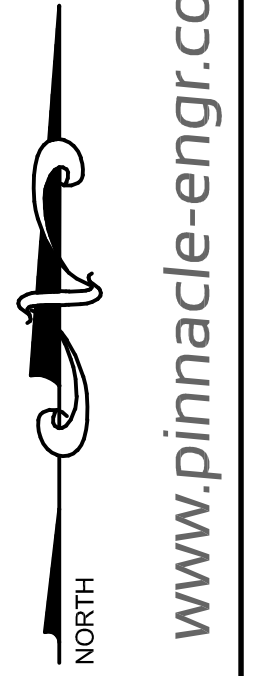
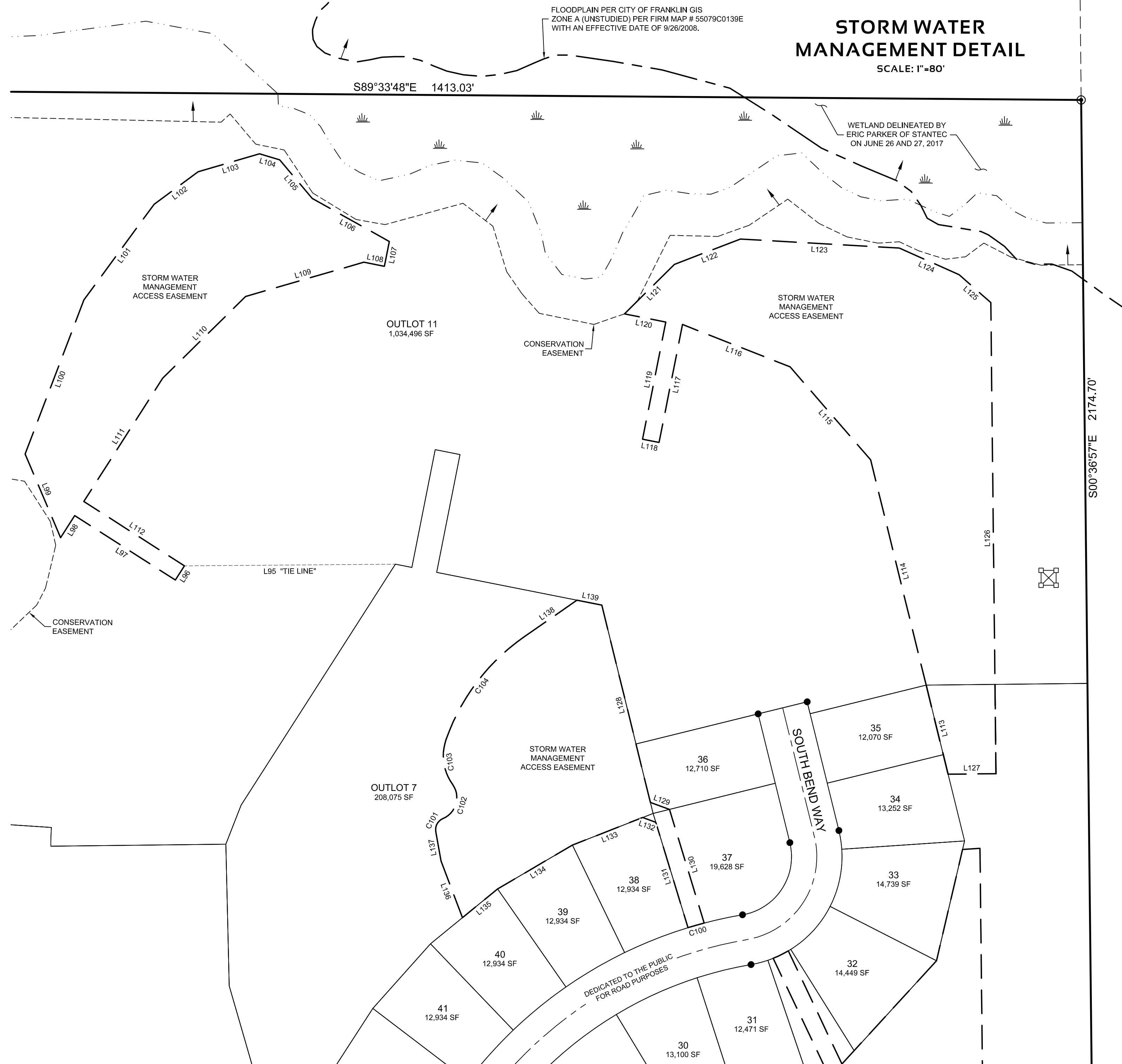


JUNE 8, 2022  
 REVISED: JULY 13, 2022  
 REVISED: AUGUST 4, 2022  
 REVISED: AUGUST 26, 2022

# CAPE CROSSING

Being a part of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
 Certified \_\_\_\_\_, 20\_\_\_\_  
 Department of Administration



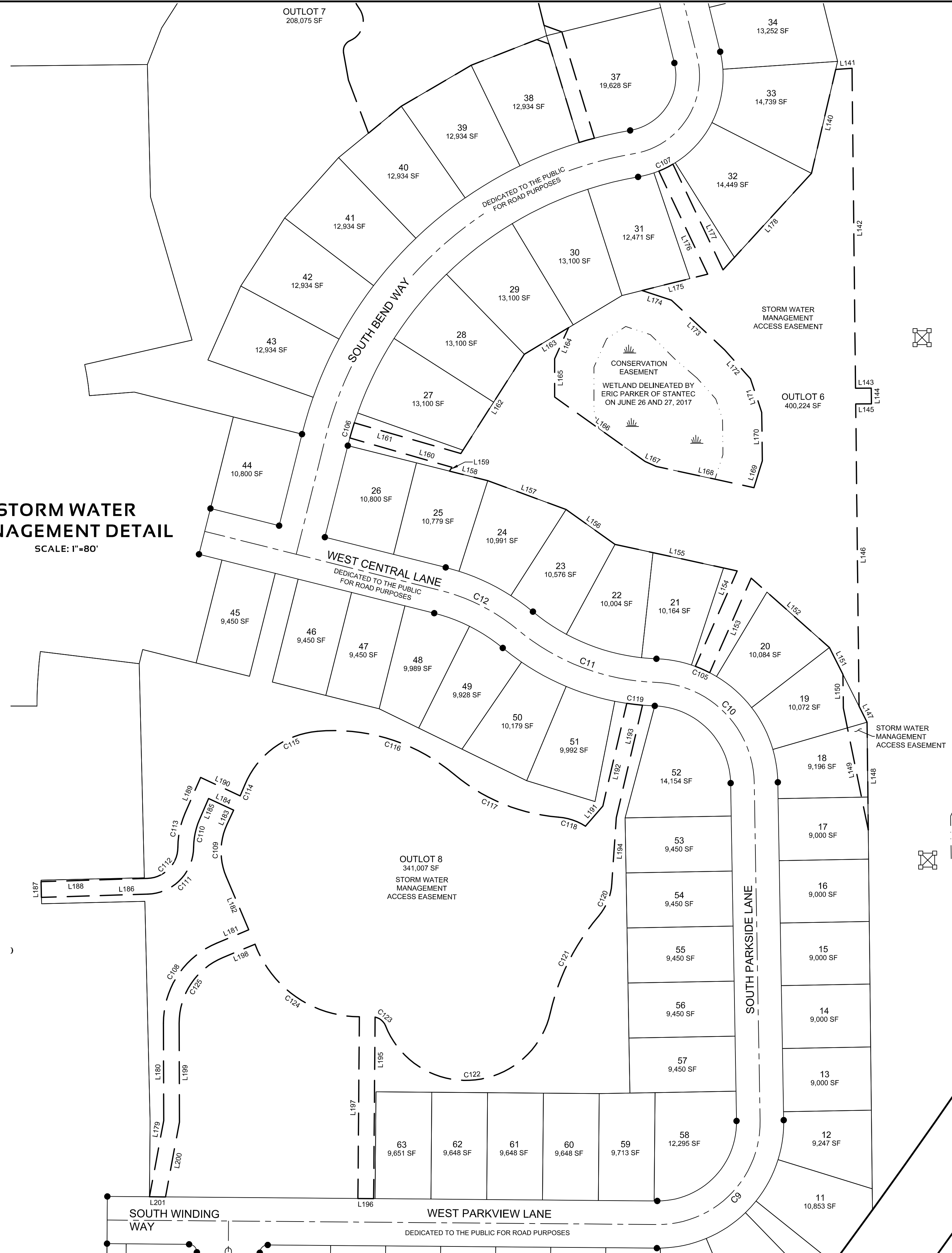
# CAPE CROSSING

Being a part of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

STORM WATER MANAGEMENT ACCESS EASEMENT				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C100	20.00'	520.00'	S74°06'55"W	20.00'
C101	18.95'	14.00'	N28°37'33"E	17.54'
C102	48.65'	27.00'	N15°47'12"E	42.33'
C103	55.67'	58.00'	N08°20'14"W	53.56'
C104	156.05'	248.00'	N37°11'13"E	153.48'
C105	20.01'	160.00'	N66°17'45"W	20.00'
C106	20.00'	480.00'	N16°34'07"E	20.00'
C107	20.02'	130.00'	N63°50'26"E	20.00'
C108	129.67'	110.00'	N33°37'21"E	122.29'
C109	68.70'	82.00'	N00°57'18"E	66.71'
C110	36.18'	90.00'	S11°54'03"W	35.94'
C111	91.98'	60.00'	S44°18'07"W	83.24'
C112	61.32'	40.00'	N44°18'07"E	55.49'
C113	44.22'	110.00'	N11°54'03"E	43.93'
C114	15.24'	518.00'	N23°00'23"E	15.24'
C115	120.52'	110.00'	N53°33'00"E	114.58'
C116	187.27'	237.96'	S72°31'07"E	182.48'
C117	145.73'	235.00'	S67°44'18"E	143.40'
C118	36.52'	74.00'	S71°21'51"E	36.15'
C119	20.13'	320.00'	S83°23'28"E	20.13'
C120	44.57'	70.00'	S22°06'14"W	43.82'
C121	139.54'	290.00'	S26°33'38"W	136.20'
C122	279.51'	110.00'	S85°34'16"W	210.16'
C123	17.94'	18.00'	N50°11'02"W	17.21'
C124	171.93'	142.00'	N55°12'26"W	161.62'
C125	106.09'	90.00'	S33°37'21"W	100.06'

## STORM WATER MANAGEMENT DETAIL

SCALE: 1"=80'



JUNE 8, 2022  
 REVISED: JULY 13, 2022  
 REVISED: AUGUST 4, 2022  
 REVISED: AUGUST 26, 2022

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_

Department of Administration

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided that part of the Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Beginning at the southwest corner of the Southwest 1/4 of said Section 19; Thence North 01°22'14" West along the west line of said Southwest 1/4, 2658.45 feet to the northwest corner of said Southwest 1/4; Thence South 89°33'48" East along the north line of said Southwest 1/4, 1413.03 feet to the east line of the west 1/2 of said Southwest 1/4 as described by the Original Section Survey; Thence South 00°36'57" East along said east line, 2174.70 feet to the northwesterly line of The Milwaukee Electric Railway and Light Company (now Wisconsin Electric Power Company) as recorded in the Register of Deeds office for Milwaukee County, in Volume 1395, Page 367 and a point on a curve; Thence southwesterly 599.21 feet along the arc of said curve to the right, whose radius is 7777.60 feet and whose chord bears South 36°38'24" West, 599.06 feet to the south line of said Southwest 1/4; Thence South 89°31'45" East along said south line and a "Tie Line", 127.05 feet to the southeasterly line of the aforesaid Milwaukee Electric Railway and Light Company and a point on a curve; Thence northeasterly 387.26 feet along the arc of said curve to the left, whose radius is 7877.60 feet and whose chord bears North 36°51'54" East, 387.22 feet to the east line of the west 1/2 of said Southwest 1/4 as described by the Original Section Survey; Thence South 00°36'57" East along said east line, 311.75 feet to the aforesaid south line of said Southwest 1/4; Thence North 89°31'45" West along said south line, 235.07 feet to the aforesaid southeasterly line of the Milwaukee Electric Railway and Light Company; Thence continuing North 89°31'45" West along the aforesaid "Tie Line" 127.05 feet; Thence continuing North 89°31'45" West along said south line of said Southwest 1/4, 1015.31 feet to the Point of Beginning.

Containing 3,659,363 square feet (84.0074 acres) of land, Gross AND 3,397,057 square feet (77.9857 acres) of land Net, more or less.

That I have made such survey, land division and map by the direction of CAPE CROSSING LLC, owner of said land.

That such plat 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 requirements of Chapter 236 of the Wisconsin State Statutes and the City of Franklin Land Division and Platting Ordinance in surveying, mapping and dividing the lands within the subdivision.

John P. Konopacki
Professional Land Surveyor S-2461



DATE: JUNE 8, 2022
REVISED: JULY 13, 2022
REVISED: AUGUST 4, 2022
REVISED: AUGUST 26, 2022

UTILITY EASEMENT PROVISIONS

An easement for electric and communications service is hereby granted to WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin Corporation doing business as WE Energies, Grantee WISCONSIN BELL, INC., db/a AT&T WISCONSIN, a Wisconsin Corporation, Grantee and CHARTER CABLE PARTNERS, LLC, Grantee.

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonable required incident to the rights herein given, and the right to enter upon the subdivided property of all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonable possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities or communication facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Buildings shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without the written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_

Department of Administration



CAPE CROSSING

Being a part of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE OF DEDICATION

CAPE CROSSING 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 plat to be surveyed, divided, mapped and dedicated as represented on this plat.

CAPE CROSSING LLC also certifies that this plat is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

- 1. City of Franklin
2. Wisconsin Department of Administration
3. Milwaukee County

IN WITNESS WHEREOF, the said CAPE CROSSING LLC, has caused these presents to be signed by (name) \_\_\_\_\_, its member, at (city) \_\_\_\_\_ County, Wisconsin, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

In the presence of: CAPE CROSSING LLC

Member - \_\_\_\_\_

STATE OF WISCONSIN)
COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, (name) \_\_\_\_\_, member, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such member of said limited liability company and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
Name: \_\_\_\_\_
State of Wisconsin
My Commission Expires: \_\_\_\_\_

CONSENT OF CORPORATE MORTGAGEE

\_\_\_\_\_ a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said \_\_\_\_\_ has caused these presents to be signed by \_\_\_\_\_, its President, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

President \_\_\_\_\_

STATE OF WISCONSIN)
COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: \_\_\_\_\_
State of Wisconsin
My Commission Expires: \_\_\_\_\_

CITY OF FRANKLIN CERTIFICATE

Resolved, that the plat known as CAPE CROSSING, being a part of the Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, in the City of Franklin, which has been filed for approval, be and is hereby approved as required by Chapter 236 of the Wisconsin State Statutes.

I hereby certify that the foregoing is a true and correct copy of resolution No. \_\_\_\_\_ adopted by the Common Council of the City of Franklin, Wisconsin on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, which action becomes effective upon receipt of approval of all other reviewing agencies and all conditions of the City of Franklin's approval were satisfied as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Date \_\_\_\_\_ Stephen Olson, Mayor

Date \_\_\_\_\_ Sandra L. Wesolowski, City Clerk

CITY OF FRANKLIN TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Denise Gilbert, being duly appointed, qualified and acting Director of Finance and Treasurer of the City of Franklin, do hereby certify in accordance with the records in my office, there are no unpaid taxes or special assessments as of \_\_\_\_\_, 20\_\_ on any of the lands included in the plat of CAPE CROSSING.

Date \_\_\_\_\_ Denise Gilbert, Director of Finance and Treasurer

MILWAUKEE COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, David Cullen, being duly elected, qualified and acting Treasurer of Milwaukee County, do hereby certify that the records in my office show no unpaid taxes and no unredemmed tax sales or special assessments as of \_\_\_\_\_, 20\_\_ affecting the lands included in the plat of CAPE CROSSING.

Date \_\_\_\_\_ David Cullen, Milwaukee County Treasurer

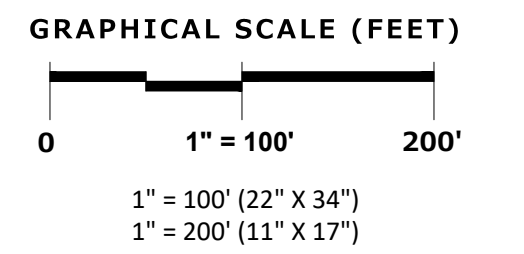
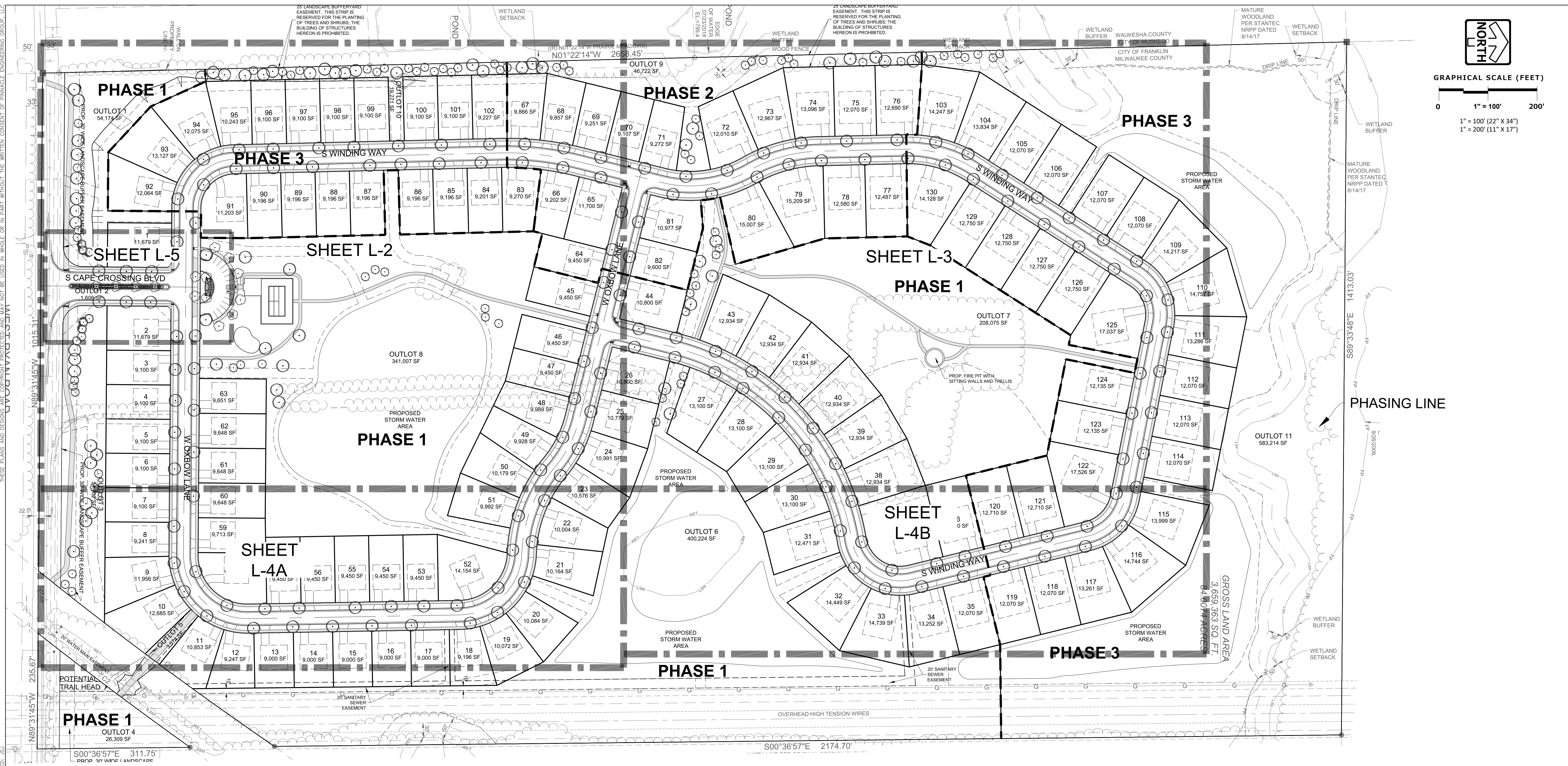
Table with columns: CURVE, BOUNDARY, LENGTH, RADIUS, DELTA, BEARING, CHORD, TANGENT, TANGENT. Contains boundary curve data for various lots and sections.

Table with columns: LINE, LENGTH, DIRECTION. Contains conservation easement line data for lots L5 through L34.

Table with columns: LINE, LENGTH, DIRECTION. Contains storm water management access easement data for lots L95 through L139.







**TREE KEY**

TREES	BOTANICAL NAME	COMMON NAME
<b>EVERGREEN TREES</b>		
	<i>Juniperus virginiana</i> 'Canaertii'	Canaertii Juniper
	<i>Picea glauca</i>	White Spruce
	<i>Picea glauca</i> 'Densata'	Black Hills Spruce
	<i>Pinus strobus</i>	White Pine
	<i>Pinus sylvestris</i>	Scotch Pine
<b>DECORATIVE TREES</b>		
	<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	'Autumn Brilliance' Serviceberry
	<i>Crataegus viridis</i> 'Winter King'	'Winter King' Hawthorn
	<i>Malus x 'Harvest Gold'</i>	Crab Apple
	<i>Malus x 'Profusion'</i>	Profusion Crab Apple
	<i>Syringa reticulata</i> 'Ivory Silk'	Ivory Silk Japanese Tree Lilac
<b>CANOPY / STREET TREE</b>		
	<i>Acer saccharum</i> 'Green Mountain' TM	Green Mountain Sugar Maple
	<i>Betula nigra</i> 'Heritage'	Heritage River Birch
	<i>Celtis occidentalis</i>	Common Hackberry
	<i>Ginkgo biloba</i> 'Autumn Gold' TM	Maidenhair Tree
	<i>Gleditsia triacanthos</i> 'Imperial'	Imperial Honeylocust
	<i>Gymnocladus dioica</i>	Kentucky Coffee Tree
	<i>Quercus rubra</i>	Red Oak
	<i>Tilia americana</i> 'Redmond'	Redmond American Linden
	<i>Ulmus americana</i> 'Valley Forge'	American Elm

**STREET TREE CALCULATIONS**

LINEAL FEET OF LOT FRONTAGE	12,500 LF
(REQUIRED) 1 TREE / 85 LF OF FRONTAGE	147 TREES
TREES PROVIDED	151 TREES



PLAN | DESIGN | DELIVER  
www.pinnacle-engr.com

**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:  
20725 WATERTOWN ROAD, SUITE 100  
BROOKFIELD, WI 53186  
(262) 754-8888

CHICAGO | MILWAUKEE | NATIONWIDE

**CAPE CROSSING**

**OVERALL LANDSCAPE PLAN**

**CITY OF FRANKLIN, MILWAUKEE CO., WI**

**REVISIONS**

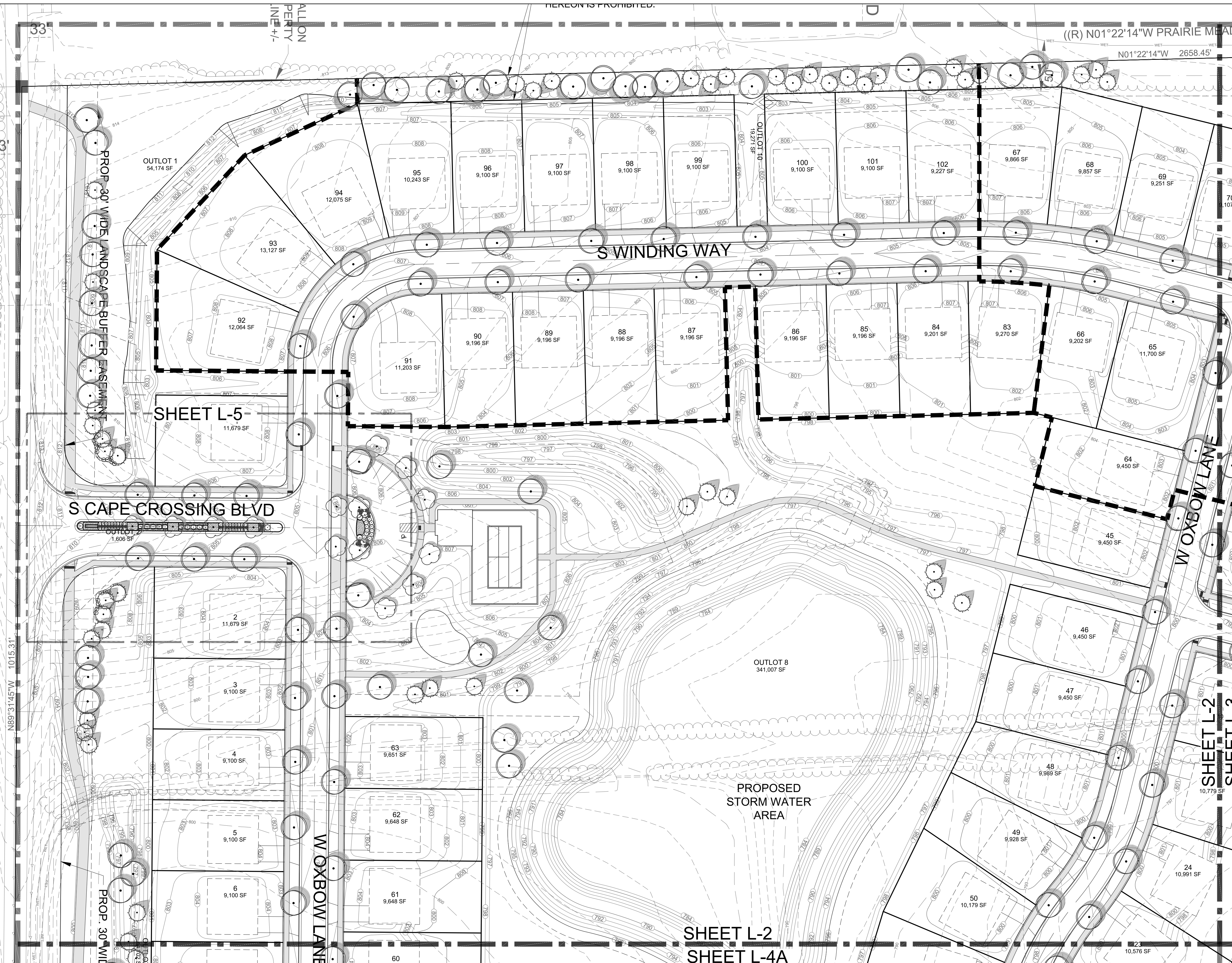
1. CITY COMMENTS	09-01-21	5. CITY COMMENTS	02-18-22
2. CITY COMMENTS	09-16-21	6. CITY COMMENTS	08-26-22
3. CITY COMMENTS	11-23-21		
4. CITY COMMENTS	01-13-22		

PEG JOB No. 1004.00  
PEG PM ASZ  
START DATE 06-01-22  
SCALE 1"=100'

**SHEET**  
L-1  
L-6

© COPYRIGHT 2019

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC.  
 DESIGNED: D.B.    DRAFTED: D.B.    REVIEWED: J.S.J.



TREES	BOTANICAL NAME	COMMON NAME	
	<b>EVERGREEN TREES</b>	<b>EVERGREEN TREES</b>	
	Juniperus virginiana 'Canaertii'	Canaertii Juniper	
	Picea glauca	White Spruce	
	Picea glauca 'Densata'	Black Hills Spruce	
	Pinus strobus	White Pine	
Pinus sylvestris	Scotch Pine		
	<b>DECORATIVE TREES</b>	<b>DECORATIVE TREES</b>	
	Amelanchier x grandiflora 'Autumn Brilliance'	'Autumn Brilliance' Serviceberry	
	Crataegus viridis 'Winter King'	'Winter King' Hawthorn	
	Malus x 'Harvest Gold'	Crab Apple	
	Malus x 'Profusion'	Profusion Crab Apple	
	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	
	<b>CANOPY / STREET TREE</b>	<b>CANOPY / STREET TREE</b>	
	Acer saccharum 'Green Mountain'™	Green Mountain Sugar Maple	
	Betula nigra 'Heritage'	Heritage River Birch	
	Celtis occidentalis	Common Hackberry	
	Ginkgo biloba 'Autumn Gold'™	Maidenhair Tree	
	Gleditsia triacanthos 'Imperial'	Imperial Honeylocust	
	Gymnocladus dioica	Kentucky Coffee Tree	
	Quercus rubra	Red Oak	
	Tilia americana 'Redmond'	Redmond American Linden	
	Ulmus americana 'Valley Forge'	American Elm	
	<b>LARGE DECIDUOUS SHRUBS</b>	<b>LARGE DECIDUOUS SHRUBS</b>	
	Forsythia x 'Meadowlark'	Meadowlark Forsythia	
	Ilex verticillata	Winterberry	
	Physocarpus opulifolius	Ninebark	
	Syringa vulgaris 'Sensation'	Sensation Lilac	
	Viburnum dentatum 'Blue Muffin'	Southern Arrowwood	
	Weigela florida 'Red Prince'	Red Prince Weigela	
		<b>LARGE EVERGREEN SHRUB</b>	<b>LARGE EVERGREEN SHRUB</b>
		Juniperus chinensis 'Kallays Compact'	Kallay Compact Pfitzer Juniper
		Picea abies 'Nidiformis'	Nest Spruce
Picea glauca 'Conica'		Dwarf Alberta Spruce	
Pinus mugo pumilio		Dwarf Mugo Pine	
Taxus x media 'Densiformis'		Dense Yew	
Taxus x media 'Everlow'		Yew	
Taxus x media 'Hicksii'	Hicks Yew		
	<b>SMALL DECIDUOUS SHRUBS</b>	<b>SMALL DECIDUOUS SHRUBS</b>	
	Aronia melanocarpa 'Iroquois Beauty'™	Black Chokeberry	
	Diervilla lonicera	Dwarf Bush Honeysuckle	
	Forsythia viridissima 'Bronxensis'	Bronx Forsythia	
	Hydrangea arborescens 'Annabelle'	Annabelle Smooth Hydrangea	
	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	
	Physocarpus opulifolius 'Nanus'	Dwarf Ninebark	
	Potentilla fruticosa 'Goldfinger'	Goldfinger Potentilla	
	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	
	Spiraea japonica 'Goldmound'	Spiraea	
	Syringa patula 'Miss Kim'	Miss Kim Lilac	
		<b>LOW EVERGREEN SHRUBS</b>	<b>LOW EVERGREEN SHRUBS</b>
		Juniperus horizontalis 'Youngstown'	Creeping Juniper
	<b>ORNAMENTAL GRASSES</b>	<b>ORNAMENTAL GRASSES</b>	
	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	
	Panicum virgatum 'Heavy Metal'	Blue Switch Grass	
	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	
	Sporobolus heterolepis 'Tara'	Prairie Dropseed	

**GRAPHICAL SCALE (FEET)**

0 1" = 50' 100'

1" = 50' (22" X 34")  
1" = 100' (11" X 17")

**NEUMANN DEVELOPMENTS, INC.**

**REVISIONS**

1. CITY COMMENTS	09-01-21	5. CITY COMMENTS	02-18-22
2. CITY COMMENTS	09-16-21	6. CITY COMMENTS	08-26-22
3. CITY COMMENTS	11-23-21		
4. CITY COMMENTS	01-13-22		

PEG JOB No. 1004.00  
 PEG PH ASZ  
 START DATE 06-01-22  
 SCALE 1"=50'  
**SHEET L-2**  
**L-6**

PLAN | DESIGN | DELIVER  
www.pinnacle-engr.com

**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:  
20725 WATERTOWN ROAD, SUITE 100  
BROOKFIELD, WI 53186  
(262) 754-8888  
CHICAGO | MILWAUKEE | NATIONWIDE

**CAPE CROSSING**

**CITY OF FRANKLIN, MILWAUKEE CO., WI**

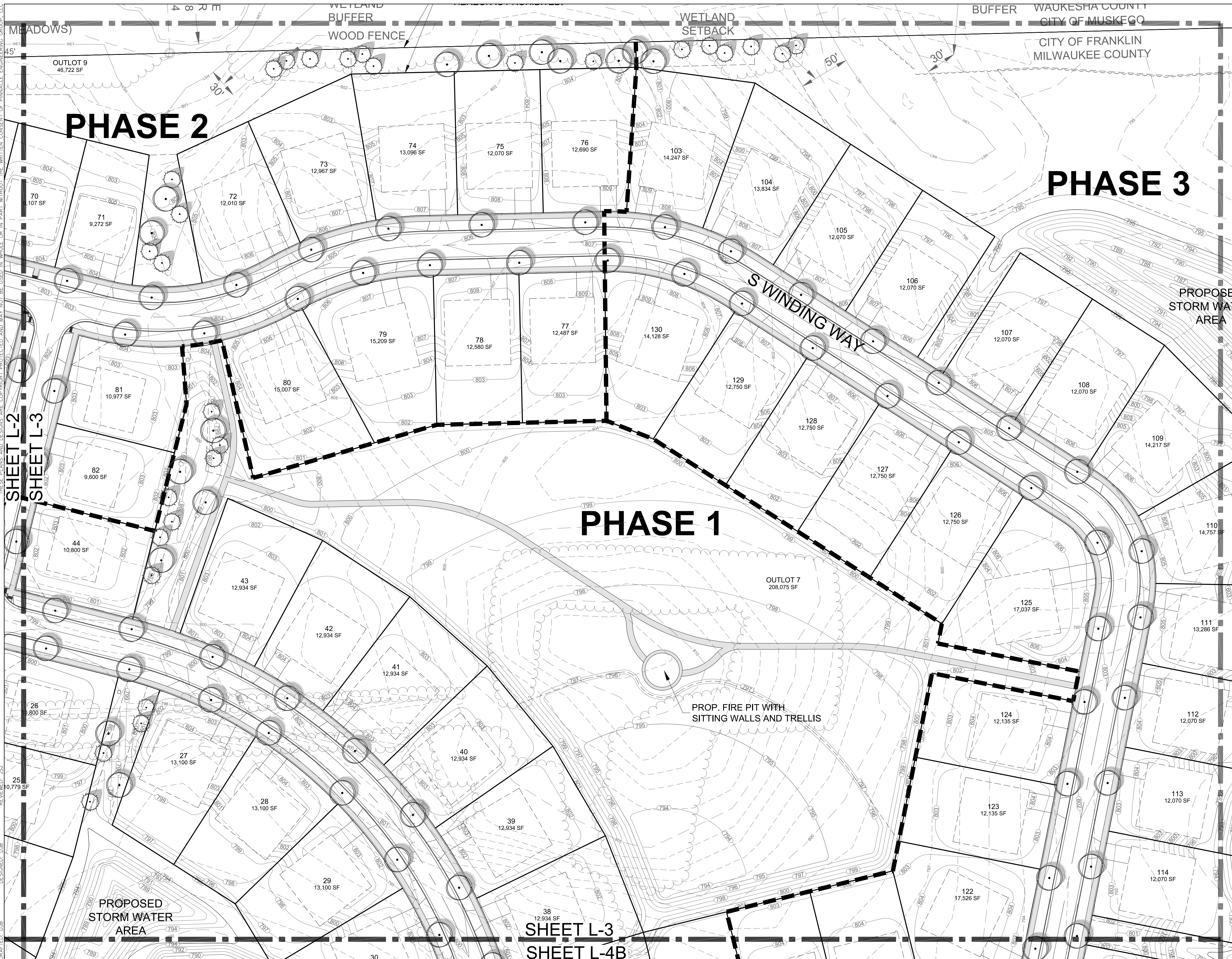
**STREET TREE - LANDSCAPE ENLARGEMENT**

**REVISIONS**

1. CITY COMMENTS	09-01-21	5. CITY COMMENTS	02-18-22
2. CITY COMMENTS	09-16-21	6. CITY COMMENTS	08-26-22
3. CITY COMMENTS	11-23-21		
4. CITY COMMENTS	01-13-22		

**SHEET L-2**  
**L-6**

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC.  
 DESIGNED: D.B.  
 REVIEWED: J.S.  
 DRAFTER: D.B.  
 DATE: 06-01-22



PLANT KEY			
TREES	BOTANICAL NAME	COMMON NAME	
	<b>EVERGREEN TREES</b>	<b>EVERGREEN TREES</b>	
	Juniperus virginiana 'Canaertii'	Canaerti Juniper	
	Picea glauca	White Spruce	
	Picea glauca 'Densata'	Black Hills Spruce	
	Pinus strobus	White Pine	
	Pinus sylvestris	Scotch Pine	
	<b>DECORATIVE TREES</b>	<b>DECORATIVE TREES</b>	
	Amelanchier x grandiflora 'Autumn Brilliance'	'Autumn Brilliance' Serviceberry	
	Crataegus viridis 'Winter King'	'Winter King' Hawthorn	
	Malus x 'Harvest Gold'	Crab Apple	
	Malus x 'Profusion'	Profusion Crab Apple	
	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	
	<b>CANOPY / STREET TREE</b>	<b>CANOPY / STREET TREE</b>	
	Acer saccharum 'Green Mountain'™	Green Mountain Sugar Maple	
	Betula nigra 'Heritage'	Heritage River Birch	
	Celtis occidentalis	Common Hackberry	
	Ginkgo biloba 'Autumn Gold'™	Maidenhair Tree	
	Gleditsia triacanthos 'Imperial'	Imperial Honeylocust	
	Gymnocladus dioica	Kentucky Coffee Tree	
	Quercus rubra	Red Oak	
	Tilia americana 'Redmond'	Redmond American Linden	
	Ulmus americana 'Valley Forge'	American Elm	
	<b>LARGE DECIDUOUS SHRUBS</b>	<b>LARGE DECIDUOUS SHRUBS</b>	
	Forsythia x 'Meadowlark'	Meadowlark Forsythia	
	Ilex verticillata	Winterberry	
	Physocarpus opulifolius	Ninebark	
	Syringa vulgaris 'Sensation'	Sensation Lilac	
	Viburnum dentatum 'Blue Muffin'	Southern Arrowwood	
	Weigela florida 'Red Prince'	Red Prince Weigela	
		<b>LARGE EVERGREEN SHRUB</b>	<b>LARGE EVERGREEN SHRUB</b>
		Juniperus chinensis 'Kallays Compact'	Kallay Compact Pfitzer Juniper
		Picea abies 'Nidiformis'	Nest Spruce
Picea glauca 'Conica'		Dwarf Alberta Spruce	
Pinus mugo pumilio		Dwarf Mugo Pine	
Taxus x media 'Densiformis'		Dense Yew	
Taxus x media 'Everlow'		Yew	
Taxus x media 'Hicksii'		Hicks Yew	
		<b>SMALL DECIDUOUS SHRUBS</b>	<b>SMALL DECIDUOUS SHRUBS</b>
		Aronia melanocarpa 'Iroquois Beauty'™	Black Chokeberry
	Diervilla lonicera	Dwarf Bush Honeysuckle	
	Forsythia viridissima 'Bronxensis'	Bronx Forsythia	
	Hydrangea arborescens 'Annabelle'	Annabelle Smooth Hydrangea	
	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	
	Physocarpus opulifolius 'Nanus'	Dwarf Ninebark	
	Potentilla fruticosa 'Goldfinger'	Goldfinger Potentilla	
	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	
	Spiraea japonica 'Goldmound'	Spirea	
Syringa patula 'Miss Kim'	Miss Kim Lilac		
	<b>LOW EVERGREEN SHRUBS</b>	<b>LOW EVERGREEN SHRUBS</b>	
	Juniperus horizontalis 'Youngstown'	Creeping Juniper	
	<b>ORNAMENTAL GRASSES</b>	<b>ORNAMENTAL GRASSES</b>	
	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	
	Panicum virgatum 'Heavy Metal'	Blue Switch Grass	
	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	
	Sporobolus heterolepis 'Tara'	Prairie Dropseed	

**GRAPHICAL SCALE (FEET)**

1" = 50' (22" x 34")  
1" = 100' (11" x 17")

**NEUMANN**  
DEVELOPMENTS, INC.

PLAN | DESIGN | DELIVER  
www.pinnacle-engr.com

**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:  
 20725 WATERTOWN ROAD, SUITE 100  
 BROOKFIELD, WI 53186  
 (262) 754-8888  
 CHICAGO | MILWAUKEE | NATIONWIDE

**CAPE CROSSING**

**CITY OF FRANKLIN, MILWAUKEE CO., WI**

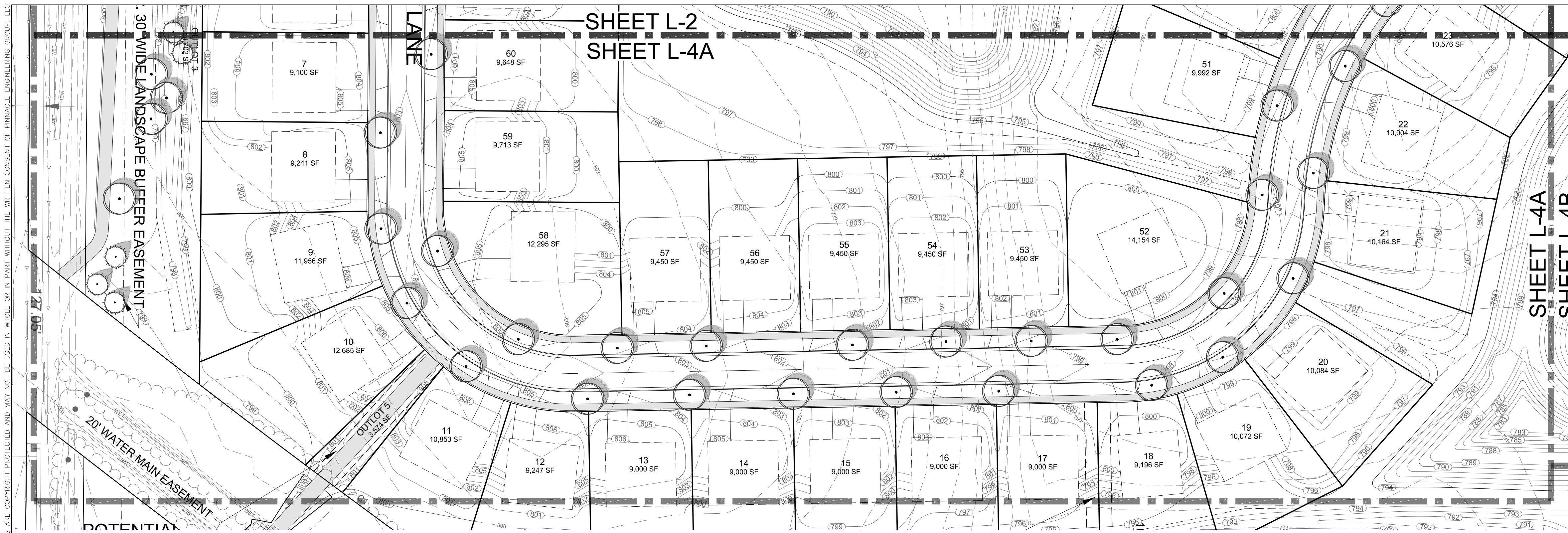
**STREET TREE -  
LANDSCAPE  
ENLARGEMENT**

REVISIONS		SHEET	
1. CITY COMMENTS	09-01-21	5. CITY COMMENTS	02-18-22
2. CITY COMMENTS	09-16-21	6. CITY COMMENTS	08-26-22
3. CITY COMMENTS	11-23-21		
4. CITY COMMENTS	01-13-22		

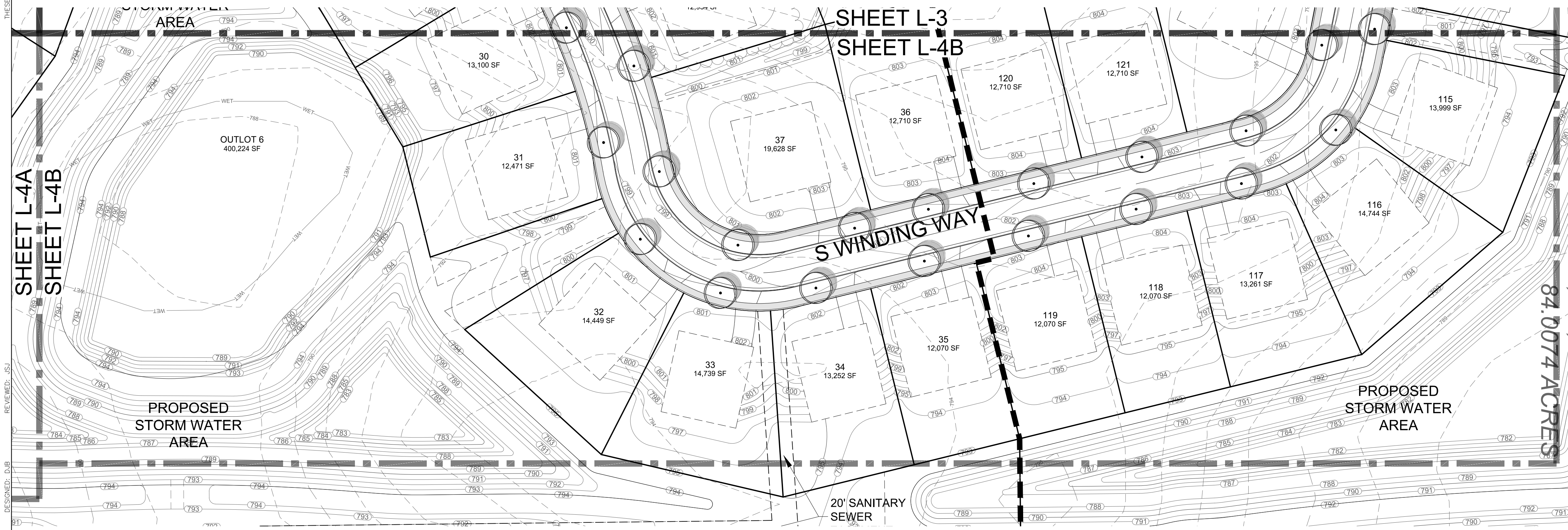
PEG JOB No. 1004.00  
 PEG PH. ASZ  
 START DATE 06-01-22  
 SCALE 1"=50'

**L-3**  
**L-6**

© COPYRIGHT 2019

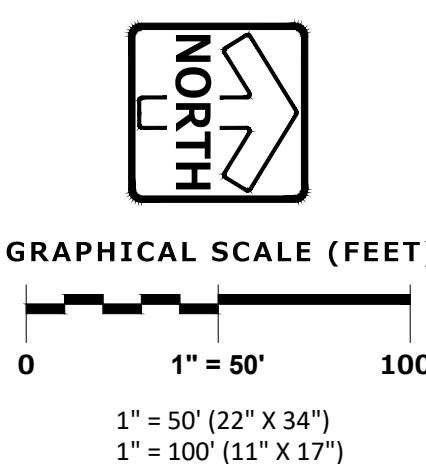


ENLARGEMENT L-4A  
SCALE: 1"=20'



ENLARGEMENT L-4B  
SCALE: 1"=20'

TREES	BOTANICAL NAME	COMMON NAME	
	<b>EVERGREEN TREES</b>	<b>EVERGREEN TREES</b>	
	Juniperus virginiana 'Canaertii'	Canaerti Juniper	
	Picea glauca	White Spruce	
	Picea glauca 'Densata'	Black Hills Spruce	
	Pinus strobus	White Pine	
	Pinus sylvestris	Scotch Pine	
	<b>DECORATIVE TREES</b>	<b>DECORATIVE TREES</b>	
	Amelanchier x grandiflora 'Autumn Brilliance'	'Autumn Brilliance' Serviceberry	
	Crataegus viridis 'Winter King'	'Winter King' Hawthorn	
	Malus x 'Harvest Gold'	Crab Apple	
Malus x 'Profusion'	Profusion Crab Apple		
Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac		
	<b>CANOPY / STREET TREE</b>	<b>CANOPY / STREET TREE</b>	
	Acer saccharum 'Green Mountain'™	Green Mountain Sugar Maple	
	Betula nigra 'Heritage'	Heritage River Birch	
	Celtis occidentalis	Common Hackberry	
	Cornus bicolor 'Autumn Gold'™	Maidenhair Tree	
	Gleditsia triacanthos 'Imperial'	Imperial Honeylocust	
	Gymnocladus dioica	Kentucky Coffee Tree	
	Quercus rubra	Red Oak	
	Tilia americana 'Redmond'	Redmond American Linden	
	Ulmus americana 'Valley Forge'	American Elm	
	<b>LARGE DECIDUOUS SHRUBS</b>	<b>LARGE DECIDUOUS SHRUBS</b>	
	Forsythia x 'Meadowlark'	Meadowlark Forsythia	
	Ilex verticillata	Winterberry	
	Physocarpus opulifolius	Ninebark	
	Syringa vulgaris 'Sensation'	Sensation Lilac	
	Viburnum dentatum 'Blue Muffin'	Southern Arrowwood	
	Weigela florida 'Red Prince'	Red Prince Weigela	
		<b>LARGE EVERGREEN SHRUB</b>	<b>LARGE EVERGREEN SHRUB</b>
		Juniperus chinensis 'Kallays Compact'	Kallay Compact Pfitzer Juniper
		Picea abies 'Nidiformis'	Nest Spruce
Picea glauca 'Conica'		Dwarf Alberta Spruce	
Pinus mugo pumilio		Dwarf Mugo Pine	
Taxus x media 'Densiformis'		Dense Yew	
Taxus x media 'Everlow'		Yew	
Taxus x media 'Hicksii'		Hicks Yew	
		<b>SMALL DECIDUOUS SHRUBS</b>	<b>SMALL DECIDUOUS SHRUBS</b>
		Aronia melanocarpa 'Iroquois Beauty'™	Black Chokeberry
	Diervilla lonicera	Dwarf Bush Honeysuckle	
	Forsythia viridissima 'Bronxensis'	Bronx Forsythia	
	Hydrangea arborescens 'Annabelle'	Annabelle Smooth Hydrangea	
	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	
	Physocarpus opulifolius 'Nanus'	Dwarf Ninebark	
	Potentilla fruticosa 'Goldfinger'	Goldfinger Potentilla	
	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	
	Spiraea japonica 'Goldmound'	Spirea	
Syringa patula 'Miss Kim'	Miss Kim Lilac		
	<b>LOW EVERGREEN SHRUBS</b>	<b>LOW EVERGREEN SHRUBS</b>	
Juniperus horizontalis 'Youngstown'	Creeping Juniper		
	<b>ORNAMENTAL GRASSES</b>	<b>ORNAMENTAL GRASSES</b>	
	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	
	Panicum virgatum 'Heavy Metal'	Blue Switch Grass	
	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	
	Sporobolus heterolepis 'Tara'	Prairie Dropseed	



**PINNACLE ENGINEERING GROUP**  
 ENGINEERING | NATURAL RESOURCES | SURVEYING  
 WISCONSIN OFFICE:  
 20725 WATERTOWN ROAD, SUITE 100  
 BROOKFIELD, WI 53186  
 (262) 754-8888  
 CHICAGO | MILWAUKEE | NATIONWIDE

**CAPE CROSSING**  
**CITY OF FRANKLIN, MILWAUKEE CO., WI**

**STREET TREE - LANDSCAPE ENLARGEMENT**

REVISIONS	
1. CITY COMMENTS	09-01-21
2. CITY COMMENTS	09-16-21
3. CITY COMMENTS	11-23-21
4. CITY COMMENTS	01-13-22
5. CITY COMMENTS	02-18-22
6. CITY COMMENTS	08-26-22

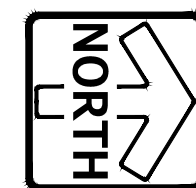
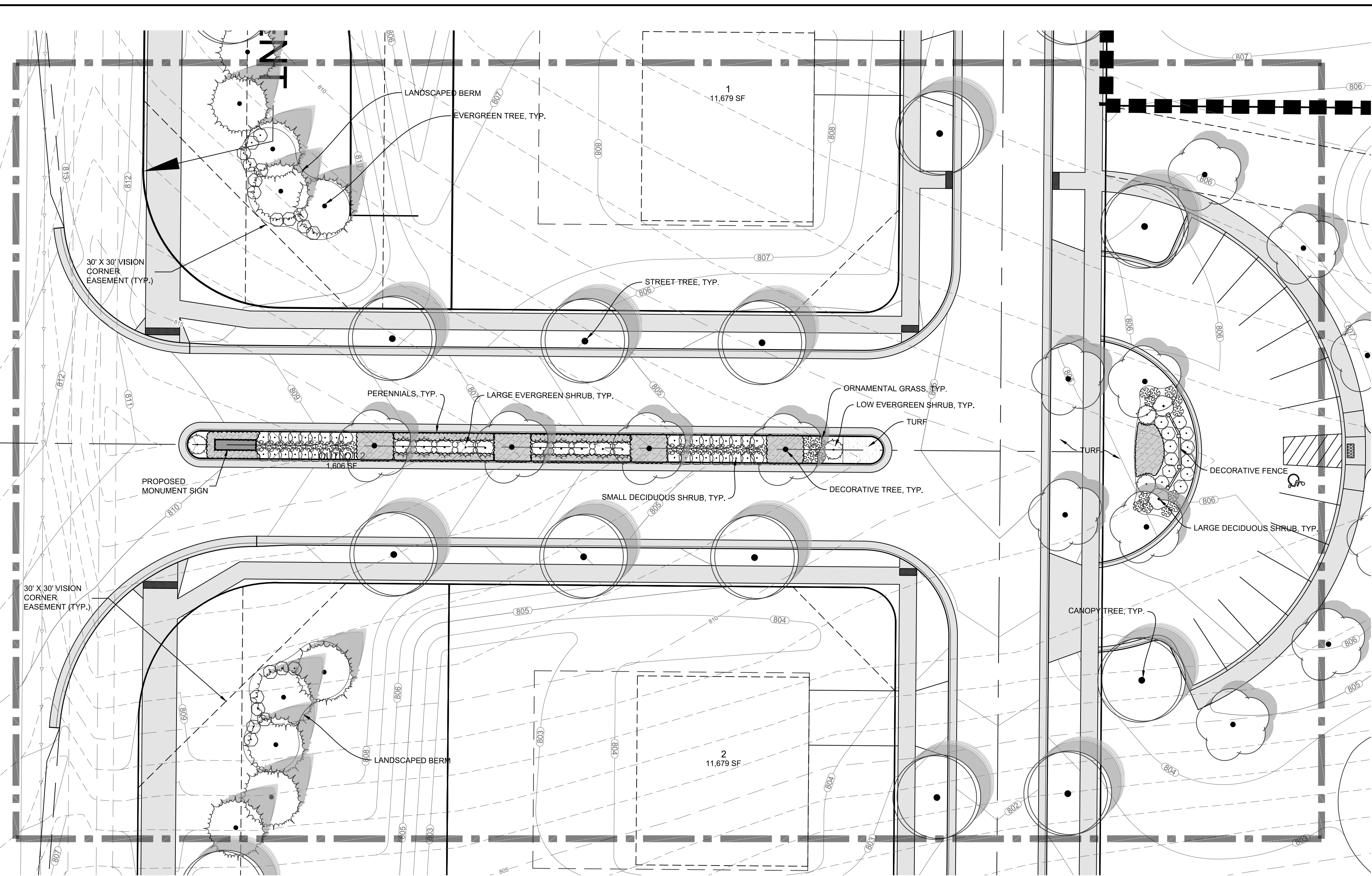
**NEUMANN DEVELOPMENTS, INC.**  
 SHEET **L-4**  
 L-6  
 PEG JOB No. 1004.00  
 PEG PM ASZ  
 START DATE 06-01-22  
 SCALE 1"=50'  
 © COPYRIGHT 2018

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC

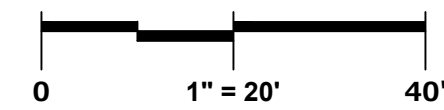
REVIEWED: JSJ

DESIGNED: DB

DRAFTED: DB



GRAPHICAL SCALE (FEET)



1" = 20' (22" X 34")  
1" = 40' (11" X 17")

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	QTY	
	<b>EVERGREEN TREES</b>	EVERGREEN TREES	79	
	Juniperus virginiana 'Canaertii'	Canaerti Juniper	16	
	Picea glauca	White Spruce	16	
	Picea glauca 'Densata'	Black Hills Spruce	16	
	Pinus strobus	White Pine	16	
	Pinus sylvestris	Scotch Pine	16	
	<b>DECORATIVE TREES</b>	DECORATIVE TREES	14	
	Aamelanchier x grandiflora 'Autumn Brilliance'	'Autumn Brilliance' Serviceberry	3	
	Crataegus viridis 'Winter King'	'Winter King' Hawthorn	3	
	Malus x 'Harvest Gold'	Crab Apple	3	
	Malus x 'Profusion'	Profusion Crab Apple	3	
	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	3	
	<b>CANOPY / STREET TREE</b>	CANOPY / STREET TREE	213	
	Acer saccharum 'Green Mountain' TM	Green Mountain Sugar Maple	23	
	Betula nigra 'Heritage'	Heritage River Birch	23	
	Celtis occidentalis	Common Hackberry	23	
	Ginkgo biloba 'Autumn Gold' TM	Maidenhair Tree	23	
	Gleditsia triacanthos 'Imperial'	Imperial Honeylocust	23	
	Gymnocladus dioica	Kentucky Coffee Tree	23	
	Quercus rubra	Red Oak	23	
	Tilia americana 'Redmond'	Redmond American Linden	23	
	Ulmus americana 'Valley Forge'	American Elm	26	
		<b>SHRUBS</b>	COMMON NAME	QTY
		<b>LARGE DECIDUOUS SHRUBS</b>	LARGE DECIDUOUS SHRUBS	2
Forsythia x 'Meadowlark'		Meadowlark Forsythia		
Ilex verticillata		Winterberry		
Physocarpus opulifolius		Ninebark		
Syringa vulgaris 'Sensation'		Sensation Lilac		
Viburnum dentatum 'Blue Muffin'		Southern Arrowwood		
Weigela florida 'Red Prince'		Red Prince Weigela		
		<b>LARGE EVERGREEN SHRUB</b>	LARGE EVERGREEN SHRUB	10
		Juniperus chinensis 'Kallays Compact'	Kallay Compact Pfitzer Juniper	1
	Picea abies 'Nidiformis'	Nest Spruce	2	
	Picea glauca 'Conica'	Dwarf Alberta Spruce	1	
	Pinus mugo pumilio	Dwarf Mugo Pine	1	
	Taxus x media 'Densiformis'	Dense Yew	1	
	Taxus x media 'Everlow'	Yew	1	
	Taxus x media 'Hicksii'	Hicks Yew	2	
		<b>SMALL DECIDUOUS SHRUBS</b>	SMALL DECIDUOUS SHRUBS	68
		Aronia melanocarpa 'Iroquois Beauty' TM	Black Chokeberry	7
Diervilla lonicera		Dwarf Bush Honeysuckle	7	
Forsythia viridissima 'Bronxensis'		Bronx Forsythia	7	
Hydrangea arborescens 'Annabelle'		Annabelle Smooth Hydrangea	7	
Ilex verticillata 'Red Sprite'		Red Sprite Winterberry	7	
Physocarpus opulifolius 'Nanus'		Dwarf Ninebark	7	
Potentilla fruticosa 'Goldfinger'		Goldfinger Potentilla	7	
Rhus aromatica 'Gro-Low'		Gro-Low Fragrant Sumac	7	
Spiraea japonica 'Goldmound'		Spiraea	7	
Syringa patula 'Miss Kim'		Miss Kim Lilac	7	
		<b>LOW EVERGREEN SHRUBS</b>	LOW EVERGREEN SHRUBS	4
	Juniperus horizontalis 'Youngstown'	Creeping Juniper	4	
	<b>ORNAMENTAL GRASSES</b>	ORNAMENTAL GRASSES	42	
	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	11	
	Panicum virgatum 'Heavy Metal'	Blue Switch Grass	11	
	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	11	
	Sporobolus heterolepis 'Tara'	Prairie Dropseed	11	
	<b>PERENNIALS</b>	PERENNIALS	780 sf	
	Coreopsis verticillata 'Zagreb'	Zagreb Thread Leaf Coreopsis	29	
	Hemerocallis x 'Stella de Oro'	Stella de Oro Daylily	29	
	Heuchera x 'Obsidian'	Coral Bells	31	
	Nepeta x faassenii 'Walkers Low'	Walkers Low Catmint	29	
	Phlox subulata 'Emerald Blue'	Emerald Blue Moss Phlox	29	
	Sedum x 'Autumn Joy'	Autumn Joy Sedum	29	
	Syringa patula 'Miss Kim'	Miss Kim Lilac	55	

SHRUB AREAS

PERENNIALS	BOTANICAL NAME	COMMON NAME	QTY
	<b>PERENNIALS</b>	PERENNIALS	780 sf
	Coreopsis verticillata 'Zagreb'	Zagreb Thread Leaf Coreopsis	29
	Hemerocallis x 'Stella de Oro'	Stella de Oro Daylily	29
	Heuchera x 'Obsidian'	Coral Bells	31
	Nepeta x faassenii 'Walkers Low'	Walkers Low Catmint	29
	Phlox subulata 'Emerald Blue'	Emerald Blue Moss Phlox	29
	Sedum x 'Autumn Joy'	Autumn Joy Sedum	29
	Syringa patula 'Miss Kim'	Miss Kim Lilac	55

**DEVELOPER:**  
NEUMANN DEVELOPMENTS, INC  
ATTN: BRYAN LINDGREN  
N27 W24025 PAUL COURT, SUITE 100  
PEWAUKEE, WI 53072  
PH: 262-542-9200  
EMAIL: BLINDGREN@NEUMANNCOMPANIES.COM

**ENGINEER:**  
PINNACLE ENGINEERING GROUP  
ATTN: ANTHONY ZANON  
20725 WATERTOWN ROAD, SUITE 100  
BROOKFIELD, WI 53186  
PH: 262-754-8888  
EMAIL: TONY.ZANON@PINNACLE-ENGR.COM



**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING  
www.pinnacle-engr.com

WISCONSIN OFFICE:  
20725 WATERTOWN ROAD, SUITE 100  
BROOKFIELD, WI 53186  
(262) 754-8888  
CHICAGO | MILWAUKEE | NATIONWIDE

**CAPE CROSSING**

**ENTRANCE LANDSCAPE ENLARGEMENT**

**CITY OF FRANKLIN, MILWAUKEE CO., WI**

**ENTRANCE LANDSCAPE ENLARGEMENT**

**REVISIONS**

1. CITY COMMENTS	09-01-21	5. CITY COMMENTS	02-18-22
2. CITY COMMENTS	09-16-21	6. CITY COMMENTS	08-26-22
3. CITY COMMENTS	11-23-21		
4. CITY COMMENTS	01-13-22		

PEG JOB No. 1004.00  
PEG PH. ASZ  
START DATE 06-01-22  
SCALE 1"=20'

**SHEET**  
L-5  
L-6

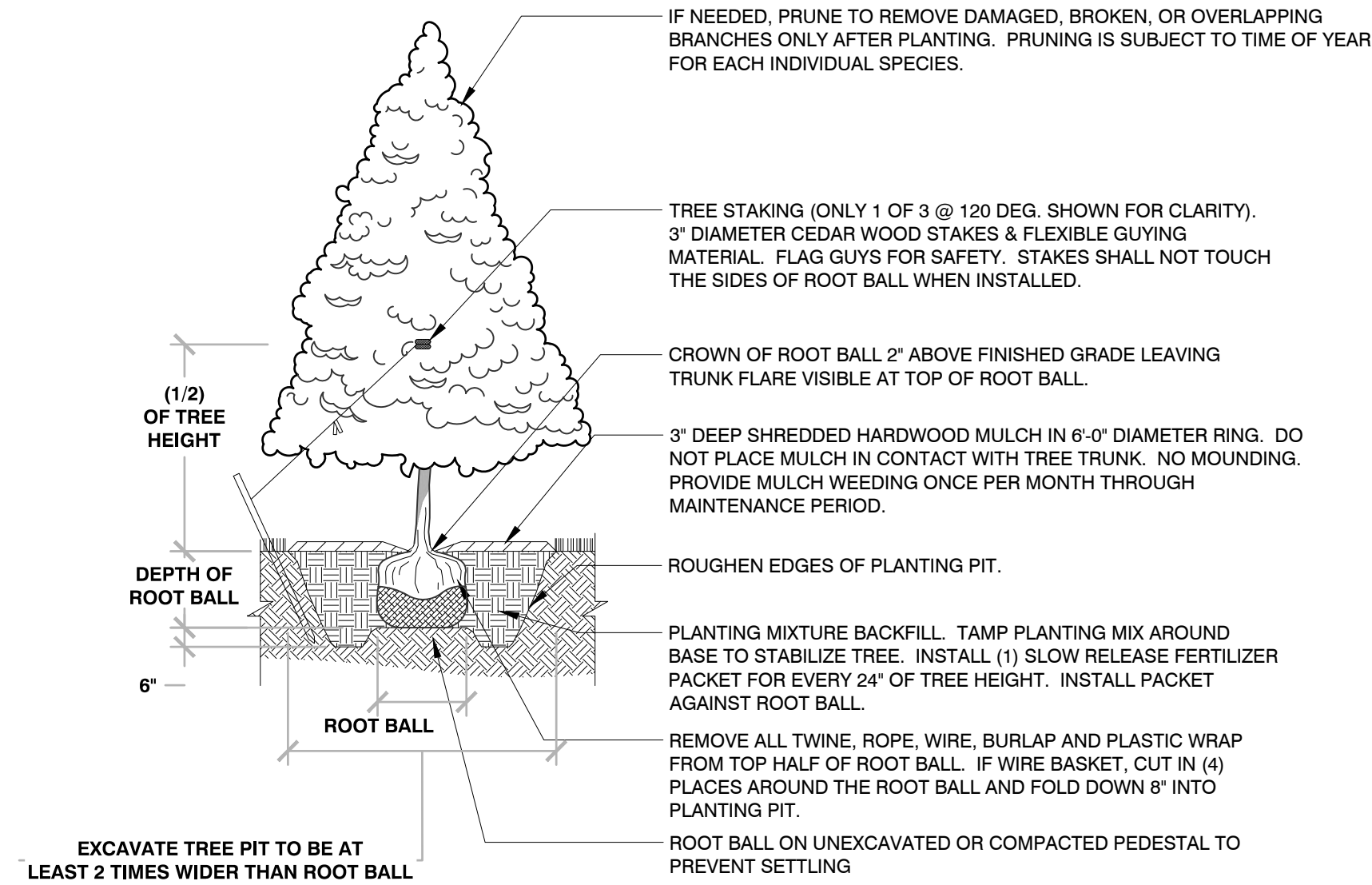
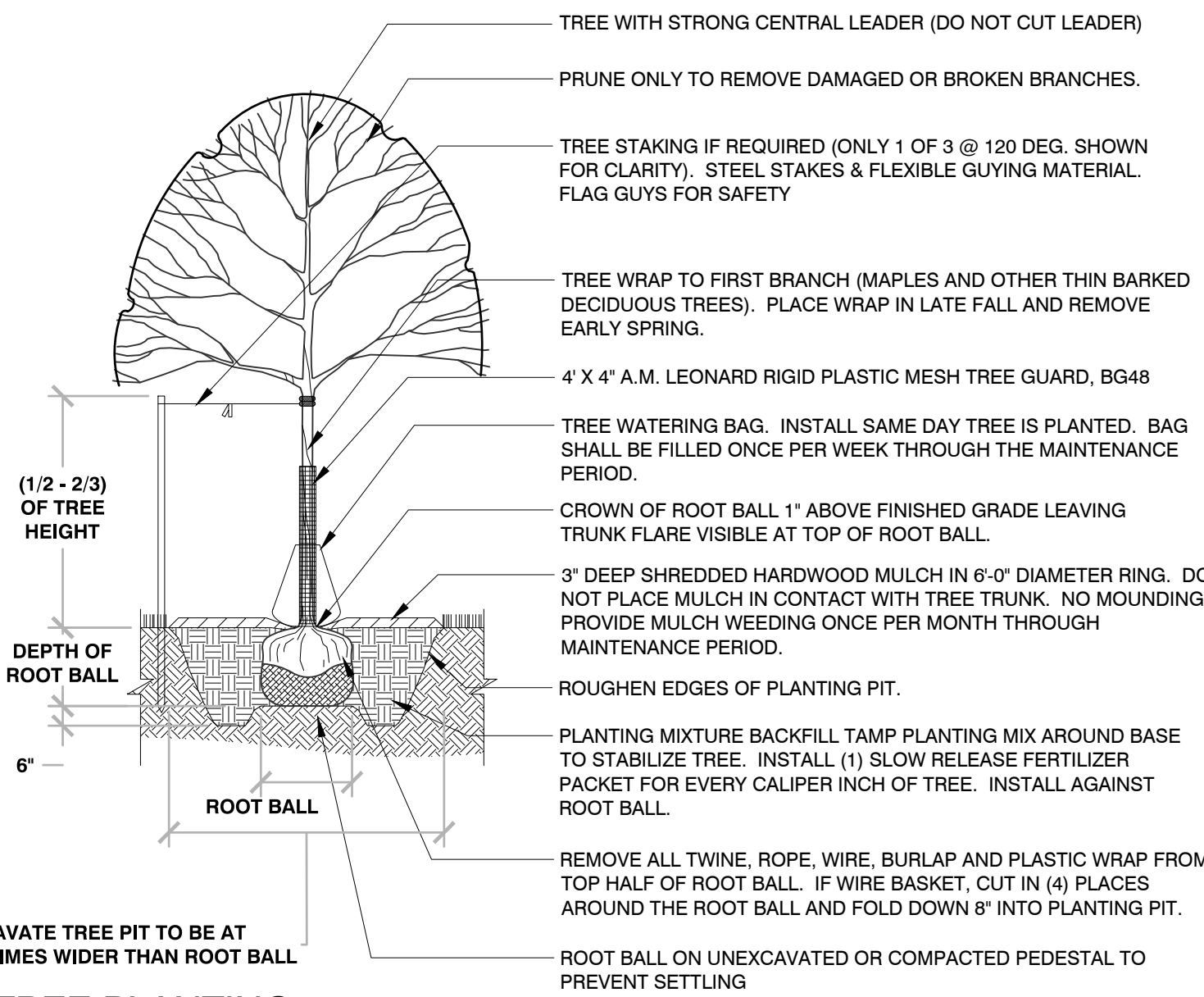
© COPYRIGHT 2019

**GENERAL PLANTING NOTES**

1. THE LAYOUT OF ALL PLANTING BEDS AND INDIVIDUAL TREES AND SHRUBS SHALL BE STAKED BY THE CONTRACTOR IN ADVANCE OF INSTALLATION. FLAGGING, STAKES, OR PAINT MAY BE USED TO DELINEATE LOCATIONS AS SCALED FROM THE PLANS. AN APPROVED REPRESENTATIVE WILL REVIEW THESE LOCATIONS WITH THE CONTRACTOR AND MAKE MINOR ADJUSTMENTS AS NECESSARY. BED LAYOUT SHALL ALSO INCLUDE PERENNIAL GROUPINGS BY SPECIES.
2. THE CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING THE PLANT MATERIAL QUANTITIES REQUIRED BY THE LANDSCAPE PLANS. REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.
3. ALL PLANT MATERIAL SHALL COMPLY WITH STANDARDS DESCRIBED IN AMERICAN STANDARD OF NURSERY STOCK - Z60.1 ANSI. LANDSCAPE ARCHITECT OR OWNERS AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO INSPECT AND POTENTIALLY REJECT ANY PLANT MATERIAL DEEMED TO NOT MEET THE REQUIRED STANDARDS.
4. NO PLANT MATERIAL OR PLANT SIZE SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL BY THE LANDSCAPE ARCHITECT. ANY CHANGES SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT IN WRITING PRIOR TO INSTALLATION.
5. ALL PLANT MATERIAL SHALL BE PROVIDED FROM A NURSERY (WITHIN 200 MILES) WITH A SIMILAR PLANT HARDINESS ZONE AS PROJECT LOCATION. EXISTING SOIL SHALL BE AMENDED PER SOIL ANALYSIS REPORT TO ENSURE A PROPER GROWING MEDIUM IS ACHIEVED. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH PLANTING DETAILS.
6. ALL PLANTING BEDS SHALL HAVE A MINIMUM 10" DEPTH OF PREPARED SOIL. WITH APPROVAL, EXISTING SOIL MAY BE UTILIZED PROVIDED THE PROPER SOIL AMENDMENTS ARE TILLED THOROUGHLY INTO THE TOP 10" OF SOIL. REFER TO SOIL PLACEMENT NOTES.

7. WHILE PLANTING TREES AND SHRUBS, BACKFILL  $\frac{2}{3}$  OF PLANTING HOLE AND WATER TREE THOROUGHLY BEFORE INSTALLING THE REMAINDER OF SOIL MIXTURE. AFTER ALL SOIL HAS BEEN PLACED INTO THE PLANTING HOLE WATER THOROUGHLY AGAIN.
8. THE CONTRACTOR MUST LABEL ALL TREES WITH THE COMMON AND BOTANICAL NAMES PRIOR TO FINAL INSPECTION.
9. ALL PLANTING BEDS SHALL BE MULCHED WITH 3" DEEP SHREDDED HARDWOOD MULCH, AND ALL TREES PLANTED IN TURF AREAS SHALL RECEIVE A 3" DEEP SHREDDED HARDWOOD MULCHED RING AS SHOWN IN PLANTING DETAILS.
10. ALL PLANTING BEDS AND TREE RINGS SHALL HAVE A 4" DEEP TRENCHED BED EDGE CREATED BY EITHER A FLAT LANDSCAPE SPADE OR MECHANICAL EDGER. BED EDGES ARE TO BE CUT CLEAN AND SMOOTH AS SHOWN ON LANDSCAPE PLANS WITH A CLEAN DEFINITION BETWEEN TURF AND PLANTING AREAS.
11. ALL DISTURBED AREAS WITHIN THE PROJECT SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION. ALL DISTURBED AREAS OUTSIDE THE LIMITS OF WORK SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION AT NO ADDITIONAL COST TO THE OWNER.
12. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, INCLUDING ANY IRRIGATION LINES, PRIOR TO DIGGING. CONSULT DIGGERS HOTLINE.
13. TREES SHALL BE PLANTED A MINIMUM OF 15' FROM ANY UTILITY POLES, 8' FROM UNDERGROUND UTILITIES, 10' FROM HYDRANTS, 5' FROM DRIVEWAYS, AND 3' FROM SIDEWALKS.
14. THE CONTRACTOR SHALL ENSURE THAT SOIL CONDITIONS AND COMPACTION ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AROUND THE CONSTRUCTION SITE. UNDESIRABLE CONDITIONS SHALL BE BROUGHT TO THE

- ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF WORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER SURFACE AND SUBSURFACE DRAINAGE IN ALL AREAS
15. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, FEES, AND LICENSES NECESSARY FOR THE INSTALLATION OF THIS PLAN.
  16. THE CONTRACTOR IS TO REVIEW ALL SITE ENGINEERING DOCUMENTS PRIOR TO INSTALLATION. ANY CONFLICTS MUST BE REPORTED TO THE LANDSCAPE ARCHITECT. THESE LANDSCAPE DRAWINGS ARE FOR THE INSTALLATION OF PLANT MATERIALS ONLY UNLESS OTHERWISE STATED.
  17. THE CONTRACTOR SHALL PROVIDE WATERING AND MAINTENANCE SERVICES FOR A PERIOD OF 60 DAYS TO ENSURE VEGETATIVE ESTABLISHMENT. UPON COMPLETION OF THE PROJECT, CONTRACTOR SHALL SUPPLY THE OWNER WITH ONGOING WATERING AND MAINTENANCE INSTRUCTIONS.
  18. STREET TREES SHALL BE GUARANTEED FOR A PERIOD OF THREE (3) YEARS FROM TIME OF OWNER ACCEPTANCE. DEAD OR UNDER PERFORMING PLANT MATERIAL, AS DEEMED BY CITY INSPECTIONS, SHALL BE REPLACED UP TO TWO (2) TIMES PER SEASON FOR THE DURATION OF THE WARRANTY PERIOD.
  19. ALL OTHER PLANT MATERIALS SHALL BE GUARANTEED FOR A PERIOD OF TWO (2) YEARS FROM TIME OF OWNER ACCEPTANCE. ONLY ONE REPLACEMENT PER PLANT WILL BE REQUIRED DURING THE WARRANTY PERIOD EXCEPT IN THE EVENT OF FAILURE TO COMPLY WITH THE SPECIFIED REQUIREMENTS.
  20. THE CONTRACTOR IS RESPONSIBLE TO CONDUCT A FINAL WALK THROUGH WITH THE LANDSCAPE ARCHITECT AND OR OWNERS REPRESENTATIVE TO ANSWER QUESTIONS, PROVIDE WRITTEN INSTRUCTIONS, AND ENSURE THAT PROJECT REQUIREMENTS HAVE BEEN MET.



**SOIL PLACEMENT NOTES**

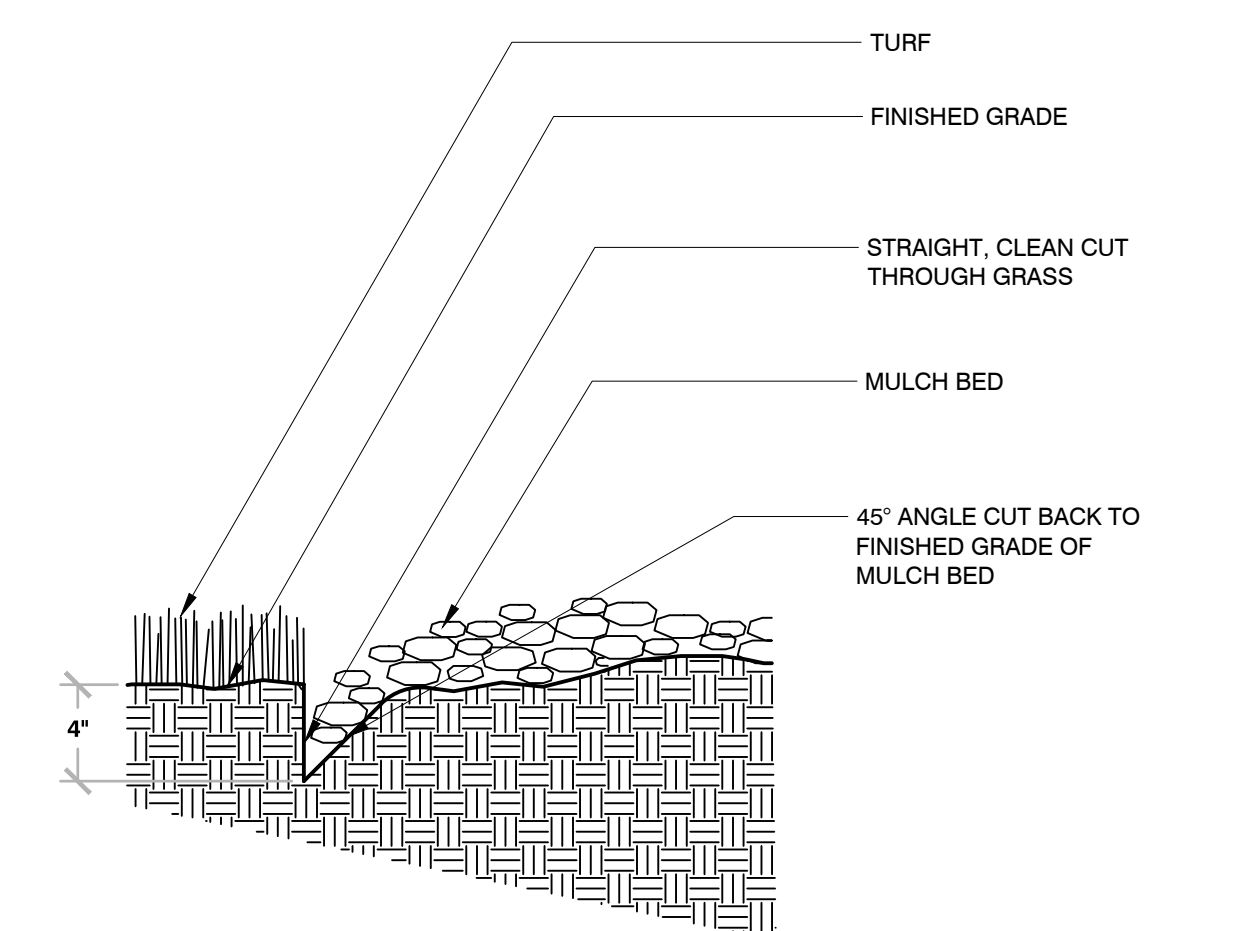
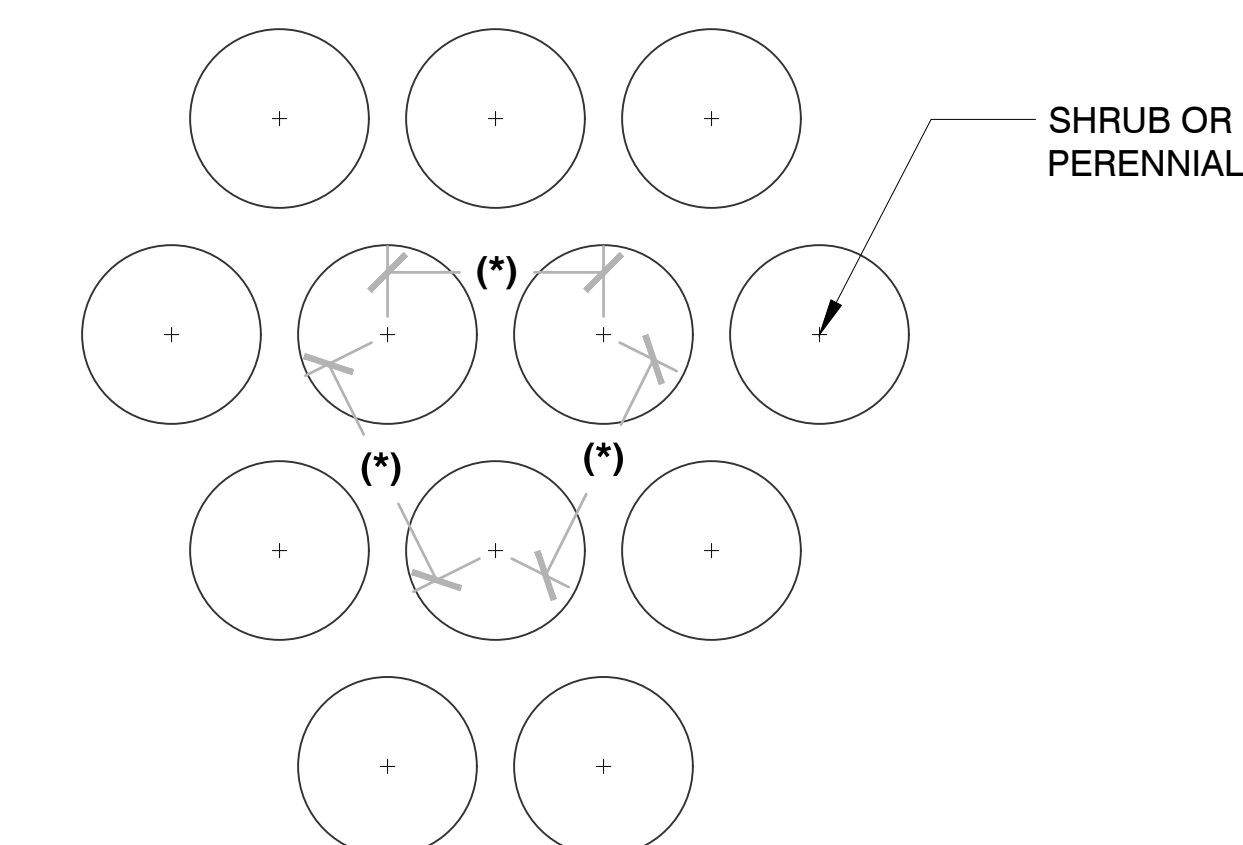
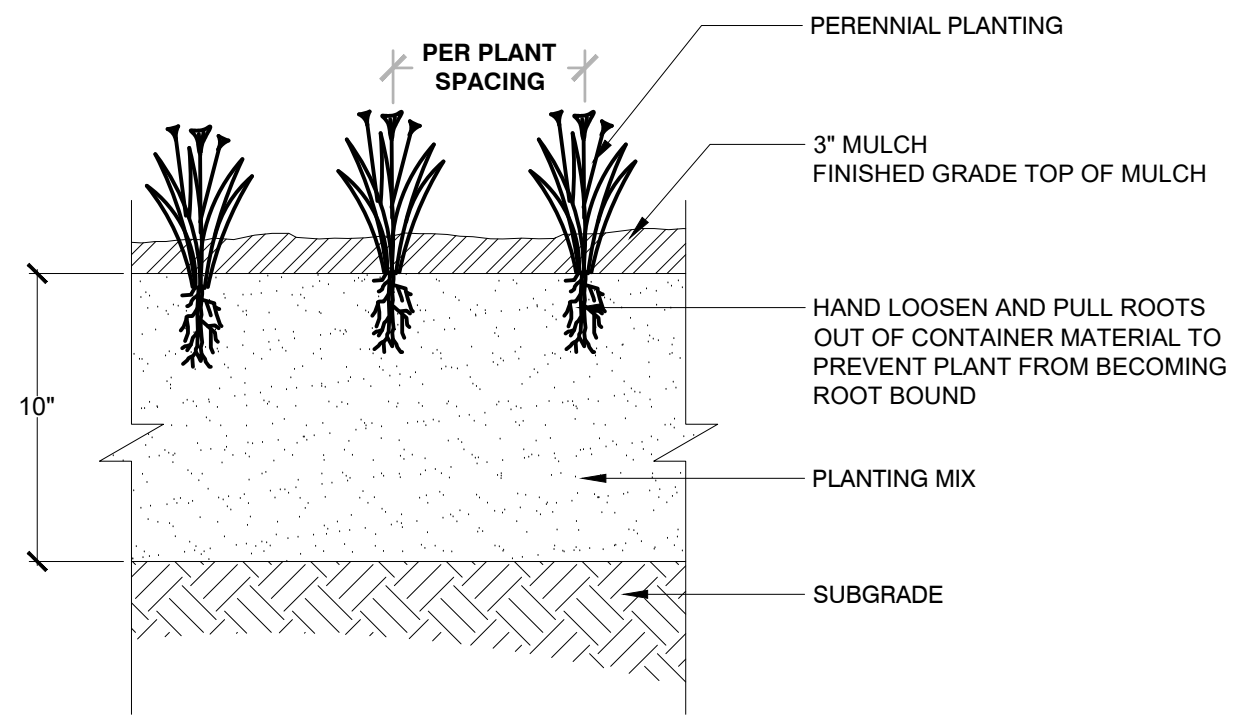
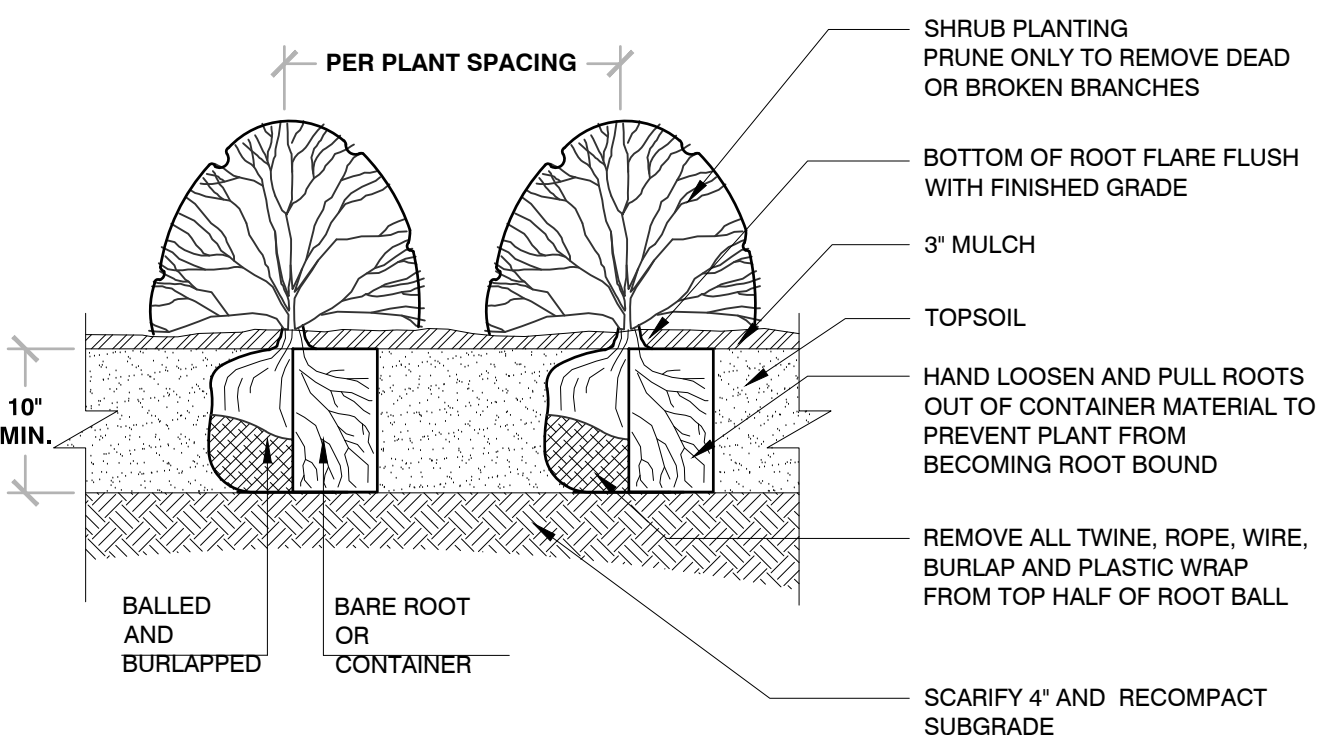
1. LOOSEN SUBGRADE TO A MINIMUM DEPTH INDICATED IN PLANTING NOTES USING A CULTI-MULCHER OR SIMILAR EQUIPMENT, AND REMOVE STONES MEASURING OVER 1-1/2 INCHES IN ANY DIMENSION, STICKS, RUBBISH AND OTHER EXTRANEIOUS MATTER.
2. THOROUGHLY BLEND PLANTING SOIL MIX FOR PLANTING BED AREAS. (1 PART EXISTING SOIL, 1 PART TOPSOIL, 1 PART ORGANIC SOIL AMENDMENT, 2.9 POUNDS PER CUBIC YARD OF 4-4-4 ANALYSIS SLOW-RELEASE FERTILIZER)
3. TREE AND SHRUB HOLES SHALL BE FILLED WITH A PREPARED PLANTING MIXTURE OF 1 PART TOPSOIL, 2 PARTS PLANTING SOIL MIX.
4. SPREAD SOIL AND SOIL AMENDMENTS TO DEPTH INDICATED ON DRAWINGS, BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER NATURAL SETTLEMENT. (FINISH GRADE OF PLANTING BEDS SHALL BE 3" BELOW ALL ADJACENT SURFACES. FINISH GRADE OF TURF SEEDING AREAS SHALL BE 1" BELOW ALL ADJACENT HARD SURFACES, WALKS, AND CURBS.)
5. PLACE APPROXIMATELY 1/2 OF TOTAL AMOUNT OF SOIL REQUIRED. WORK INTO TOP OF LOOSENEED SUBGRADE TO CREATE A TRANSITION LAYER, THEN PLACE REMAINDER OF THE SOIL. SOIL TRANSITION LAYER SHALL BE TILLED TO A MINIMUM DEPTH OF 6" BELOW THE DEPTH OF NEWLY PLACED SOIL. PARKING LOT ISLANDS SHALL BE CROWNED TO A HEIGHT OF 6" TO PROVIDE PROPER DRAINAGE UNLESS OTHERWISE NOTED.
6. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
7. FINISH GRADING: GRADE SOIL TO A SMOOTH, UNIFORM SURFACE PLANE WITH A LOOSE, UNIFORMLY FINE TEXTURE.
8. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES.
9. RESTORE PLANTING BEDS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING AND BEFORE PLANTING.

**1 TREE PLANTING**

1/4" = 1'-0" 329343-01

**2 EVERGREEN TREE PLANTING**

1/4" = 1'-0" 329343-03



- BAREROOT PLANTING NOTES:**
1. SOAK ROOTS IN WATER FOR AT LEAST ONE HOUR BUT NOT MORE THAN 24 HOURS PRIOR TO PLANTING.
  2. SCARIFY SIDES AND BOTTOMS OF HOLE.
  3. PROCEED WITH CORRECTIVE PRUNING OF THE TOP AND BOTTOM ROOTS.
  4. TRANSFER PLANT DIRECTLY FROM WATER TO HOLE. SET PLANT SO THE ROOT FLARE IS APPROXIMATELY AT THE FINISHED SOIL ELEVATION. SPREAD ROOTS OUT EVENLY. PLUMB AND IMMEDIATELY BACKFILL WITH PLANTING SOIL MIX.
  5. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL VOIDS.
  6. BACKFILL VOIDS AND WATER SECOND TIME.
  7. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.

**3 SHRUB PLANTING**

1/2" = 1'-0" 329333-02

**4 PERENNIAL PLANTING**

1" = 1'-0" 3293-01

**5 PLANT SPACING**

3/4" = 1'-0" 3293-02

**6 TRENCHED BED EDGE**

3/4" = 1'-0" 3293-03

DESIGNED: DB  
DRAWN: DB  
REVIEWED: JSJ  
THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC

**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:  
20725 WATERTOWN ROAD, SUITE 100  
BROOKFIELD, WI 53186  
(262) 754-8888

CHICAGO | MILWAUKEE | NATIONWIDE

**CAPE CROSSING**

**CITY OF FRANKLIN, MILWAUKEE CO., WI**

**LANDSCAPE DETAILS & NOTES**

REVISIONS	
1. CITY COMMENTS	09-01-21
2. CITY COMMENTS	09-16-21
3. CITY COMMENTS	11-23-21
4. CITY COMMENTS	01-13-22
5. CITY COMMENTS	02-18-22
6. CITY COMMENTS	08-26-22

PEG JOB No. 1004.00  
PEG PH. ASZ  
START DATE 06-01-22  
SCALE VARIES

**SHEET**  
L-6  
L-6

© COPYRIGHT 2019

## MEMORANDUM

Date: August 22, 2022  
To: Eric Obarski. Cape Crossing, LLC  
From: Department of City Development  
Régulo Martínez-Montilva, AICP, Principal Planner  
RE: Application for Final Plat, Cape Crossing (Phase 1)  
12200 W Ryan Rd. / 890 9991 001 & 890 9991 002

---

Staff comments are as follows for the above-referenced application received on August 4, 2022:

**Responses in red by Pinnacle Engineering Group on August 26, 2022.**

### **City Development Department comments**

1. Outlot 4 is designated as a trail head in the Ryan Creek Trail Plan (adopted by the Common Council on June 21, 2022, attached for your reference). Unified Development Ordinance (UDO), Section 15-5.0110B. “Parks, Playground and Other Recreational and Municipal Facilities” states that:
  - “The Plan Commission shall, at the time of reviewing the Certified Survey Map, Preliminary Plat, Condominium, any residential special use, any residential PDD Planned Development District, and residential uses in a mixed PDD Planned Development District, or multiple-family dwelling development, recommend to the Common Council one of the following options. The Common Council, at the time of reviewing the development and after reviewing the recommendation of the Plan Commission, shall select one of the following options and incorporate same into any approval granted:
    1. Dedicate open space lands designated on the County development plan or component thereof, City of Franklin Comprehensive Master Plan or plan component; or
    2. Reserve such open space lands and require a Park, Playground and Other Recreational Facility development fee payment pursuant to Division 15-5.0110(F)(4); or
    3. Where no open space lands are directly involved, require a Park, Playground and Other Recreational Facility development fee payment pursuant to Division 15-5.0110(F)(4)”.

Since outlot 4 is designated as a trail head, City Development staff recommends that this outlot should be dedicated to the public by the subdivider. UDO Section 15-5.0110F.4.b. states that: “The representative cash value of the land to be dedicated shall be determined by the City and developer on the basis of full and fair market value of the land to be dedicated”, ... “Any credit or credit

refund hereunder shall be granted to the fee payor(s) obligation, determined by the proportion of the total credit to the total fee obligation to be imposed upon the proposal development”. In case of dedication of outlot 4, you can submit an appraisal of this outlot. As pointed out above, that value of the land to be dedicated can be used as credit for park impact fees.

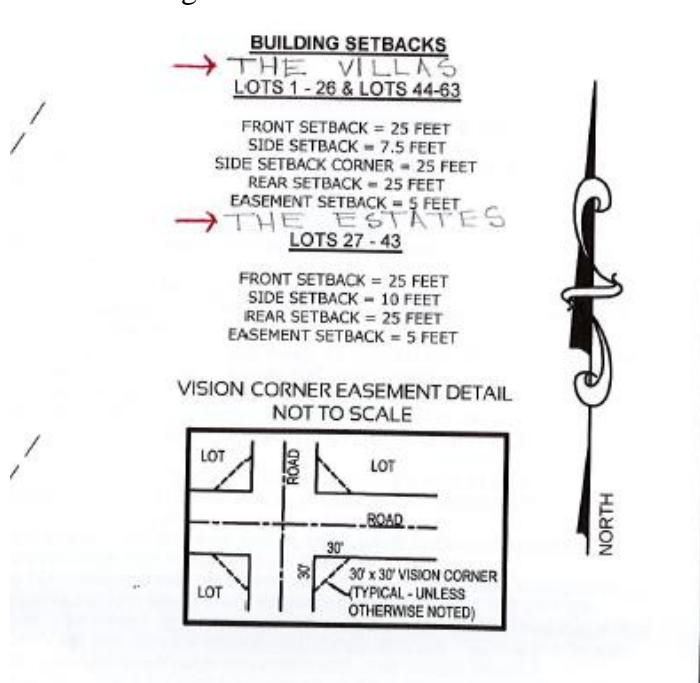
**Added language to note 5 on sheet 2, “for the eventual purpose of creating a public trail head.”**

- Wetland W-3. City Development staff acknowledges that you have received a Nonfederal Wetland Exemption Determination from the Department of Natural Resources (letter dated August 10, 2022, EXE-SE-2022-41-02358), to allow for impacts to a portion of wetland W-3 (8,346 square feet) and the entire wetland W-4. Additionally, wetlands W-3 and W-4 are not federally jurisdictional per letter dated May 26, 2022 from the U.S. Army Corps of Engineers. When a wetland is not subject to state and federal regulations, local protections standards set forth in the UDO Part 4 “Natural Resource Protection” do not apply, this is the case of the 8,346 square foot portion of wetland W-3 and the entire wetland W-4. However, these local protection standards still apply to the remaining area of wetland W-3 and its 30-foot buffer and 50-foot setback, note that grading is not allowed in the buffer, grading is allowed in the setback but structures are prohibited.

In order to allow for grading activities in the buffer of the remaining area of wetland W-3 (20,768 square feet approx..), you would need to obtain a Natural Resource Special Exception (NRSE), application and questionnaire attached. The areas of wetland W-3 and its buffer that would remain undisturbed must be protected by a conservation easement. The conservation easement document shall be revised as necessary following the NRSE.

**Added the center wetland and hatched the area that is permitted to be filled. Added note 15 on sheet 2 to reference the ACOE and DNR permit numbers and dates. Added a conservation easement around the remainder of the wetland.**

- For clarity, it is suggested to add the names of the 2 subdivision areas (The Villas and The Estates) to the building setbacks information on sheets 2 and 3.





**Added the names as noted.**

4. Pursuant to Unified Development Ordinance (UDO) Section 15-5.0102A, please add the following note on the face of the plat:

"Landscape Bufferyard Easement: This strip is reserved for the planting of trees and shrubs; the building of structures hereon is prohibited."

**Added this note as note 11 on sheet 2. Included "(other than a pedestrian path, sidewalk and a subdivision monument sign)" after the word structures to allow for these items.**

5. Note that pursuant to UDO Section 15-7.0603.D, City Development staff sent the conservation easement, landscape bufferyard easement and declaration of protective covenants to the City Attorney for review, these comments will follow as well as City Development and Engineering review comments.

**Comment only, no plat change.**

6. It is suggested to add a note to the plat to provide additional information about the easement setback. For example, are structures prohibited within the easement setback? Is this easement setback applicable to all easements?

**The easement setback note was removed. There is no easement setback.**

7. Note that the subdivision monument and the clubhouse will require separate approvals, specifically a Sign Review and Sign permit for the monument sign and Site Plan for the clubhouse and accessory improvements.

**Comment only, developer is aware of this process. No plat change.**

8. Please be aware of City impact fees. The impact fee schedule can be found on the City's website at: <https://www.franklinwi.gov/Files/Inspection/2022-Impact-Fees.pdf>

**Comment only, developer is aware of this. No plat change.**

9. Have the comments from Milwaukee County been addressed? Letter dated July 1, 2022, attached for reference.

**The developer has reached out to the County to discuss their comments. Neither comment is a plat change.**

**Engineering Department comments**

10. Cape Crossing Phase I, Final Plat

- *Show the 20 ft easements (water & sanitary) crossing the Milwaukee Electric Railway and Light Company.*

**The easements are shown and labeled as "by separate document".**

- *Show the utility easement for electric and communication.*

**A 15' utility easement is shown along the road right-of-ways of all lots and outlots.**

- *Show the public trail easements on the north side of the right of way of West Ryan Road and between lots 10 & 11.*

**The emergency access and pedestrian path easement is shown between lots 10 and 11. The landscape buffer easement and language regarding the landscape buffer easement allows the pedestrian path to be in the landscape buffer. See comment 4 above.**

- *Show different street names for every change of direction (attached-Street Naming).*

**Revised the road names after working with City engineering staff.**

- *The tree type and placement must be reviewed and approved by the City's Forester/ Arborist. See the attached updated landscape plans.*

**Inspection Services Department comments**

*11. Inspection Services has no comments on the proposal at this time.*  
**Comment only, no plat change.**

**Police Department comments**

*12. The PD has no comment regarding this request.*  
**Comment only, no plat change.**



**CITY OF FRANKLIN**  
**REPORT TO THE PLAN COMMISSION**  
**Meeting of September 8, 2022**

**Item E.3.**

**SIGN REVIEW**

**RECOMMENDATION:** City Development Staff recommends approval of this Sign Review, subject to conditions set forth in the attached draft resolution.

<b>Project name:</b>	<b>Baseballism and Foth, Sign Review</b>
<b>Property Owner:</b>	BPC County Land LLC
<b>Applicant:</b>	Baseballism Inc. & Foth Infrastructure and Environmental, LLC
<b>Property Address/Tax Key Number:</b>	7044 S. Ballpark Drive / 744 1007 000
<b>Aldermanic District:</b>	District 6
<b>Agent:</b>	Sign Effectz, Inc.
<b>Zoning District:</b>	PDD 37 – Planned Development District No. 37 The Rock Sports Complex/Ballpark Commons
<b>Staff Planner:</b>	Régulo Martínez-Montilva, AICP, Principal Planner

Sign Review to request Plan Commission approval of 2 new wall signs for the C-1 Building of the Rock Sports Complex. According to the Planned Development District Ordinance No. 2019-2368, page 14: “All signs must be in accordance with the Municipal Code, as amended, and approved by the Architectural Review Board, or as approved by the Plan Commission on an individual site plan basis, and subject to issuance of a Sign Permit”. The proposed signs on the south building elevation (facing Rawson Avenue) were not depicted in the approved Site Plan, building elevations by Tredo Group dated January 22, 2018.

The proposed Baseballism sign has a sign face area of 99 sf and the Foth Sign 34 sf. The maximum sign area for the C-1 building is 665 sf per approved building elevations, and the existing signage is 532 sf per applicant’s calculations. With the approval of these Baseballism and Foth signs, the total sign area will reach the maximum allowable sign area for this building, additional signage will not be permitted unless a sign variance is granted.

**STAFF RECOMMENDATION**

City Development staff recommends approval of this Sign Review application, subject to the conditions set forth in the attached resolution.

Upon approval of this Sign Review, the applicant will need to apply for sign permits with the Department of City Development.

RESOLUTION NO. 2022-\_\_\_\_\_

A RESOLUTION APPROVING A WALL SIGN FOR A BASEBALLISM STORE AND FOTH OFFICES AT BALLPARK COMMONS DEVELOPMENT (SOUTHWEST CORNER OF WEST RAWSON AVENUE AND SOUTH BALLPARK DRIVE WITHIN THE BALLPARK COMMONS SPORTS VILLAGE COMMERCIAL/MIXED USE AREA OF PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS)) (BASEBALLISM AND FOTH INFRASTRUCTURE AND ENVIRONMENTAL, LLC, APPLICANTS)

WHEREAS, Baseballism and Foth Infrastructure and Environmental, LLC having applied for approval of two new illuminated wall signs (Baseballism sign (approximately 99 square feet) and a Foth sign (approximately 34 square feet), on the south building elevation (facing Rawson Avenue), property identified in the Ballpark Commons Masterplan as building C-1 (located in the Ballpark Commons Sports Village Commercial/Mixed Use Area of Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons)); and

WHEREAS, the Plan Commission having reviewed the proposed sign plans and having found same to be in compliance with and in furtherance of the standards of Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons).

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the wall sign plans City file-stamped August 19, 2022, attached hereto and incorporated herein, be and the same are hereby approved, subject to the following conditions:

1. That the signage shall be constructed and installed pursuant to such signage plans within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the Plan Commission.
2. The applicant shall obtain sign permits with the Department of City Development prior to installation.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BASEBALLISM AND FOTH INFRASTRUCTURE AND ENVIRONMENTAL, LLC –  
SIGN REVIEW  
RESOLUTION NO. 2022-\_\_\_\_\_  
Page 2

APPROVED:

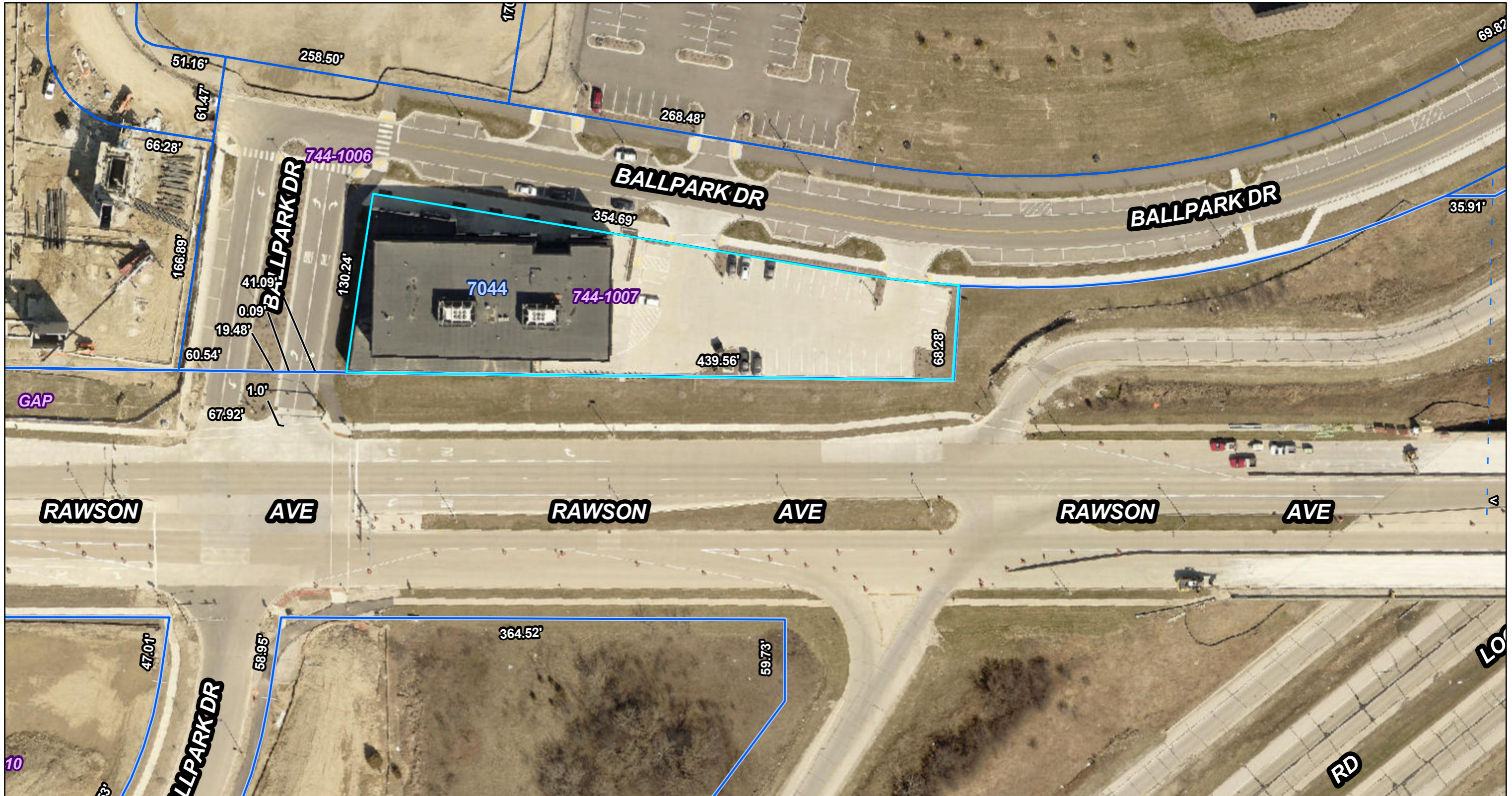
\_\_\_\_\_  
Stephen R. Olson, Chairman

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

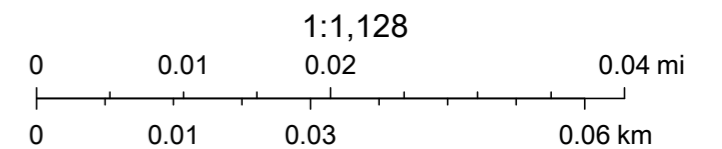
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# City of Franklin



8/31/2022, 11:54:19 AM

 Parcel



City of Franklin, WI, SWRPC, Maxar, Microsoft



1827 W. Glendale Ave. Milwaukee, WI. 53209

Sign square footage of existing signs on the Ballpark Office Commons Building

Roc Ventures Signage

- South Elevation - 61.13 sq. ft.
  - East Elevation - 61.13 sq. ft.
  - West Elevation - 61.13 sq. ft.
- Total = 183.39 sq. ft.**

OrthoLazer

- East Elevation - 55.7 sq. ft.
- Total = 55.7 sq. ft.**

Wheel & Sprocket (unverified)

- North Elevation - 46.6 sq. ft.
  - South Elevation - 81.0 sq. ft.
- Total = 127.6 sq. ft.**

Blend Coffee

- North Elevation - 34.5 sq. ft.
  - South Elevation - 97.9 sq. ft.
- Total = 132.4 sq. ft.**

Baseballism

- North Elevation - 33.33 sq. ft.
- Total = 33.33 sq. ft.**

**Total square foot of existing signs on the building = 532.42 sq. ft.**





## CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

### BUILDING MOVE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 ½" X 11") of the plat of survey, *showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.*  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

### SIGN REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than ½" = 1'. *Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).*
  - Three (3) scaled copies of the Site Plan, *showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.*
- Email or flash drive with all plans / submittal materials.
  - Required for signage in Planned Development Districts (PDD) No. 7 and 18. Additional materials / copies may be required for board/commission meetings.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

### SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (*lot size ≤ 1 acre*)
  - Tier 3: \$500 (*≤ 10% increase or decrease in total floor area of all structures with no change to parking: or change to parking only*).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. *The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)*
- One (1) colored copy of the building elevations on 11" X 17" paper, *if applicable.*
- One (1) copy of the Site Intensity and Capacity Calculations, *if applicable (see division 15-3.0500 of the UDO)*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

### TEMPORARY USE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, *see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.

**[14707-02] ROC-BASEBALLISM-CH-1 - BASEBALLISM - CHANNEL LETTERS -CH-1**

(1) Req'd

Fabricate and Install (1) set of face-lit channel letters and logo to existing South Elev. of existing office bldg.  
Place sign to wall area just right of "Blend" sign. Center Vertically to same level as other sign on elevation for uniform look.

Application: Flush-Mount to Wall

Letter/ Logo Returns: 3in deep Prefin Black Alum (per color schedule)

Faces: #7328 White Acrylic

Prefin Black

Vinyl Film 1 (all): Perforated Black Vinyl Film (appears white at night when back-lit)

Vinyl Film (logo only): Opaque White - 1st surface applied

Illumination: Internal White LEDs to Suit






Horiz Stripes: 2"x2" Alum Channel (trim-capped and faced)

**99.92 SF / 100 MAX ALLOWED SF**

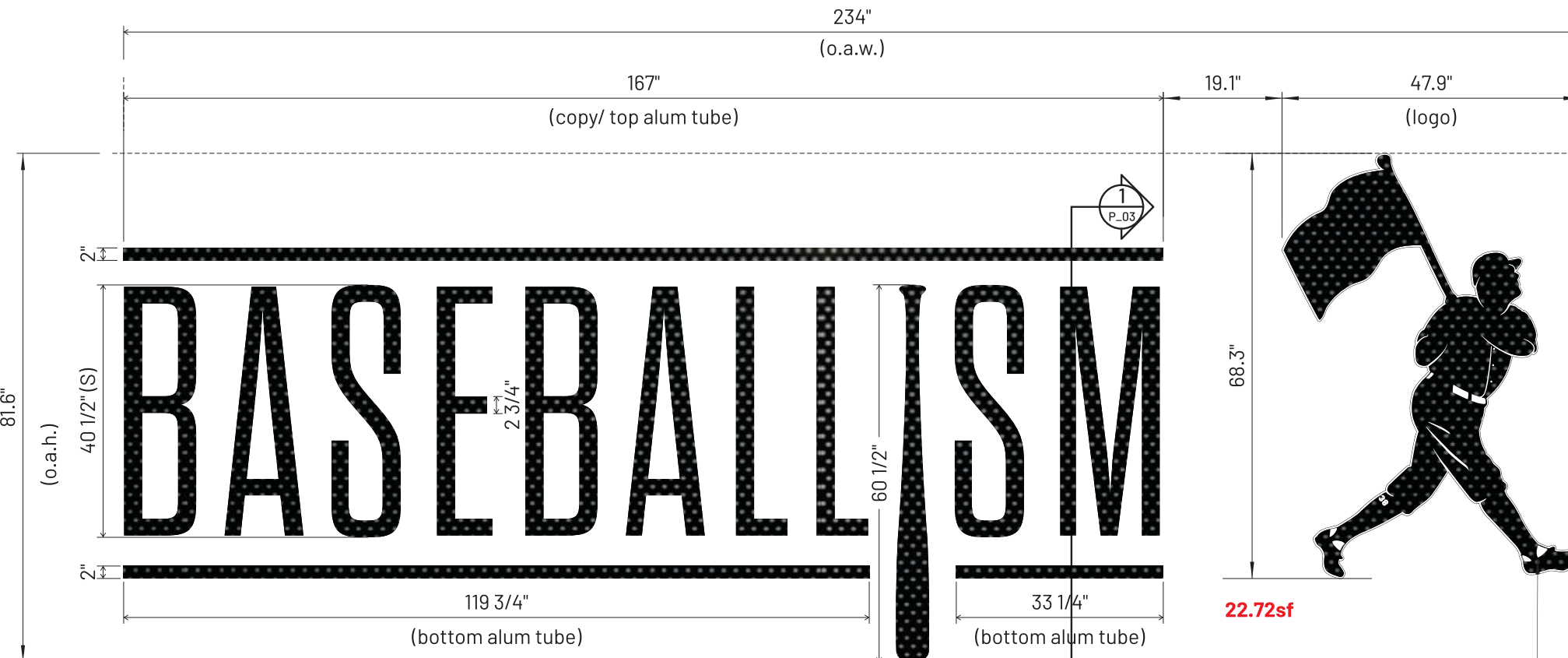
**VERIFY PLACEMENT OF REMOTE PWR SUP BOX AT TIME OF INSTALL.**

**LOW VOLTAGE WHIPS TO REACH PWR SUP BOX.**

**COLOR SCHEDULE:**

-  3M Perforated Black Vinyl Film (appears white at night when back-lit)
-  3M 7725-20 "Matte White" opaque vinyl film, 1st surface applied over Perforated Black Vinyl
-  #7328 White Acrylic Faces
-  Prefin Black Trim Cap/ Prefin Black Alum Coil Stock
-  MAP Satin Black Painted Finish

**1 FRONT VIEW**  
1/2" = 1' - 0" Scale

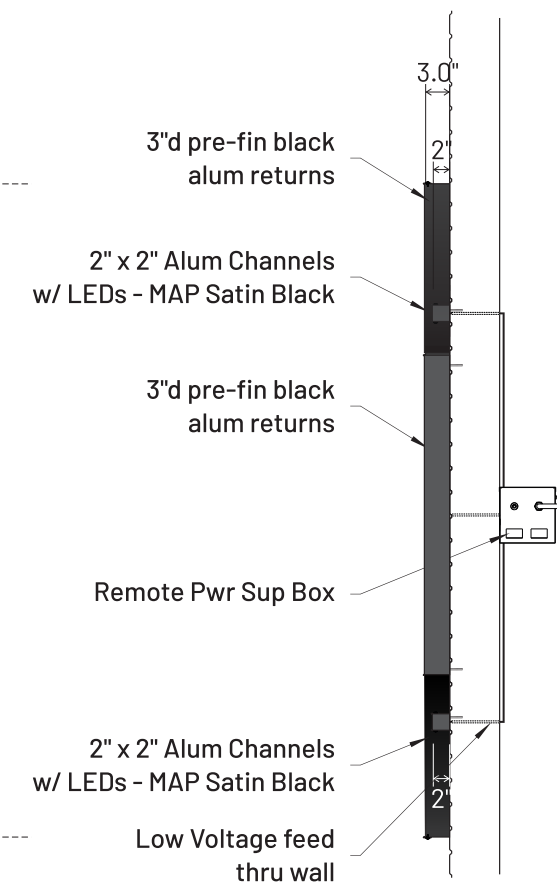


77.2sf



**SIMULATED NIGHT VIEW - NOT TO SCALE**

**2 SIDE VIEW**  
1/2" = 1' - 0" Scale



22.72sf

3M 7725-20 "Matte White" opaque vinyl film - small details, 1st surface applied over perf

**SignEffectz™**

1827 W. Glendale Ave. Milwaukee, WI 53209  
414.264.5504  
414.262.5564  
www.signeffectz.com

**Disclaimer:**

THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY, NOR WILL YOU PERMIT ANY THIRD PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**Baseballism @ ROC Ventures Office Building**

**[14707-01] ROC-BASEBALLISM-CB-1 - BASEBALLISM - WALL SIGN - Cb1:**

Fabricate and install (1) single-face, illum wall sign w/ routed face, backed w/ white acry & printed dual color black/white vinyl. 40" x 120"

**[14707-02] ROC-BASEBALLISM-CH-1 - BASEBALLISM - CHANNEL LETTERS -CH-1:**

Fabricate and install (1) set face-lit, flush-mounted channel letters & logo. 40.5" tall "BASEBALLISM" 47.9" X 68.3" "LOGO" Letters and logo to have white acry faces w/ 1st surface applied, printed day/night vinyl. (Includes horizontal stripes as in concept drawing)

**[14707-03] PERMIT PROCUREMENT**

**Project & Billing Address:**

BASEBALLISM  
7044 S. Ballpark Dr.  
Franklin, WI 53132

Rev.	Description	Date	Init
01			
02			
03			
04			
05			
06			
07			
08			
09			
10			

**Project Notes:**

No survey in quote. Verify final placement of Remote Pwr Sup Box in field at time of install.

Add lengths of wire to reach Remote Power Supplies.

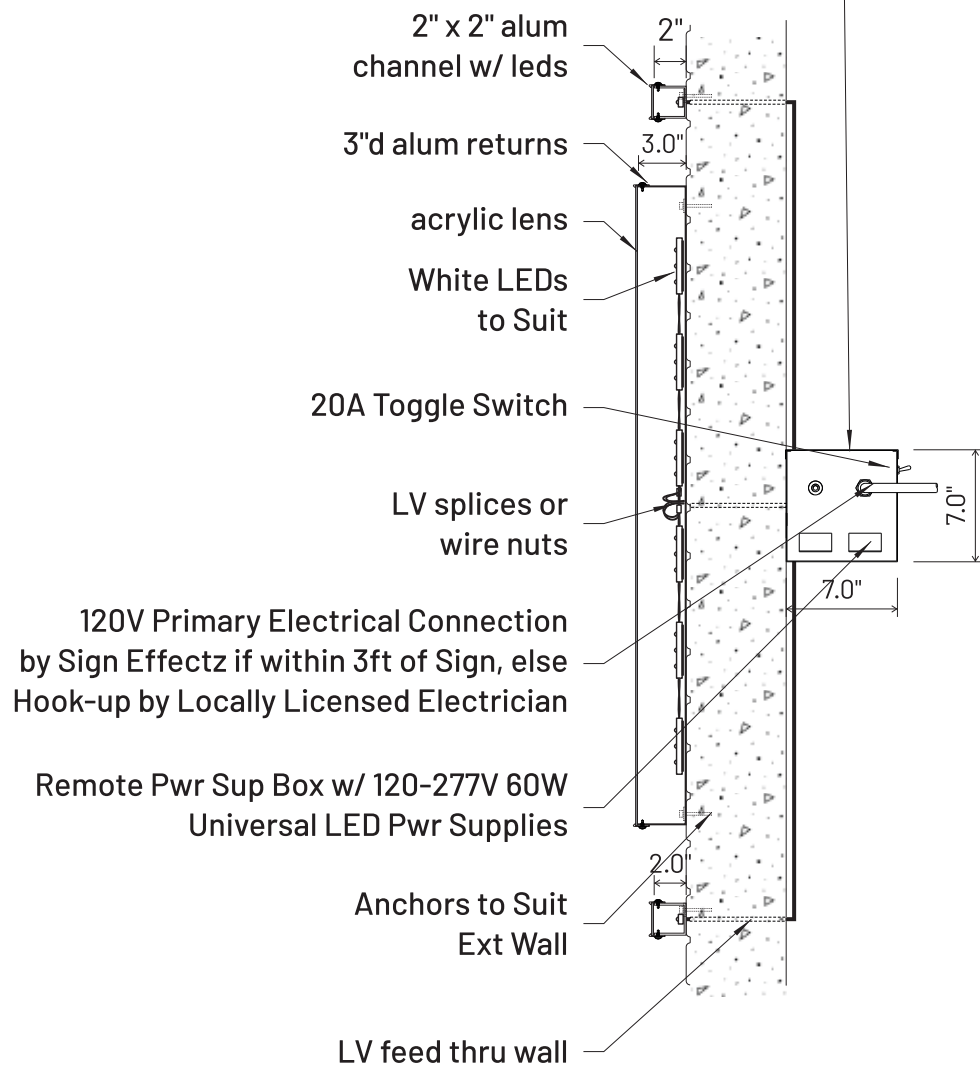
Copyright © 2022 Sign Effectz Inc. All Rights Reserved

AAE	JCB	JD	<input type="checkbox"/> SRFR	<input type="checkbox"/> CUSTOMER APPROVAL
DRAWN BY:	MGR:	CHK BY:	<input type="checkbox"/> PERMIT	<input type="checkbox"/> SURVEY
			<input type="checkbox"/> COMPLETED:	<input type="checkbox"/> ENG
DATE:	04/11/22	SCALE:	1/2" = 1' - 0"	
<b>B</b>	33036240	P_02	00	
SIZE:	PROJECT NO:	SHEET NO:	REV	
	01	VERSION:	.3	
14795	14707	02		
ESTIMATE NO:	WORK ORDER NO.	ITEM		

[14707-02] ROC-BASEBALLISM-CH-1 - BASEBALLISM - CHANNEL LETTERS -CH-1

2 SIDE DETAIL, CH-1  
1" = 1' - 0" Scale

VERIFY PLACEMENT OF REMOTE PWR SUP BOX AT TIME OF INSTALL.



**SignEffectz™**

1827 W. Glendale Ave. Milwaukee, WI 53209  
414.264.5504  
414.262.5564  
www.signeffectz.com

**Disclaimer:**  
THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY. NOR WILL YOU PERMIT ANY THIRD PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

Baseballism @  
ROC Ventures Office Building

[14707-01] ROC-BASEBALLISM-CB-1 -  
BASEBALLISM - WALL SIGN - Cb1:  
Fabricate and install (1) single-face, illum wall sign w/ routed face, backed w/ white acry & printed dual color black/white vinyl.  
40" x 120"

[14707-02] ROC-BASEBALLISM-CH-1 -  
BASEBALLISM - CHANNEL LETTERS -CH-1:  
Fabricate and install (1) set face-lit, flush-mounted channel letters & logo.  
40.5" tall "BASEBALLISM"  
47.9" X 68.3" "LOGO"  
Letters and logo to have white acry faces w/ 1st surface applied, printed day/night vinyl.  
(Includes horizontal stripes as in concept drawing)

[14707-03] PERMIT PROCUREMENT

**Project & Billing Address:**  
BASEBALLISM  
7044 S. Ballpark Dr.  
Franklin, WI 53132

Rev.	Description	Date	Init
01			
02			
03			
04			
05			
06			
07			
08			
09			
10			

**Project Notes:**  
No survey in quote. Verify final placement of Remote Pwr Supply Box in field at time of install. Add lengths of wire to reach Remote Power Supplies for Channel Letters  
Coordinate Primary Entry at Back of Cabinet Sign.

Copyright © 2022 Sign Effectz Inc. All Rights Reserved

AAE JCB JD  SRFR  CUSTOMER APPROVAL  
DRAWN BY: MGR: CHK BY:  PERMIT  SURVEY  ENG  
COMPLETED:

DATE: 04/11/22 SCALE: AS NOTED

**B** 33036240 P\_03 00  
SIZE. PROJECT NO: SHEET NO: REV

PRODUCTION RELEASE NO: 01 VERSION: .3

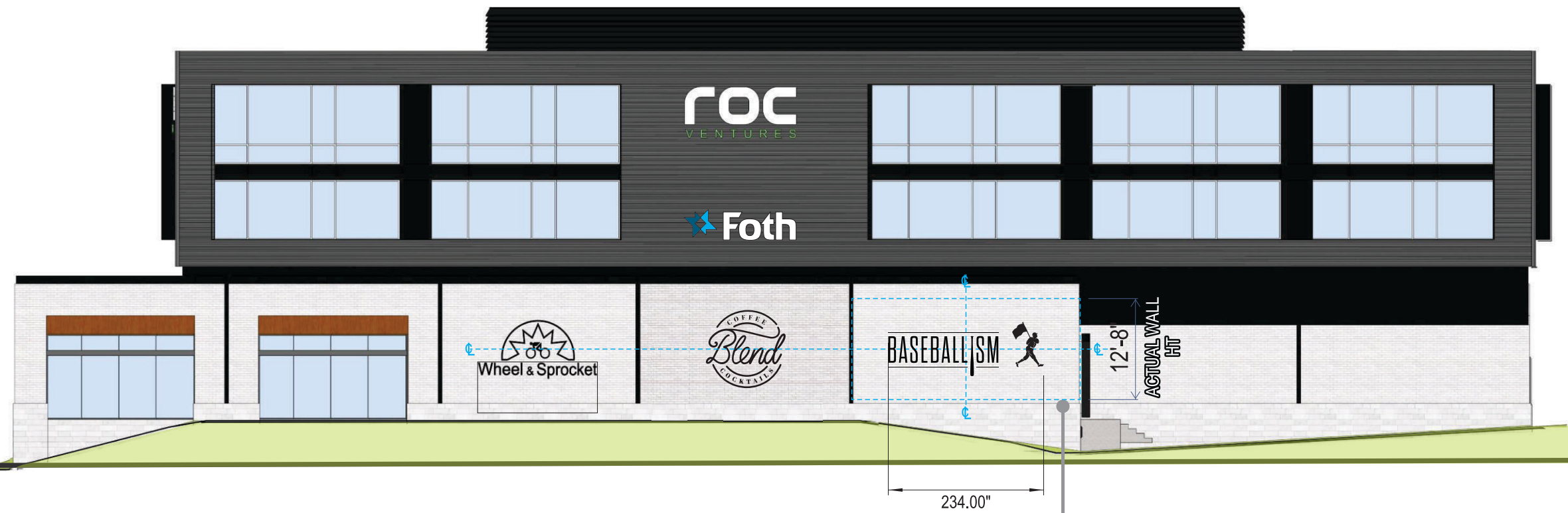
14795 14707 — 01  
ESTIMATE NO: WORK ORDER NO. ITEM

Disclaimer:  
 THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY. NOR WILL YOU PERMIT ANY THIRD PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**1 PROPOSED SOUTH ELEVATION - CHANNEL LETTERS CH-1**  
 1/16" = 1' - 0" Scale

D  
C  
B  
A



MECH SCREEN  
52'-0" \*  
TOP OF COPING  
46'-0"

3<sup>RD</sup> FLOOR  
32'-0"

2<sup>ND</sup> FLOOR  
18'-0"

1<sup>ST</sup> FLOOR  
0' - 0"

POSITION SIGN TO ALIGN HORIZONTALLY WITH "WHEEL" AND "BLEND" SIGN FOR EVEN APPEARANCE

TENANT SIGNAGE  
99.92 SF/ 100 MAX ALLOWED SF

**Baseballism @ ROC Ventures Office Building**

**[14707-01] ROC-BASEBALLISM-CB-1 - BASEBALLISM - WALL SIGN - Cb1:**  
 Fabricate and install (1) single-face, illum wall sign w/ routed face, backed w/ white acry & printed dual color black/white vinyl.  
 40" x 120"

**[14707-02] ROC-BASEBALLISM-CH-1 - BASEBALLISM - CHANNEL LETTERS - CH-1:**  
 Fabricate and install (1) set face-lit, flush-mounted channel letters & logo.  
 40.5" tall "BASEBALLISM"  
 47.9" X 68.3" "LOGO"  
 Letters and logo to have white acry faces w/ 1st surface applied, printed day/night vinyl.  
 (Includes horizontal stripes as in concept drawing)

**[14707-03] PERMIT PROCUREMENT**

**Project & Billing Address:**  
 BASEBALLISM  
 7044 S. Ballpark Dr.  
 Franklin, WI 53132

Rev.	Description	Date	Init
01			
02			
03			
04			
05			
06			
07			
08			
09			
10			

**Project Notes:**  
 No survey in quote. Verify final placement of Remote Pwr Supply Box in field at time of install. Add lengths of wire to reach Remote Power Supplies for Channel Letters

Copyright © 2022 Sign Effectz Inc. All Rights Reserved

AAE	JCB	JD	<input type="checkbox"/> SRFR	<input type="checkbox"/> CUSTOMER APPROVAL
DRAWN BY:	MGR:	CHK BY:	<input type="checkbox"/> PERMIT	<input type="checkbox"/> SURVEY
			<input checked="" type="checkbox"/> COMPLETED:	<input type="checkbox"/> ENG
DATE:	04/11/22	SCALE:	1/16" = 1' - 0"	
<b>B</b>	33036240	P_05	00	
SIZE:	PROJECT NO:	SHEET NO:	REV	
	01	01	.3	
14795	14707	01		
ESTIMATE NO:	WORK ORDER NO.	ITEM		

Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132  
(414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: \_\_\_\_\_

STAMP DATE: \_\_\_\_\_ city use only \_\_\_\_\_

## PLAN COMMISSION REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME:	NAME:
COMPANY:	COMPANY:
MAILING ADDRESS:	MAILING ADDRESS:
CITY/STATE: ZIP:	CITY/STATE: ZIP:
PHONE:	PHONE:
EMAIL ADDRESS:	EMAIL ADDRESS:

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS:	TAX KEY NUMBER:
PROPERTY OWNER:	PHONE:
MAILING ADDRESS:	EMAIL ADDRESS:
CITY/STATE: ZIP:	DATE OF COMPLETION: office use only

### APPLICATION TYPE

**Please check the application type that you are applying for**

Building Move  Sign Review  Site Plan / Site Plan Amendment  Temporary Use

Most requests require Plan Commission review and approval.

Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

### SIGNATURES

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).***

I, the applicant, certify that I have read the following page detailing the requirements for plan commission approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: 	APPLICANT SIGNATURE:
NAME & TITLE: DATE: 06/22/2022	NAME & TITLE: DATE:
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE: <i>Eric Rohs</i>
NAME & TITLE: DATE:	NAME & TITLE: DATE:

## CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

### BUILDING MOVE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 ½" X 11") of the plat of survey, *showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.*  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

### SIGN REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than ½" = 1'. *Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).*
  - Three (3) scaled copies of the Site Plan, *showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.*
- Email or flash drive with all plans / submittal materials.
  - Required for signage in Planned Development Districts (PDD) No. 7 and 18. Additional materials / copies may be required for board/commission meetings.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

### SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (*lot size ≤ 1 acre*)
  - Tier 3: \$500 (*≤ 10% increase or decrease in total floor area of all structures with no change to parking: or change to parking only*).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. *The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)*
- One (1) colored copy of the building elevations on 11" X 17" paper, *if applicable.*
- One (1) copy of the Site Intensity and Capacity Calculations, *if applicable (see division 15-3.0500 of the UDO)*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

### TEMPORARY USE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, *see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.

**[14911-01] FOTH-ROC-CH-01-REV 1:**

(1) REQ'D

FAB/ INSTALL (1) SET FACE-LIT, FLUSH-MOUNT CHANNEL LETTERS.

- "LOGO & FOTH" TO HAVE WHITE ACRYLIC FACES W/ LOGO HAVING PRINTED TRANSLUCENT GRAPHICS.
- QUOTED INSTALLING W/ 17T CRANE W/ BASKET TO REACH WALL (SAME AS WE DID FOR THE "ROC" LETTERS) AND ACCESS BEHIND WALL FOR SECONDARY WIRING. IF SURVEY DETERMINES NO ACCESS, BEHIND WALL, PRICE SUBJECT TO CHANGE.
- FINAL ELECTRICAL CONNECTION BY OTHERS.

**NOTE:** CH LETTERS PLACED ON SOUTH ELEV. BELOW "ROC VENTURES" LETTERS

34 TOTAL SQ FT

**COLOR SCHEDULE:**

- #7328 WHITE ACRYLIC ("FOTH")
- 1" WHITE TRIM CAP
- 5" X 0.63" PRE-FIN WHITE COIL STOCK ALUM RETURNS
- 3M WHITE TRANSLUCENT VINYL, PTM "PMS 308 C - DK BLUE"
- 3M WHITE TRANSLUCENT VINYL, PTM "PMS 299 C - LT BLUE"



1827 W. Glendale Ave. Milwaukee, WI 53209  
 414.264.5504  
 414.262.5564  
 www.signeffectz.com

Disclaimer:  
 THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY. NOR WILL YOU PERMIT ANY THIRD PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**Foth - ROC Office Bldg  
 Tenant Sign**

**[14911-01] FOTH-ROC-CH-01-REV 1:**  
 Revision to move ch letters to South Elev. below the ROC letters.  
 Fab/ install (1) set face-lit, flush-mount channel letters.  
 "FOTH + LOGO" to have white acrylic faces w/ having printed translucent graphics.  
 Quoted installing w/ 17T Crane w/ basket to reach wall (same as we did for the "ROC" letters) w/ access behind wall for secondary wiring.  
 Final electrical connection by others. If survey determines no access, behind wall, price subject to change.

**[14911-02] FOTH-ROC-SURVEY:**  
 Survey for new flush mounted channel letters. Checking for wiring access.

**Project & Billing Address:**  
 Foth Infrastructure & Environment LLC  
 7044 S. Ballpark Drive Suite 200  
 Franklin, WI 53132

Rev.	Description	Date	Init
01	RESIZE SET TO 34 SQ FT - prev JG	08/16/22	AE
02			
03			
04			
05			
06			
07			
08			
09			
10			

Project Notes:  
**FOR PERMIT USE ONLY**

Copyright © 2022 Sign Effectz Inc. All Rights Reserved

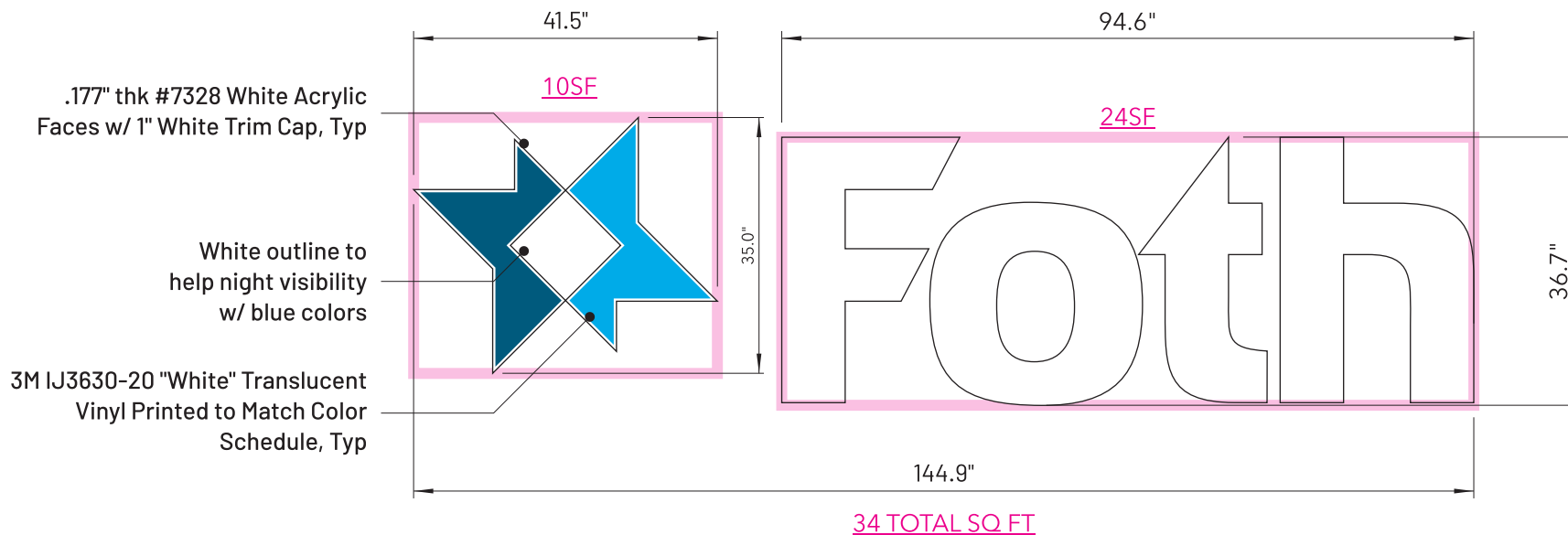
AAE	JCB	JD	<input type="checkbox"/> SRFR	<input type="checkbox"/> CUSTOMER APPROVAL
DRAWN BY:	MGR:	CHK BY:	<input checked="" type="checkbox"/> PERMIT	<input type="checkbox"/> SURVEY
			<input type="checkbox"/> ENG	<input type="checkbox"/> COMPLETED:
DATE:	08/16/22	SCALE:	1/2" = 1' - 0"	
<b>B</b>	31633598	P_ 01	00	
SIZE:	PROJECT NO:	SHEET NO:	REV	
PRODUCTION RELEASE NO: 01		VERSION: .1		
15013	14911	01		
ESTIMATE NO:	WORK ORDER NO.	ITEM		

D

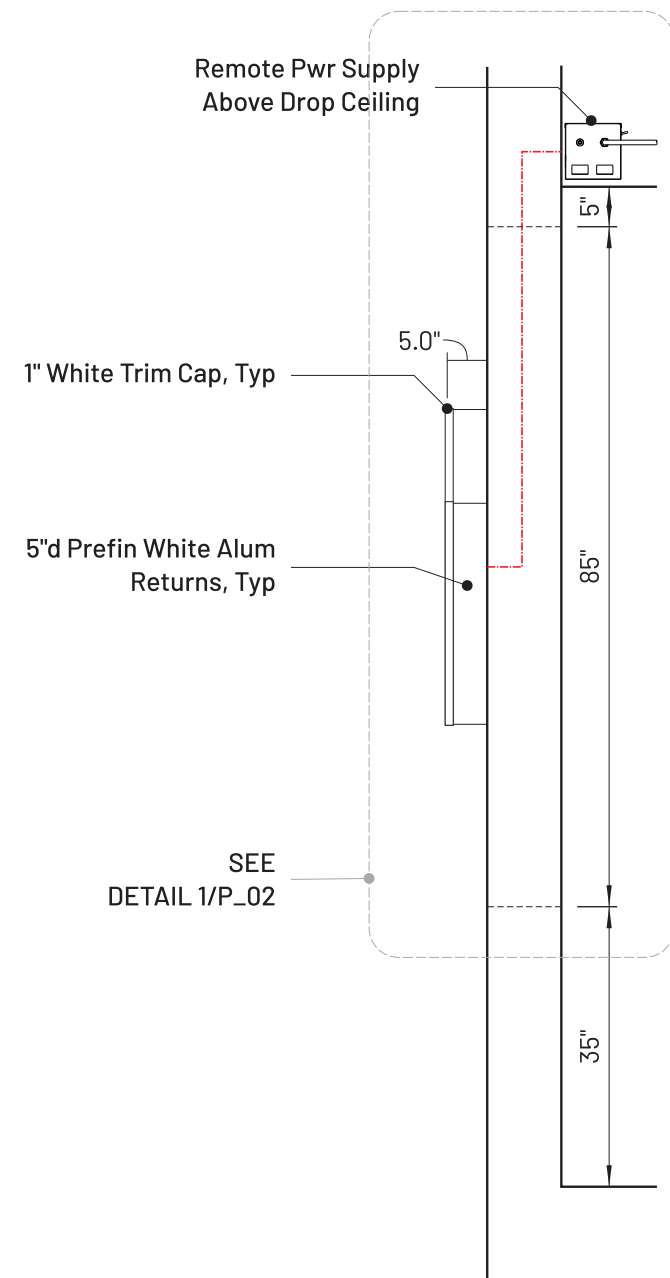
C

B

A

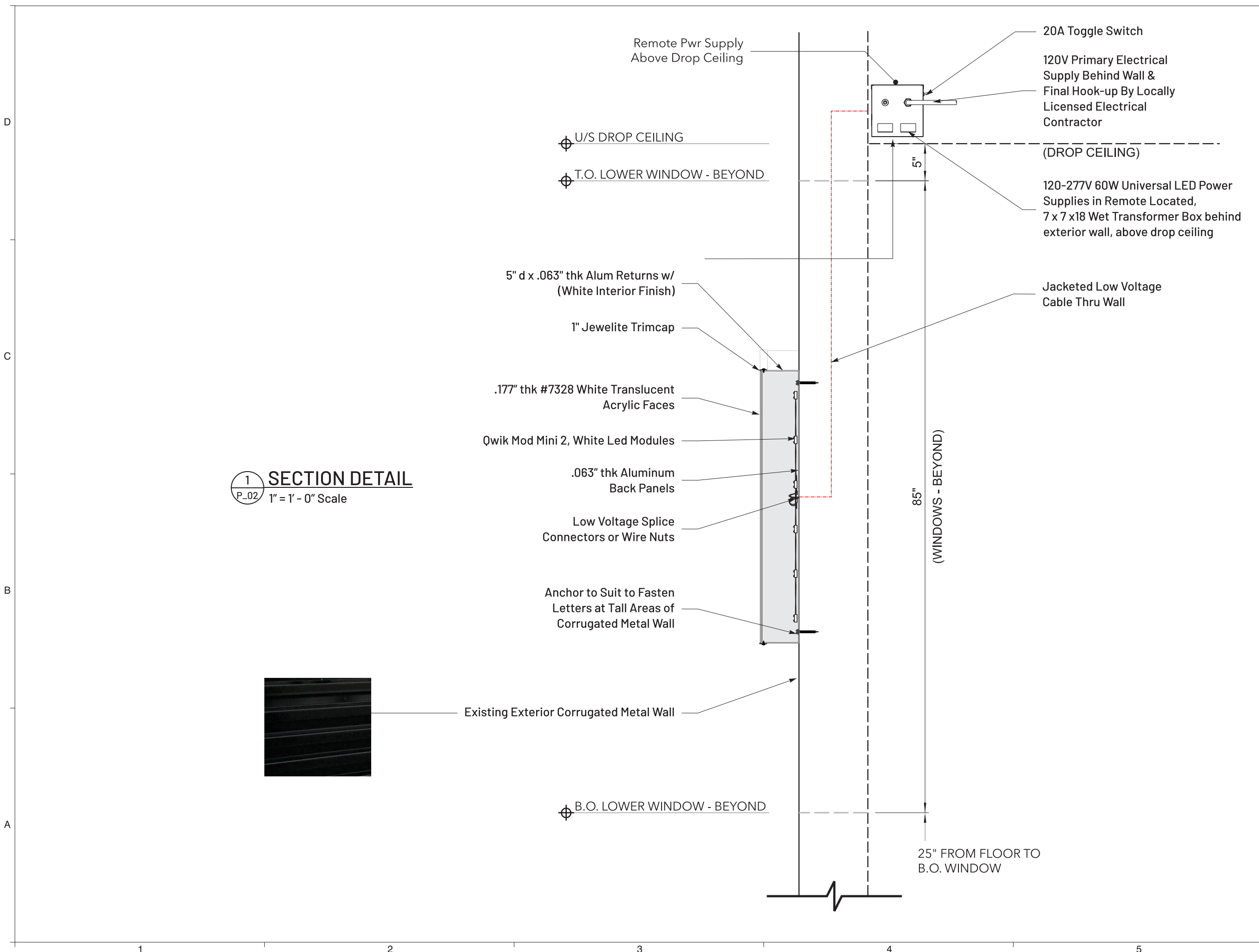


**1 SOUTH ELEV - FOTH CHANNEL LETTERS**  
 P\_01 1/2" = 1' - 0" Scale



**2 SIDE VIEW**  
 P\_01 1/2" = 1' - 0" Scale





**1 SECTION DETAIL**  
P\_02 1" = 1' - 0" Scale



**SignEffectz™**  
 1827 W. Glendale Ave. Milwaukee, WI 53209  
 414.264.5504  
 414.262.5564  
 www.signeffectz.com

Disclaimer:  
 THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY, NOR WILL YOU PERMIT ANY THIRD PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.  
 THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**Foth - ROC Office Bldg  
 Tenant Sign**  
**[14911-01] FOTH-ROC-CH-01-REV 1:**  
 Revision to move ch letters to South Elev. below the ROC letters.  
 Fab/ install (1) set face-lit, flush-mount channel letters.  
 "FOTH + LOGO" to have white acrylic faces w/ logo having printed translucent graphics.  
 Quoted installing w/ 17T Crane w/ basket to reach wall (same as we did for the "ROC" letters) w/ access behind wall for secondary wiring.  
 Final electrical connection by others. If survey determines no access, behind wall, price subject to change.

**[14911-02] FOTH-ROC-SURVEY:**  
 Survey for new flush mounted channel letters. Checking for wiring access.

**Project & Billing Address:**  
 Foth Infrastructure & Environment LLC  
 7044 S. Ballpark Drive Suite 200  
 Franklin, WI 53132

Rev.	Description	Date	Init
01	RESIZE SET TO 34 SO FT - prev JG	08/16/22	AE
02			
03			
04			
05			
06			
07			
08			
09			
10			

Project Notes:

FOR PERMIT USE ONLY

Copyright © 2022 Sign Effectz Inc. All Rights Reserved

AAE	JCB	JD	<input type="checkbox"/> SRFR	<input type="checkbox"/> CUSTOMER APPROVAL
DRAWN BY:	MGR:	CHK BY:	<input checked="" type="checkbox"/> PERMIT	<input type="checkbox"/> SURVEY
			<input type="checkbox"/> COMPLETED:	<input type="checkbox"/> ENG

DATE: 08/16/22 SCALE: 1" = 1' - 0"

<b>B</b>	31633598	P_02	00
SIZE.	PROJECT NO:	SHEET NO:	REV
	01	VERSION:	.1

15013	14911	01
ESTIMATE NO:	WORK ORDER NO.	ITEM



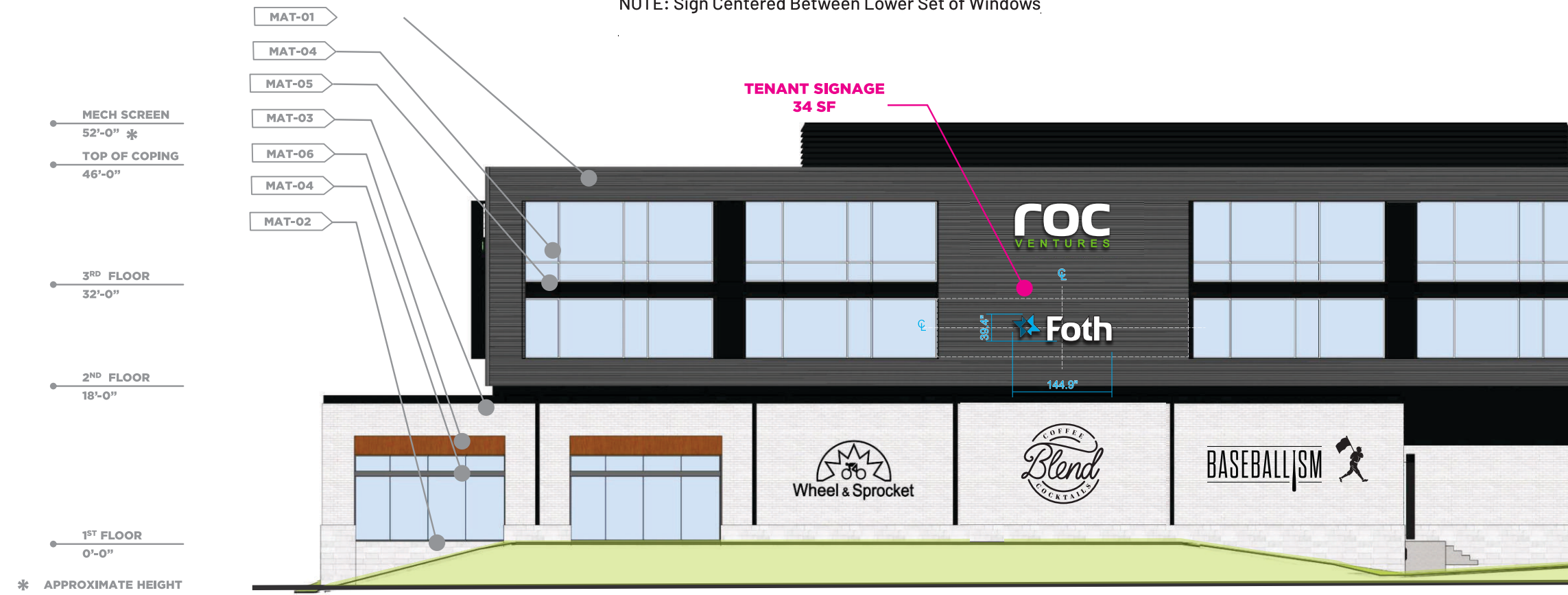
**Disclaimer:**  
 THIS IS AN ORIGINAL DESIGN CREATED BY SIGN EFFECTZ. THE SUBMITTED DESIGN PROTECTED UNDER COPYRIGHT LAWS OF THE UNITED STATES CODE YOU AGREE NOT TO COPY PHOTOGRAPH MODIFY OR SHARE DIRECTLY OR INDIRECTLY ANY OF THE FOREGOING HELD BY YOU WITH ANY OTHER PARTY. NOR WILL YOU PERMIT ANY THIRD PARTY TO DO ANY OF THE FOREGOING WITHOUT THE WRITTEN CONSENT OF SIGN EFFECTZ.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

**1 SOUTH ELEVATION - FOTH CHANNEL LETTERS**

P-02 1/16" = 1' - 0" Scale

NOTE: Sign Centered Between Lower Set of Windows



**Foth - ROC Office Bldg  
 Tenant Sign**

**[14911-01] FOTH-ROC-CH-01-REV 1:**  
 Revision to move ch letters to South Elev. below the ROC letters.  
 Fab/ install (1) set face-lit, flush-mount channel letters.  
 "FOTH + LOGO" to have white acrylic faces w/ logo having printed translucent graphics.  
 Quoted installing w/ 17T Crane w/ basket to reach wall (same as we did for the "ROC" letters) w/ access behind wall for secondary wiring.  
 Final electrical connection by others. If survey determines no access, behind wall, price subject to change.

**[14911-02] FOTH-ROC-SURVEY:**  
 Survey for new flush mounted channel letters. Checking for wiring access.

**Project & Billing Address:**  
 Foth Infrastructure & Environment LLC  
 7044 S. Ballpark Drive Suite 200  
 Franklin, WI 53132

Rev.	Description	Date	Init
01	RESIZE SET TO 34 SQ FT - prev JG	08/16/22	AE
02			
03			
04			
05			
06			
07			
08			
09			
10			

Project Notes:  
**FOR PERMIT USE ONLY**

Copyright © 2022 Sign Effectz Inc. All Rights Reserved

AAE	JCB	JD	<input type="checkbox"/> SRFR	<input type="checkbox"/> CUSTOMER APPROVAL
DRAWN BY:	MGR:	CHK BY:	<input checked="" type="checkbox"/> PERMIT	<input type="checkbox"/> SURVEY
			<input type="checkbox"/> COMPLETED:	<input type="checkbox"/> ENG
DATE:	08/16/22	SCALE:	1/16" = 1' - 0"	
<b>B</b>	31633598	P_03	00	
SIZE:	PROJECT NO:	SHEET NO:	REV	
PRODUCTION RELEASE NO: 01		VERSION: .1		
15013	14911	01		
ESTIMATE NO:	WORK ORDER NO.	ITEM		