

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

The YouTube channel “City of Franklin WI” will be live streaming the Plan Commission meeting so that the public will be able to watch and listen to the meeting.
<https://www.youtube.com/channel/UC8tEtPPK3JPRd51pTjTjK-w/featured>

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

B. **Approval of Minutes**

1. Approval of regular meeting of December 17, 2020.

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

1. **BIGGBY COFFEE FRANCHISE WITH A DRIVE THROUGH.** Special Use and Site Plan Amendment applications by Cream City Ventures, LLC, to operate a Biggby Coffee franchise with a drive through (a new drive-thru window is proposed on the southern façade of the existing building) [eating places with a drive through require Special Use approval] at 7700 South Lovers Lane Road (unit 100, a vacant space), and a Site Plan Amendment to allow for site improvements, including a new menu board, order confirmation speaker, pavement markings and an order pick-up window (the site was originally designed with a drive lane), property zoned CC City Civic Center District; Tax Key No. 794-9999-006. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE SPECIAL USE APPLICATION OF THIS MATTER.**

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

1. **THE LEARNING EXPERIENCE DAYCARE FACILITY SIGNAGE.** Master Sign Program application by Gary Wendt, Bradford Franklin II LLC, Franklin-Wyndham, LLC, property owner, to allow for the removal of the property from the Master Sign Program, which will then allow for and permit the following: [the changes apply only to the proposed The Learning Experience development on Outlot 4 of the Shoppes at Wyndham Village development]: allowance for a larger wall sign, allowance for a channel sign as follows: manufactured by an alternate vendor; with multi-colored channel lettering; with color variation of more than one color in the logo portion of the sign; with aluminum backs and returns and mounting directly to the façade rather than to a raceway, and to allow for black, non-illuminated acrylic wall sign text and multicolor,

non-illuminated painted plywood and acrylic signage on three sides of the entryway columns (44 square foot building wall sign/tenant identification sign; 16 square foot column-mounted colored blocks; 32 square foot monument sign) [applicants received approval for a Special Use and Site Plan for the property on December 3, 2019 and as a condition of the approvals, requirement to request amendment of the Master Sign Program to allow for multicolor signage and to allow for a different vendor for sign production], for property zoned CC City Civic Center District, located at 9651 West Drexel Avenue (The Shoppes at Wyndham Village); Tax Key No. 794-9999-009.

2. **OAKES ESTATES SINGLE-FAMILY RESIDENTIAL SUBDIVISION LAND COMBINATION AND STORMWATER EASEMENT RELOCATION.** Land Combination and Affidavit of Correction applications by Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, to merge lots 10 and 11 in Oakes Estates Subdivision and to relocate a 20' stormwater drainage easement between these lots, to the north line of Lot 10, along West Warwick Way, to create a larger building pad (for future construction of a residence) without the stormwater drainage easement running through the middle of the pad, properties located at 7460 South Cambridge Drive, 8881 West Warwick Way and 7486 South Cambridge Drive, zoned R-3E Suburban/Estate Single-Family Residence District; Tax Key Nos. 754-0080-000 and 754-0081-000.

E. Adjournment

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

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

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

REMINDERS:

Next Regular Plan Commission Meeting: January 21, 2021

**City of Franklin
Plan Commission Meeting
December 17, 2020
Minutes**

unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the December 17, 2020, regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Commissioners Patrick Leon and Adam Burckhardt, City Engineer Glen Morrow and Alderman Mark Dandrea. Also present were Planning Manager Heath Eddy, Principal Planner Regulo Martinez-Montilva, Associate Planner Marion Ecks and City Attorney Jesse Wesolowski. Commissioner Kevin Haley and Patricia Hogan and Director of Economic Development Calli Berg participated remotely.

B. Approval of Minutes

1. Regular Meeting of December 3, 2020

Commissioner Leon moved and Commissioner Burckhardt seconded approval of the December 3, 2020 regular meeting minutes. On voice vote, all voted 'aye'. Motion carried (6-0-0).

C. Public Hearing Business Matters

1. **NOVA SALON SUITES, LLC FULL SERVICE HAIR SALON.** Special Use application by Nova Salon Suites, LLC, to operate a hair salon (four 1,118 square foot hair salon suites (subleased to independent contractor hair stylists who each have their own licenses and insurance), with one chair in each suite, a break room with a sink, a washer and dryer, new flooring and a new acoustical ceiling, with hours of operation generally from 9:00 a.m. to 9:00 p.m., Tuesday through Saturday) in Suite A of the multi-tenant building located at 10700 West Venture Drive, property zoned M-1 Limited Industrial District; Tax Key No. 705-8989-011.

Associate Planner Marion Ecks presented the request by Nova Salon Suites, LLC, to operate a hair salon (four 1,118 square foot hair salon suites (subleased to independent contractor hair stylists who each have their own licenses and insurance), with one chair in each suite, a break room with a sink, a washer and dryer, new flooring and a new acoustical ceiling, with hours of operation generally from 9:00 a.m. to 9:00 p.m., Tuesday through Saturday) in Suite A of the multi-tenant building located at 10700 West Venture Drive, property zoned M-1 Limited Industrial District; Tax Key No. 705-8989-011.

The Official Notice of Public hearing was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:04 p.m. and closed at 7:06 p.m.

Alderman Dandrea moved and Commissioner Leon seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a hair salon use upon property located at 10700 West Venture Drive, Suite A. On voice vote, all voted 'aye'. Motion carried (6-0-0).

D. Business Matters

2. SERVI INVESTMENTS, LLC CREATION OF A NEW 5 ACRE LOT. Certified Survey Map application by P. Kenneth Servi, Servi Investments, LLC, to create a new 5.079 acre lot out of two unplatted properties currently owned by Sacred Heart Monastery, Franklin, Milwaukee County, Wisconsin and Congregation of the Priests of the Sacred Heart, Inc. [the proposed lot is subject to an existing fuel line easement, regulatory floodplain and wetlands, and upon approval of this Certified Survey Map, the applicant would submit separate applications to combine the newly created lot with the 5 acre lot to the south (Tax Key No. 796-99887-001) and propose a residential subdivision of approximately 10.5 acres], properties located at 11595 West Forest Home Avenue, zoned R-3 Suburban/Estate Single-Family Residence District, FC Floodplain Conservancy District, FW Floodway District and C-1 Conservancy District; Tax Key Nos. 751-9998-002 and 751-9999-000.

Principal Planner Regulo Martinez-Montilva presented the request by P. Kenneth Servi, Servi Investments, LLC, to create a new 5.079 acre lot out of two unplatted properties currently owned by Sacred Heart Monastery, Franklin, Milwaukee County, Wisconsin and Congregation of the Priests of the Sacred Heart, Inc. [the proposed lot is subject to an existing fuel line easement, regulatory floodplain and wetlands, and upon approval of this Certified Survey Map, the applicant would submit separate applications to combine the newly created lot with the 5 acre lot to the south (Tax Key No. 796-99887-001) and propose a residential subdivision of approximately 10.5 acres], properties located at 11595 West Forest Home Avenue, zoned R-3 Suburban/Estate Single-Family Residence District, FC Floodplain Conservancy District, FW Floodway District and C-1 Conservancy District; Tax Key Nos. 751-9998-002 and 751-9999-000.

A. Waiver

(Requested Waiver of Unified Development Ordinance Part 7 required Plans, Plats, and Maps Division 15-7.0700 Certified Survey Map §15-7.0702 additional information)

Alderman Dandrea moved and Commissioner Hogan seconded a motion to waive the required standards under 15-7.0702K. pertaining to area contiguous to Certified Survey Map. On voice vote, all voted 'aye'. Motion carried (6-0-0).

B. Certified Survey Map

Alderman Dandrea moved and Commissioner Leon seconded a motion to recommend approval of a Resolution conditionally approving a 2 lot Certified Survey Map, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 7, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (at 11595 West Forest Home Avenue). On voice vote, all voted 'aye'. Motion carried (6-0-0).

3. STRAUSS BRANDS LLC 9775 SOUTH 60TH STREET MEAT PROCESSING FACILITY SITE IMPROVEMENTS. Site Plan Amendment application by Strauss Brands LLC, to allow for changes to the parking lot of the existing Strauss facility, specifically, a new layout for the parking lot, including remediation of impacted conservation areas, protective

Associate Planner Marion Ecks presented the request by Strauss Brands LLC, to allow for changes to the parking lot of the existing Strauss facility, specifically, a new layout for the parking lot, including remediation of impacted conservation areas, protective fencing, installation of permeable paving, and a dry stormwater pond, for the property located at 9775 South 60th Street, bearing Tax Key No. 898-9997-004, zoned M-1 Limited Industrial District; and applicant Requested Waiver of Unified Development Ordinance Part 5 Design Standards Division

fencing, installation of permeable paving, and a dry stormwater pond, for the property located at 9775 South 60th Street, bearing Tax Key No. 898-9997-004, zoned M-1 Limited Industrial District; and applicant Requested Waiver of Unified Development Ordinance Part 5 Design Standards Division 15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access §15-5.0202 Off-Street Parking Requirements.:

a. §15-5.0202E.1. Concrete Curb and Gutter Required for All Off-Street Parking Areas. Concrete curb and gutter shall be installed surrounding all new driveway, parking lot and landscape islands. This provision may be waived by the Plan Commission for additions to existing structures located in areas without a predominance of curb and gutter when curb and gutter is not installed on the adjacent street right-of-way, or is not anticipated to be constructed on the street right-of-way in a future street reconstruction in a reasonable period of time.

15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access §15-5.0202 Off-Street Parking Requirements.:

a. §15-5.0202E.1. Concrete Curb and Gutter Required for All Off-Street Parking Areas. Concrete curb and gutter shall be installed surrounding all new driveway, parking lot and landscape islands. This provision may be waived by the Plan Commission for additions to existing structures located in areas without a predominance of curb and gutter when curb and gutter is not installed on the adjacent street right-of-way, or is not anticipated to be constructed on the street right-of-way in a future street reconstruction in a reasonable period of time.

A. Waiver

(Requested Waiver of Unified Development Ordinance Part 5 Design Standards Division 15-5.0200 traffic, off-street parking and loading, and highway access §15-5.0202 off-street parking requirements)

Alderman Dandrea moved and Commissioner Leon seconded a motion to waive the required standards under 15-5.0202E.1. pertaining to concrete curb and gutter required for all off-street parking areas. On voice vote, all voted 'aye'. Motion carried (6-0-0).

B. Site Plan Amendment

Alderman Dandrea moved and Commissioner Leon seconded a motion to approve a Resolution amending the Site Plan for the property located at 9775 South 60th Street (Strauss Brands) to allow for changes to the parking lot of the existing meat packing facility (tax key no. 898-9997-004). On voice vote, all voted 'aye'. Motion carried (6-0-0).

E. Adjournment

Commissioner Leon moved and Commissioner Hogan seconded a motion to adjourn the Plan Commission meeting of December 17, 2020 at 7:28 p.m. On voice vote, all voted 'aye'; motion carried. (6-0-0).

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of January 7, 2021****Special Use and Site Plan Amendment**

RECOMMENDATION: City Development staff recommends approval of the Site Plan Amendment and Special Use subject to the conditions of approval in attached draft Resolution.

Project Name:	Biggby Coffee Special Use and Site Plan Amendment
Project Address:	7700 S. Lovers Lane Road, Suite 100
Applicant:	Keith Washington, Cream City Ventures
Property Owner:	Franklin-Wyndham, LLC
Current Zoning:	CC City Civic Center District
2025 Comprehensive Plan	Mixed Use
Use of Surrounding Properties:	Single-Family Residential to the north and south, church to the east and a gas station to the west
Applicant Action Requested:	Approval of the Site Plan Amendment and Special Use
Planner:	Marion Ecks, Associate Planner

INTRODUCTION:

Local developer Cream City Ventures is seeking approvals to operate a Biggby Coffee franchise with drive-through service in the multitenant commercial strip at the northwest corner of the Shoppes of Wyndham Village, located at 7700 S. Lovers Lane Road. Businesses with drive-throughs require special use approval. Some updates to the existing building and drive lane will be necessary to create the drive-through, hence the request to amend the site plan.

PROJECT DESCRIPTION:

On November 10, 2020 the applicant submitted an application for a Special Use and Site Plan Amendment to the Department of City Development.

This “endcap” unit was constructed with the inclusion of a drive lane and queuing lanes already installed to serve the south wall of the building. The unit has not been occupied prior to this application, so there is no existing Special Use approval to update for the purpose.

Site Plan Amendment

The applicant is proposing to make some updates to the existing drive through facilities, including installation of a menu board and “confirmation speaker” for ordering, directional signage and pavement markings, and installation of a pickup window on the south wall of the building. They are not proposing any changes to the configuration of the private road or landscape islands, or to landscaping.

Due to the layout of the existing facilities, the site plan raised concerns about blocking of the private road in the Shoppes, and access to the rear of the building. These facilities are on private property, so §15-5.0203 which discourages vehicle stacking or lines on public roads is not applicable, however

Staff recommended that the applicant include directional signage and striping to better manage the flow of traffic and identify the drive-through entrance. The applicant has included proposed sign and striping changes in their Plan Commission materials.

Some of the proposed pavement markings are not on the property being leased by the applicant. Staff also recommended that the applicant contact Target to verify that these additions are acceptable; Target had not responded as of this writing.

Some minor technical corrections are required for the site plan document; this has been reflected in the draft resolution.

Special Use

The applicant provided required responses to the General Standards for Special Uses with their application. The proposal complies with the standards of §15-3.0701 which regulate potential impacts to surrounding properties and possible adverse effects from a business. This unit in the strip was specifically built with queuing lanes and facilities for a drive through; the immediately surrounding properties are all commercial in nature.

Additional Information

The applicant has been advised that there is a Master Sign Program for this development, and that they must apply for signage permits through the Inspection Services Department.

Recommendation:

City Development staff recommends approval of the Site Plan Amendment and Special Use subject to the conditions of approval in attached draft Resolution.

RESOLUTION NO. 2021-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE TO OPERATE A BIGGBY
COFFEE FRANCHISE WITH A DRIVE-UP WINDOW OUT OF AN EXISTING
VACANT SPACE (UNIT 100) WITHIN A MULTI-TENANT BUILDING
LOCATED AT 7700 SOUTH LOVERS LANE ROAD
(CREAM CITY VENTURES, LLC, APPLICANT)

WHEREAS, Cream City Ventures, LLC having petitioned the City of Franklin for the approval of a Special Use within a CC City Civic Center District under Standard Industrial Classification Title No. 5812 “Eating Places (with drive through facilities)”, to operate a Biggby Coffee franchise with a drive through (a new drive through window is proposed on the southern façade of the existing building) [eating places with a drive through require Special Use approval] with hours of operation from 6:00 a.m. to 9:00 p.m., Monday through Saturday, and 7:00 a.m. to 9:00 p.m. on Sundays, property located within a multi-tenant building at 7700 South Lovers Lane Road (unit 100, a vacant space), bearing Tax Key No. 794-9999-006, more particularly described as follows:

Lot 1 of Certified Survey Map No. 8000 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on November 14, 2007, as Document No. 9523246, being a redivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North, Range 21 East. Said land being in the City of Franklin, County of Milwaukee, State of Wisconsin; 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 7th day of January, 2021, 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

CREAM CITY VENTURES, LLC – SPECIAL USE
RESOLUTION NO. 2021-_____

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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 Cream City Ventures, 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 Cream City Ventures, LLC, successors and assigns, as a Biggby Coffee franchise with drive through use, which shall be developed in substantial compliance with, and operated and maintained by Cream City Ventures, LLC, pursuant to those plans City file-stamped December 21, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Cream City Ventures, 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 Biggby Coffee franchise with drive through use, 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 Cream City Ventures, LLC and the Biggby Coffee franchise with drive through use for the property located at 7700 South Lovers Lane Road (unit 100): (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.

BE IT FURTHER RESOLVED, that in the event Cream City Ventures, 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 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

CREAM CITY VENTURES, LLC – SPECIAL USE
RESOLUTION NO. 2021-_____

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\$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 an occupancy 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 _____ day of _____, 2021.

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2021-_____

A RESOLUTION AMENDING THE SITE PLAN FOR PROPERTY
LOCATED AT 7700 SOUTH LOVERS LANE ROAD (UNIT 100) TO ALLOW
FOR SITE IMPROVEMENTS TO ACCOMMODATE THE OPERATION
OF A BIGGBY COFFEE FRANCHISE
(TAX KEY NO. 794-9999-006)
(CREAM CITY VENTURES, LLC, APPLICANT,
FRANKLIN-WYNDHAM, LLC, PROPERTY OWNER)

WHEREAS, Cream City Ventures, LLC having applied for an amendment to the Site Plan for the property located at 7700 South Lovers Lane Road (unit 100, a vacant space), such Site Plan having been previously approved on May 31, 2007, by Resolution No. 2007-11, and amended thereafter by Resolution No. 2007-12, on August 23, 2007 and Resolution No. 2007-14, on August 23, 2007; and

WHEREAS, such proposed amendment proposes to add site improvements, including a new menu board, order confirmation speaker, pavement markings and an order pick-up window (the site was originally designed with a drive lane) to allow for the operation of a Biggby Coffee franchise, and the Plan Commission having reviewed such proposal and having found same to be in compliance with 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 Cream City Ventures, LLC, dated December 21, 2020, as submitted by Cream City Ventures, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. Cream City Ventures, LLC, successors and assigns and any developer of the Cream City Ventures, LLC Biggby Coffee franchise site improvements 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 Cream City Ventures, LLC Biggby Coffee franchise site improvements 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.
2. The approval granted hereunder is conditional upon the Cream City Ventures, LLC Biggby Coffee franchise site improvements project, for the property located at 7700

CREAM CITY VENTURES, LLC - SITE PLAN AMENDMENT
RESOLUTION NO. 2021- _____

Page 2

South Lovers Lane Road (unit 100): (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.

3. The Cream City Ventures, LLC Biggby Coffee franchise site improvements project shall be developed in substantial compliance with the plans City file-stamped December 21, 2020.
4. The applicant shall make any necessary technical corrections to the site plan, subject to approval of Planning Staff, prior to the approval of building permits.

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Cream City Ventures, LLC Biggby Coffee franchise site improvements as depicted upon the plans City file-stamped December 21, 2020, attached hereto and incorporated herein, shall be developed and constructed 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 the Site Plan for the property located at 7700 South Lovers Lane Road (unit 100), as previously approved, is amended accordingly.

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

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

APPROVED:

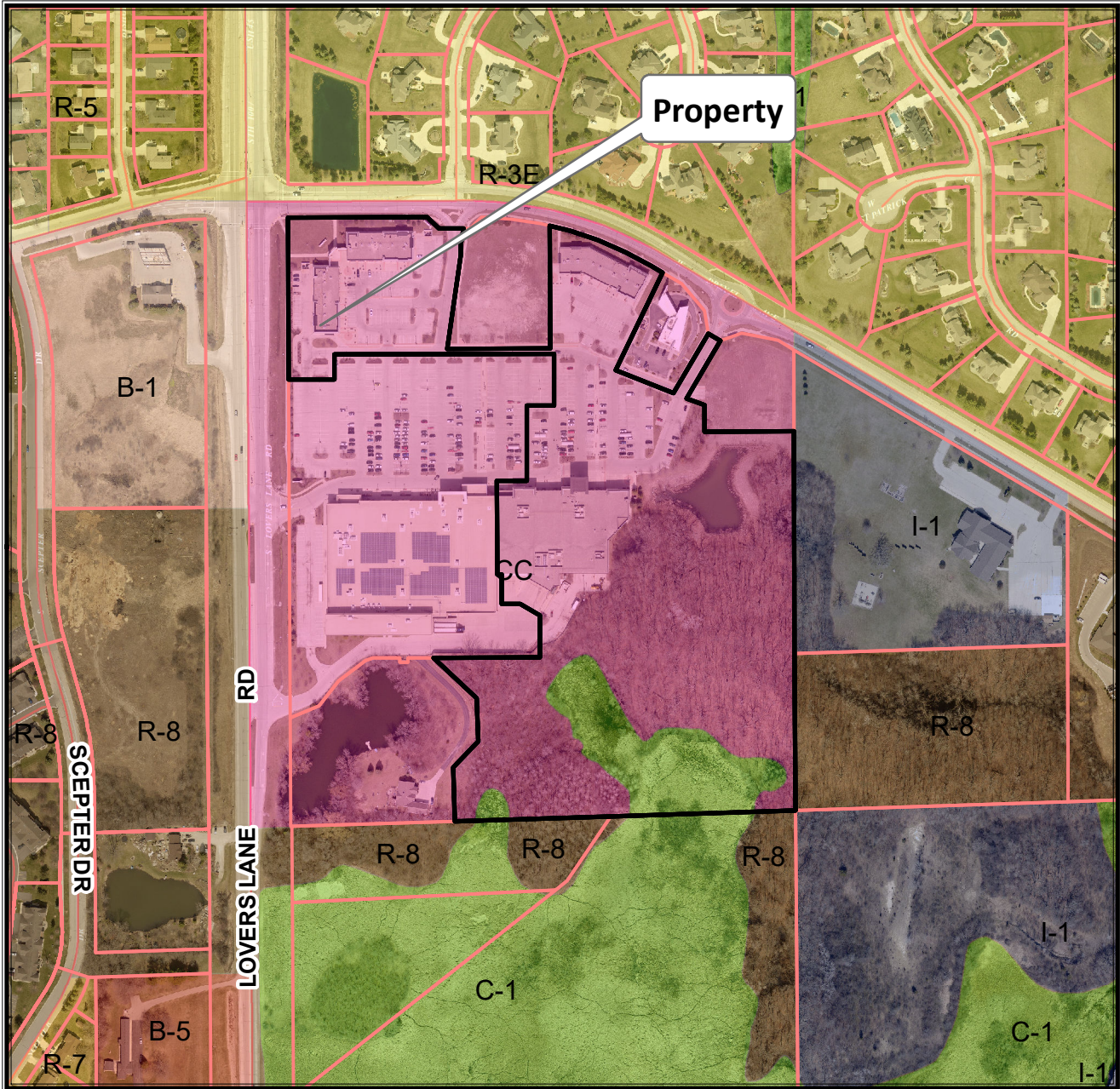
Stephen R. Olson, Chairman

ATTEST:

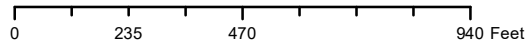
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7700 S. Lovers Lane Road
TKN: 794 9999 006

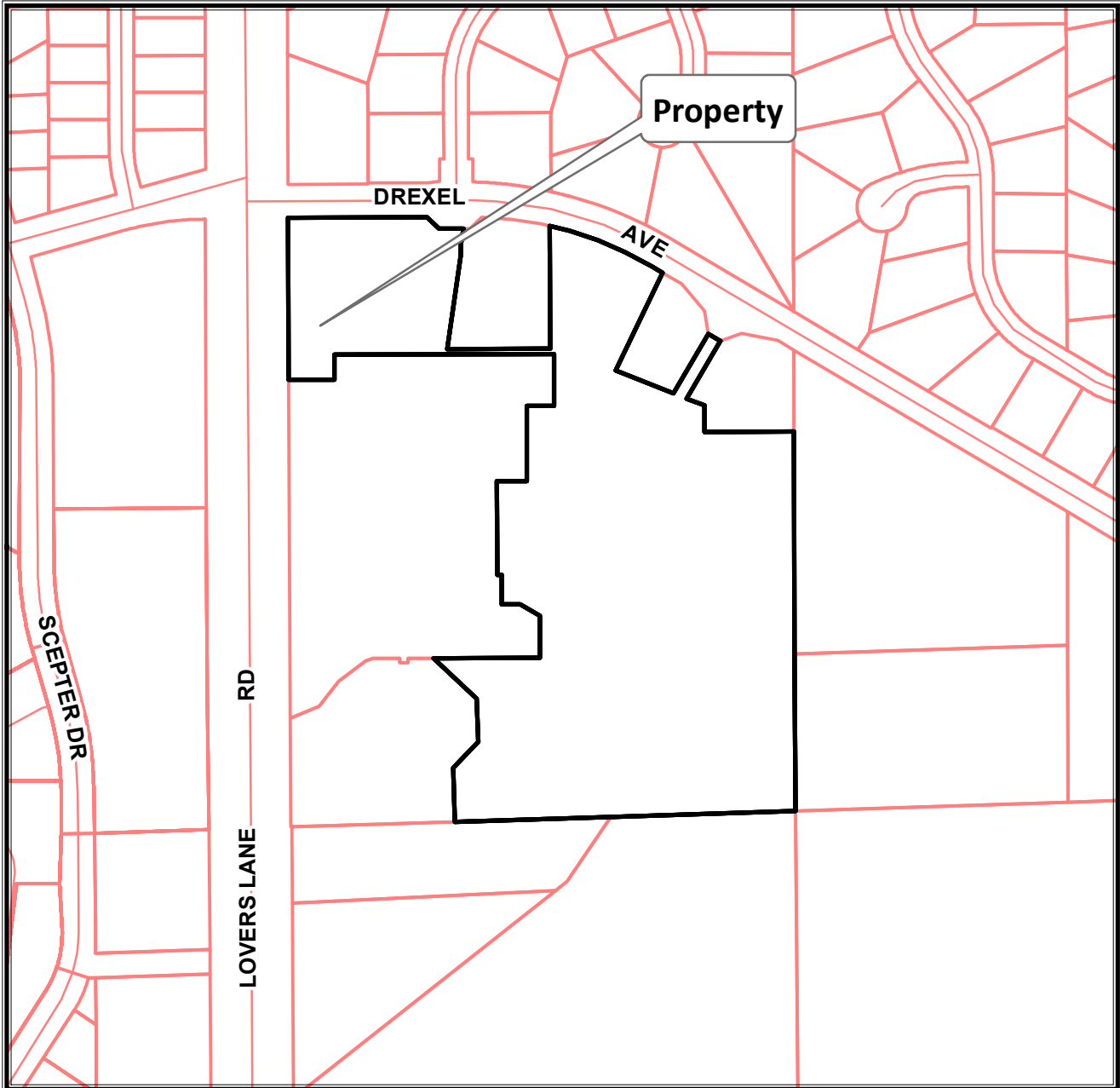


Planning Department
(414) 425-4024

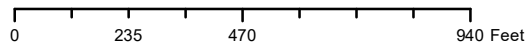


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

7700 S. Lovers Lane Road
TKN: 794 9999 006



Planning Department
(414) 425-4024



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



INTERPLAN^{LLC}

Biggby, Franklin, WI

10.30.2020

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10.30.2020

City of Franklin
Planning Department
9229 W. Loomis Road
Franklin, WI 53132

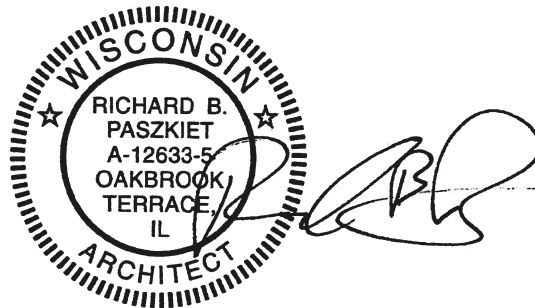
Reference: Parcel Key: 794-9999-006
IP # 2020.0569
Biggby – Lovers Lane, Franklin, WI

Dear Mr. Ecks:

The project summary for this development includes the development and installation of equipment necessary to operate a drive-thru, which will service the Biggby facility. The equipment will be located south of the facility. The parking lot site for this previously reviewed & approved development was designed specifically to incorporate a future drive thru. Modifications will be made to the existing site so as to provide power and data underground from the Biggby space to the drive-thru equipment. The previously reviewed & approved building exterior was designed to incorporate a future drive thru window. The new window will be installed as part of the scope of this project.

Sincerely,
INTERPLAN LLC

Richard B. Paszkiet



Franklin
NOV 10 2020
City Development



Biggby Coffee Drive Through Elevation

7700 South Lovers Lane

December 21, 2020

December 21, 2020

Marion Ecks, Assistant Planner
City of Franklin
Department of City Development
9229 W. Loomis Road
Franklin, WI 53132
414.425.4024
mecks@franklinwi.gov

Reference: Biggby Coffee- Franklin, WI
Reference: 7700 S. Lovers Lane Road
IP # 2020.0569
Response to Special Use and Site Plan Amendment Staff Comments

Dear Ms. Ecks,

Please accept the following in response to comments dated December 11, 2020:

Special Use:

1. **Comment:** The applicant has provided required responses. This "endcap" store was originally built with cuing lanes and facilities for a drive through. The application complies with the standards of §15-3.0701: General Standards for Special Uses.
- Response: ACKNOWLEDGED.**

Site Plan:

2. **Comment:** Please include the following information on the Site Plan, as required by §15-7.0103:
- a. Owner's and/or Developer's Name and address. (§15-7.0103. B.)

b. The scale of drawings and the size of the site (in square feet or acres) noted on the Site Plan (§15-7.0103. E.)

Response: The above required information has been added to the site plan. See A100.

3. **Comment:** Please provide elevations of the proposed drive-through window. §15-7.0103. V.

Response: Sheet A602 from our building permit submission is included in this resubmittal. See details 4 & 8 on A602 for drive thru elevation information.

4. **Comment:** §15-7.0102. F requires “providing for adequate design of ingress/egress, and interior/exterior traffic flow.” Staff recommends the addition of directional signage and/or striping to clarify the traffic pattern for drivers. Please note if the applicant has discussed possible traffic impacts with Target in responses.

Response: See the revised site plan for added signage. As we developed this revised site plan, the client’s contractor has reached out to Target to share our plans with them. As of the date of this resubmittal, a representative from Target has not returned his correspondence.

5. **Comment:** Note that this property’s natural resources are protected subject to the established development agreement and settlement agreement with the Shoppes at Wyndham Village. No new impacts are proposed

Response: Acknowledged

6. **Comment:** Note that sign permits must be applied for separately through the Inspection Services Department (414.425.0084). The Shoppes at Wyndham Village is subject to a Master Sign Program.

Response: Acknowledged

Engineering Department:

1. **Comment:** The Engineering Department suggests directional signage to prevent traffic congestion for the drive-thru cue.

Response: See the revised site plan for added signage.



Biggby Coffee-Franklin, WI
December 21, 2020
Page 3 of 3

Inspection Services: NO COMMENTS

Fire Department: NO COMMENTS

Please feel free to contact me if you have any questions or require additional information. If I am not available, Joseph Whalen is the Project Manager and will be able to answer your questions.

Sincerely,
INTERPLAN LLC

Michelle Kucaba
Permit Lead

EXHIBIT A

LEGAL DESCRIPTION

Lot 1 of Certified Survey Map No. 8000 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on November 14, 2007, as Document No. 9523246, being a redivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 5 North, Range 21 East. Said land being in the City of Franklin, County of Milwaukee, State of Wisconsin.

SEAL:

**THIS DOCUMENT IS NOT
FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION.**

NO	DATE	REMARKS

REVISIONS



BIGGBY
COFFEE

7700 S. LOVERS LANE RD
SUITE 100
FRANKLIN, WISCONSIN 53132

PROJECT NO: 2020.0569
DATE: 08.19.20

A100
DRIVE THRU PLAN

CHECKED: JS DRAWN: JW

SITE INFORMATION

PROPERTY OWNER:
FRANKLIN-WYNDHAM LLC
CONTACT: ROSS E COSYNS
666 DUNDEE ROAD
SUITE 901
NORTHBROOK, ILLINOIS 60062

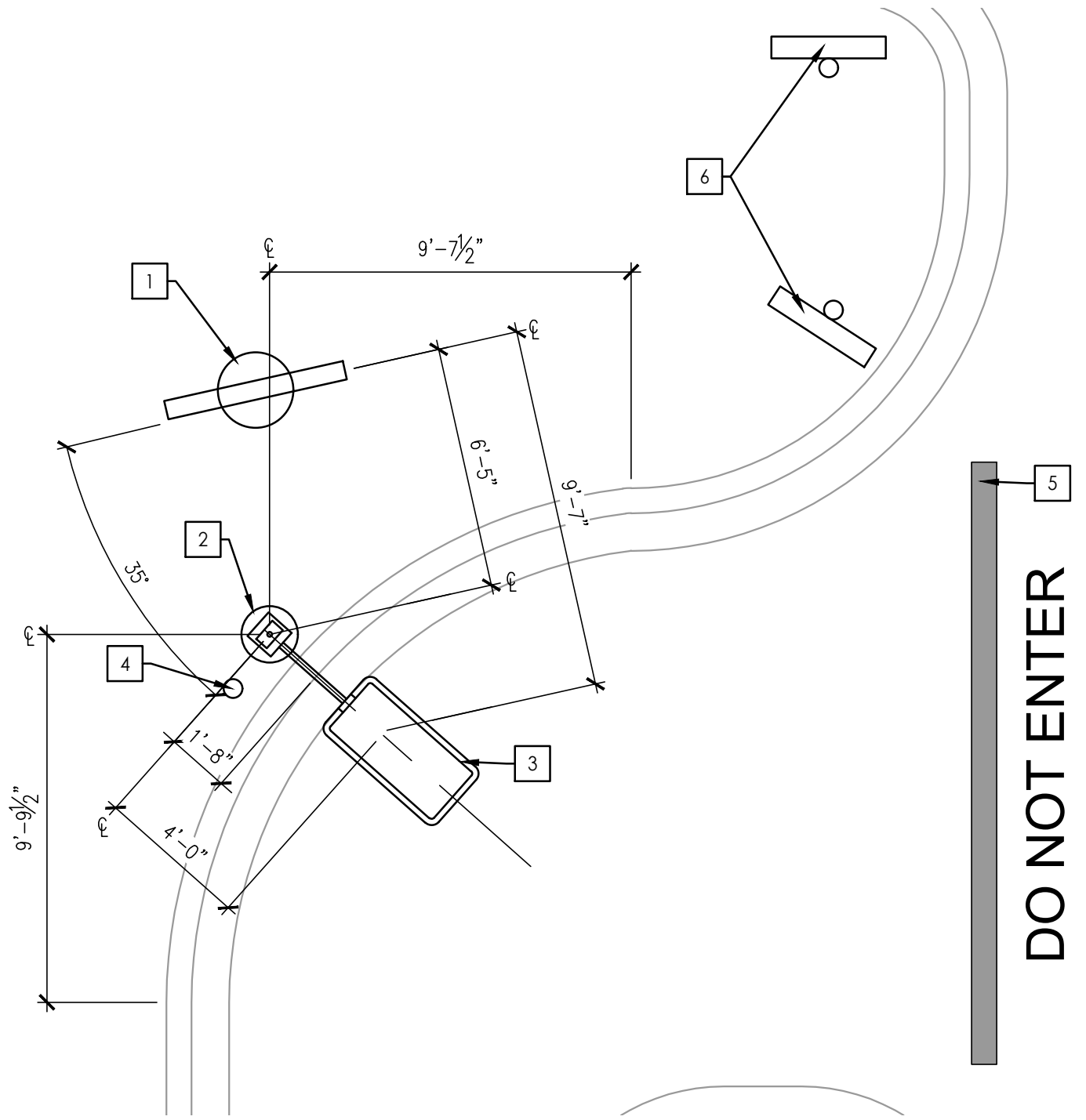
FULL DEVELOPMENT SITE AREA = 1,674,163 SQFT AS IDENTIFIED ON THE LAND USE TABLE ON THE MASTER SITE PLAN FOR THE SHOPPES AT WYNDHAM VILLAGE DATED 10-10-2007 PREPARED BY MCLURE ENGINEERING ASSOCIATES, INC.

KEYNOTES

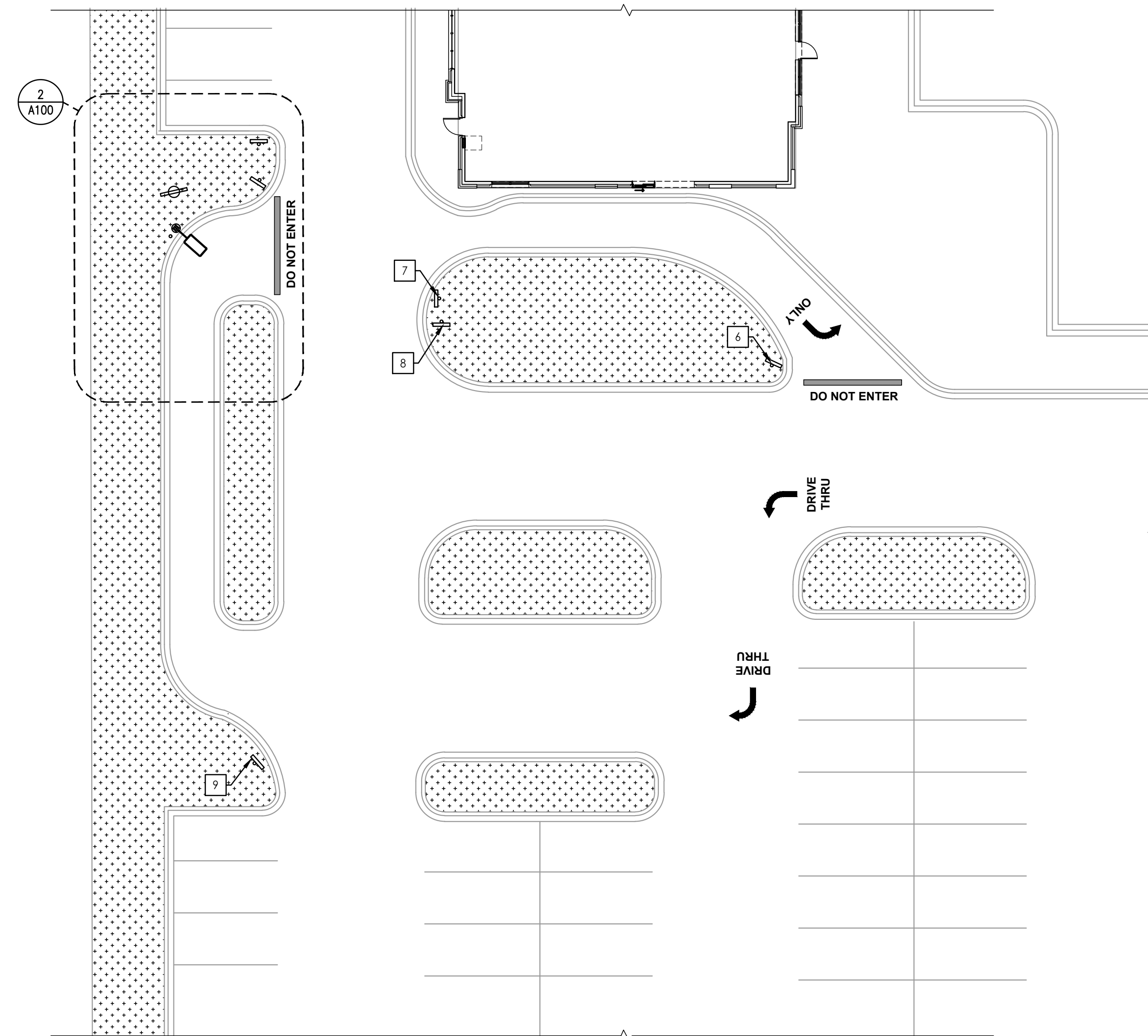
- 1 G.C TO INSTALL NEW MENU BOARD, MODEL DTBK354. G.C TO PROVIDE CASSION FOUNDATION, 2'-0" X 4'-0" DEEP PER DRIVE THRU'S SPECIFICATIONS.
- 2 G.C TO INSTALL NEW ORDER CONFIRMATION SPEAKER. G.C TO PROVIDE CASSION FOUNDATION, 1'-6" DIAMETER X 4'-0" DEEP PER DRIVE THRU'S SPECIFICATIONS.
- 3 AUTOMOBILE SENSOR LOOP INSTALLED BY G.C PROVIDED BY OWNER.
- 4 G.C TO PROVIDE 6" DIAMETER STEEL PIPE BOLLARD FILLED W/CONCRETE X 3'-0" TALL, PAINTED SAFETY YELLOW. TO BE PLACED 1'-6" FROM CENTER OF ORDER CONFIRMATION SPEAKER. LOCATION PER PLAN. CONCRETE FOUNDATION TO BE 1'-6" DIAMETER X 3'-0". G.C TO PROVIDE 1 1/2" SPACE BETWEEN BOTTOM OF FOUNDATION AND BOTTOM OF STEEL PIPE.
- 5 PAVEMENT MARKINGS TO MATCH DEVELOPMENT STANDARDS - VERIFY ALL STRIPING & MARKINGS WITH LANDLORD PRIOR TO APPLICATION.
- 6 STOP SIGN
- 7 "DO NOT BLOCK INTERSECTION" SIGN
- 8 "NO TURNS" SIGN
- 9 "DRIVE THRU" DIRECTIONAL SIGNAGE

GENERAL NOTES

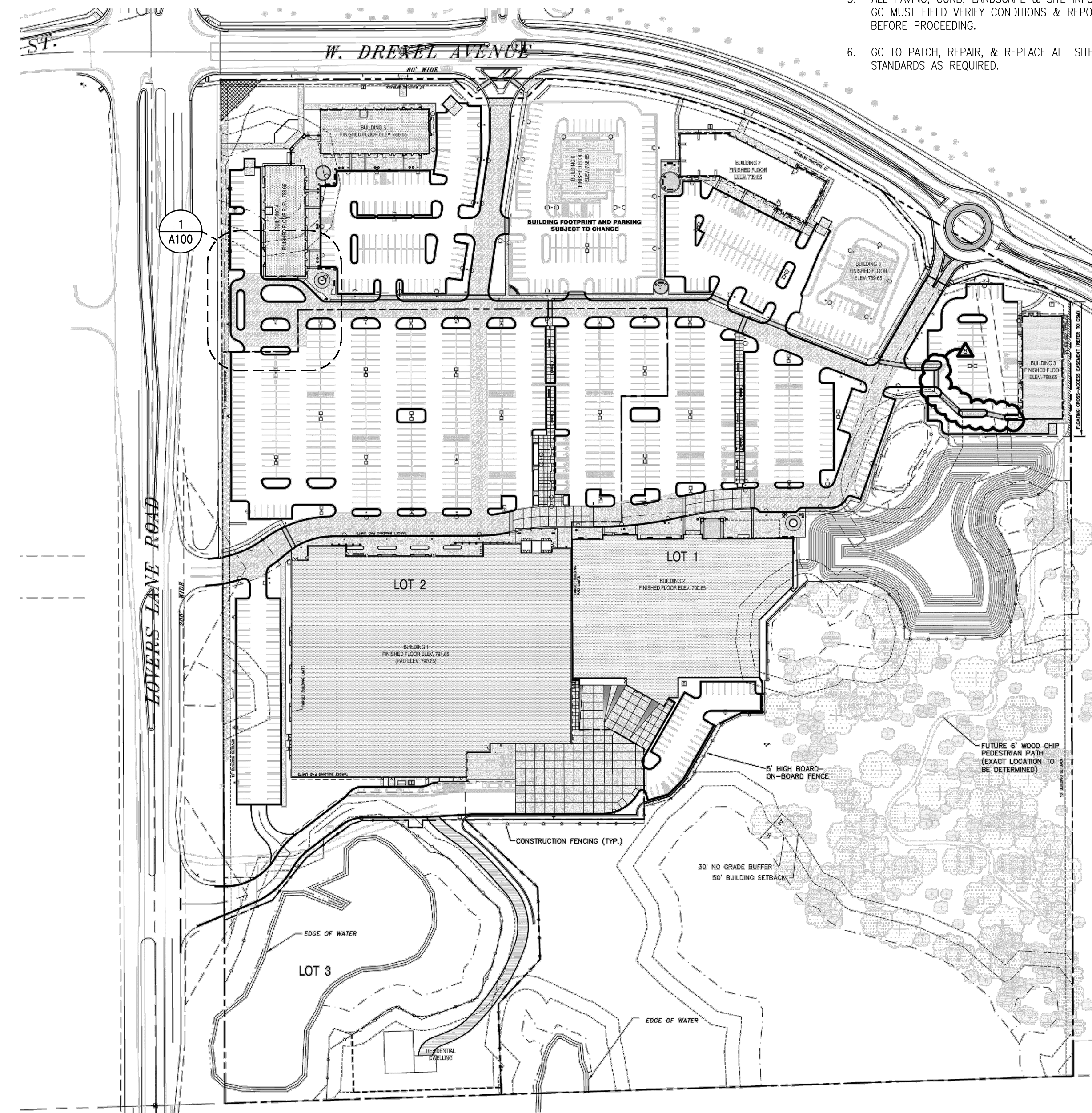
1. G.C. TO REFERENCE THE BIGGBY DRIVE THRU SPEC BOOK FOR INSTALLATION INSTRUCTIONS FOR DRIVE THRU EQUIPMENT.
2. REFER TO ELECTRICAL DRAWINGS FOR ELECTRICAL INFORMATION.
3. G.C TO PROVIDE (2) 3/4" CONDUITS FROM DRIVE THRU MENU BOARD TO BUILDING.
4. G.C TO PROVIDE (1) 3/4" CONDUIT TO DRIVE THRU SPEAKER TO BUILDING.
5. ALL PAVING, CURB, LANDSCAPE & SITE INFORMATION IS FOR REFERENCE ONLY - GC MUST FIELD VERIFY CONDITIONS & REPORT DISCREPANCIES TO THE OWNER BEFORE PROCEEDING.
6. GC TO PATCH, REPAIR, & REPLACE ALL SITE ELEMENTS PER DEVELOPMENT STANDARDS AS REQUIRED.



2 DRIVE THRU CONFIGURATION
A100 SCALE: 1/4" = 1'-0"



1 SITE PLAN
A100 SCALE: 1/16" = 1'-0"



3 AREA PLAN FOR REFERENCE ONLY
A100 SCALE: 1/16" = 1'-0"

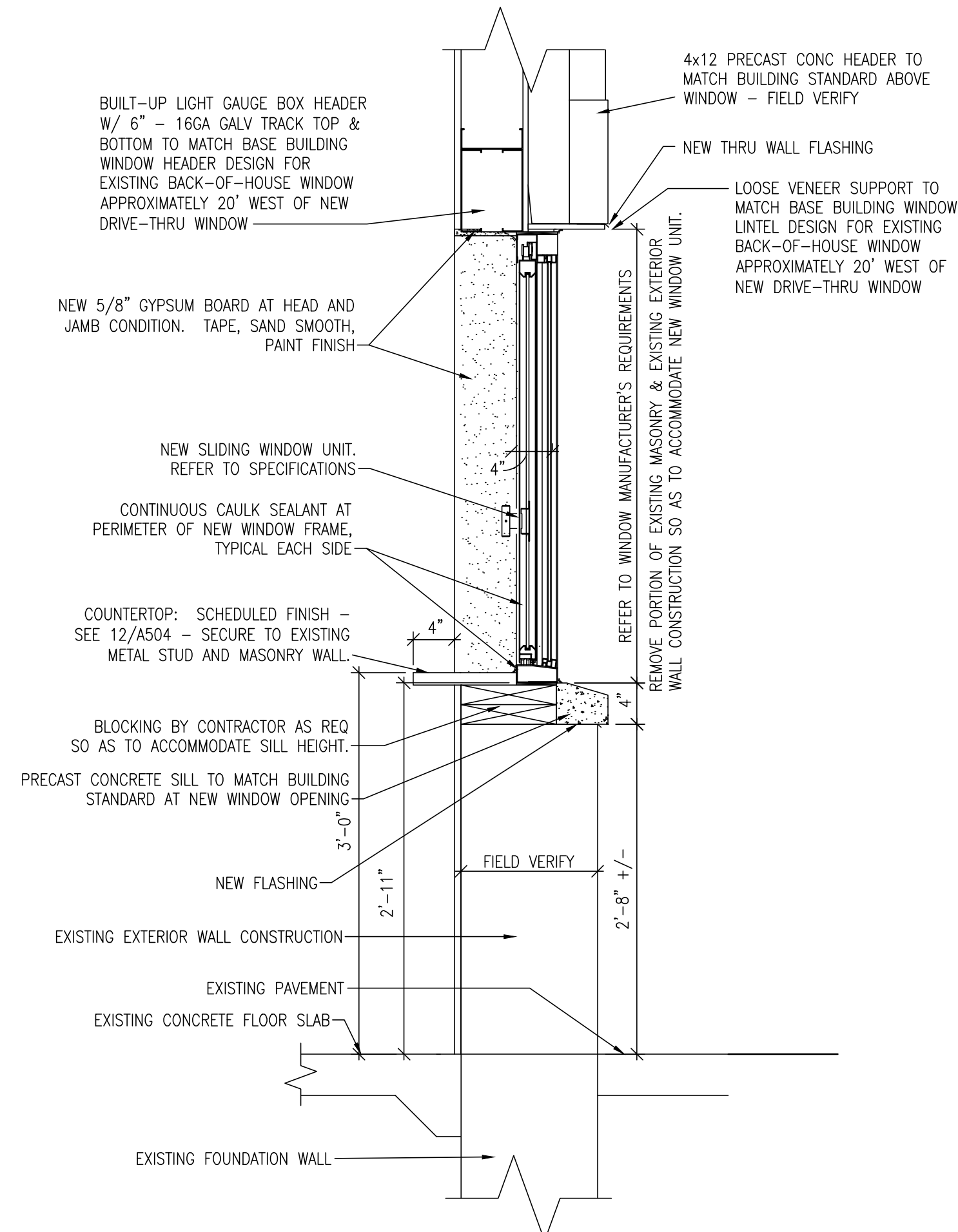


P:\Biggby\2020\0569 - Biggby - Lovers Lane Road Franklin, WI\31 CAD & Drawings\2 Construction Documents\Biggby Franklin - A100.dwg, A100, 12/16/2020, 4:02:17 PM, RICCAL, DWG TO PDF, PLOT3, ARCH1 Full Size D (56.00 x 24.00 inches), 1:1

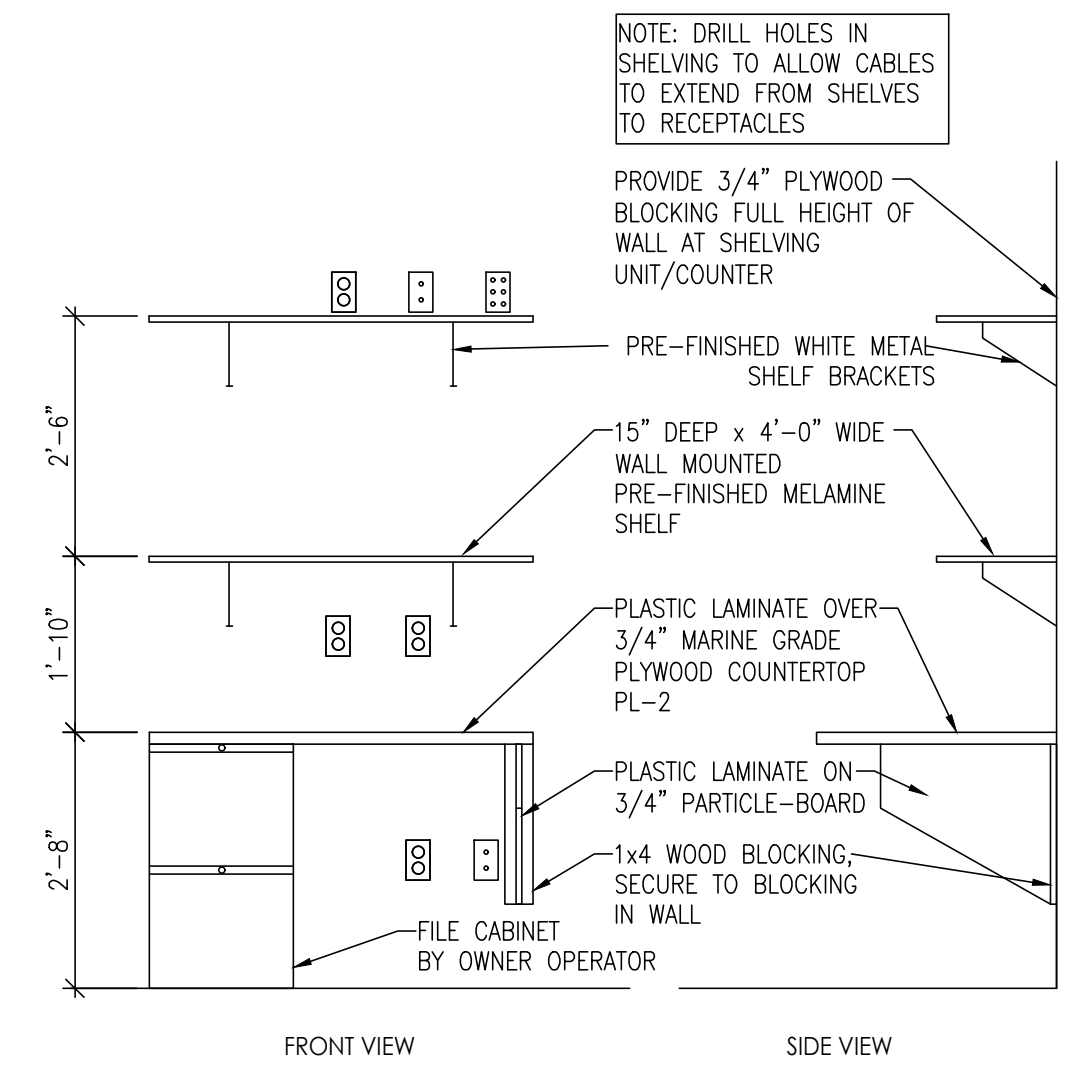
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SEAL:

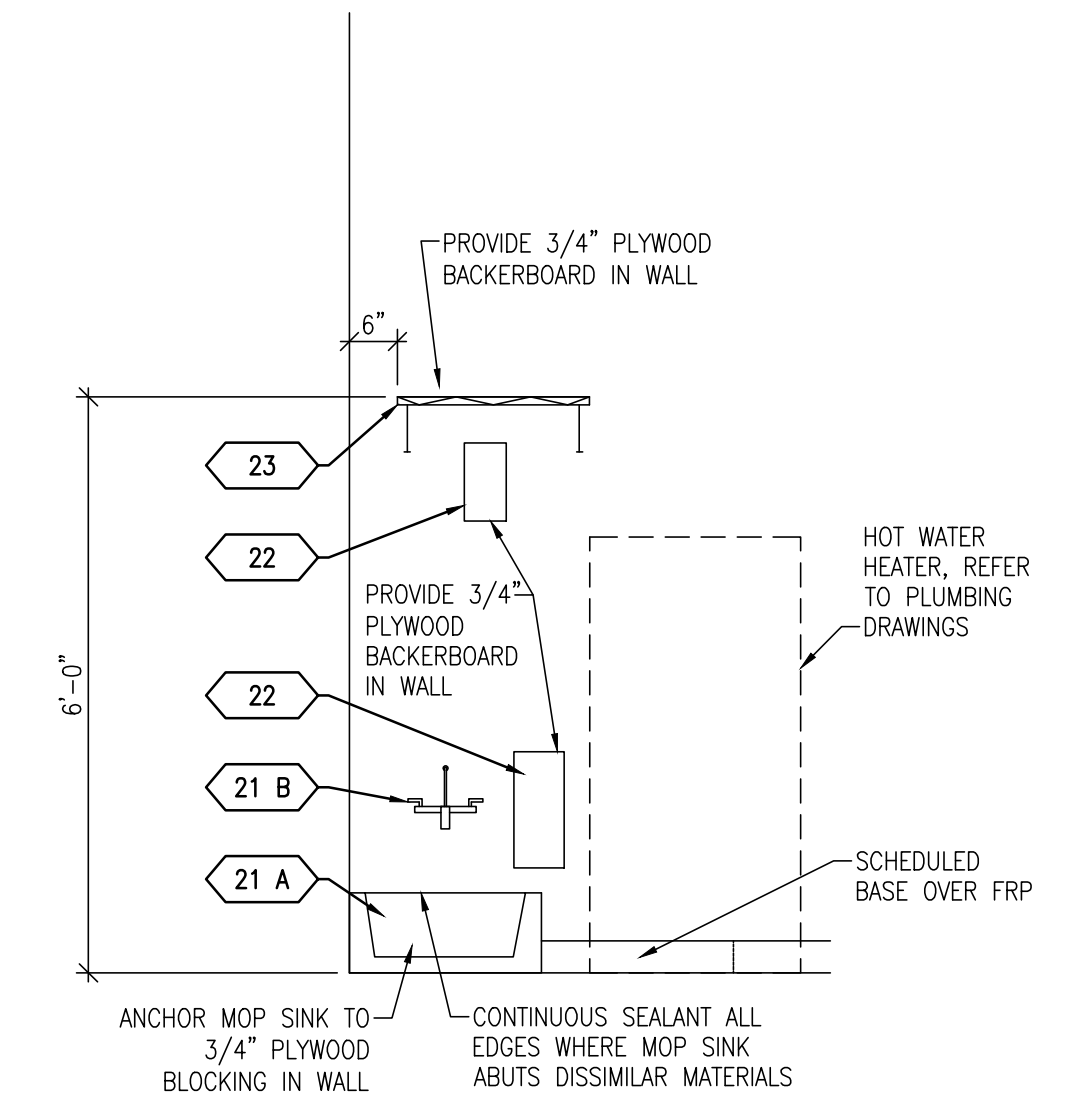
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FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION.**



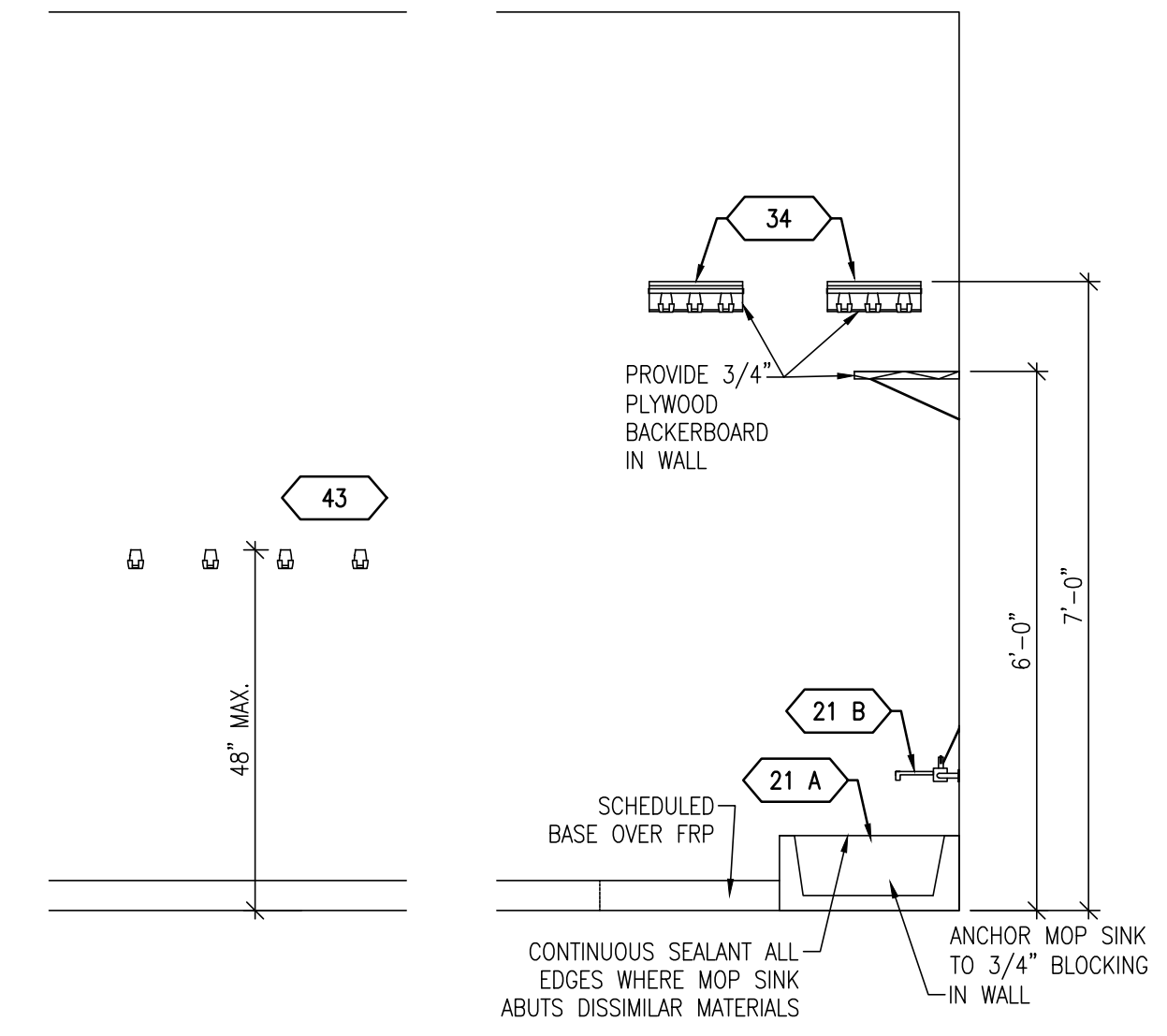
8 DRIVE-THRU SECTION
SCALE: 1" = 1'-0"



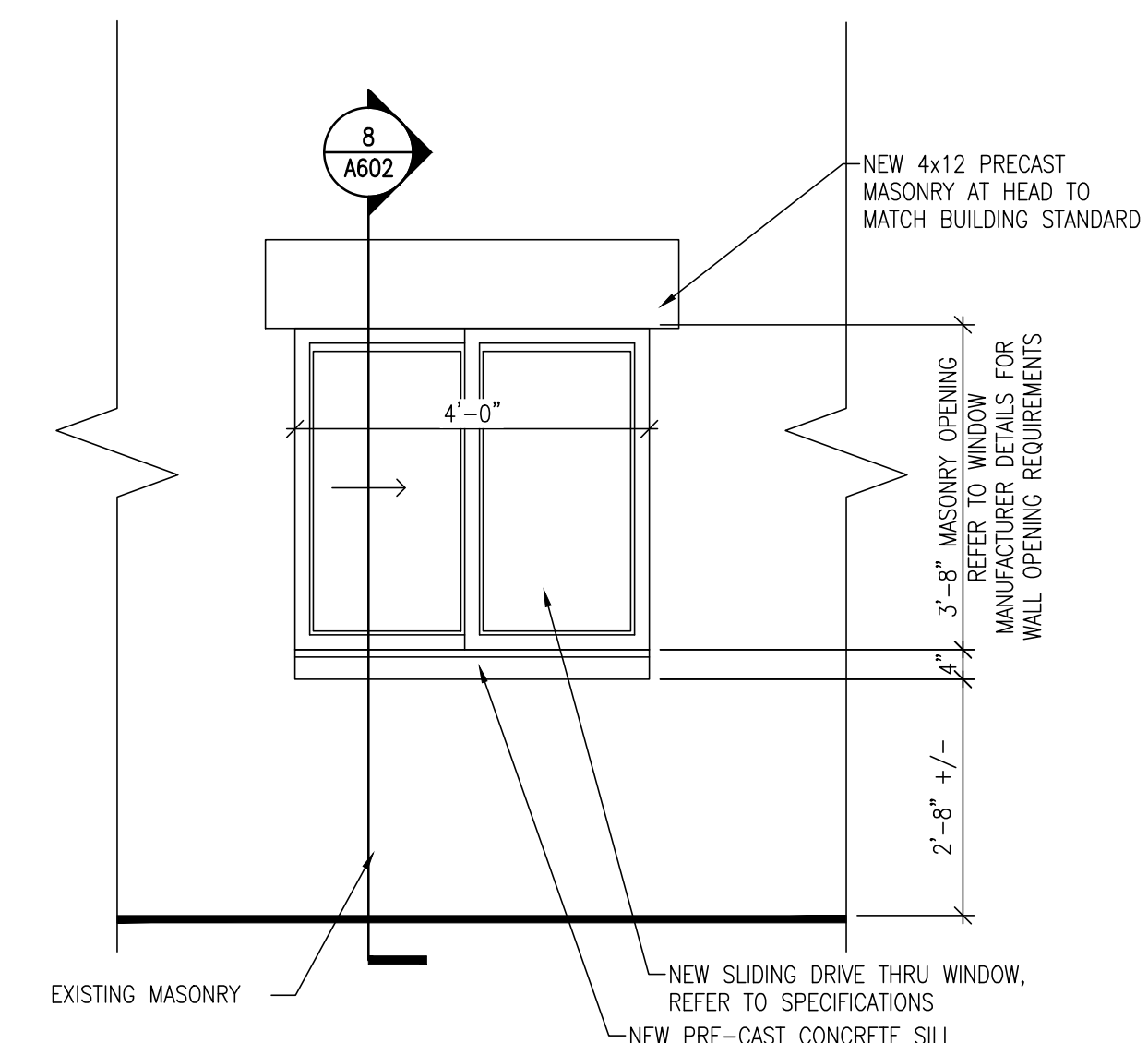
7 DESK ELEVATION
SCALE: 1/2" = 1'-0"



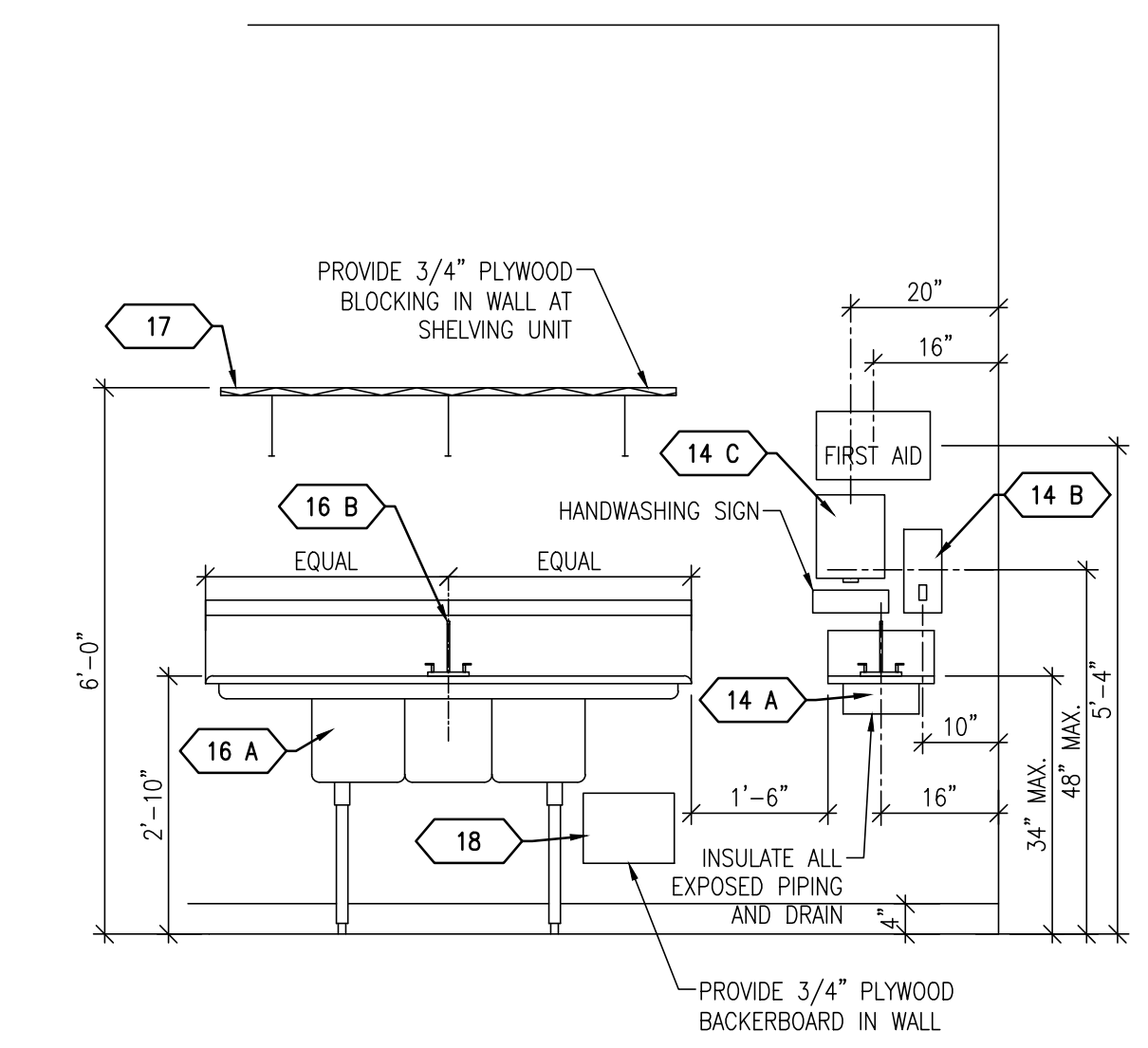
6 MOP SINK ELEVATION
SCALE: 1/2" = 1'-0"



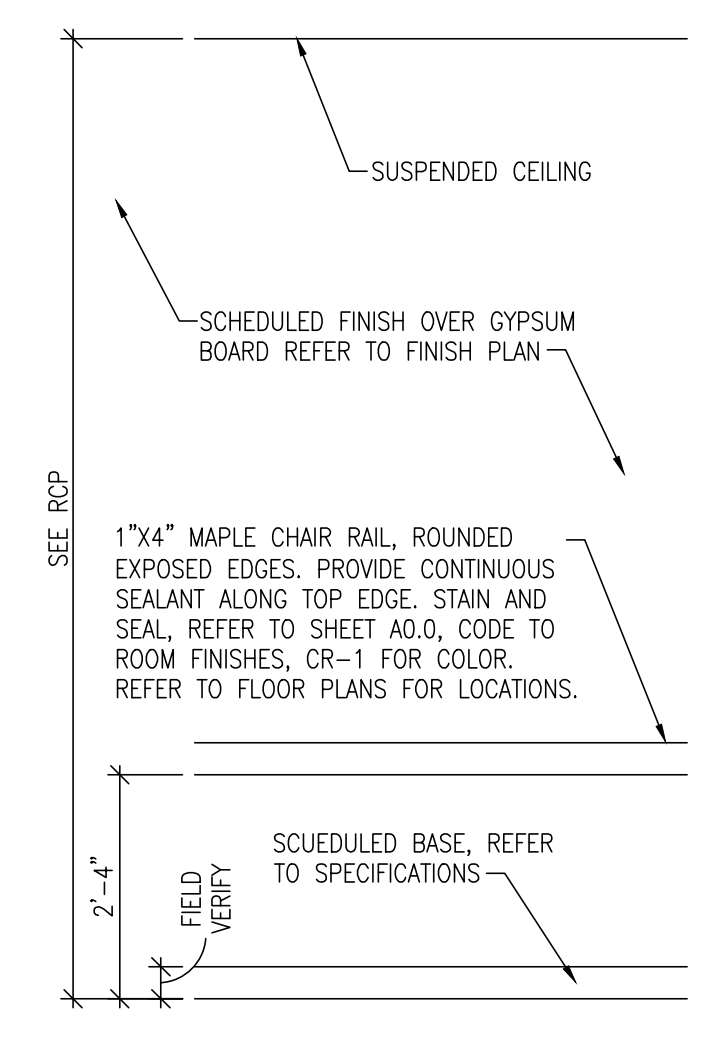
5 MOP SINK ELEVATION
SCALE: 1/2" = 1'-0"



4 DRIVE-THRU EXTERIOR ELEVATION
SCALE: 1/2" = 1'-0"



3 THREE COMPARTMENT SINK ELEVATION
SCALE: 1/2" = 1'-0"



2 TYPICAL CHAIR RAIL ELEVATION
SCALE: 1/2" = 1'-0"

GENERAL NOTES

1. REFERENCE FINISH SCHEDULE ON A401 FOR ADDITIONAL INFORMATION.
2. REFERENCE EQUIPMENT SCHEDULE ON A502 FOR ADDITIONAL INFORMATION.
3. REFER TO THE PLUMBING DRAWINGS FOR GREASE INTERCEPTOR AND PLUMBING LOCATIONS. 3 COMPARTMENT SINK LEGS SHALL NOT REST ON FLOORSINK, DRAIN, OR GREASE INTERCEPTOR.

NO	DATE	REMARKS



BIGGBY
COFFEE
7700 S. LOVERS LANE RD
SUITE 100
FRANKLIN, WISCONSIN 53132

PROJECT NO: 2020.0569
DATE: 08.19.20

A602
INTERIOR ELEVATIONS AND
SECTIONS

CHECKED: JS DRAWN: JW

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CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of January 7, 2021

Master Sign Program Amendment

RECOMMENDATION: City Development Staff recommends partial approval of the Master Sign Program Amendment for the Shoppes at Wyndham Village development located at 7700-7800 South Lovers Lane Road, to accommodate signage for the Learning Experience, 9651 W. Drexel Ave. subject to the conditions in the attached draft resolution.

Project Name:	Shoppes at Wyndham Village Master Sign Program Amendment for the Learning Experience
Project Address:	7700-7800 S. Lovers Lane Road and 9651 W. Drexel Ave.
Applicant:	Gary Wendt, Bradford Franklin LLC
Property Owner:	Franklin-Wyndham, LLC
Current Zoning:	CC City Civic Center District
2025 Comprehensive Plan	Mixed Use
Use of Surrounding Properties:	Single-Family Residential to the north and south, church to the east and a gas station to the west
Applicant Action Requested:	Approval of the proposed Master Sign Program Amendment
Planner:	Marion Ecks, Associate Planner

Introduction and Project Description:

On February 27, 2020 the applicant submitted an application for a Master Sign Program (MSP) Amendment for the Shoppes at Wyndham Village development located at 7700-7800 South Lovers Lane Road. The Learning Experience is located at 9651 W. Drexel Ave. The original request was to amend the MSP; the applicant now requests to be removed from the Master Sign Program so that its standards do not apply to their property.

Master Sign Program

The Master Sign Program for the Shoppes at Wyndham Village was originally established via Resolution 2008-2. It has been subsequently amended via Resolution 2009-016 to allow for Pick 'N Save signage to replace the existing Sendek's signage; in 2012, to change the overall sign type from illuminated box signs to individual illuminated channel letters; in 2014 to allow for the signs for the Summit Credit Union development, and in 2016 to allow for changes to the signage for the Target Store.

The Municipal Code (§210-9. E(1), §210-9.F(6), etc.) requires that any Master Sign Program provide for consistent and cohesive signage throughout a development. This applies to materials, design, and color selection. The MSP for the Shoppes at Wyndham Village stipulates that “the intent of the MSP is to set forth a theme as to placement, lettering style, color and related design considerations of signs, while at the same time reducing sign clutter.”

Removal from Master Sign Program

The amendment requests are being made to allow for signage for the Learning Experience childcare facility, as a condition of approval of their Site Plan. The proposed signage deviates significantly from what is allowable by the current MSP, or under §210-9, the general standards for Master Sign Programs. Because the degree of deviation from a Master Sign Program is significant, and Planning could not recommend approval of all of the necessary changes to the MSP. The Applicant has revised their request to remove their property from the Master Sign Program entirely. Should Plan Commission grant this request, the signage will be regulated under Chapter 210: Signs and Billboards of the municipal code - the “general” Sign Code that applies to all properties in Franklin.

This path is not recommended by Planning Department staff.

Analysis

The applicants are requesting amendments to:

- Allow for an additional wall signage area
- Allow black, non-illuminated acrylic wall sign text
- Allow for multicolor, non-illuminated painted plywood and acrylic signage on three sides of the entryway columns.
- Allow for channel letter signs with the following deviations from the MSP:
 - Manufacture by an alternate vendor
 - Multicolor lettering
 - Multicolor variation in the logo sign
 - Aluminum backs and returns instead of black
 - Mounted directly to the building instead of on a raceway

Removal of this business from the MSP presents some difficulties. This property is physically and aesthetically connected to the overall development. Removal from the MSP will create conflict with other signage that remains within it, including the immediately adjacent Summit Credit Union. Prior amendments for individual businesses in this development have acknowledged the standards of the MSP for the Shoppes at Wyndham Village and made efforts to present unified design for the development as a whole. Should this request be granted, other properties may likewise request to be removed from the MSP.

The monument sign for this development is on the Learning Experience property. The proposed amendment will mean that the sign is fully dedicated to the Learning Experience. The proposed

revision to the monument sign meets the requirements of the MSP, however altering it to be a tenant sign effectively decreases the number of approved identity signs for the overall development by one. The applicant must request this additional amendment.

The Inspection Services Department, who issues permits for commercial signage had the following comment about the proposed amendments to the MSP:

“Inspection Services would have concerns with permitting several different colors on the signs. While we understand the importance of logos, trademarks and creating a fun friendly business environment, we need to be mindful of setting precedence. I’m concerned that, if this application were to be approved, we may open the door to other similar requests for multiple color signs or business logos.”

Inspection Services has no objection to removing the property from the MSP.

Staff proposes the following approach to the Learning Experience signage to conform to the general requirements of an MSP:

- The use of a single color for channel letters, similar to the signage for Target.
- Elimination of the “blocks” signage on building columns.
- Use of a color palette limited to two colors plus white for the “Bubbles the Elephant” logo. Similar signs meeting this standard already exist in the MSP (Figure 1)



Figure 1 Signs with two colors plus white

City Development Staff does not regard the following changes to the Master Sign Program for the Shoppes at Wyndham Village development to be inappropriate:

- Allow for a 44 sq. ft. wall sign
- Allow black, non-illuminated acrylic wall sign text
- Allow for channel letter signs with the following deviations:
 - Manufacture by an alternate vendor
 - Aluminum backs and returns instead of black

- Mounting directly to the building instead of a raceway, subject to City of Franklin to the Sign Code and approval by Inspection Services.

However, staff does not recommend the following changes from the MSP:

- Allow for multicolor, non-illuminated painted plywood and acrylic signage on three sides of the entryway columns.
- Allow for channel letter signs with multicolor lettering.
- Multicolor variation in the logo sign in excess of two colors.

Staff notes that, at multiple points in the approval process for the Learning Experience development, the applicant has presented development proposals that do not meet the requirements of ordinances to the extent that amending them has already been necessary to allow for approval of the site plan.

Additional Comments

Illuminated signage for Summit Creek Credit Union must be turned off after 10:00 PM; staff recommends the same requirement for The Learning Experience.

The applicant must show that they have obtained approval for both revisions to the master sign program, and initial approval for any sign, from the operators of the Shoppes at Wyndham Village. A letter to that effect from Jonathan Basofin of the Cloverleaf Real Estate Group, Inc., dated November 30, 2020, is included in Plan Commission materials

Staff has made the applicant aware that a Sign Permit shall be issued prior to installation of any new sign.

Staff Recommendation

Staff has provided two options for approval of this MSP amendment:

Option A is to remove the parcel at 9651 W. Drexel Ave. from the MSP.

Also provided is a draft resolution for Option B, which contains draft conditions for an approval of all requests by the applicant to amend the Master Sign Program for the Shoppes at Wyndham Village. Changes would then apply throughout the development. Plan Commission may opt to adopt all, or some, of the proposed amendments. Planning staff do not recommend approval of requests to:

- Allow for multicolor, non-illuminated painted plywood and acrylic signage on three sides of the entryway columns (Condition 10);
- Allow for channel letter signs with multicolor lettering (Condition 5);
- Multicolor variation in the logo sign in excess of two colors (Condition 6).

Option A:

A RESOLUTION APPROVING AN AMENDMENT TO THE
MASTER SIGN PROGRAM FOR THE SHOPPES AT WYNDHAM
VILLAGE COMMERCIAL RETAIL CENTER TO ALLOW FOR THE
LEARNING EXPERIENCE DAYCARE SIGNAGE
AND ITS REMOVAL FROM THE PROGRAM REQUIREMENTS

RESOLUTION NO. 2020- _____

A RESOLUTION APPROVING AN AMENDMENT TO THE
MASTER SIGN PROGRAM FOR THE SHOPPES AT WYNDHAM
VILLAGE COMMERCIAL RETAIL CENTER TO ALLOW FOR THE
LEARNING EXPERIENCE DAYCARE SIGNAGE
AND ITS REMOVAL FROM THE PROGRAM REQUIREMENTS
(9651 WEST DREXEL AVENUE)
(GARY WENDT, BRADFORD FRANKLIN II LLC, APPLICANT,
FRANKLIN-WYNDHAM, LLC, PROPERTY OWNER)

WHEREAS, Gary Wendt, Bradford Franklin II LLC, having petitioned the City of Franklin for the approval of an amendment to Resolution No. 2008-2, conditionally approving a Master Sign Program for The Shoppes at Wyndham Village Commercial Retail Center, as amended by Resolution No. 2009-016 and thereafter by Resolution No. 2012-001, 2014-004 and 2016-005, upon property located at 9651 West Drexel Avenue, to allow for a Master Sign Program which will include the following changes: [the changes apply only to the proposed The Learning Experience Daycare development on Outlot 4 of the Shoppes at Wyndham Village development]: this property shall be removed from the coverage area of the Master Sign Program for The Shoppes at Wyndham Village Commercial Retail Center [applicant received approval for a Special Use and Site Plan for the property on December 3, 2019 and as a condition of the approvals, requirement to request and obtain approval of an amendment of the Master Sign Program to allow for multicolor signage and to allow for a different vendor for sign production prior to such signage use and production], located at 9651 West Drexel Avenue (The Shoppes at Wyndham Village), and such application having been reviewed by City staff and the application and staff recommendations and suggested considerations having been reviewed by the Plan Commission at its meeting on January 7, 2021; and

WHEREAS, the Plan Commission having determined that the Gary Wendt, Bradford Franklin II LLC amendment to Master Sign Program application for The Learning Experience Daycare, together with those staff recommendations and suggested considerations meets the purposes and intent of §210-9. of the Municipal Code of the City of Franklin and will promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Gary Wendt, Bradford Franklin II LLC amendment to Master Sign Program application for The Learning Experience Daycare be and the same is hereby approved, subject to the Gary Wendt, Bradford Franklin II LLC amendment to Master Sign Program application for The Learning Experience Daycare, and plans City file-stamped on February 27, 2020, together with the following additional conditions, which conditions shall

GARY WENDT, BRADFORD FRANKLIN II LLC – MASTER SIGN PROGRAM
AMENDMENT

RESOLUTION NO. 2020-_____

Page 2

be incorporated into the Master Sign Program – The Shoppes at Wyndham Village Commercial Retail Center:

1. Gary Wendt, Bradford Franklin II LLC, successors and assigns, and any developer of the Gary Wendt, Bradford Franklin II LLC Master Sign Program for The Learning Experience Daycare, 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 Gary Wendt, Bradford Franklin II LLC Master Sign Program for The Learning Experience Daycare, 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.
2. The standards of Municipal Code Chapter 210: Signs and Billboards shall apply to this property.
3. The applicant shall obtain the necessary sign permits from the Inspection Services Department.
4. Signs shall not be illuminated after 10:00 P.M.

BE IT FURTHER RESOLVED, that all terms and conditions of Resolution No. 2008-5, as amended by Resolution Nos. 2009-016, 2012-001, 2014-004 and 2016-005, 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 _____, 2020.

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

APPROVED:

Stephen R. Olson, Chairman

GARY WENDT, BRADFORD FRANKLIN II LLC – MASTER SIGN PROGRAM
AMENDMENT

RESOLUTION NO. 2020-_____

Page 3

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

Option B:

A RESOLUTION APPROVING AN AMENDMENT TO THE
MASTER SIGN PROGRAM FOR THE SHOPPES AT WYNDHAM
VILLAGE COMMERCIAL RETAIL CENTER TO ALLOW FOR THE
LEARNING EXPERIENCE DAYCARE SIGNAGE
(9651 WEST DREXEL AVENUE)
(GARY WENDT, BRADFORD FRANKLIN II LLC, APPLICANT,
FRANKLIN-WYNDHAM, LLC, PROPERTY OWNER)

RESOLUTION NO. 2020- _____

A RESOLUTION APPROVING AN AMENDMENT TO THE
MASTER SIGN PROGRAM FOR THE SHOPPES AT WYNDHAM
VILLAGE COMMERCIAL RETAIL CENTER TO ALLOW FOR THE
LEARNING EXPERIENCE DAYCARE SIGNAGE
(9651 WEST DREXEL AVENUE)
(GARY WENDT, BRADFORD FRANKLIN II LLC, APPLICANT,
FRANKLIN-WYNDHAM, LLC, PROPERTY OWNER)

WHEREAS, Gary Wendt, Bradford Franklin II LLC, having petitioned the City of Franklin for the approval of an amendment to Resolution No. 2008-2, conditionally approving a Master Sign Program for The Shoppes at Wyndham Village Commercial Retail Center, as amended by Resolution No. 2009-016 and thereafter by Resolution No. 2012-001, 2014-004 and 2016-005, upon property located at 9651 West Drexel Avenue, to allow for a Master Sign Program which will include the following changes: [the changes apply only to the proposed The Learning Experience Daycare development on Outlot 4 of the Shoppes at Wyndham Village development]: allowance for a larger wall sign, allowance for a channel sign as follows: manufactured by an alternate vendor; with multi-colored channel lettering; with color variation of more than one color in the logo portion of the sign; with aluminum backs and returns, mounted directly to the façade rather than to a raceway, and to allow for black, non-illuminated acrylic wall sign text and multicolor, non-illuminated painted plywood and acrylic signage on three sides of the entryway columns (44 square foot building wall sign/tenant identification sign; 16 square foot column-mounted colored blocks; 32 square foot monument sign) [applicant received approval for a Special Use and Site Plan for the property on December 3, 2019 and as a condition of the approvals, requirement to request and obtain approval of an amendment of the Master Sign Program to allow for multicolor signage and to allow for a different vendor for sign production prior to such signage use and production], located at 9651 West Drexel Avenue (The Shoppes at Wyndham Village), and such application having been reviewed by City staff and the application and staff recommendations and suggested considerations having been reviewed by the Plan Commission at its meeting on January 7, 2021; and

WHEREAS, the Plan Commission having determined that the Gary Wendt, Bradford Franklin II LLC amendment to Master Sign Program application for The Learning Experience Daycare, together with those staff recommendations and suggested considerations meets the purposes and intent of §210-9. of the Municipal Code of the City of Franklin and will promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Gary Wendt, Bradford Franklin II LLC amendment to Master

GARY WENDT, BRADFORD FRANKLIN II LLC – MASTER SIGN PROGRAM
AMENDMENT

RESOLUTION NO. 2020-_____

Page 2

Sign Program application for The Learning Experience Daycare be and the same is hereby approved, subject to the Gary Wendt, Bradford Franklin II LLC amendment to Master Sign Program application for The Learning Experience Daycare, and plans City file-stamped on February 27, 2020, together with the following additional conditions, which conditions shall be incorporated into the Master Sign Program – The Shoppes at Wyndham Village Commercial Retail Center:

1. Gary Wendt, Bradford Franklin II LLC, successors and assigns, and any developer of the Gary Wendt, Bradford Franklin II LLC Master Sign Program for The Learning Experience Daycare, 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 Gary Wendt, Bradford Franklin II LLC Master Sign Program for The Learning Experience Daycare, 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.
2. Compliance with the “City of Franklin – Master Sign Program” document annexed hereto and incorporated herein amended as set forth below, and such amendments only being applicable to the Learning Experience Daycare development property.
3. The applicant shall obtain the necessary sign permits from the Inspection Services Department.
4. The Master Sign Program is hereby amended to allow for a channel sign manufactured by an alternate vendor; and
5. The Master Sign Program is hereby amended to allow for a channel sign with multi-colored channel lettering; and
6. The Master Sign Program is hereby amended to allow for a channel sign with color variation of more than one color in the logo portion of the sign; and
7. The Master Sign Program is hereby amended to allow for a channel sign with aluminum backs and returns; and
8. The Master Sign Program is hereby amended to allow for a channel sign mounted directly to the façade rather than to a raceway; and

GARY WENDT, BRADFORD FRANKLIN II LLC – MASTER SIGN PROGRAM
AMENDMENT

RESOLUTION NO. 2020-_____

Page 3

9. The Master Sign Program is hereby amended to allow for black, non-illuminated acrylic wall sign text; and
10. The Master Sign Program is hereby amended to allow for multicolor, non-illuminated painted plywood and acrylic signage on three sides of the entryway columns; and
11. The Master Sign Program is hereby amended to allow for a 44 square foot building wall sign/tenant identification sign; 16 square foot column-mounted colored blocks; and 32 square foot monument sign for the Shoppes; and
12. Signs shall not be illuminated after 10:00 P.M.

BE IT FURTHER RESOLVED, that all terms and conditions of Resolution No. 2008-5, as amended by Resolution Nos. 2009-016, 2012-001, 2014-004 and 2016-005, 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 _____, 2020.

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

APPROVED:

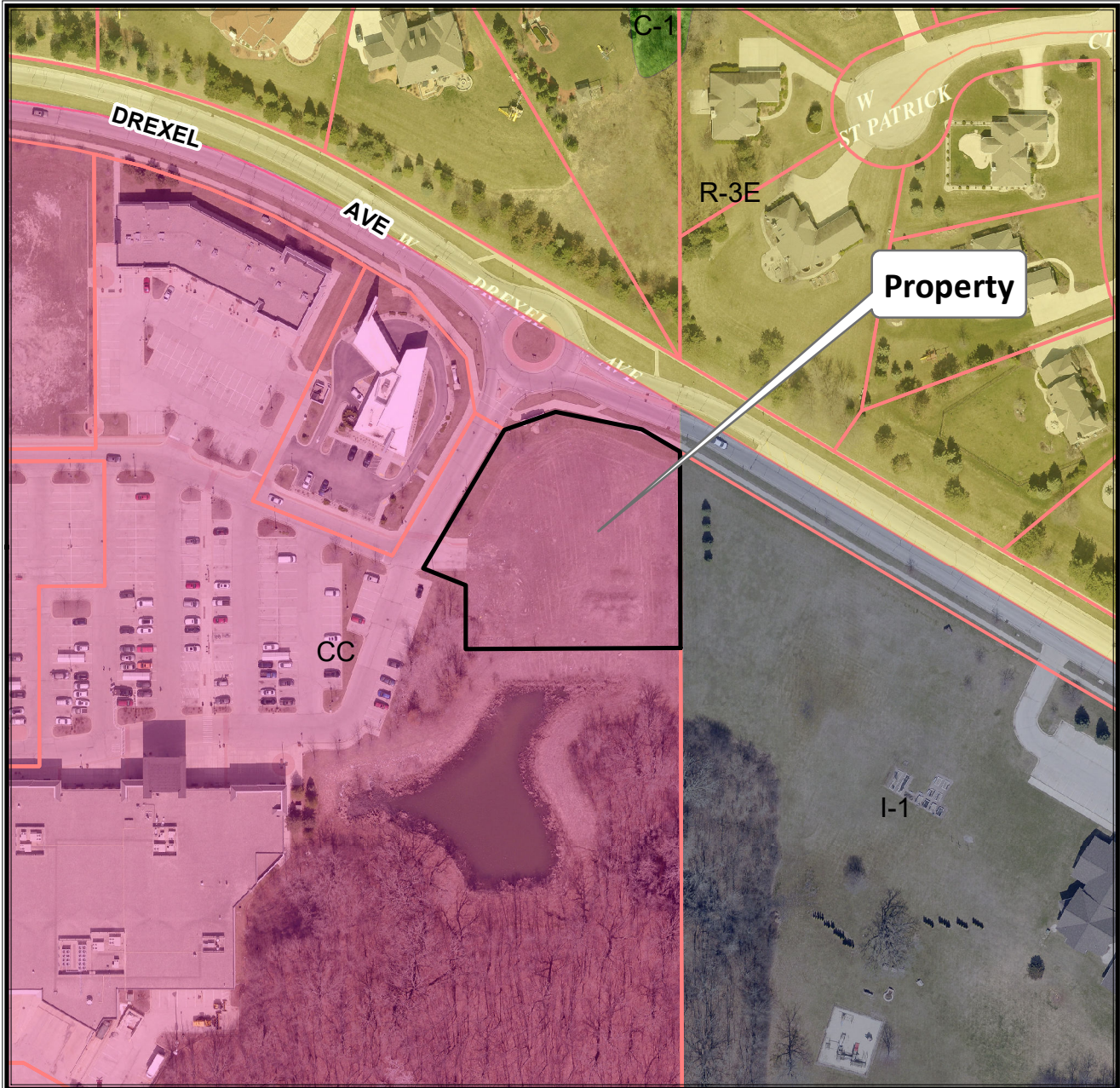
Stephen R. Olson, Chairman

ATTEST:

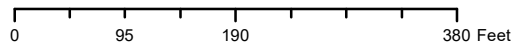
Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

9651 W. Drexel Ave.
TKN: 794 9999 009

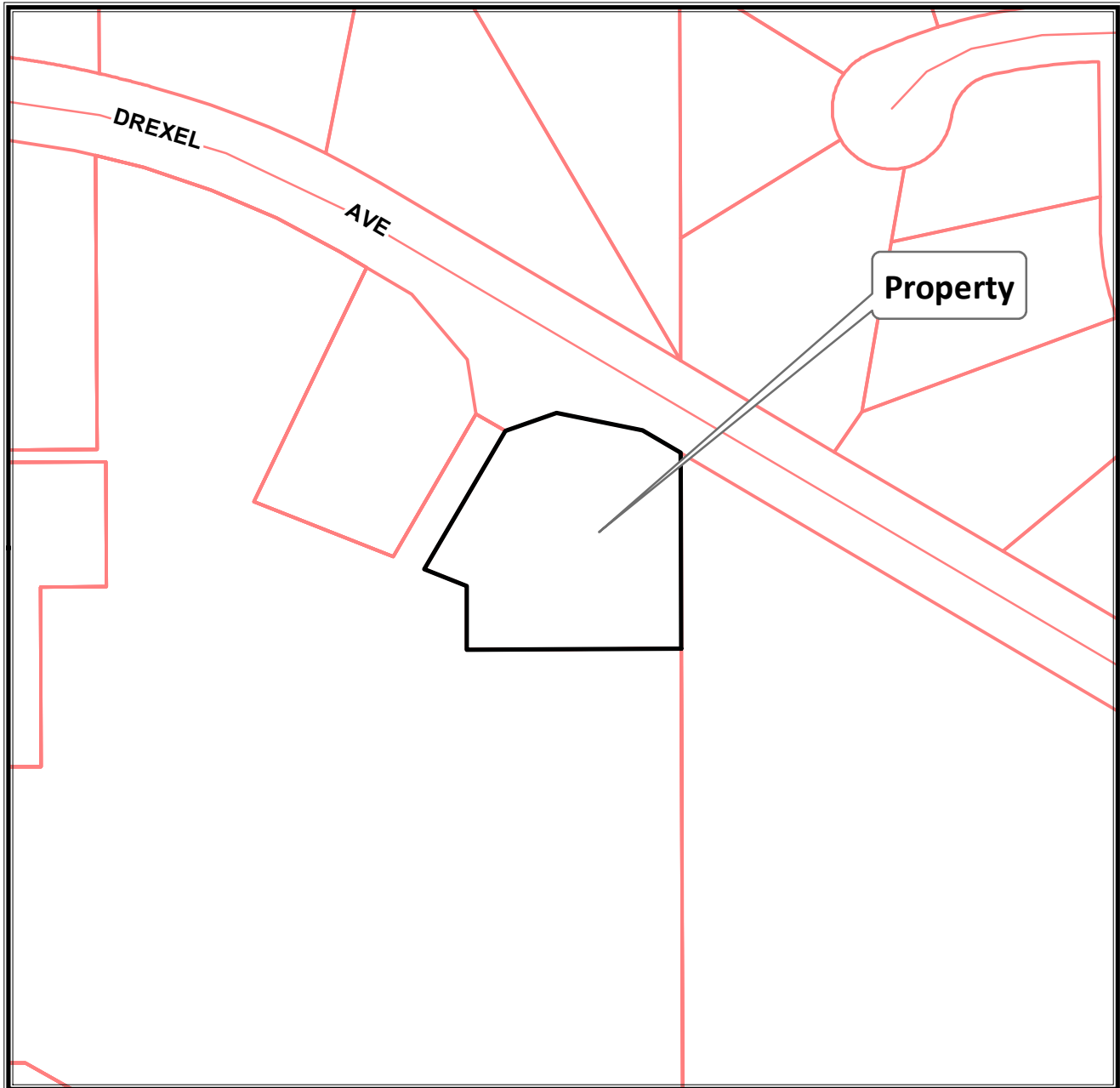


Planning Department
(414) 425-4024

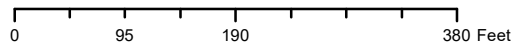


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

9651 W. Drexel Ave.
TKN: 794 9999 009



Planning Department
(414) 425-4024



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



City of Franklin
Department of City Development

Date: November 6, 2020
To: Gary Wendt, The Bradford Real Estate Companies
From: Department of City Development
RE: The Learning Experience Master Sign Program Amendment Application – Staff
Comments

Please be advised that City Staff has reviewed the above application for property located at 9651 W. Drexel Avenue. Department comments are as follows for the Master Sign Program (MSP) Amendment Application date-stamped by the City of Franklin on February 27, 2020.

Ordinance Requirements

§210-9: Master sign program.

The Plan Commission shall hear all requests for the establishment or amendment of a master sign program, make written findings, and approve, modify, approve with conditions, or deny such requests, in accordance with the standards of §210-9.D

1. Please note that §210-9.C requires that each individual sign must be must be applied for and permitted separately.
2. §210-9.F(6) requires that “signs submitted as part of the master sign program review shall provide a unified image for the development.” §210-9.E(1) further requires an “aesthetically developed theme” for each sign program.. See also §210-9.F.(3) Please revise the proposed MSP amendment to harmonize colors with the rest of the Shoppes at Wyndham.

Requirements of the Master Sign Program – Shoppes at Wyndham Village

The MSP and subsequent amendments via Resolutions 2008-2, 2009-016, 2012-001, 2014-004, and 2016-005 for the Shoppes at Wyndham Village detail requirements for signage at this development.

3. Prior to approval, any sign must obtain initial approval from the owners of the Shoppes at Wyndham Village (ORD No. 2007-1934).
4. Note that a total of 6 monument signs, including two (2) master identification signs, were approved as part of the original MSP. Staff notes that, due to the proposed revised monument, the applicant is reducing the approved quantity of Master Identification Signs for the Shoppes at Wyndham Village. Please request this additional amendment to the MSP in revised materials.

5. Item 7(5) of Resolution 2012-001 requires that total signage for all signs at the Shoppes at Wyndham not exceed more than an increase of 100% of the standards of §210-4C(1)(d) and (e). Please verify that the proposed signage does not exceed this allowance.

Additional Planning Department Comments

6. Please provide documentation that the proposed amendments are acceptable to the Shoppes at Wyndham Village.
7. Note that staff does not recommend approval of the following proposed changes:
 - a. Signs without internal illumination.
 - b. Multiple colors for channel letter signage.
 - c. Branding signage with additional colors.
 - d. Material types such as plywood for any sign.
 - e. Square footage in excess of the current standard per tenant.

Inspection Services Department Comments

Inspection Services would have concerns with permitting several different colors on the signs. While we understand the importance of logos, trademarks and creating a fun friendly business environment, we need to be mindful of setting precedence. I'm concerned that, if this application were to be approved, we may open the door to other similar requests for multiple color signs or business logos.

Description of Proposed Master Sign Program Amendment

December 3, 2020

Project: The Learning Experience – Franklin, WI
Client: The Bradford Real Estate Companies
Location: 9651 Drexel Ave. Franklin WI (Tax Key ID 794-9999-009)
CE LTD #: CE180034

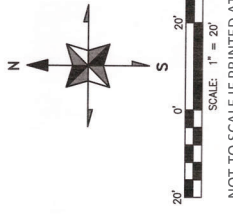
The applicant is requesting that the parcel at 9651 Drexel Ave. (Tax Key ID 794-9999-009) be removed from the Master Sign Program for the Shoppes at Wyndham Development (Resolution 2008-02, dated 3/6/2008). This property is described in the attached legal description.

It is understood that this action would require an amendment to Resolution 2008-02, which established the Master Sign Program for the Shoppes at Wyndham Development.



THE LEARNING EXPERIENCE
9651 DREXEL AVE.
FRANKLIN, WI

SITE PLAN FOR MASTER SIGN PROGRAM



NOT TO SCALE IF PRINTED AT 11" x 17"

- NOTE:**
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE SPECIFIED.
 - SIDEWALK IS 6' WIDE, TYPICAL UNLESS OTHERWISE SPECIFIED.
 - ALL CURBS SHALL BE 8"-12" HIGH UNLESS OTHERWISE SPECIFIED.
 - FOR BUILDING, PLAYGROUND AND TRASH ENCLOSURE LAYOUT AND DIMENSIONS SEE THE ARCHITECTURAL PLAN.
 - A 3/4" INCH FIBER EXPANSION JOINT SHALL BE INSTALLED AT THE INTERSECTION OF SIDEWALKS, DRIVEWAYS, OR EXISTING CURB. CONCRETE PAVEMENT SHALL BE INSTALLED ON TOP OF CONCRETE PAVEMENT/SIDEWALK ABOUTS EXISTING SIDEWALK.
 - THE TOTAL PARKING LOT SPACES PROVIDED ARE 59. 35 ARE ON-SITE AND 24 ARE OFF-SITE, PER CITY OF FRANKLIN RESOLUTION 2007-11. HAS RES. 2009-6544 ELIMINATES WETLAND PER CITY PLANNING STAFF A WIDTH OF DRIVEWAY IS REQUESTED TO MATCH THE PREVIOUSLY APPROVED DRIVEWAY. PUBLIC STREET R.O.W. DIMENSIONS PER COUNTY GIS DATA. MFCUMPS-SARIGBSS.COM
 - PER CITY PLANNING STAFF A WIDTH OF DRIVEWAY IS REQUESTED TO MATCH THE PREVIOUSLY APPROVED DRIVEWAY.
 - PER CITY PLANNING STAFF A WIDTH OF DRIVEWAY IS REQUESTED TO MATCH THE PREVIOUSLY APPROVED DRIVEWAY.
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 - PER CITY PLANNING STAFF A WIDTH OF DRIVEWAY IS REQUESTED TO MATCH THE PREVIOUSLY APPROVED DRIVEWAY.

LEGEND

[Symbol]	FULL DEPTH ASPHALT PAVEMENT
[Symbol]	OVERLAY ASPHALT PAVEMENT
[Symbol]	CONCRETE PAVEMENT
[Symbol]	ADA CROSSWALK
[Symbol]	REVERSE PITCH CURB

CC CITY CIVIC CENTER DISTRICT DIMENSIONAL REQUIREMENTS

	ET.
MINIMUM FRONT YARD	10
MINIMUM SIDE YARD	10
MINIMUM REAR YARD	10

LOT OWNER CONTACT INFORMATION

NAME	ADDRESS	PHONE
CONTRACT OWNER		
BRADFORD FRANKLIN LLC	200 S WACKER DRIVE	(312) 755-8000
REPRESENTED BY GARY WENDT	CHICAGO, IL 60606	
SELLER		
CLOVERLEAF	666 DUNDEE ROAD, SUITE 901 NORTHBROOK, IL 60062	(847) 272-3300

SITE INFORMATION

SO. E.L.	ACRES
48.127	1.13

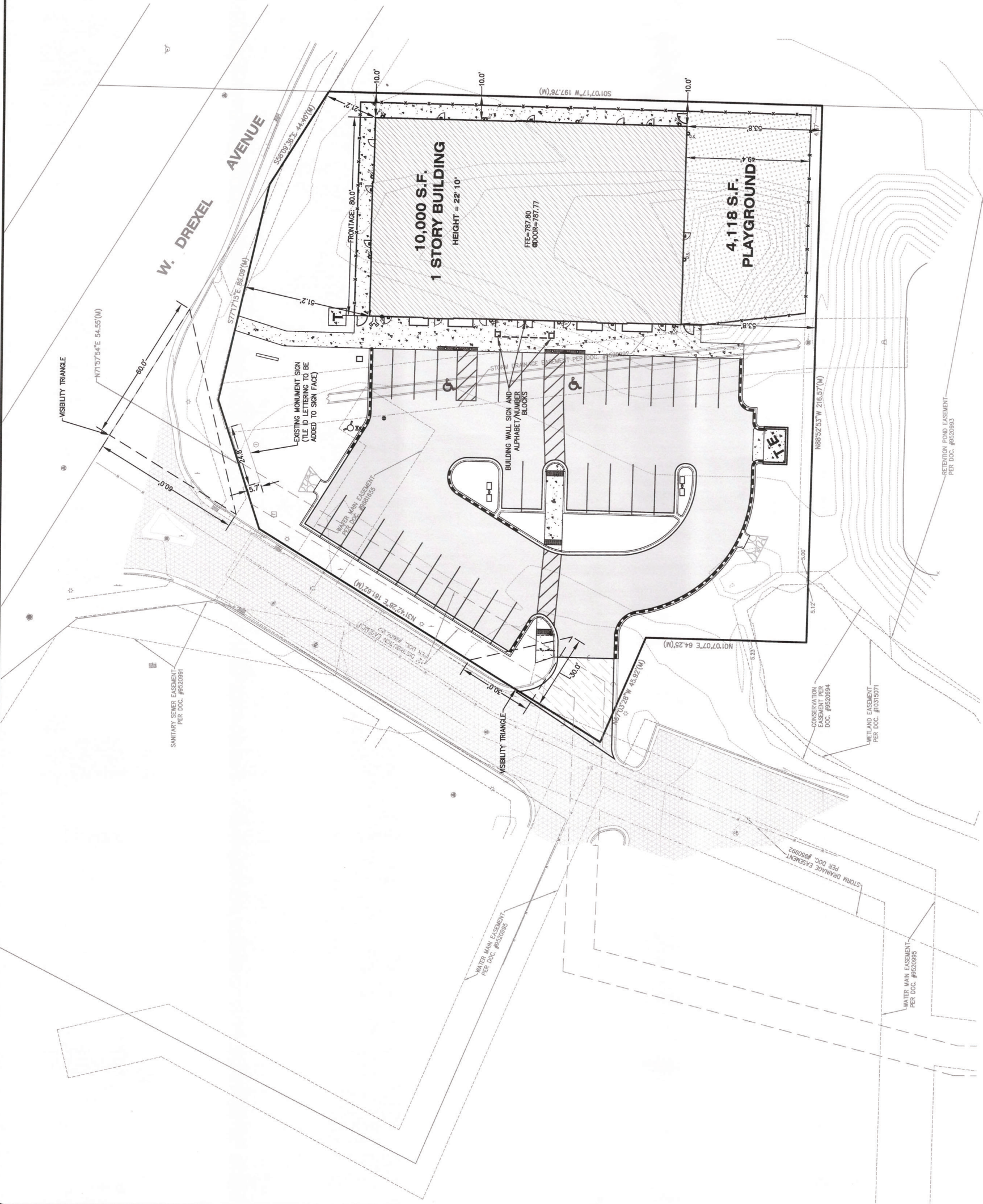
TOTAL AREA 48.127 S=L=R

SITE LOCATION 9651 W. DREXEL AVE. 08-05N-21E

ZONING: CC CITY CIVIC CENTER DISTRICT

PROPOSED LAND USE: COMMERCIAL (GROUP DAYCARE CENTER)

SOIL TYPES: SILTY CLAY FILL SOILS AND SILTY CLAY NATURALLY OCCURRING SOILS TO DEPTHS OF 10-20 FT. BELOW GROUND SURFACE.



REVISIONS

DATE

NO.



ACADEMY OF EARLY EDUCATION
9651 DREXEL AVENUE
FRANKLIN, WISCONSIN

Table with 2 columns: NO., DATE, DESCRIPTION, INT.



Project Information: Project Number: 2019.08, Drawn By: ROGUE, Approved By: SAB. Title Sheet: T-100.

CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR THE WORKING. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL STRUCTURAL AND MECHANICAL SYSTEMS, METHODS, TECHNIQUES, SEQUENCE AND JOB SITE SAFETY. 2. GC MUST PROVIDE & INSTALL ALL PRODUCTS PER SPECIFICATIONS PER PLANS. ALL PRODUCTS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL. UNAPPROVED SUBSTITUTIONS WILL BE REJECTED AT THE EXPENSE OF THE GC. 3. VERBAL REPRESENTATION HAS NO VALUE AND ALL SPECIFICATIONS PER PLANS MUST BE SUBMITTED IN WRITING TO THE ARCHITECT & TIE FOR APPROVAL.

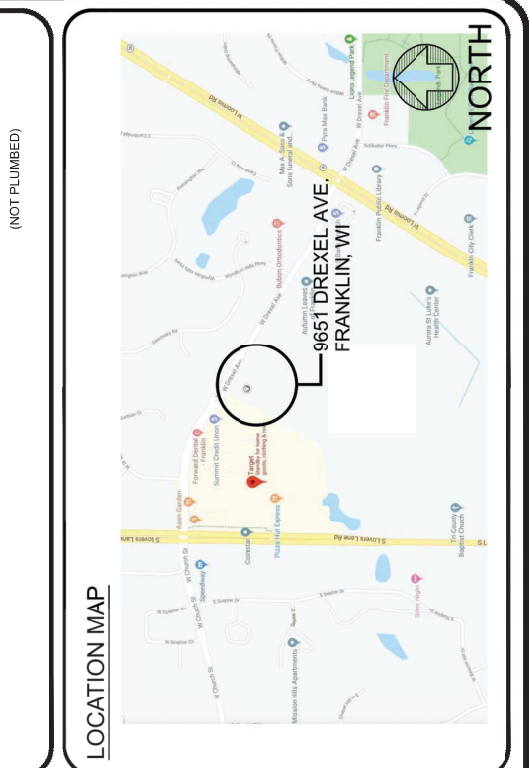
APPLICABLE CODES: 2015 INTERNATIONAL BUILDING CODE (IBC), (WISCONSIN SPS 382) 2015 INTERNATIONAL FIRE CODE 2015 INTERNATIONAL MECHANICAL CODE (WISCONSIN SPS 384) 2015 INTERNATIONAL PLUMBING CODE (WISCONSIN SPS 382) 2017 NATIONAL ELECTRICAL CODE 2015 INTERNATIONAL ENERGY CONSERVATION CODE (WI SPS 383) 2015 ICC/ANSI A117.1 ACCESSIBILITY STANDARD

SITE DATA: LOT 4, ZONING: CC CITY CIVIC CENTER DISTRICT CITY OF FRANKLIN, MILWAUKEE COUNTY, STATE OF WISCONSIN. GENERAL DESCRIPTION: CHILD CARE USE, 1 STORY BUILDING. BUILDING USE GROUPS: H-1 (CHILD DAY CARE) AND E (EDUCATIONAL) NON-SEPARATED MIXED USE (AS DEFINED IN 2015 IBC, SECTION 508.3), DESIGNED PER THE MOST STRICT REQUIREMENTS OF H-1 USE.

Table with 3 columns: ALLOWABLE, AREA, BUILDING HEIGHTS. Includes values for sq. ft. and stories.

OCCUPANCY: (PER BUILDING CODE) ALLOWABLE: 1 OCC : 35 NET SQ. FT. (DAY CARE); 1 OCC : 15 NET SQ. FT. (ASSEMBLY); 1 OCC : 100 NET SQ. FT. (BUSINESS); 1 OCC : 200 NET SQ. FT. (KITCHEN). TOTAL BUILDING OCCUPANCY = 198 TOTAL.

Table with 2 columns: NO., DATE, DESCRIPTION, INT. Includes entries for CONCEPT DESIGN, TIE REVIEW SET, PERMIT SET, ISSUED FOR CONSTRUCTION.



THE LEARNING EXPERIENCE
ACADEMY OF EARLY EDUCATION
CITY OF FRANKLIN, WI
9651 DREXEL AVENUE
FRANKLIN, WI

LICENSING CALCULATIONS TABLE with columns: ROOM, STATE REQUIRED S.F., NET S.F., ACTUAL S.F., RATIO CHILD PER S.F., # OF CHILDREN, # OF TEACHERS, TEACHER RATIO, AGE GROUP.

SUBMITTALS: IT IS THE GENERAL CONTRACTOR'S (GC) RESPONSIBILITY TO SECURE AND REVIEW ALL SHOP DRAWINGS INDICATED FOR REVIEW BY THE CONSTRUCTION DOCUMENTS. IT IS EXPECTED THAT THE GC'S TO PROVIDE THEIR SHOP DRAWINGS WITH APPROVED DIMENSIONS AND MATERIALS. THE GC SHALL BE RESPONSIBLE FOR VERIFYING THAT ALL SHOP DRAWINGS HAVE BEEN APPROVED AND THAT ALL MATERIALS AND FINISHES ARE TO INCLUDE ANY AND ALL CHANGES REQUESTED IN PREVIOUS REVIEWS. CLOUDING SAME AND PROVIDING A REVISION NUMBER. THE GC IS NOT TO PROCEED WITH ANY WORK OR FABRICATION UNTIL THE SHOP DRAWINGS HAVE BEEN REVIEWED AND APPROVED FOR COMPLIANCE WITH THE CONTRACT DOCUMENTS BY THE ARCHITECT. THE ARCHITECT WILL NOT ACCEPT ANY CHARGES FROM THE GC OR THEIR SUB-CONTRACTORS BASED ON THE REQUIRED RESUBMITTALS REQUESTED, AND MUST CLEARLY EXPLAIN THIS TO THEIR SELECTED SUB-CONTRACTOR BEFORE ENGAGING THEM AS PART OF THEIR TEAM.

CONTACTS: OWNER/DEVELOPER: The Bradford Real Estate Companies, Rogue Architecture, 200 South Wacker Dr., Suite 276, Chicago, IL 60606. ARCHITECT: Rogue Architecture, 4100 Wisconsin Blvd., # 300, Colorado Springs, CO 80933. STRUCTURAL ENGINEER: Portis Structural Design, 1515 Wynkoop St., Ste 360, Denver, CO 80202. MEP ENGINEER: JCAA Consulting Engineers, 4100 Wisconsin Blvd., #200, Colorado Springs, CO 80933. TENANT: The Learning Experience, 210 Ingersoll Technology Drive, Colorado Springs, CO 80903.

SCHEDULE OF DRAWINGS TABLE with columns: NO., TITLE SHEET, DESCRIPTION. Lists various drawing types like SPECIFICATIONS, SCHEDULES, ELEVATIONS, etc.

DEFERRED SUBMITTALS: (PREPARED BY OTHERS) SPRINKLER SHOP DRAWINGS, TRUSS SHOP DRAWINGS.

SYMBOLS: NOTE: REFER TO EACH DISCIPLINE'S DRAWINGS FOR ADDITIONAL SYMBOL LEGENDS. MATERIAL DESIGNATIONS: WOOD FINISH, WOOD ROUGH, INSULATION, BRICK, CONCRETE MASONRY UNITS, MARBLE, METAL, GYPSUM DRYWALL SYSTEM, PLASTER, SAND, CEMENT, GROUT.

ABBREVIATIONS: NOTE: REFER TO ADDITIONAL ABBREVIATION LISTS IN EACH DISCIPLINE'S DRAWINGS. STANDARD ABBREVIATIONS: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. Includes definitions for various architectural and engineering terms.

ABBREVIATIONS: NOTE: REFER TO ADDITIONAL ABBREVIATION LISTS IN EACH DISCIPLINE'S DRAWINGS. STANDARD ABBREVIATIONS: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. Includes definitions for various architectural and engineering terms.

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CONTRACTOR SHALL BE RESPONSIBLE AND PROVIDE THE WORKING DRAWINGS TO THE CONTRACTOR'S BEST SKILL AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE SEQUENCE AND ORDER OF CONSTRUCTION. MEANS, METHODS, TECHNIQUES, SEQUENCE AND JOB SITE SAFETY SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE SUBMITTED TO THE ARCHITECT FOR APPROVAL. UNAPPROVED SUBSTITUTIONS SHALL BE REJECTED AT THE EXPENSE OF THE GC.

3. VERBAL REPRESENTATION HAS NO VALUE AND ALL SPECIFICATIONS PER PLANS MUST BE SUBMITTED IN WRITING TO THE ARCHITECT & TLE FOR APPROVAL.

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Waldsworth Boulevard
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720-599-3391 - F
303-957-1981 - X
ROGUE
CHALLENGING THE STATUS QUO
www.RogueArchitecture.com

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THE LEARNING EXPERIENCE

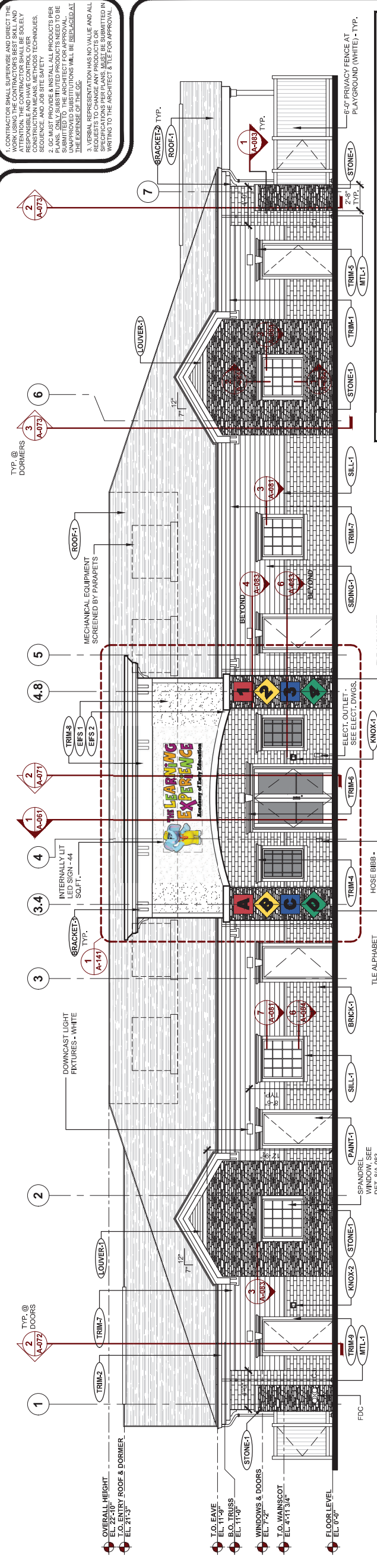
ACADEMY OF EARLY EDUCATION
9651 DREXEL AVENUE
FRANKLIN, WISCONSIN

NO.	DATE	DESCRIPTION	INT.
01.08.2020	TILE REVIEW SET	CONCEPT DESIGN	
02.07.2020	100% TLE REVIEW SET	PERMIT SET	
02.12.2020	ISSUED FOR CONSTRUCTION		

NO.	DATE	DESCRIPTION	INT.

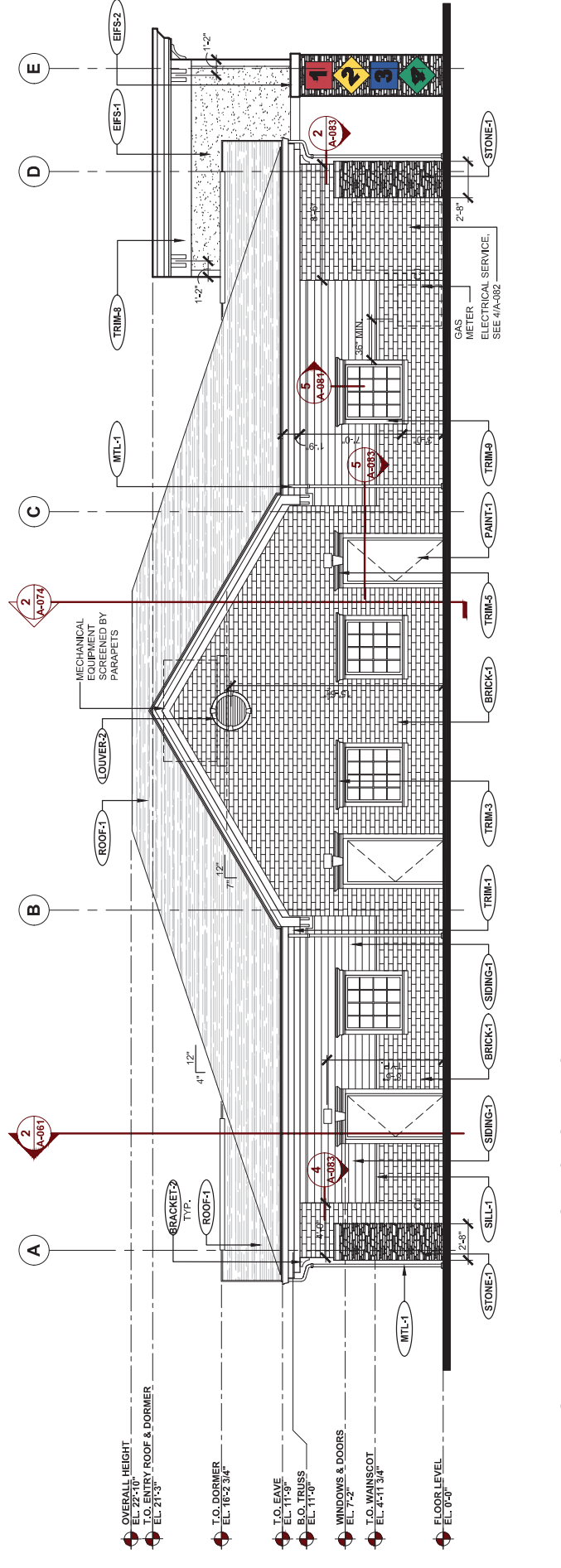


Project Number: 2019.08	Scale: AS NOTED
Drawn By: ROGUE	Approved By: SAB
Drawing Name: EXTERIOR ELEVATIONS	
Drawing Number: A-051	



2 FRONT SIDE ELEVATION (WEST)
SCALE: 3/16" = 1'-0"

LABEL	MANUFACTURER	SIZE/TYPE	FINISH COLOR
STOREFRONT DOOR	KAWNEER	TRIFAB 451 PER DOOR SCHEDULE	BONE WHITE
FIXED WINDOW	ANDERSEN SILVERLINE V-1 ALT.; ANDERSEN 100 SERIES	PER WINDOW SCHEDULE	FACTORY PRIMED WHITE FRAME / CLEAR GLASS
BRICK-1	ACME BRICK (OR EQUIV.)	UTILITY	RED GRAY WIRECUT
STONE-1	ELDORADO STONE (OR EQUIV.)	LIMESTONE	SAN MARINO OR MATCH (E) DEVELOPMENT
SILL-1	MODERN PRECAST	3/4"X3/4"X1/2" SILL W/ 2" FLAT W/ 1/4" DWP EDGE	COLOR: "REGULAR" (LIGHT GREY)
SILL-2	MODERN PRECAST	CUSTOM SILL 3/4"X3/4"X1/2" W/ 2" FLAT LOCATE AT DOWNSPOUTS	COLOR: "REGULAR" (LIGHT GREY)
SIDING-1	JAMES HARDIE (FIBER CEMENT)	HARDIPLANK F.C.B LAF SIDING PRODUCT: CEDARWILL	COLOR: COBBLE STONE (MATCH (E) DEVELOPMENT SIDING)
EIFS-1	DRYVIT OR SIMILAR		COLOR: SHERWIN WILLIAMS QUIMER TAN
EIFS-2	DRYVIT OR SIMILAR		COLOR: SW 6148 WOOL SKEIN
ROOF-1	GAF - TIMBERLINE (OR EQUIV.)	ULTRA HD SHINGLES 30-YEAR WARRANTY	COLOR: WEATHERED WOOD
TRIM-1	JAMES HARDIE (OR EQUIV.)	TRIM BOARD NOM. THICKNESS 0.542"	SOFFT
TRIM-2	JAMES HARDIE (OR EQUIV.)	3/4"X10" (1"X3-1/4" NET)	COLOR: NAVAJO BEIGE PERFORATED
TRIM-3	FYPON	WINDOW CROSSHEAD WIDTH: 56", HEIGHT: 9"	COLOR: NAVAJO BEIGE
TRIM-4	FYPON	WINDOW CROSSHEAD WIDTH: 44", HEIGHT: 9"	COLOR: SW 6148 WOOL SKEIN
TRIM-5	FYPON	DOOR CROSSHEAD WIDTH: 48", HEIGHT: 9"	COLOR: SW 6148 WOOL SKEIN
TRIM-6	FYPON	INTEGRAL KEYSTONE	PRODUCT: WCH48X9K
TRIM-7	JAMES HARDIE	DOOR CROSSHEAD INTEGRAL KEYSTONE	COLOR: SW 6148 WOOL SKEIN
TRIM-8	FYPON FRIEZE BOARD (OR EQUIV.)	FRIEZE BOARD 3/4" X 7'-3/4"	COLOR: NAVAJO BEIGE
TRIM-9	JAMES HARDIE (FIBER CEMENT)	HARDIE BOARDS	COLOR: NAVAJO BEIGE PRODUCT: SW SMOOTH
TRIM-10	JAMES HARDIE	TRIM BOARD 3/4" X 11'-1/4"	COLOR: NAVAJO BEIGE
MTL-1	MBCI (OR EQUIV.)	METAL EDGE TRIM & GUTTERS / DOWNSPOUTS	LIGHT STONE
PAINT-1	BENJAMIN MOORE	FIELD / DOORS	BENJAMIN MOORE SW 7043 WORLDLY GRAY
KBOX-1	KNOX BOX (MAIN ENTRY)	3200 SERIES W/ RECESSED MOUNT FLANGE, HINGE DOOR, & TAMPER SWITCH	COLOR: DARK BRONZE (REF. NOTE 2 BELOW)
KBOX-2	KNOX BOX (MECHANICAL ROOM)	1650 SERIES W/ RECESSED MOUNT FLANGE, HINGE DOOR, & TAMPER SWITCH	COLOR: DARK BRONZE (REF. NOTE 2 BELOW)
LOUVER-1	FYPON	TRIANGULAR LOUVER WIDTH: 80", HEIGHT: 17'-1/2"	COLOR: SW 6148 WOOL SKEIN PRODUCT: FTRLV80X18
LOUVER-2	FYPON	31" 5/8" DIA. DECORATIVE LOUVER	COLOR: SW 6148 WOOL SKEIN PRODUCT: RLVS2MTK
BRACKET-1	FYPON	BRACKET WIDTH: 13 1/4", HEIGHT: 13'-1/4"	COLOR: SW 7048 PRODUCT: BKT14X14
BRACKET-2	FYPON	BRACKET WIDTH: 6", HEIGHT: 6"	COLOR: SW 7048 PRODUCT: BKT6X6



1 LEFT SIDE ELEVATION (NORTH)
SCALE: 3/16" = 1'-0"

NOT TO SCALE IF PRINTED AT 11 X 17



NO.	DATE	DESCRIPTION	INT.
01.08.2020	CONCEPT DESIGN		
01.13.2020	TILE REVIEW SET		
02.07.2020	100% TILE REVIEW SET		
02.12.2020	PERMIT SET		
		ISSUED FOR CONSTRUCTION	

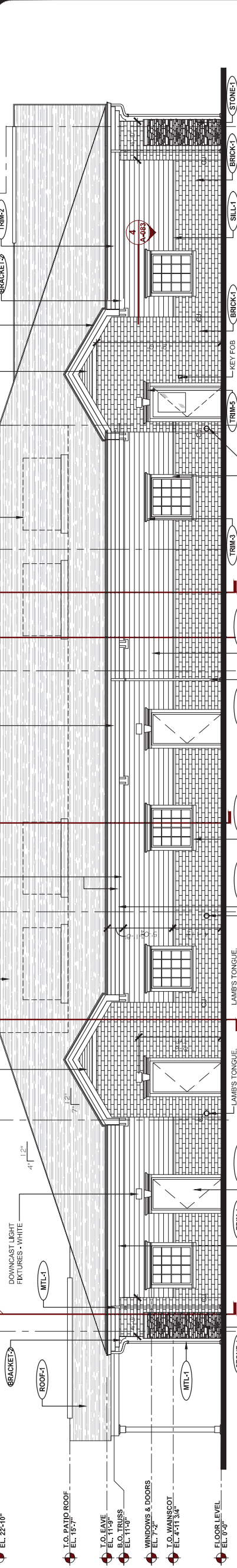
NO.	DATE	DESCRIPTION	INT.
		REVISION	



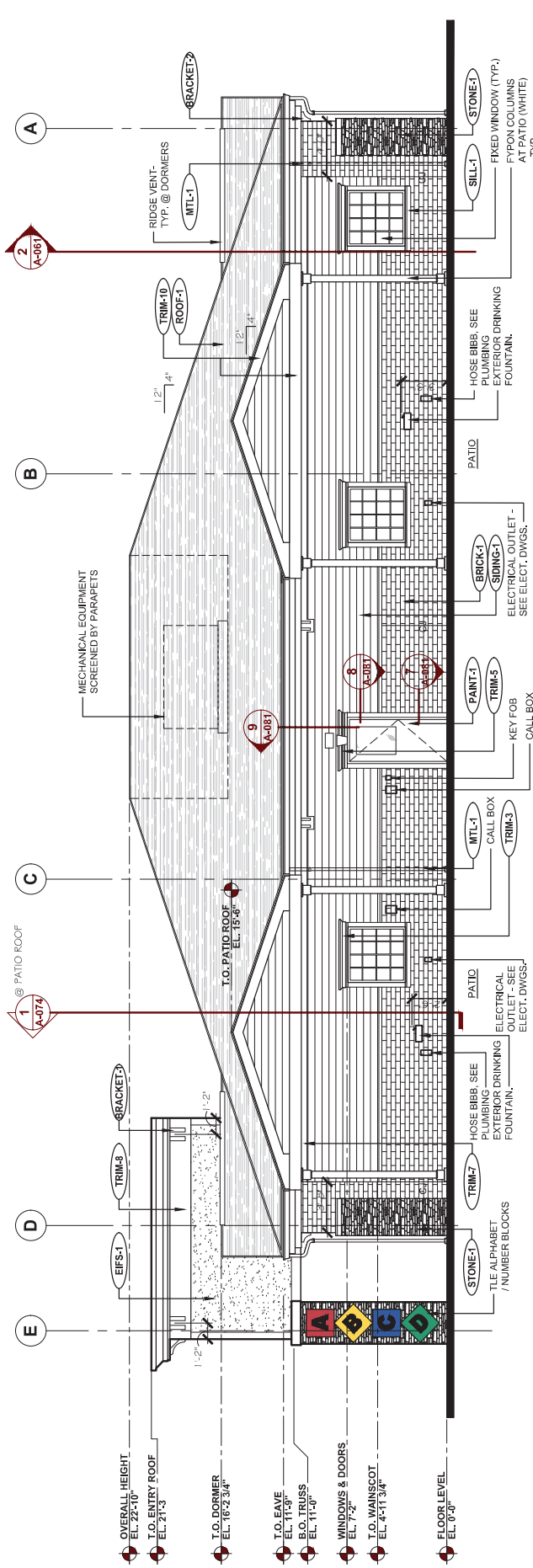
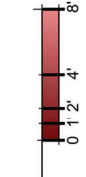
Project Number: 2019.08	Scale: AS NOTED
Drawn By: ROGUE	Approved By: SAB
Drawing Name: EXTERIOR ELEVATIONS	
Drawing Number: A-052	

CONTRACTOR SHALL BE RESPONSIBLE AND AWARE OF THE WORKING CONDITIONS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, SECURING THE JOB SITE SAFETY, AND PROVIDING ALL NECESSARY CONSTRUCTION METHODS, TECHNIQUES, AND MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, SECURING THE JOB SITE SAFETY, AND PROVIDING ALL NECESSARY CONSTRUCTION METHODS, TECHNIQUES, AND MATERIALS. UNAPPROVED SUBSTITUTIONS WILL BE REJECTED AT THE EXPENSE OF THE GC.

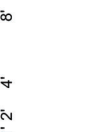
3. VERBAL REPRESENTATION HAS NO VALUE AND ALL SPECIFICATIONS PER PLANS, MUST BE SUBMITTED IN WRITING TO THE ARCHITECT & TIE FOR APPROVAL.



2 REAR SIDE ELEVATION (EAST)
 SCALE: 3/16" = 1'-0"



1 RIGHT SIDE ELEVATION (SOUTH)
 SCALE: 3/16" = 1'-0"



LABEL	MANUFACTURER	SIZE/TYPE	FINISH COLOR
DOOR	KAWNEER	TRIFAB 451 PER DOOR SCHEDULE	BONE WHITE FACTORY PRINED WHITE FRAME / CLEAR GLASS
FIXED WINDOW	ANDERSEN SILVERLINE V-1 ALT. - ANDERSEN 100 SERIES		
BRICK-1	ACME BRICK (OR EQUIV.)	UTILITY	RED GRAIN WIRECUT
STONE-1	ELDORADO STONE (OR EQUIV.)	LIMESTONE	SAN MARINO OR MATCH (E) DEVELOPMENT
SILL-1	MODERN PRECAST	3 3/4"X6"W SILL W/ 2" FLAT W/ 1/4" DRIP EDGE	COLOR: "REGULAR" (LIGHT GREY)
SILL-2	MODERN PRECAST	CUSTOM SILL 3 3/4"X4 1/2"X2 1/2" W/ 2" FLAT LOCATE AT DOWNSPOUTS	COLOR: "REGULAR" (LIGHT GREY)
SIDING-1	JAMES HARDIE (FIBER CEMENT)	HARDIPLANK F.C.B LAP SIDING PRODUCT: CEDARMILL	COLOR: COBBLE STONE (MATCH (E) DEVELOPMENT SIDING)
EIFS-1	DRYVIT OR SIMILAR		COLOR: SHERWIN WILLIAMS GUNNER TAN
EIFS-2	DRYVIT OR SIMILAR		COLOR: SW 6148 WOOL SKEIN
ROOF-1	GAF - TIMBERLINE (OR EQUIV.)	ULTRA HD SHINGLES	COLOR: WEATHERED WOOD
TRIM-1	JAMES HARDIE (OR EQUIV.)	TRIM BOARD NOM. THICKNESS 0.942"	SOFFT COLOR: NAVAJLO BEIGE PERFORATED
TRIM-2	JAMES HARDIE (OR EQUIV.)	FRIEZE BOARD 54" X 10" (1"X3-1/4" NET)	COLOR: NAVAJLO BEIGE
TRIM-3	FYPON	WINDOW CROSSHEAD WIDTH: 85", HEIGHT: 9"	COLOR: SW 6148 WOOL SKEIN
TRIM-4	FYPON	WINDOW CROSSHEAD WIDTH: 44", HEIGHT: 9"	PRODUCT: WCH44X9
TRIM-5	FYPON	DOOR CROSSHEAD WIDTH: 48", HEIGHT: 9"	COLOR: SW 6148 WOOL SKEIN
TRIM-6	FYPON	INTEGRAL KEYSTONE	PRODUCT: WCH48X9K
TRIM-7	FYPON	DOOR CROSSHEAD WIDTH: 84", HEIGHT: 9"	COLOR: SW 6148 WOOL SKEIN
TRIM-8	FYPON	INTEGRAL KEYSTONE	PRODUCT: WCH84X9K
TRIM-9	JAMES HARDIE (FIBER CEMENT)	FRIEZE BOARD 34" X 7-3/4"	COLOR: NAVAJLO BEIGE
TRIM-10	JAMES HARDIE	FRIEZE BOARD 1" X 16"	COLOR: NAVAJLO BEIGE
MTL-1	MBCJ (OR EQUIV.)	METAL EDGE TRIM & GUTTERS / DOWNSPOUTS	LIGHT STONE
PAINT-1	BENJAMIN MOORE	FIELD / DOORS	BENJAMIN MOORE SW 7043 WORLD GRAY
KBOX-1	KNOX BOX (MAIN ENTRY)	3200 SERIES W/ PRECESSED MOUNT FLANGE, HINGE DOOR, & TAMPER SWITCH	COLOR: DARK BRONZE (REF. NOTE 2 BELOW)
KBOX-2	KNOX BOX (MECHANICAL ROOM)	1650 SERIES W/ PRECESSED MOUNT FLANGE, HINGE DOOR, & TAMPER SWITCH	COLOR: DARK BRONZE (REF. NOTE 2 BELOW)
LOUVER-1	FYPON	TRIANGULAR LOUVER WIDTH: 60", HEIGHT: 11'-1/2"	COLOR: SW 6148 WOOL SKEIN PRODUCT: FTRL160X18
LOUVER-2	FYPON	31.58" DIA. DECORATIVE LOUVER	COLOR: SW 6148 WOOL SKEIN PRODUCT: RL132MTK
BRACKET-1	FYPON	BRACKET WIDTH: 13 1/4", HEIGHT: 13'-1/4"	COLOR: SW 7048 URBANE BRONZE PRODUCT: BKT114X14
BRACKET-2	FYPON	BRACKET WIDTH: 8", HEIGHT: 8"	COLOR: SW 7048 URBANE BRONZE PRODUCT: BKT8X8

NOT TO SCALE IF PRINTED AT 11 X 17

4100
Waukesha, WI
State: WI
City: Waukesha
Zip: 53186
Phone: 262-591-3399
Fax: 262-591-3398
www.RogueArchitecture.com

ROGUE ARCHITECTURE
CHALLENGING THE STATUS QUO

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THE LEARNING EXPERIENCE

ACADEMY OF EARLY EDUCATION

9651 DREXEL AVENUE
FRANKLIN, WISCONSIN

NO.	DATE	DESCRIPTION	INT.
01.08.2020	CONCEPT DESIGN		
01.17.2020	TILE REVIEW SET		
02.07.2020	100% TILE REVIEW SET		
02.12.2020	PERMIT SET		
	ISSUED FOR CONSTRUCTION		

NO.	DATE	DESCRIPTION	INT.

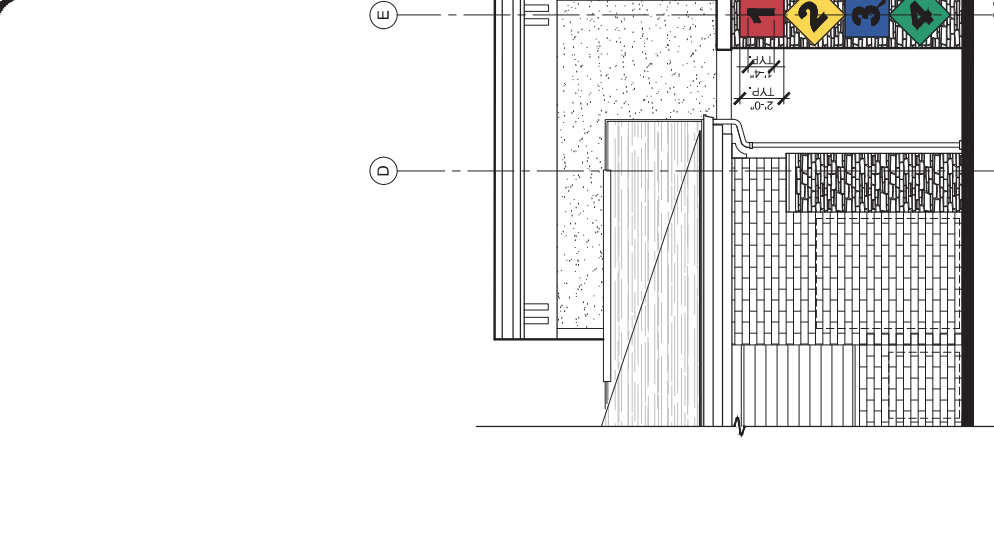


Project Number: 2019.08	Scale: AS NOTED
Drawn By: ROGUE	Approved By: SAB
Drawing Name: MAIN ENTRY DETAILS	
Drawing Number: A-141	

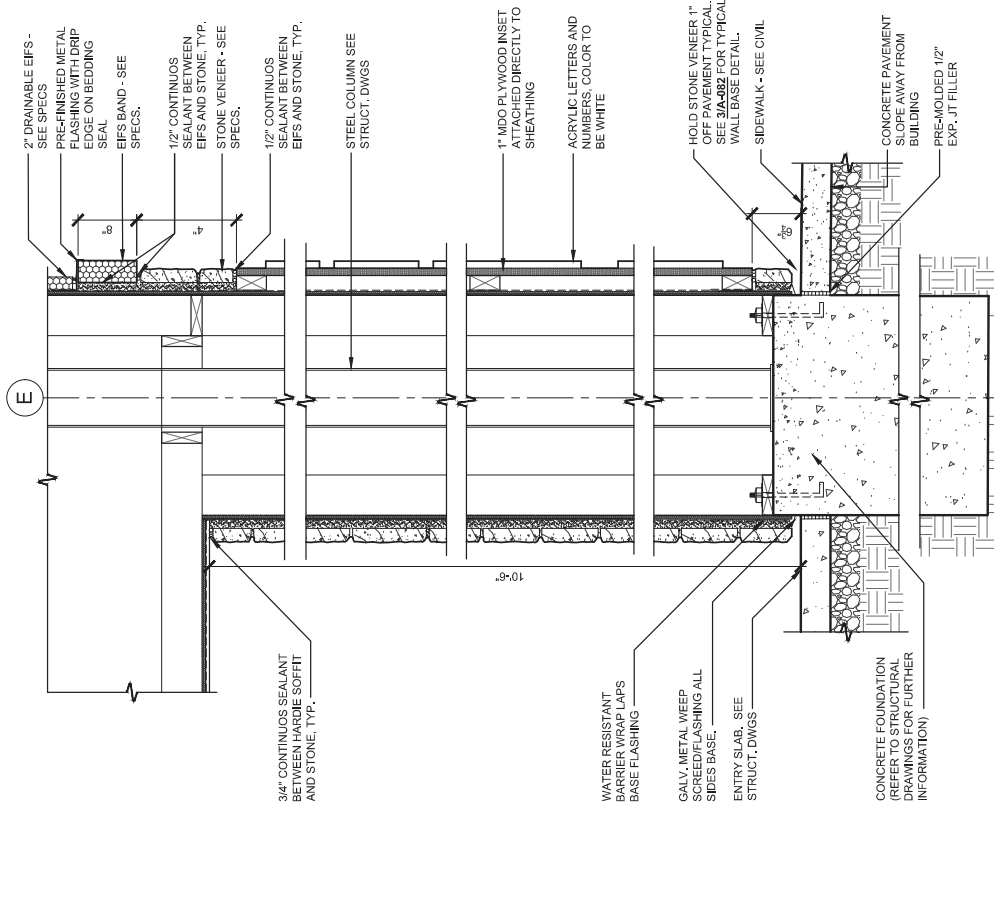
CONTRACTOR SHALL BE RESPONSIBLE AND PROVIDE THE WORK USING THE CONTRACTOR'S BEST SKILL AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE SEQUENCE AND ORDER OF CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCE, AND JOB SITE SAFETY.

2. GC MUST PROVIDE AND INSTALL ALL PRODUCTS PER MANUFACTURER'S INSTRUCTIONS. ALL PRODUCTS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL. UNAPPROVED SUBSTITUTIONS WILL BE REJECTED AT THE EXPENSE OF THE GC.

3. VERBAL REPRESENTATION HAS NO VALUE AND ALL SPECIFICATIONS PER PLANS MUST BE SUBMITTED IN WRITING TO THE ARCHITECT & TILE FOR APPROVAL.



3 SECTION THROUGH COLUMN COVER
Scale: 1/4" = 1'-0"



2 SIDE ELEVATION @ CANOPY
Scale: 1/4" = 1'-0"

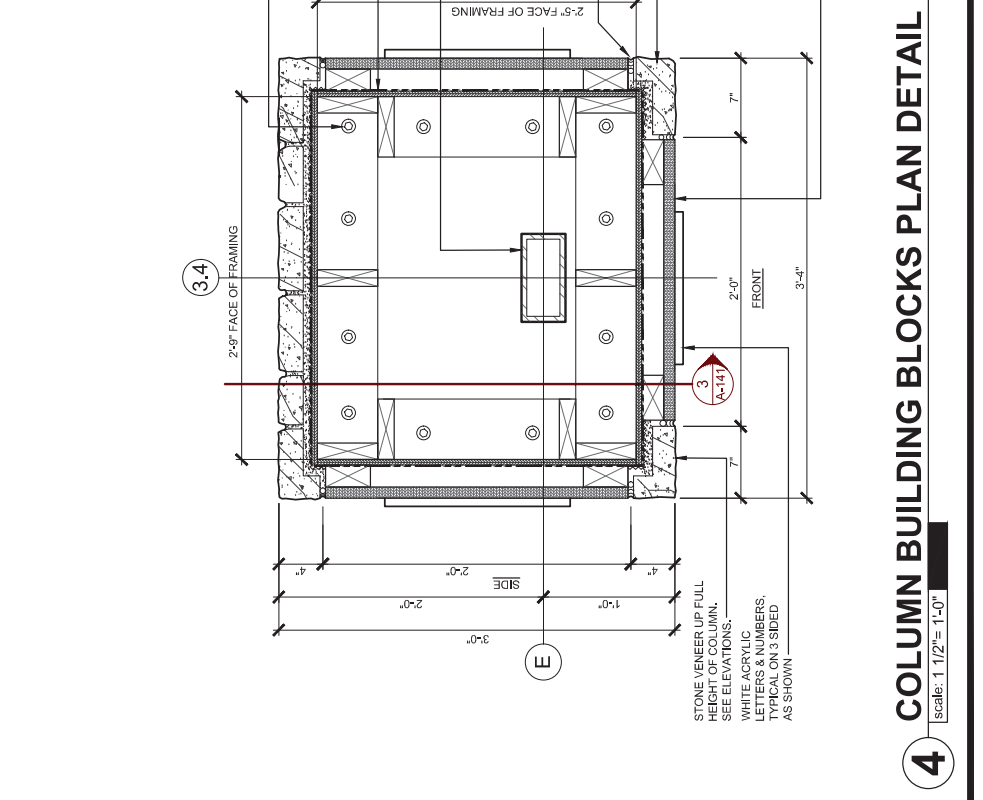
ENTRY BLOCKS PAINT SCHEDULE				
FINISH AREA	COLOR	BENJAMIN MOORE COLOR NAME	STOCK NO.	PPG PAINTS COLOR NAME
BLOCKS 1 & A	RED	WATERMELON RED	2087-20	BURNT RED
BLOCKS 2 & B	YELLOW	YELLOW RAIN COAT	2020-40	FLIRTATIOUS
BLOCKS 3 & C	BLUE	TWILIGHT BLUE	2087-30	CRUSHED VELVET
BLOCKS 4 & D	GREEN	PRAIRIE GREEN	3038-30	LEPRECHAUN
COLUMN WRAP	WHITE	WHITE DOVE	OC-17	WHITE DOVE

CM BW = COLOR MATCH BENJAMIN MOORE
CM SW = COLOR MATCH SHERWIN WILLIAMS

ENTRY BLOCKS PAINT SCHEDULE NOTES:

- LETTERS SHALL BE WHITE ACRYLIC (PROVIDED BY SIGN VENDOR).
- PAINT FINISH:
 - BENJAMIN MOORE N096 MOORGL0 100% ACRYLIC HOUSE AND TRIM PAINT IN SPECIFIED COLOR
 - OR EQUIVALENT PRODUCT BY OTHER LISTED MANUFACTURER
- ALL LETTERS SHALL HAVE ONE COAT OF PRIMER AND TWO COATS OF PAINT (UNLESS FACTORY PRIMED BY THE MANUFACTURER). REFER TO SPECIFICATIONS DRAWINGS FOR ADDITIONAL INFORMATION.
- SELECTED COLOR PALETTE SHALL BE FROM ONE OF THE ABOVE MANUFACTURERS.
- NO SUBSTITUTIONS WILL BE ALLOWED.

NOT TO SCALE IF PRINTED AT 11 X 17



4 COLUMN BUILDING BLOCKS PLAN DETAIL
Scale: 1/12" = 1'-0"

CONTRACTOR SHALL BE RESPONSIBLE AND DIRECT THE WORK USING THE CONTRACTOR'S BEST SKILL AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCE AND JOB SITE SAFETY.

2. GC MUST PROVIDE & INSTALL ALL PRODUCTS PER SPECIFICATIONS PER PLANS. ALL PRODUCTS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL. UNAPPROVED SUBSTITUTIONS WILL BE REPLACED AT THE EXPENSE OF THE GC.

3. VERBAL REPRESENTATION HAS NO VALUE AND ALL SPECIFICATIONS PER PLANS, MUST BE SUBMITTED IN WRITING TO THE ARCHITECT & TILE FOR APPROVAL.

4100
Wadevorth Boulevard
Suite 300
Whitewater, WI 53190
726-596-3330 - P
726-596-3331 - F
920-957-2881 - X
ROGUE
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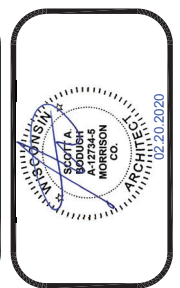
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THE LEARNING EXPERIENCE
ACADEMY OF EARLY EDUCATION
9651 DREXEL AVENUE
FRANKLIN, WISCONSIN



NO.	DATE	DESCRIPTION	INT.
01/09/2020	CONCEPT DESIGN		
01/31/2020	TILE REVIEW SET		
02/07/2020	100% TILE REVIEW SET		
02/12/2020	PERMIT SET		
	ISSUED FOR CONSTRUCTION		

NO.	DATE	DESCRIPTION	INT.

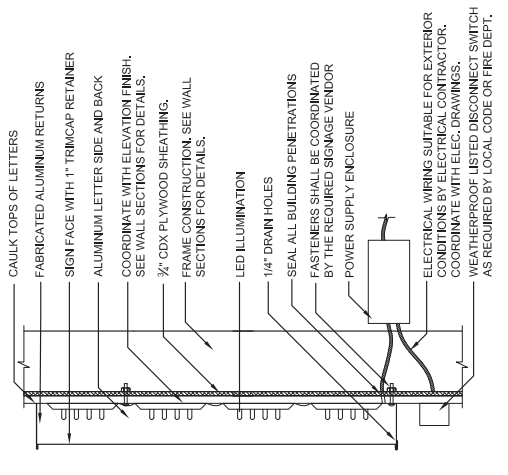


Project Number: 2019.08 Scale: AS NOTED	
Drawn By: ROGUE	Approved By: SAB
Drawing Name: SIGNAGE DETAILS	
Drawing Number: A-161	

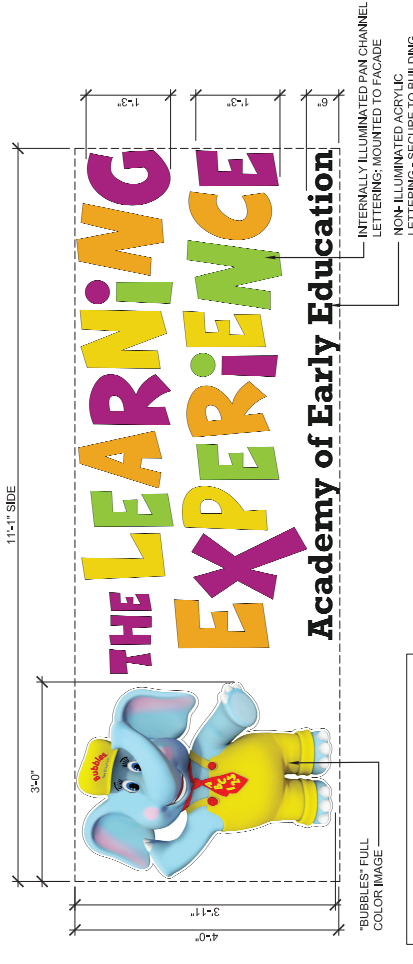
GENERAL NOTES

- CONTRACTOR SHALL VERIFY THE CONNECTIONS AND DIMENSIONS PRIOR TO PROCEEDING WITH THE WORK AND SHALL REPORT ANY AND ALL DISCREPANCIES TO THE OFFICE OF THE ARCHITECT.
- CONTRACTOR TO SUPPLY & INSTALL LIGHTED THE LEARNING EXPERIENCE SIGN AS INDICATED ON DRAWINGS. SIGN SHALL BE PAN CHANNEL LETTERING. FACADE MOUNTED WITH 120V INTERNAL WHITE LED ILLUMINATION. PROVIDE WHITE 1/8" ACRYLIC CAP WITH 1/8" V-GROOVE. SIGN SHALL BE MOUNTED WITH VINYL FILM APPLIED AS PER SPECIFIED COLORS.
- ANCHORAGE SHOWN COMPLIES WITH 2015 IBC CHAPTER 16 AND APPENDIX H105.2 AND H105.3 FOR WITHSTANDING WIND LOADS PRODUCED BY 90 MPH WIND FOR 3 SECOND GUST.

NOTE: CONTACT TILE FOR EXTERIOR SIGN DESIGN.
NOTE: SIGNAGE UNDER SEPARATE SIGN PERMIT APPLICATION.



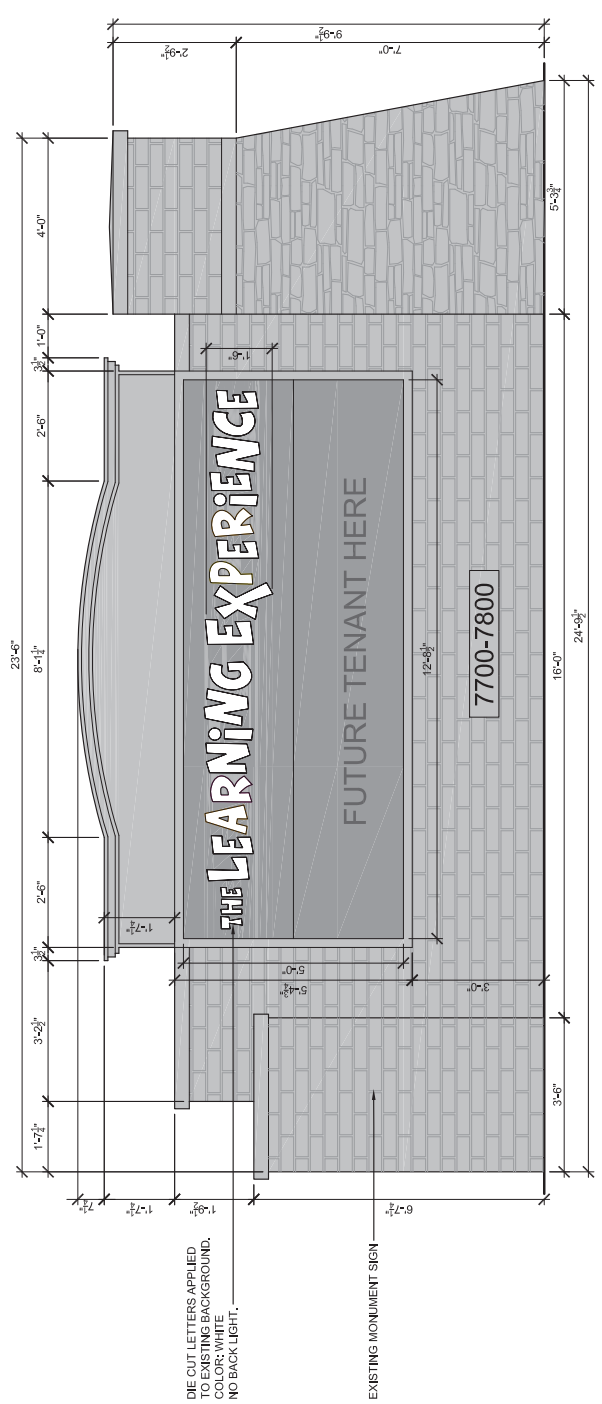
2 SIGNAGE MOUNTING DETAIL
Scale: 1-1/2" = 1'-0"



NOTE: LETTERS PROJECT 4" FROM FACE OF BUILDING

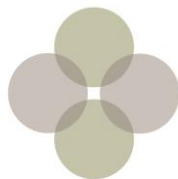
SIGN AREA: 44 S.F.

1 BUILDING WALL SIGNAGE ELEVATION
Scale: 3/4" = 1'-0"



3 MONUMENT SIGNAGE ELEVATION - FRONT SIDE
Scale: 3/4" = 1'-0"

NOT TO SCALE IF PRINTED AT 11 X 17.



CLOVERLEAF

November 30, 2020

City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

**Re: Waiver and Release of Lot 4 from the Master Sign Program Amendment
Relating to the Shoppes at Wyndham Village and The Learning Experience
Development at 9651 Drexel Avenue, Franklin, WI**

To Whom it May Concern:

In connection with the above referenced proposed development, we, Franklin-Wyndham, LLC, as the property owner/grantor, have reviewed the Plan Commission submittal dated December 3, 2020 and support the waiver and release of Lot 4 from the Master Sign Program. We also support the signage proposed for the new building and the modifications to the existing monument sign per the submitted Franklin signage drawings dated February 12, 2020.

Please do not hesitate to contact me at jeb@cleafgroup.com with any questions. Thank you for your prompt attention to this matter.

Very truly yours,

Franklyn-Wyndham, LLC
By: The Cloverleaf Real Estate Group, Inc.
Its Manager

Jonathan E. Basofin, President
jeb@cleafgroup.com
JEB:lav


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Word Mark THE LEARNING EXPERIENCE ACADEMY OF EARLY EDUCATION ABCD 1234

Goods and Services IC 041. US 100 101 107. G & S: EDUCATION SERVICES, NAMELY, PROVIDING ACADEMIC COURSES OF INSTRUCTION AT THE PRESCHOOL AND ELEMENTARY LEVELS IN A CHILD CARE CENTER. FIRST USE: 20120331. FIRST USE IN COMMERCE: 20120331

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 07.03.25 - Aquariums (buildings) ; Convention hall ; Hospitals ; Libraries, public libraries ; Schools ; Wash, car (commercial)
 07.07.25 - Domes ; Loading platforms ; Solar panels
 26.07.13 - Diamonds, exactly two diamonds ; Two diamonds
 26.07.21 - Diamonds that are completely or partially shaded
 26.09.13 - Squares, exactly two squares ; Two squares
 26.09.21 - Squares that are completely or partially shaded

Serial Number 85749888

Filing Date October 10, 2012

Current Basis 1A

Original Filing Basis 1B

Published for Opposition September 24, 2013

Registration Number 4568984

International Registration Number 1263475

Registration Date July 15, 2014

Owner (REGISTRANT) MWR Holdings, LLC LIMITED LIABILITY COMPANY DELAWARE 210 Hillsboro Technology Drive Deerfield Beach FLORIDA 33441

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record JOSEPH AGOSTINO

Prior 2762752;3214487;4016585;4105084;AND OTHERS

Registrations

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LEARNING" AND "ACADEMY OF EARLY EDUCATION" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) Blue, Purple, Yellow, Green, Orange, Red, Beige and white is/are claimed as a feature of the mark. The mark consists of a school house having a blue roof a central gable, a beige front and a darker beige series of stones where the school house meets the ground. The school house has windows with white frames, the doors have windows with a black frame. Green bushes are positioned in front of the school house. A blue elephant wearing a yellow hat, yellow overalls and a red tie is positioned in the gable portion of the school house and is standing next to the literal element "THE LEARNING EXPERIENCE ACADEMY OF EARLY EDUCATION". The yellow hat of the blue elephant includes the literal element "BUBBLES THE ELEPHANT" in red and the red tie includes the letters "ABC 123" in yellow. The letters of the literal element "THE LEARNING EXPERIENCE ACADEMY OF EARLY EDUCATION" are shown in different colors as follows: "THE" is purple, for "LEARNING", "L", is yellow "E", is green, "A" is orange, "R" is purple, "N" is yellow, "I" is green with the dot being purple, "N" is orange, "G" is purple, for "EXPERIENCE", "E" is orange, "X" is purple, "P" is yellow, "E" is green, "R" is orange, "I" is purple with the dot being orange, "E" is yellow, "N" is green, "C" is orange, and "E" is purple. The letters "ACADEMY OF EARLY EDUCATION" are in black. The support columns for the central gable include blocks in varied orientations. The #1 block is red with the "1" in white, the #2 block is yellow with the "2" in white, the #3 block is blue with the "3" in white and the #4 block is green with "4" in white. The A block is red with the "A" in white, the B block is yellow with the "B" in white, the C block is blue with the "C" in white and the D block is green with the "D" in white.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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THE LEARNING EXPERIENCE

Academy of Early Education

Word Mark ABC 123 THE LEARNING EXPERIENCE ACADEMY OF EARLY EDUCATION BUBBLES THE ELEPHANT

Goods and Services IC 041. US 100 101 107. G & S: education services, namely, providing academic courses of instruction at the preschool and elementary levels in a child care center. FIRST USE: 20151200. FIRST USE IN COMMERCE: 20151200

IC 043. US 100 101. G & S: Providing child care centers. FIRST USE: 20151200. FIRST USE IN COMMERCE: 20151200

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 03.03.01 - Elephants ; Mammoths ; Mastodons
 03.03.26 - Costumed Elephants, hippopotami, rhinoceri, giraffes, alpacas, camels, llamas
 09.03.15 - Bow ties ; Neckties ; Ties, neckties or bow ties
 09.03.25 - Bath robes ; Costumes (Halloween or masquerade) ; Jump suits ; Kimonos ; Leotards ; Robes ; Surgical gowns ; Suspenders (clothing) ; Uniforms ; Vestments
 09.05.01 - Caps, including visors, military caps and baseball caps

Serial Number 87210034

Filing Date October 20, 2016

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 14, 2017

Registration Number 5389299

International Registration Number 1341159

Registration Date January 30, 2018

Owner (REGISTRANT) MWR Holdings, LLC LIMITED LIABILITY COMPANY FLORIDA 210 Hillsboro Technology Drive Deerfield Beach FLORIDA 33441

Attorney of Record JOSEPH AGOSTINO

Prior Registrations 2762752;4568981;4585970

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ACADEMY OF EARLY EDUCATION" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) blue, black, yellow, red, white, pink, purple, green, and orange is/are claimed as a feature of the mark. The mark consists of the design of a blue elephant with blue eyes, black pupils, black eyebrows, and black eyelashes, and surrounded by a black outline. The elephant is wearing yellow overalls having red buttons and a red tie displaying the yellow characters "A B C 1 2 3"; the elephant is wearing a yellow hat that has the literal element "BUBBLES" in red and "THE ELEPHANT" in blue; toe nails and sclera of the eyes appear in white; and the color pink appears inside the elephant's ears and on the cheeks. To the right of the elephant are the words "ACADEMY OF EARLY EDUCATION" in black. Above those words are the words "THE LEARNING EXPERIENCE". The literal element "THE" has all letters in purple. The literal element "LEARNING" is represented in different colors as follows: "L" in yellow, "E" in green, "A" in orange, "R" in purple, "N" in yellow, "I" in green with the dot in purple, "N" in orange, and "G" in purple. The literal element "EXPERIENCE" is represented in different colors as follows: "E" in orange, "X" in purple, "P" in yellow, "E" in green, "R" in orange, "I" in purple with the dot in green, "E" in yellow, "N" in green, "C" in orange, and "E" in purple.

Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness
Limitation Statement As to "THE LEARNING EXPERIENCE"

-
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RESOLUTION NO. 2008-2

A RESOLUTION APPROVING A MASTER SIGN PROGRAM
FOR THE SHOPPES AT WYNDHAM VILLAGE COMMERCIAL RETAIL CENTER
(APPROXIMATELY 7700 TO 7800 SOUTH LOVERS LANE ROAD)
(WYNDHAM VILLAGE RETAIL, LLC, APPLICANT)

WHEREAS, Wyndham Village Retail, LLC, having applied for a Master Sign Program approval for The Shoppes at Wyndham Village Commercial Retail Center, at approximately 7700 to 7800 South Lovers Lane Road, and such application having been reviewed by City staff and the application and staff recommendations and suggested considerations having been reviewed by the Plan Commission at its meeting on March 6, 2008; and

WHEREAS, the Plan Commission having determined that the Wyndham Village Retail, LLC Master Sign Program application, together with those staff recommendations and suggested considerations meets the purposes and intent of §210-9. of the Municipal Code of the City of Franklin and will promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Wyndham Village Retail, LLC Master Sign Program application, be and the same is hereby approved, subject to the following conditions [I took out the staff report reference, because you repeated everything in there below; the alternative would have been to just reference the staff report "except as set forth below" and only put the changes in the resolution] [my comments below are only to what my notes state on the report items I have listed as being changed, and a couple of other notes in passing – I did not otherwise itemize what the plan commission recommendations were at the time of the motion], which conditions shall be incorporated into the Master Sign Program – Shoppes at Wyndham Village:

1. All sign illumination must utilize white lights unless otherwise stated in the MSP such as the wall signs for buildings 1 and 2.
2. Monument sign materials (brick and stone) are the same materials as utilized on the buildings within the development. Note that any sign materials listed in the application as "consistent" will be interpreted as the same materials as the buildings.
3. Address numbers be placed on the base of monument signs 1, 3 and 6. Address numbers shall be located on the base of each of these signs and a minimum of five inch numbers shall be used.
4. Address numbers be placed at each individual storefront. These numbers shall be a minimum of five inches and generally located on the transom window above the main entrance. Any deviations must be approved by Staff.

5. The clock on the opposite side, facing the development, on the corner tower between buildings 4 and 5 must be kept functional and accurate.
6. No wall sign shall interfere with any structurally-required canopy supports or any architectural features on the buildings.
7. All tenants of buildings 3, 4, 5 and 7 are allowed a maximum of two signs on separate building elevations, except for end cap tenants, which will be allowed one wall sign on each separate building elevation, for a total of three.
8. The tenant within building 5 is limited to one sign on the east elevation and may choose from the two sign locations as shown on the applicant's Exhibit D(2), page 2.
9. Where building façade shows tenant signs between brick pilasters, the sign must be centered and not encroach closer than 8 inches.
10. Future buildings 6 and 8 signage requires a Master Sign Program Amendment. Note that the maximum square footage of allowed signage for these buildings has been calculated in the MSP.
11. All wall sign text for buildings 3, 4, 5 and 7 must be white in color, excepting where reasonably required by a tenant's corporate branding, but not to exceed 5 such exceptions within The Shoppes at Wyndham Village Commercial Retail Center. Color variations may exist in the tenant's logo portion of the sign.
12. Tenant advertising signage shall be prohibited on shopping cart corrals located within the parking lot.
13. "Architectural Illumination" as found in the Master Sign Program documents refers to internal illumination.
14. "Indirect" lighting as referenced in the Master Sign Program documents refers to halo effect lighting with illumination behind the letters.
15. "Reverse Channel Letters" as found in the Master Sign Program documents refers to individual letters and does not represent any type of raceway being used.
16. The Harris Bank sign on the Sendik's storefront is the same type of wall sign materials being utilized as other Sendik's signage, such as the "PRODUCE" sign.
17. The total square footage amount for all signs is 3,742 square feet. This includes all proposed signage by the applicant, including the additional Sendik's graphics around the "PRODUCE" type signs on the front elevation, signage not previously in the application, which was presented to and approved by the Plan Commission on March 6, 2008 for the Sendik's building, with a 5% square footage buffer added, resulting in an increase in sign area of approximately 60%, which is hereby approved as a Special Exception to the square footage amount otherwise permitted by the City of Franklin Sign Code.
18. The City of Franklin Master Sign Program document shall be incorporated into the Master Sign Program criteria submitted by the applicant and is enforceable as such.
19. Conflict. If any provision, sentence, or clause of the Master Sign Program as approved herein, or as maybe amended from time to time, is found to be in conflict with the requirements of the Municipal Code of the City of Franklin, including but not limited to Chapter 210 – Signs and Billboards, the requirements of the Municipal Code shall prevail.
20. Severability. If any provision, sentence, or clause of the Master Sign Program as approved herein, or as maybe amended from time to time, is declared invalid or unenforceable, such invalidity or unenforceability shall not affect the whole Master


Sign Program, but the whole, remaining Master Sign Program shall be construed and enforced accordingly and such provision, sentence, or clause shall be severable.

21. Enforcement. If the City fails to enforce any requirement of the Master Sign Program or fails exercise any right or remedy available under this Master Sign Program or the Municipal Code of the City of Franklin, including but not limited to Chapter 210 – Signs and Billboards, that failure shall not be construed as a waiver of any requirement, right, or remedy and shall not restrict the City from enforcing any such requirement or exercising any such right or remedy.
22. Timeline. All monument signs approved herein shall be completed within 12 months of the date of the granting of occupancy to a building included in the development to which this Master Sign Program pertains.
23. Master Sign Program Amendments. When considering an application for an amendment to a Master Sign Program, the Plan Commission may, at its discretion, require amendment to any other requirement or condition of the Master Sign Program and shall not be limited to the items contained in the application for amendment to the Master Sign Program.
24. The Plan Commission Findings, as noted, also reflect those conditions that warrant the approval of the Special Exception, as noted.
25. Traffic, Directional, and Informational Signs, which include signs such as “Stop”, “No Parking”, “One-way”, “Fire Lane”, “No Skateboarding”, “Clearance X”, or other legal notices, etc, but which do not include way-finding signs (directional signs that incorporate advertising or store names), may be installed by the developer or his designee in accordance with a plan submitted to the City Development Department. Such plan may be modified from time to time as needed. The City, acting through the Planning Manager, reserves the right, based upon recommendations of the Engineering Department as appropriate, to deny such signs as requested or to require such additional signs as determined by the City. Traffic, directional, and informational signs do not require a Sign Permit Application or fee and may not include advertising.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 6th day of March, 2008.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 6th day of March, 2008.

APPROVED:


Thomas M. Taylor, Chairman

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 4 NOES 2 ABSENT 1

RESOLUTION NO. 2012- 001

A RESOLUTION APPROVING AN AMENDMENT TO THE
MASTER SIGN PROGRAM FOR THE SHOPPES AT WYNDHAM
VILLAGE COMMERCIAL RETAIL CENTER
(APPROXIMATELY 7700 TO 7800 SOUTH LOVERS LANE ROAD)
(WYNDHAM VILLAGE RETAIL, LLC, APPLICANT)

WHEREAS, Wyndham Village Retail, LLC, having petitioned the City of Franklin for the approval of an amendment to Resolution No. 2008-2, conditionally approving a Master Sign Program for The Shoppes at Wyndham Village Commercial Retail Center, as amended by Resolution No. 2009-016, upon property located at approximately 7700 to 7800 South Lovers Lane Road, to allow individual channel letter signs mounted on raceways or flush to the building, opposed to custom box signs as originally approved and to allow one additional sign for tenants occupying multiple tenant spaces, and such application having been reviewed by City staff and the application and staff recommendations and suggested considerations having been reviewed by the Plan Commission at its meeting on January 19, 2012; and

WHEREAS, the Plan Commission having determined that the Wyndham Village Retail, LLC amendment to Master Sign Program application, together with those staff recommendations and suggested considerations meets the purposes and intent of §210-9. of the Municipal Code of the City of Franklin and will promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Wyndham Village Retail, LLC amendment to Master Sign Program application be and the same is hereby approved, subject to the amendment to Master Sign Program Application and plans City file-stamped on January 30, 2012, together with the following additional conditions, which conditions shall be incorporated into the Master Sign Program – The Shoppes at Wyndham Village Commercial Retail Center:

1. Existing box signs shall not be refaced. Existing box signs shall be removed and replaced with individual channel letter signs meeting the Master Sign Program standards upon a change in tenancy.
2. Tenants occupying multiple tenant spaces shall be allowed one additional sign, subject to the Master Sign Program wall sign location and size standards and Department of City Development staff approval.

WYNDHAM VILLAGE RETAIL, LLC – MASTER SIGN PROGRAM AMENDMENT
RESOLUTION NO. 2012-001

Page 2

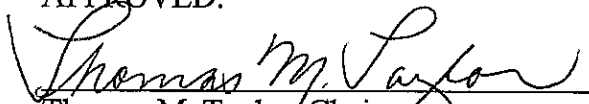
3. Applicant shall submit a revised exhibit 2b sign elevation to the Department of City Development removing the “Subway” sign or illustrating the “Subway” sign type with all white letters to comply with the Master Sign Program.
4. Wyndham Village Retail, LLC, successors and assigns, and any developer of The Shoppes at Wyndham Village Commercial Retail Center Master Sign Program 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 Wyndham Village Retail, LLC Master Sign Program, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The applicant shall obtain a Zoning Compliance permit from the Department of City Development for Mattress Firm, prior to issuance of a Sign Permit.
6. Illumination of signs on outlot buildings facing West Drexel Avenue shall be prohibited after 10:00 p.m.

BE IT FURTHER RESOLVED, that all terms and conditions of Resolution No. 2008-2, as amended by Resolution No. 2009-016, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

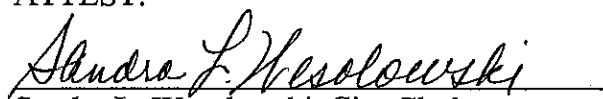
Introduced at a regular meeting of the Plan Commission of the City of Franklin this 9th day of February, 2012.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 9th day of February, 2012.

APPROVED:


Thomas M. Taylor, Chairman

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0



Nick Fuchs
Senior Planner
Department of City Development
9229 W. Loomis Road, Franklin, WI 53132

January 30, 2012

Re: Shoppes at Wyndham Village
7700-7800 South Lovers Lane
Franklin, WI 53132

Franklin

JAN 30 2012

City Development

Dear Mr. Fuchs:

A copy of the original Shoppes at Wyndham Village is attached as EXHIBIT 1.

A copy of the original Shoppes at Wyndham Village sign Master Sign Program (exhibit 1) has been submitted and approved by the city.

The current sign program allows for 2 custom cabinet box signs per tenant space on each elevation or 3 custom cabinet box signs for each end-cap tenant space. Each sign is centered over the respective tenant space entrance. Color variations may exist in the tenant's logo portion of the sign and all sign text for buildings must be white in color, with a dark background. Signs shall be designed as integral architectural elements of the building and the site and not appear as add-ons or intrusions.

The amendment we are requesting is for an overall Master Sign Program change for the type of signage allowed at the Outlot Buildings. We would like the existing tenant signage to remain in place until the current tenants lease expires and all new tenants to follow the attached Master Sign Program Amendment. The proposed amendment calls for the allowance of Channel Letters instead of the previously allowed custom cabinet boxes. The ownership group believes that the allowance of Channel letters will provide a more enticing sign package that will in turn attract a broader range of national tenants.

Allowing Channel Letters at this property will not only attract a broader range of tenants but help ensure tenants have the best possible exposure to the market.

Attached in the proposed amendment is a detailed breakdown of how the Channel Letters signage should be manufactured, sizing, colors, placement and quantity of the signage.

This process will not result in a net gain of square footage for the property.

When the process of changing the Master Sign Program first began, there was a separate Master Sign Program Amendment for Mattress Firm. If the attached amendment is approved; Mattress Firm's signage requirements and proposals will conform to the amended Master Sign Program.

We appreciate your time and consideration in this matter.

Sincerely,

Chad Schultz
President
Innovative Signs, Inc.
262-432-1330

CITY OF FRANKLIN

INSPECTION DEPARTMENT

9229 W. LOOMIS ROAD FRANKLIN WISCONSIN 53132
PHONE: 414-425-0084 FAX: 414-425-7513
www.franklinwi.gov

APPLICATION FOR MASTER SIGN PROGRAM AMENDMENT

APPLICANTS: IF THE APPLICATION IS NOT COMPLETE, THE APPLICATION WILL NOT BE ACCEPTED OR IT WILL BE RETURNED TO THE OWNER OR SIGN CONTRACTOR. DO NOT MODIFY THIS FORM, THIS APPLICATION MUST BE COMPLETE OR IT WILL NOT BE ACCEPTED AT TIME OF APPLICATION.

APPLICATION DATE: December 9, 2011

PROPERTY ADDRESS: 7700-7800 South Lovers Lane
Franklin, WI 53132

NAME OF DEVELOPMENT: Shoppes at Wyndham Village

1. * DEVELOPER OR OWNER INFORMATION:

OWNERS' NAME		ADDRESS	
Wyndham Village Retail, LLC to, SB1 General Portfolio Owner, L.L.C. In care of Richter Realty & Investment, Inc		18650 W. Corporate Drive, Suite 103	
CITY	STATE	ZIP	
Brookfield	Wisconsin	53045	
TELEPHONE	FAX	E-MAIL	
262-789-2200	262-789-2205	TRichter@richter-co.com	

2. * APPLICANT INFORMATION:

NAME		ADDRESS	
Innovative Signs, Inc.		21795 Doral Road, Ste. B	
CITY	STATE	ZIP	
Waukesha	Wisconsin	53186	
TELEPHONE	FAX	E-MAIL	
262-432-1330	262-432-12331	chads@innovative-signs.com	

3. CITY OF FRANKLIN STAFF USE ONLY:

DATE APPLICATION RECEIVED:	APPLICATION #:	APPLICATION REVIEWED AND ACCEPTED BY*
DATE DISTRIBUTED:		

4. Applications for Master Sign Program Approval and requests for modification shall describe how the proposal addresses each of the points listed below. Applications will NOT be accepted without the applicant addressing each point.

1. An aesthetically developed theme on color, size, and style
2. A proposed location of all permanent signs for the building, development, or center, which considers that, where possible, wall signs shall be centered over tenant spaces
3. The proposed size of individual signs, which may be expressed in maximums and minimums for purposes of the proposed Master Sign Program
4. The following categories of signs may be proposed and permitted.
 - a. Master identification sign;
 - b. Tenant identification signs:
 - i. Tenant identification signs at individual tenant entrances in an office center may not exceed four (4) square feet in area if permitted.
 - ii. Retail tenants occupying not less than twenty (20) percent of an office and limited business structure with individual entrances to the exterior may be allowed tenant identification similar to tenants in retail centers. In both instances, the area of such signage shall not exceed 1.5 times the lineal front foot of the space occupied
 - c. Tenant/directory board for an office center or office and limited business structure;
 - d. Entrance markers;
 - e. Traffic directional signs;
 - f. Wall signs for retail centers; and
 - g. Such other signs as requested by the applicant;
5. Nature and characteristics of signage proposed, i.e., individual letters, box, etc.; and
6. Blueprints, drawings, and written policies governing the color, size, style, location and other features of the proposed signs. **(All drawings shall also be submitted in electronic format)**
 - a. A site plan of the project drawn to scale showing the following:
 - i. Location of each building
 - ii. The setback of each building to the property lot lines.
 - iii. The frontage (dimension) of each building
 - iv. The building frontage (dimension) of each tenant space of each building.
 - v. Location of sign drawn by the Civil Engineer or Land Surveyor (fully dimensioned) of each ground signs, such as:
 1. Master identification sign
 2. Monument sign/s
 3. Directional signs (non traffic regulatory signs)
 4. Menu boards
 - b. Elevations of each building showing the following:
 - i. Elevations of each side of the building that are proposed to have signing.
 - ii. The sign zones where tenant signing will be allowed to be installed on each elevation.
 - iii. The dimensions and area of each sign zone.
 - iv. Location of permanent window signs.
 - c. Drawings to scale for each type, size or variation of sign that is proposed, including:
 - i. Master identification signs
 - ii. Monument signs, if sign is two sided indicated if sign is a mirror image or submit each side
 - iii. Tenant wall signs
 - iv. Directional signs
 - v. Menu boards
 - vi. Area of each window/s covered with permanent window signs.
 - vii. Other sign types allowed by code
 - d. Additional information required
 - i. Color of sign materials including sign faces, channel letter, cabinets, etc.
 - ii. Type of illumination for signs, fluorescent tubes, neon, LED's, etc.
 - iii. Color of illumination source.
7. An acknowledgement of the authority identified in Subsection 1 of this section:

SIGN AREA CALCULATIONS & INFORMATION

5. The allowable sign area for each building shall be calculated using the method below. Multiply the frontage of each building shown on the site plans, by sign area factor of 1.5 square feet per front foot of building. Requests to modify an existing Master Sign Approval shall complete sections 5 and 5a below when signs are being added or are being reduced.

BUILDING NUMBER	BUILDING FRONTAGE	X MULTIPLY	ALLOWABLE SIGN AREA	MAXIMUM ALLOWABLE SIGN AREA FOR EACH BUILDING	REQUESTED SIGN AREA FOR THIS BLDG.	SPECIAL EXCEPTION REQUIRED
Example	100 FT.	X	1.5 sq. ft.	150 sq. ft.	200 sq. ft.	50 sq. ft.
1		X	1.5 SQ. FT			
2		X	1.5 SQ. FT			
3		X	1.5 SQ. FT			
4		X	1.5 SQ. FT			
5		X	1.5 SQ. FT			
6		X	1.5 SQ. FT			
7		X	1.5 SQ. FT			
8		X	1.5 SQ. FT			
9		X	1.5 SQ. FT			
10		X	1.5 SQ. FT			
11		X	1.5 SQ. FT			
12		X	1.5 SQ. FT.			
TOTAL						

**6. Master Identification signs (Maximum -120 sq. ft),
 Monument signs (Maximum - 120 sq. ft.),
 Traffic Directional signs (Maximum - 4 sq. ft.),
 Entrance markers (maximum - 4 sq. ft.),
 Information signs (maximum - 4 sq. ft.)**

SIGN #	SIGN TYPE	AREA IN sq. ft.	DIMENSION OF SIGN FACE	MAXIMUM ALLOWABLE SIGN SIZE	REQUESTED SIGN AREA	SPECIAL EXCEPTION REQUESTED

7. SPECIAL EXCEPTIONS REQUESTED:

The special exceptions permitted are limited to the following:

- (1) Wall Signs: May deviate from the requirement that wall signs be located with the tenant space or occupancy to which the signs refer.

Exception Requested:

The current sign program allows for 2 custom cabinet box signs per tenant space on each elevation or 3 custom cabinet box signs for each end-cap tenant space. Each sign is centered over the respective tenant space entrance. Color variations may exist in the tenant's logo portion of the sign and all wall sign text for buildings must be white in color, with a dark background. Signs shall be designed as integral architectural elements of the building and the site and not appear as add-ons or intrusions. **EXHIBIT 1**

The amendment we are requesting is for the allowance of front illuminated channel letter signs as the ownership group feels that this will allow for maximum exposure for future tenants as well as a bonus for prospective tenants in the center and allow for better visibility to the markets clientele. The existing tenant signage, custom cabinet boxes, shall remain in place until the current tenants lease expires and the tenant space turns over. At the time of turnover, the new tenant leasing the space must install Channel Letter signage as noted in this amendment. **EXHIBIT 2, 2a, 2b & 2c**

- A.) Location: All signage will be centered over the entrances or windows on each elevation and mounted within the sign band width area that all current signage is located.
- B.) Color:
- (i) Sign Face and Text- .177" thick 2447 white plastic faces.
 - (ii) Backs, Returns & Trim Caps- Painted to match PMS color Black.
 - (iii) Logo or Icon limited to one (1) color in the icon or the logo only, per sign face.
 - (iv) Raceways shall be painted to match Mathews Paint Color-Duranodic Bronze.
- C.) Types of Illumination: All signs must be internally illuminated with standard white LED lighting and must be UL listed.
- D.) Mounting: All Signage shall be constructed and mounted in conformance with applicable codes.
- (i) All signage must be mounted on a raceway, painted to match Mathews Paint Color-Duranodic Bronze.
 - (ii) Raceways shall be 7" H x 7" D.
 - (iii) Any penetration through the fascia needs to be filled with silicone.
 - (iv) No penetrations through the roof line.
- (E) This process will not result in a net gain of square footage for the property.
- (F) Acceptable signage & size as noted in the attached **Exhibit 2, 2a, 2b & 2c**.

- (2) Monument Signs: May modify the number of monument signs, the thirty foot (30') façade setback requirement, the height limitations up to the height of the principal building to which the sign pertains, the proximity to another monument sign, and the sign area limitations up to the maximum of one hundred fifty (150) square feet per sign (as long as the total permitted sign area for either the occupant or the premises is not exceeded).

No Exception Requested.

- (3) Tenant Identification Signs: May deviate from the size area limitations set forth in this section.

Exception Requested:

The current sign program allows for 2 custom cabinet box signs per tenant space on each elevation or 3 custom cabinet box signs for each end-cap tenant space.

The amendment we are requesting, in addition to changing the custom cabinet boxes to channel letters, is for the allowance of one additional sign for end cap tenants who lease two (2) separate tenant spaces adjacent to each other. Allowance of only two (2) signs for tenants who lease two interior spaces adjacent each other.

- (4) Master Identification Signs: May deviate from the requirements set forth in subsection G.(4) and G.(5) of this section.

Exception Requested:

All signage will be centered over the entrances or windows on each elevation and mounted with in the sign band width of the building as shown in the attached proof. The tenant name will be white in color and color variation will only exist in the tenant's logo or icon as noted in section 1(B) above.

- (5) The total amount of signage permitted under 210-4.C.(1)(d) and (e) may be increased by up to 100%.

No Exception Requested.

7. REQUEST FOR MODIFICATION OF MASTER SIGN APPROVAL

- A. Attach a copy of the City of Franklin Master Sign approval, include:
- a. The original copies of the Master Sign application and drawings
 - b. A copy of the Plan Commission resolution granting approval.
- B. Include a description of each modification that you are requesting to the approved Master Sign Approval.
- a. Submit copies of the original (Planning Commission approved) sign drawings as well as the proposed sign modification.
 - b. Complete Sections 1 through 6 and answer or describe the modification for each section and how the proposed modification differs from the original approval.
 - c. If the requested modification is to change the location, size or number of monument or wall sign/s, please describe in detail why the original requirement can not be met.

8. *SIGNATURES:

OWNER/APPLICANT:



DATE:

1/30/2012

City of Franklin – Master Sign Program

As required by the City of Franklin Municipal Code – Section 210-9 (Ordinance No. 2007-1934)

Project Name: Shoppes at Wyndham Village

Property Address: 7700-7800 Lovers Lane Road

Current Zoning: CC City Civic Center District

Applicant Name (Company): Wyndham Village Retail, LLC

Contact Person: Mark E. Carstensen

Applicant Address: 9120 West Loomis Road, Suite 400

City: Franklin **State:** WI **Zip:** 53132

Phone: 414-529-4588 **Fax:** 414-529-7344

Intent

This document comprises the Master Sign Program (MSP) for the Shoppes at Wyndham Village development located at 7700-7800 Lovers Lane Road. The Shoppes at Wyndham Village is a retail development consisting of eight separate buildings that are designed to work together as one unified development. The development consists of a Target, Sendik's grocery store and six multi-tenant outbuildings. The intent of the MSP is to set forth a theme as to placement, lettering style, color and related design considerations of signs, while at the same time reducing sign clutter. No sign shall be erected, placed, painted, or maintained, except in conformance with the MSP.

Background Information

The subject Shoppes at Wyndham Village development is zoned CC Civic Center District and is subject to the CC District standards and specific plan approvals of the City of Franklin Plan Commission and Common Council.

Approval Procedure

Amendments to this document require Plan Commission review and approval in the form of a Master Sign Program Amendment. Any future signage outside the requirements of the master sign program shall not be permitted without the applicant receiving approval of a master sign program amendment from the Plan Commission.

Separate Sign Permits are required for each individual sign throughout the development and will be issued by the Inspection Department. Prior to application, the tenant shall obtain initial approval from the Owner of Shoppes at Wyndham Village and the application must bear the signature and/or stamp of the appropriate Shoppes at Wyndham Village representative(s). Additional requirements apply as noted in Section 210-9(C) below:

“Each individual sign proposed in accordance with an approved master sign program must be applied for and permitted separately in accordance with the City

of Franklin Sign Code, and in no event shall any recommendation or approval of a master sign program be deemed an approval of or a permission to construct any particular sign under that program. All applications for permits for such signs must be filed with the Inspection Department for approval under the terms and conditions of the previously approved master sign program, except the application must specify in exact terms any sign characteristics which the master sign program considered in general or nonspecific terms or measurements. The Building Inspector may approve or deny such application or may forward the application to the Plan Commission for its denial, approval, or approval with conditions or modifications, including but not limited to modification of the previously approved master sign program, provided such modification was duly noticed and the master sign program application fee is paid.”

Professionally Prepared

All signs shall be “professionally” prepared and demonstrate materials, color selection, and craftsmanship. Applications to the City of Franklin Inspection Department for sign permits shall include professionally rendered imagery and dimensioned scale drawings and shall depict the type of light source, all materials, and colors.

Attachments

The following attachments are incorporated as part of this Master Sign Program.

- Attachment 1: Staff’s Property Locator Map
- Attachment 2: Applicant’s Master Site Plan
- Attachment 3: Applicant’s Application for Master Sign Program
- Attachment 4: Applicant’s Sign Criteria and Master Sign Program
- Attachment 5: Applicant’s Exhibit E – MSP Overview
- Attachment 6: Applicant’s Exhibits A(1)-A(4) – Monument Signs
- Attachment 7: Applicant’s Exhibits B(1)-B(2) – Sendik’s Wall Signs
- Attachment 8: Applicant’s Exhibit (C) – Target Wall Signs
- Attachment 9: Applicant’s Exhibits D(1)-D(2) Outbuildings Wall Signs

Shoppes at Wyndham Village Sign Types

Master Identification Sign(s)

Master Identification signs are shown on the Master Site Plan (Attachment 1) and further discussed in Attachments 2, 3, 4 and 5. Renderings of these signs can be found in Attachment 6 and include Signs 2a and 3.

Note that the Master Identification signs square footage has been included in the square footage calculations by the applicant. Section 210-9-G(5)(d) of the Franklin Sign Code does not require the area of Master Identification signs to count towards the maximum total signage area allowed for a Master Sign Program. This would reduce the total square footage utilized by the applicant from 3,743 square feet to 3,563 square feet out of the 3,742 square feet allowed through the special exception granted by the Plan Commission.

Monument Sign(s)

Monument signs are also shown on the Master Site Plan (Attachment 1) and discussed in Attachments 2, 3, 4 and 5. Renderings of these signs can be found in Attachment 6 and include Signs 1, 4, 5 and 6.

Tenant Wall Signs

- Building 1 – Target
 - Building 1 wall signs are discussed in Attachments 3, 4 and 5 and illustrated in Attachment 8.
- Building 2 – Sendik's
 - Building 2 wall signs are discussed in Attachment 3, 4 and 5 and illustrated in Attachment 7.
- Buildings 3-8 – Outbuildings
 - Buildings 3-8 wall signs are discussed in Attachment 3, 4 and 5 and depicted in Attachment 9.

Section 210-9(I) - Temporary, Window, and Other Signs

“Temporary signs, window signs, and other devices to attract attention: Any master sign program approved hereunder may be modified at any time at the discretion of the City of Franklin or the Plan Commission to prohibit, further restrict, or place requirements upon the use of, restrictions on, and standards or requirements for temporary signs, window signs, interior signs visible to the exterior, and devices intended primarily to attract attention. This subsection shall in no way limit any rights or authority the City or Plan Commission may otherwise have in relation to signs and master sign programs.”

Unless further detailed in the Master Sign Program, all temporary signs and window signs must conform to the City of Franklin Sign Code as outlined below.

“TEMPORARY SIGN – Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a period not to exceed 30 days.”

Prohibited Signs

Any sign prohibited in the City of Franklin Sign Code shall not be allowed under this Master Sign Program unless expressly permitted in this document.

Special Exceptions Granted by Plan Commission

The following are special exceptions requested by the Applicant per Section 210-9(H) and approved by the Plan Commission.

1. Monument Signs: Exception granted as to the number of monument signs allowed in this development. A total of six monument signs will be placed throughout the development as depicted on the Master Site Plan (Attachment 2). Two of these signs are Master Identification signs and do not require a special exception (Signs 2a and 3). The Sign Code generally allows a maximum of two monument signs per development, one abutting each street.
2. Monument Signs: Exception granted as to the proximity of monument signs to other monument signs. This exception is required for Signs 2a, 3 and 4 and Signs 5 and 6. The Sign Code generally requires monument signs be a minimum of 500 feet apart.
3. Total amount of signage permitted: Exception granted to increase the total amount of signage from the permitted 2,347.5 (lineal footage of 1,565 x 1.5) to 3,742 square feet, which is the amount of sign area requested by the applicant plus a 5% buffer. Note that the Plan Commission may approve up to an additional 100% of sign area.

Applicability of Sign, Zoning, and Building Codes

All signage shall conform to all other terms and provisions of the City of Franklin Sign Code, as amended from time to time, which are not in conflict with the specific terms and provisions of this Master Sign Program.

Section 210-9(F) – Plan Commission Findings

- (1) Scale and proportion: All signs shall be in scale and proportion in their design and their relationship to other signs, buildings, and surroundings.

The three sign sizes proposed and as illustrated on the buildings are proportionate to the architecture.

- (2) Integral elements: Signs shall be designed as integral architectural elements of the building and the site and not appear as add-ons or intrusions.

Signs do not interfere with any architectural features or design elements of the buildings.

- (3) Harmonious design: The colors, materials, and lighting of each sign shall be compatible and harmonious with the design of the building and the site.

The box signs consist of a dark background with white lettering that will service to compliment the building materials.

- (4) Composition: The graphic design elements of the sign, including consideration that the size of individual sign letters shall be in reasonable proportion to the area of the façade of the building or tenant space.

Text within the box sign is limited in size in order to leave a border of the background around the text and logo portion of the sign. The sizes of the signs are all proportionate to the building facades.

The box signs also consist of a corner design element to enhance the appearance of the signs.

- (5) Compatibility: Signs shall be compatible with signs on adjacent properties.

The box signs are very similar and compliment the office development on the northwest corner of Drexel Avenue and Loomis Road.

- (6) Unified image: The proposed signs submitted as part of the master sign program review shall provide a unified image for the development.

The same type of box sign is being utilized throughout the development with the same color letters and background. The box signs will also be generally located in same area above each tenant space.

- (7) Type and location of the building and development site.

The signs are located based on the building location within the site, concentrating signage on the street side and opposite parking lot side.

- (8) The proposed tenant mix and proposed allocation or distribution of the total signage allowance to individual tenants or tenant spaces, which allocation or distribution may be restricted or conditioned within a master sign program.

The size of wall signs corresponds to the size of the tenant space as allocated by the developer.

- (9) The size of the development.

The signs are compatible in relation to the size of the development.

Plan Commission Additional Conditions of Approval

1. All sign illumination must utilize white lights unless otherwise stated in the MSP such as the wall signs for buildings 1 and 2.
2. Monument sign materials (brick and stone) are the same materials as utilized on the buildings within the development. Note that any sign materials listed in the application as "consistent" will be interpreted as the same materials as the buildings.
3. Address numbers be placed on the base of monument signs 1, 3 and 6. Address numbers shall be located on the base of each of these signs and a minimum of five inch numbers shall be used.

4. Address numbers be placed at each individual storefront. These numbers shall be a minimum of five inches and generally located on the transom window above the main entrance. Any deviations must be approved by Staff.
5. Lowering the Target logo sign on the right (west) elevation below the roofline.
6. The clock on the opposite side, facing the development, on the corner tower between buildings 4 and 5 must be kept functional and accurate.
7. No wall sign shall interfere with any structurally-required canopy supports or any architectural features on the buildings.
8. All tenants of buildings 3-5 and 7 are allowed a maximum of two signs on separate building elevations.
9. No wall signs allowed on the north elevation of building 4 and the west elevation of building 5 due to corner tower structure and its respective signage.
10. The tenant within building 5 is limited to one sign on the east elevation and may choose from the two sign locations as shown on the applicant's Exhibit D(2), page 2.
11. Where building façade shows tenant signs between brick pilasters, the sign must be centered and not encroach closer than 8 inches.
12. Future buildings 6 and 8 signage requires a Master Sign Program Amendment. Note that the maximum square footage of allowed signage for these buildings has been calculated in the MSP.
13. All wall sign text for buildings 3-5 and 7 must be white in color. Color variations may exist in the tenant's logo portion of the sign.
14. Tenant advertising signage shall be prohibited on shopping cart corrals located within the parking lot.
15. "Architectural Illumination" as found in the Master Sign Program documents refers to internal illumination.
16. "Indirect" lighting as referenced in the Master Sign Program documents refers to halo effect lighting with illumination behind the letters.
17. "Reverse Channel Letters" as found in the Master Sign Program documents refers to individual letters and does not represent any type of raceway being used.
18. The Harris Bank sign on the Sendik's storefront is the same type of wall sign materials being utilized as other Sendik's signage, such as the "PRODUCE" sign.
19. The total square footage amount for all signs is 3,742 square feet. This includes all proposed signage by the applicant with a 5% square footage buffer added, resulting in the Plan Commission granting an increase in sign area of approximately 60% as a special exception to the square footage amount permitted by the City of Franklin Sign Code.
20. The City of Franklin Master Sign Program document shall be incorporated into the Master Sign Program criteria submitted by the applicant and is enforceable as such.

Post March 6, 2008 Plan Commission Meeting

At the March 6, 2008 meeting, the Plan Commission approved the Master Sign Program for the Shoppes at Wyndham Village with the following modifications, which have been incorporated into the Resolution.

- Removed Condition #5
- Modified Condition #8 to “All tenants of buildings 3, 4, 5 and 7 are allowed a maximum of two signs on separate building elevations, except for end cap tenants, which will be allowed three wall signs on separate building elevations.”
- Removed Condition #9
- Modified Condition #13 to “All wall sign text for buildings 3, 4, 5 and 7 must be white in color, except for a maximum of six tenants, which may incorporate their corporate branded colors into the text. Color variations may exist in the tenant’s logo portion of the sign.”
- Added the following conditions:
 1. Conflict. If any provision, sentence, or clause of the Master Sign Program as approved herein, or as maybe amended from time to time, is found to be in conflict with the requirements of the Municipal Code of the City of Franklin, including but not limited to Chapter 210 – Signs and Billboards, the requirements of the Municipal Code shall prevail.
 2. Severability. If any provision, sentence, or clause of the Master Sign Program as approved herein, or as maybe amended from time to time, is declared invalid or unenforceable, such invalidity or unenforceability shall not affect the whole Master Sign Program, but the whole, remaining Master Sign Program shall be construed and enforced accordingly and such provision, sentence, or clause shall be severable.
 3. Enforcement. If the City fails to enforce any requirement of the Master Sign Program or fails exercise any right or remedy available under this Master Sign Program or the Municipal Code of the City of Franklin, including but not limited to Chapter 210 – Signs and Billboards, that failure shall not be construed as a waiver of any requirement, right, or remedy and shall not restrict the City from enforcing any such requirement or exercising any such right or remedy.
 4. Timeline. All monument signs approved herein shall be completed within 12 months of the date of the granting of occupancy to a building included in the development to which this Master Sign Program pertains.
 5. Master Sign Program Amendments. When considering an application for an amendment to a Master Sign Program, the Plan Commission may, at its discretion, require amendment to any other requirement or condition of the

Master Sign Program and shall not be limited to the items contained in the application for amendment to the Master Sign Program.

6. The Plan Commission Findings, as noted, also reflect those conditions that warrant the approval of the Special Exceptions, as noted.
 7. Traffic, Directional, and Informational Signs, which include signs such as “Stop”, “No Parking”, “One-way”, “Fire Lane”, “No Skateboarding”, “Clearance X”, or other legal notices, etc, but which do not include way-finding signs (directional signs that incorporate advertising or store names), may be installed by the developer or his designee in accordance with a plan submitted to the City Development Department. Such plan may be modified from time to time as needed. The City, acting through the Planning Manager, reserves the right, based upon recommendations of the Engineering Department as appropriate, to deny such signs as requested or to require such additional signs as determined by the City. Traffic, directional, and informational signs do not require a Sign Permit Application or fee and may not include advertising.
- Approved additional signage for Sendik’s as submitted on Sheet A2.01 and incorporated into this document as part of Attachment 7.

Wyndham Village (exhibit 2)

Design Proof

Approved: _____

Date: _____

Upon approval sign and fax form to: 262-432-1331
Any questions please call us at: 262-432-1330

Production can not begin until we receive your written authorization that your proof is accurate. Delays in receiving your approval will result in delayed production times.



Sign Type 1 (BASED ON 22' - 26" OF BUILDING FRONTAGE) 24sf



Sign Type 2 (BASED ON 26' - 34" OF BUILDING FRONTAGE) 30sf



Sign Type 3 (BASED ON 34' OR MORE OF BUILDING FRONTAGE) 35sf

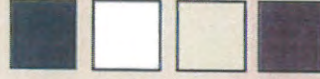


Size: See Left

Type: Channel Letters

Mater: Acrylic, Alum.
LED Illumination

Color Info:



www.innovative-signs.com

INNOVATIVE SIGNS, INC. - 21795 Doral Road, Suite B, Waukesha, WI 53186 - p: 262-432-1330 - f: 262-432-1331

**EXHIBIT 2a
OUTLOT BUILDING SIGN SIZE CALCULATIONS**

The following sign size calculation has been determined to insure that only Three (3) sign sizes will be used on the Out Lot Buildings at Wyndham Village. See exhibits 2, 2b & 2c.

Each channel letter sign is to be manufactured by Innovative Signs, Inc. to retain consistency in fabrication, colors and manufacturing methods. Each tenant will be allowed to use their individual letter style based on landlord and City of Franklin approval, provided they meet the guidelines set forth in the Master Sign Criteria document and Amendments.

Each tenant will be allowed to erect a signage based on tenant location and tenant building frontage.

TENANT LOCATION	NO. OF SIGNS PERMITTED	BUILDING PLACEMENT*
End Cap Tenants	3	One (1) sign on the rear of building , One (1) sign on the front of building & One (1) sign on the side of building, which offers the most visibility.
Interior Space	2	One (1) sign on the rear of building & One (1) sign on the front of building.
Two (2) Interior Adjacent Spaces	2	One (1) sign on the rear of building & One (1) sign on the front of building.
One (1) End Cap and one (1) Interior Space	4	One (1) sign on the rear of building , Two (2) sign on the front of building & One (1) sign on the side of building, which offers the most visibility.

*Centered above window and/or glass encasements.

TENANT BUILDING FRONTAGE	SIGN SIZE (maximum)	SQUARE FEET OF SIGN
22' to 26'	26" H x 11' W	24' sq.
26' to 34'	26" H x 14' W	30' sq.
34' or longer	26" H x 16' W	35' sq.

Wyndham Village (exhibit 2b)

Design Proof

Approved: _____

Date: _____

Upon approval sign and fax form to: 262-432-1331
Any questions please call us at: 262-432-1330

Production can not begin until we receive your written authorization that your proof is accurate. Delays in receiving your approval will result in delayed production times.

Example Signage



Size: See Left

Type: Channel Letters

Mater: Acrylic, Alum.
LED Illumination

Color Info:



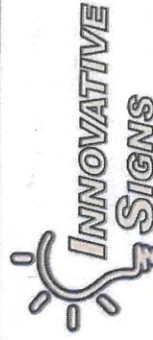
Black 6" Returns,
Black Trim Cap &
Backer Backer(optional)



2447 White Plexi Faces
3/16" Thick



One Logo Accent
Color Allowed



www.innovative-signs.com

INNOVATIVE SIGNS, INC. - 21795 Doral Road, Suite B, Waukesha, WI 53186 - p: 262-432-1330 - f: 262-432-1331

Wyndham Village (exhibit 2c)

Design Proof

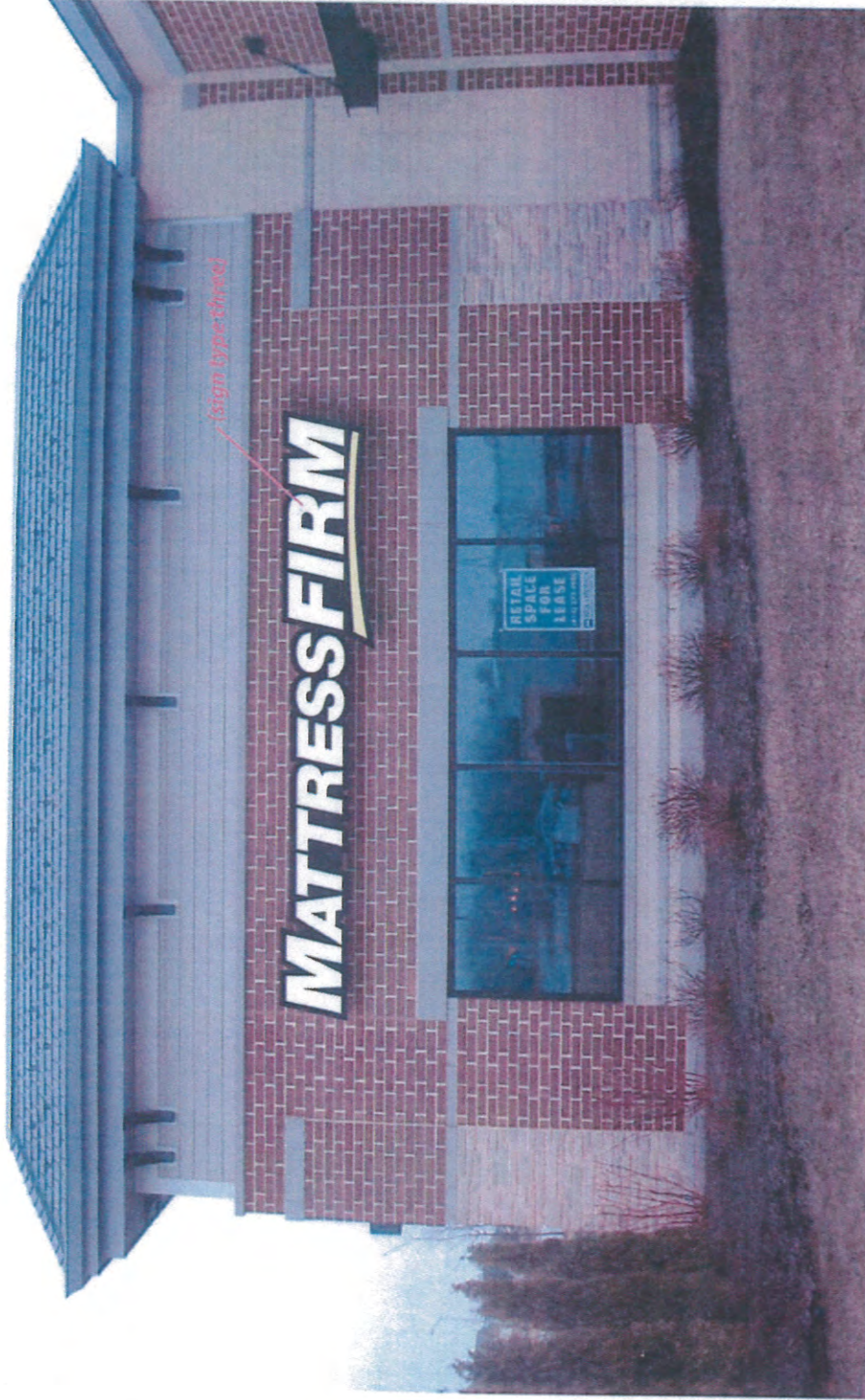
Approved: _____

Date: _____

Upon approval sign and fax form to: 262-432-1331
Any questions please call us at: 262-432-1330

Production can not begin until we receive your written authorization that your proof is accurate. Delays in receiving your approval will result in delayed production times.

Example Signage



Size: See Left

Type: Channel Letters

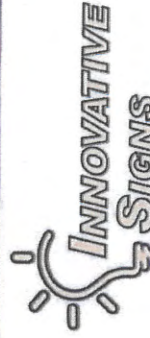
Mater: Acrylic, Alum.
LED Illumination

Color Info:

Black 6" Returns,
Black Trim Cap &
Backer Backer(optional)

2447 White Plexi Faces
3/16" Thick

One Logo Accent
Color Allowed



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July 3, 2019

LEGAL DESCRIPTION

This legal description is included as part of the Site Plan and Special Use Application submittals for The Learning Experience – Franklin Development, located on Drexel Ave. in Franklin, WI.

Legal Description of the Property

Lot 4 of Certified Survey Map No. 8567, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on November 21, 2013. As Document No. 10315111; being a Resubdivision of Lot 1 of Certified Survey Map No. 8000, being a Resubdivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 5 North, Range 21 East; said lands being in the City of Franklin, County of Milwaukee, State of Wisconsin.



REPORT TO THE PLAN COMMISSION

Meeting of January 7, 2021

Land Combination and Affidavit of Correction

RECOMMENDATION: City Development staff recommends approval of land combination and affidavit of correction for lots 10 and 11 of Oakes Estates subdivision, subject to the conditions outlined in the attached resolution.

Project Name:	Combination of lots 10 and 11 of the Oakes Estates subdivision
Project Address:	7460 and 7486 S Cambridge Drive
Property Owner:	Oakes Estates, LLC
Applicant:	Maxwell Oakes
Agent:	Mark R. Madsen, P.E., P.L.S.
Zoning:	R-3 E Suburban/Estate Single Family Residence District
Use of Surrounding Properties:	Vacant land zoned residential single-family
Comprehensive Plan:	Residential
Applicant Action Requested:	Approval of land combination and affidavit of correction
Staff:	Principal Planner Régulo Martínez-Montilva

Introduction:

On November 4, 2020, Oakes Estates, LLC submitted applications for Land Combination to merge lots 10 and 11 of the Oakes Estates subdivision, and Affidavit of Correction to relocate the stormwater easement between these lots to the north yard along West Warwick Way. The purpose of these applications is to create a larger building pad without the stormwater drainage easement running through the middle of such pad.

Pursuant to §15-9.0312.B, of the Unified Development Ordinance (UDO), the application for the Land Combination Permit shall be considered “relative to City staff recommendations, the lot area and other dimensional requirements of the zoning district(s) within which the parcels are located, the City of Franklin Comprehensive Master Plan and the planned land use for each of the parcels, present use of the parcels and proposed use of the parcels for the purpose to ensure that upon combination, such properties shall comply with the purposes and provisions of this Ordinance.”

Analysis:

Lot 10 (7460 S Cambridge Drive or 8881 W Warwick Way) and Lot 11 (7486 S Cambridge Drive) are two adjacent parcels located in the southeast corner of the intersection of Warwick Way and Cambridge Drive. If combined, the resulting parcel would be 1.31 acres in area and the combined street frontage 297 feet. The dimensions of the combined parcel would comply with the R-3E Development Standards, as indicated in Table 15-3.0204 of the UDO.

Per recorded subdivision plat, a stormwater easement is located between lots 10 and 11 to convey stormwater to the basin designated as outlot 1. However, a revised storm drainage easement document depicts this easement further north, approximately 10 feet from Warwick Way right-of-way line, this easement and the approving resolution No. 2020-7698 are attached to this packet. The submitted affidavit of correction is to note the relocation of the easement that affect the recorded plat, as provided by Wisconsin Statutes §236.293.

With regards to staff review comments sent to the applicant on December 2, 2020, most of the items have been addressed except the addition of the approval certificate for the governing body (Common Council), which is required for correction instruments that affect restrictions for public benefit such as a stormwater drainage easement. The applicant must revise the affidavit of correction to add the approval certificate for city signatures, prior to recording with the Milwaukee County Register of Deeds.

The stormwater drainage easement document has not been recorded as of writing of this report but it has been approved by Common Council as noted above.

STAFF RECOMMENDATION:

City Development staff recommends approval of the proposed land combination and affidavit of correction for lots 10 and 11 of the Oakes Estates subdivision, subject to the conditions outlined in the attached resolution.

RESOLUTION NO. 2021-_____

A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION
AND AN AFFIDAVIT OF CORRECTION TO RELOCATE A 20' STORM WATER
DRAINAGE EASEMENT FOR TAX KEY NOS. 754-0080-000 AND 754-0081-000
(7460 SOUTH CAMBRIDGE DRIVE, 8881 WEST WARWICK WAY
AND 7486 SOUTH CAMBRIDGE DRIVE (LOTS 10 AND 11 OF
THE OAKES ESTATES SUBDIVISION))
(MAXWELL J. OAKES AND DANIEL D.
OAKES-OAKES ESTATES LLC, APPLICANTS)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a proposed land combination, and in conjunction therewith, an application for approval of a proposed Affidavit of Correction to relocate a 20' Storm Water Drainage Easement, for Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, to merge lots 10 and 11 in Oakes Estates Subdivision to create a larger building pad (for future construction of a residence), and to relocate the Storm Water Drainage Easement shown on lots 10 and 11 to the north line of lot 10, properties located at 7460 South Cambridge Drive, 8881 West Warwick Way and 7486 South Cambridge Drive, bearing Tax Key Nos. 754-0080-000 and 754-0081-000, more particularly described as follows:

Lots 10 and 11, Oakes Estates Subdivision, a plat recorded on August 10, 2020 as document 11007677, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East of the Fourth Principal Meridian. Said plat located in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, Wis. Stats. § 236.293 provides in part that any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body vests in the public body the right to enforce the restriction at law or in equity and that the restriction may be released or waived in writing by the public body having the right of enforcement; and

WHEREAS, the Plan Commission having reviewed such applications and recommended approval thereof and the Common Council having reviewed such applications and Plan Commission recommendation and the Common Council having determined that such proposed land combination and easement relocation are appropriate for approval pursuant to law upon certain conditions, all pursuant to §15-9.0312 of the Unified Development Ordinance, Land Combination Permits, and Wis. Stats. § 236.293, respectively.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of

MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES ESTATES LLC
– LAND COMBINATION AND RELOCATE STORM WATER
DRAINAGE EASEMENT
RESOLUTION NO. 2021-_____

Page 2

the City of Franklin, Wisconsin, that the proposed land combination for Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, as submitted by Maxwell J. Oakes, as described above, be and the same is hereby approved, subject to the following conditions:

1. Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates 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 Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC land combination 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.
2. The approval granted hereunder is conditional upon Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC and the land combination project for the properties located at 7460 South Cambridge Drive, 8881 West Warwick Way and 7486 South Cambridge Drive: (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.
3. The revised stormwater drainage easement and the affidavit of correction shall be recorded with the Milwaukee County Register of Deeds prior to recording this Land Combination.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of this Resolution, and the Affidavit of Correction to relocate the 20' Storm Water Drainage Easement shown on lots 10 and 11 to the north line of lot 10 in such form and content as annexed hereto with such changes as may be approved by the City Engineer and the City Attorney, 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 _____, 2021.

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

MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES ESTATES LLC
– LAND COMBINATION AND RELOCATE STORM WATER
DRAINAGE EASEMENT
RESOLUTION NO. 2021- _____
Page 3

APPROVED:

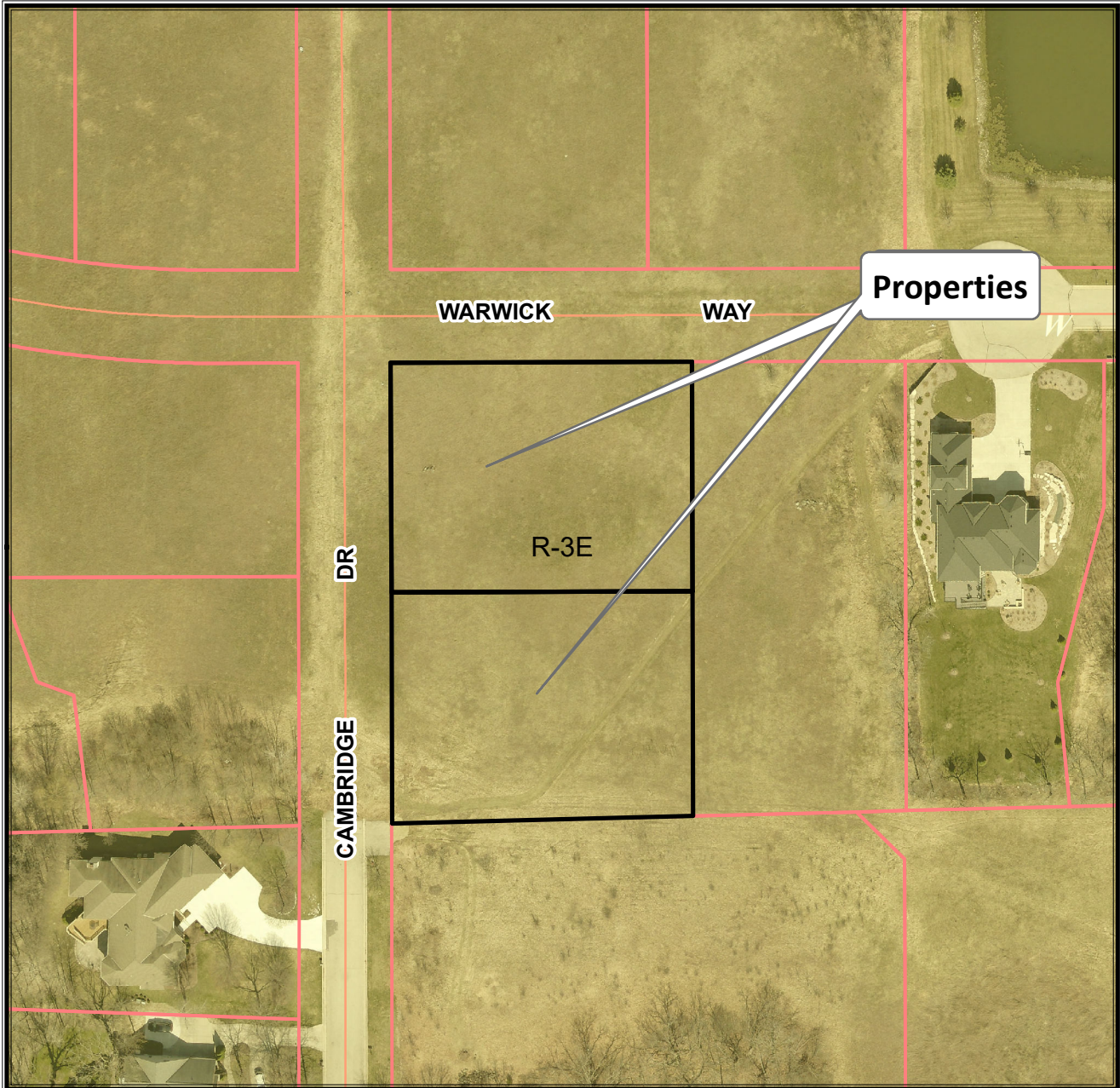
Stephen R. Olson, Mayor

ATTEST:

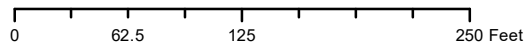
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7460 & 7486 W. Cambridge Dr.
TKNs: 754 0080 000 & 754 0081 00



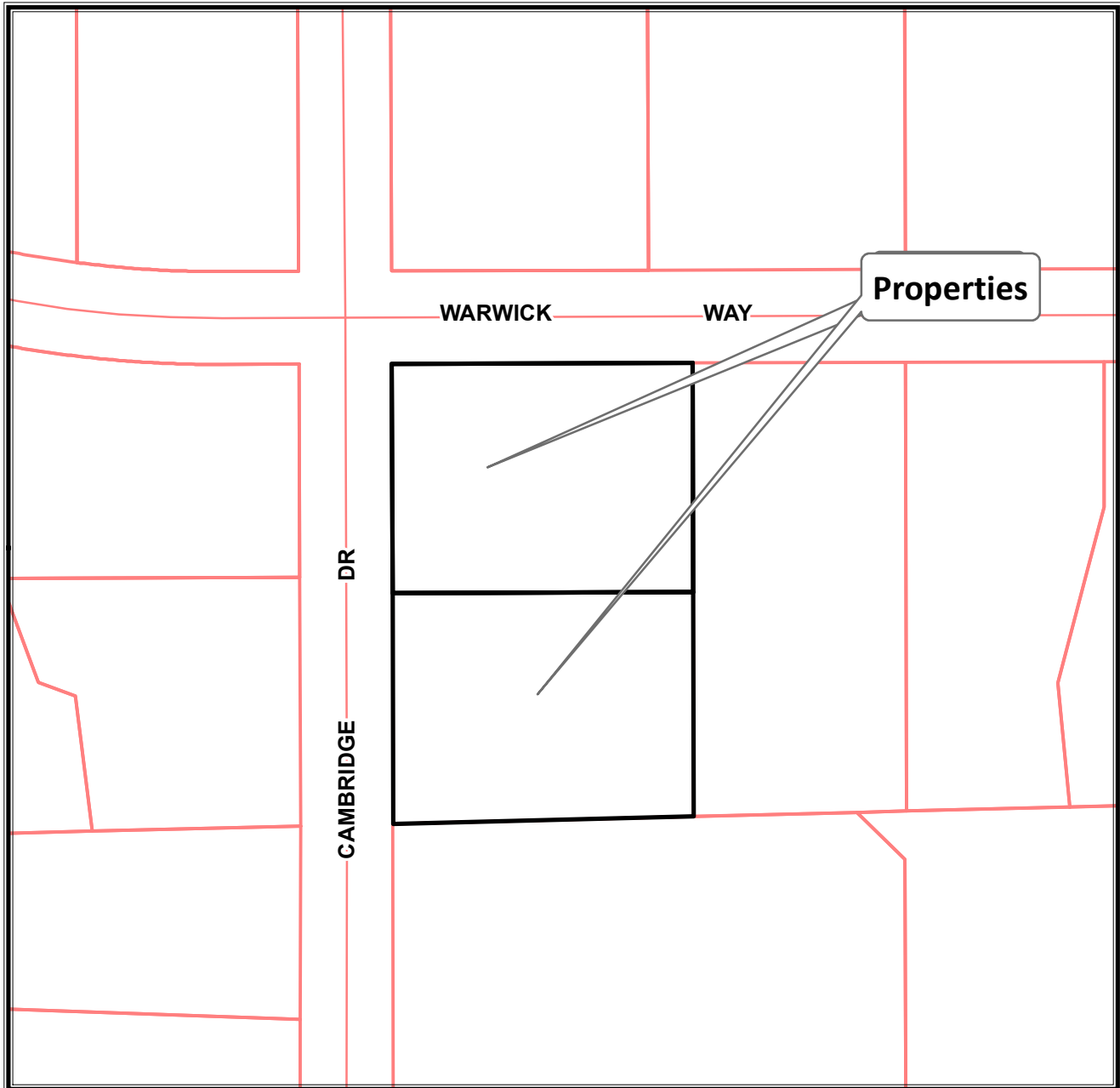
Planning Department
(414) 425-4024



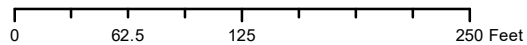
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7460 & 7486 W. Cambridge Dr.
TKNs: 754 0080 000 & 754 0081 00



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.



MEMORANDUM

Date: December 4, 2020
To: Principal Planner Régulo Martínez-Montilva, Department of City Development
From: Maxwell Oakes. Oakes Estates, LLC
RE: Revised Storm Drainage Easement; Application for Land Combination; and Application for Affidavit of Correction
Lots 10 and 11, Oakes Estates Subdivision. TKN 754-0080-000 and 754-0081-000

Responses by Oakes Estates LLC to City of Franklin's staff comments are as follows, **in red**, for Land Combination application submitted on November 4, 2020 with new Application of Correction submitted on December 4, 2020:

City Development Department comments

1. City Development staff concurs with comment #4 of the Engineering Department. The revised stormwater drainage easement and the correction instrument must be recorded prior to the approval of the Land Combination.
 - A. **The revised Storm Drainage Easement for the new easement on the North side of lot 10 has been submitted to Engineering for approval with signatures on December 4, 2020. Awaiting fully executed document.**
2. Please add the following to the correction instrument per Wisconsin Platting Manual:
 - A. Document title (e.g. "Affidavit of Correction").
 - a. **Revised on latest submission**
 - B. Name, location and recording information of the subdivision.
 - a. **Revised on latest submission**
 - C. Certification that the instrument is being used pursuant to s. 236.295.
 - a. **Revised on latest submission**
 - D. Surveyor's signature and seal, dated.
 - a. **Revised on latest submission**
 - E. A clear and concise description of the item to be corrected.
 - a. **Revised on latest submission**
 - F. Recording data for any associated documents (revised stormwater drainage easement).
 - a. **The revised Storm Drainage Easement for the new easement on the North side of lot 10 has been submitted to Engineering for approval with signatures on December 4, 2020. Awaiting fully executed document.**
 - G. Approval certificate from the appropriate governing body (Common Council).
 - a. **The revised Storm Drainage Easement for the new easement on the North side of lot 10 has been submitted to Engineering for approval with signatures on December 4, 2020. Awaiting fully executed document.**

Inspection Services Department comments

3. *Inspection Services has no comments on the subject proposal at this time.*

Engineering Department comments

4. *Before recommending its approval for the Land Combination the following must be recorded first:*

- *The affidavit of correction.*
 - *The Affidavit of Correction has been re-applied for on December 4, 2020. It is awaiting full approval of the new Storm Drainage Easement with fully authorized signatures from the City of Franklin. The Oakes Estates LLC signed document has been submitted on December 4, 2020.*
- *The new easement.*
 - *The revised Storm Drainage Easement for the new easement on the North side of lot 10 has been submitted to Engineering for approval with signatures on December 4, 2020. Awaiting fully executed document.*

Legal Description

Lots 10 and 11, Oakes Estates Subdivision, a plat recorded on August 10, 2020 as document 11007677, being a part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 9, Township 5 North, Range 21 East of the Fourth Principal Meridian. Said plat located in the City of Franklin, Milwaukee County, Wisconsin.

Project Narrative

The 20' Storm Water Drainage Easement currently show on Lots 10 and 11, Oakes Estates Subdivision is being relocated to the North line of Lot 10, Oakes Estate Subdivision.

Lots 10 and 11 are being purchased by a single buyer who will be building a residence which will overlap the current location of the 20' Storm Water Drainage Easement.

Document number

CORRECTION INSTRUMENT

(TYPE OR PRINT CLEARLY IN BLACK OR RED INK)

Undersigned hereby states that a certain document ("conveyance") titled as Oakes Estates Subdivision (type of document) and executed between Oakes Estates, LLC. Grantor and Oakes Estates, LLC. Grantee, was recorded in Milwaukee County, Wisconsin, on August 10, 2020, in as document number 11007677, and contained the following error:

20' Storm Water Drainage Easement is being modified

Undersigned makes this Correction of Instrument for the purpose of correcting the conveyance as follows:

The 20' Storm Water Drainage Easement located between Lots 10 and 11 of Oakes Estates Subdivision is vacated and relocated to the North line of Lot 10, Oakes Estates Subdivision.

Recording area

Name and return address

Nielsen Madsen + Barber
1458 Horizon Blvd., Suite 200
Racine, WI 53406

754-0080-00 / 754-0081-00

Parcel identification number (PIN)

The basis for Undersigned's personal knowledge is (check one):

Undersigned is the Grantor/Grantee of the property described in the conveyance

Undersigned is the drafter of the conveyance that is the subject of the Correction Instrument

Undersigned is the settlement agent in the transaction that is the subject of this Correction Instrument

Other (Explain):

A copy of the conveyance (in part or whole) XX is is not attached to this Correction Instrument (if a copy of the conveyance is not attached, please attach legal description).

Undersigned has sent notice of the execution and recording of this Correction Instrument by 1st Class mail to all parties to the transaction that was subject to the conveyance at their last known addresses.

Dated: December 4, 2020

Signed: _____

*Mark R. Madsen, P.E., P.L.S.

AUTHENTICATION

ACKNOWLEDGMENT

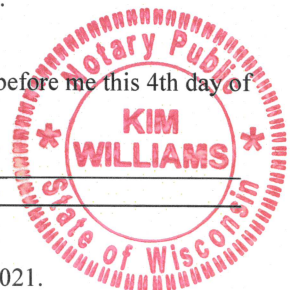
Signature of _____

State of Wisconsin)
County of Racine) ss.

Authenticated on _____

Subscribed and sworn to (or affirmed) before me this 4th day of December, 2020.

* _____

Kim Williams

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____ authorized by

Wisc. Stat. §706.06)

Notary Public, State of Wisconsin
My Commission expires: February 6, 2021.

This instrument is drafted by: Mark R. Madsen, P.E., P.L.S.
Nielsen Madsen + Barber

60812250
Tx:40521319



Register of Deeds
Milwaukee County
Israel Ramón • Register of Deeds

DOC # 11007677
RECORDED:
08/10/2020 10:36 AM
ISRAEL RAMON
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
AMOUNT: 50.00

PLAT

PLAT
NAME: Oakes Estates

DOC# 11007677

REEL# N/A

DATE: Aug 10th, 2020

Number of Pages: 2

OAKES ESTATES SUBDIVISION

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE AND STATE OF WISCONSIN.



160' 80' 0' 80' 160'
SCALE 1"=80'

There are no objections to this plat with respect to a 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by a 236.12, Wis. Stats.
Certified June 26, 2020
Renee M. Dorn
Department of Administration

Outlots 1, 2, 3, and 4 of the plat of Oakes Estates is owned and shall be maintained by the Oakes Estates Homeowners Association and each individual lot owner shall have an undivided fractional ownership of the outlots 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 by reason of delinquency. The Homeowners Association shall maintain said outlots in an unobstructed condition so as to maintain their intended purpose. Construction of any building, grading, or filling in said outlots is prohibited unless approved by the City of Franklin. 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.

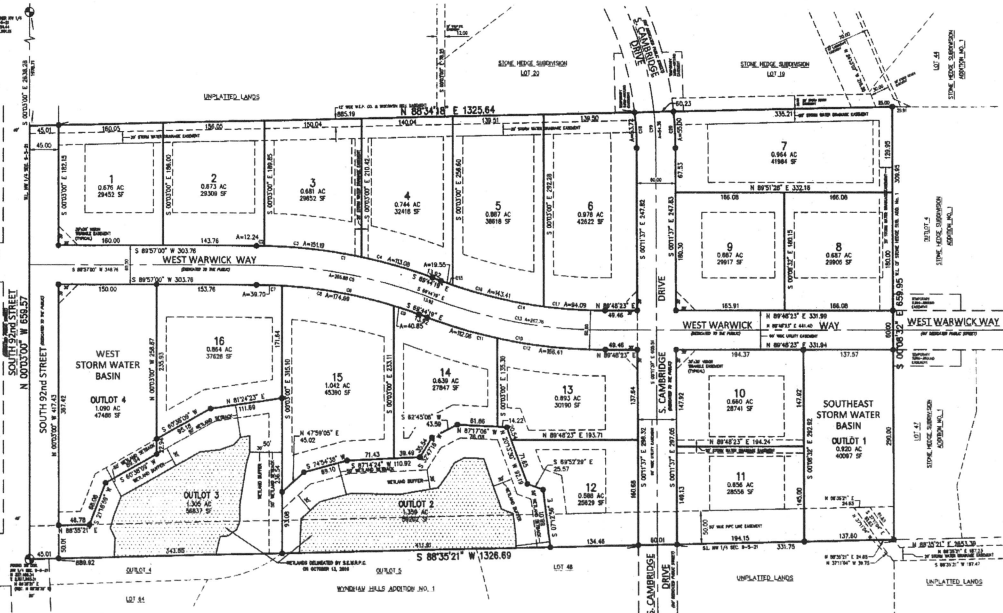
LEGEND AND NOTES
OWNER / LAND SPLITTER:
OAKES ESTATES, LLC
2000 OAKES ROAD, RACINE, WI 53406
SURVEYOR/CIVIL ENGINEER:
NIELSEN MADSEN + BARBER
3458 HORIZON BLVD, SUITE 200
RACINE, WI 53406
PARCEL NUMBER: 754 9988 000
EXISTING ZONING: R-3E, C-1
PROPOSED ZONING: R-3E
EXISTING LAND USE: RESIDENTIAL
PROPOSED LAND USE: RESIDENTIAL
16 SINGLE FAMILY LOTS ON 20.8 ACRES



Mark R. Madsen
6-12-2020

WISCONSIN COORDINATE SYSTEM, SOUTH ZONE, BASED UPON NAD 83. THE WEST LINE OF NW 1/4 SEC. 9-21 IS ASSUMED TO BE IN A NORTH-SOUTH LINE.
ALL DISTANCES MEASURED TO THE NEAREST HUNDRETH OF A FOOT.
ALL ANGLES TURNED TO THE NEAREST SECOND AND COMPUTED TO THE NEAREST HALF SECOND.

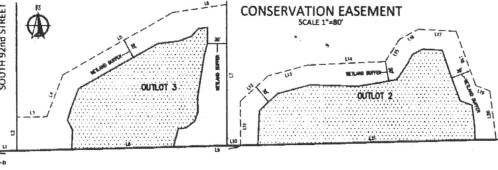
- DENOTES A SET 3/4" O.D. IRON PIPE STAKE, 18" IN LENGTH, WEIGHT OF 4.86 LBS./IN. FL.
- ALL OTHER LOT CORNERS MARKED BY A SET 3/4" DIAMETER REBAR, 24" IN LENGTH, WEIGHT OF 1.2 LBS./IN. FL.
- DENOTES A FOUND 1" O.D. IRON PIPE STAKE
- DENOTES CONCRETE MONUMENT WITH SW/PC MASS CAP.
- DENOTES AN EASEMENT (SEE PLAT FOR DETAILS)



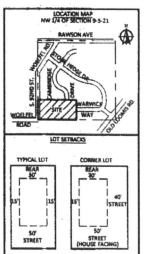
CONSERVATION EASEMENT RESTRICTIONS

The following is not allowed within the Conservation Easement area without the written consent from the City of Franklin.

- Construct or place buildings or any structures.
- Construct or make any improvements, unless specifically approved by the Common Council, including, but not limited to animal and bird feeding stations, park benches, removal of animal or other blockage of natural drainage, and the like.
- Excavate, dredge, grade, mine, drill, or change the topography of the land or its natural condition in any manner, including and cutting or removal of vegetation, except for the removal of dead or diseased trees.
- Conduct any filling, dumping, or depositing of any material.
- Plant any vegetation not native to the protected property or not typical wetland vegetation.
- Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.



Line #	Length	Description
L1	48.00	NE 1/4 21E
L2	30.00	NE 1/4 21E
L3	12.00	NE 1/4 21E
L4	12.00	NE 1/4 21E
L5	12.00	NE 1/4 21E
L6	12.00	NE 1/4 21E
L7	12.00	NE 1/4 21E
L8	12.00	NE 1/4 21E
L9	12.00	NE 1/4 21E
L10	12.00	NE 1/4 21E
L11	12.00	NE 1/4 21E
L12	12.00	NE 1/4 21E



DEC # 11007677
RECORDED # 1
08/10/2020 10:56 AM
TERRILL, ANDREW
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
#000477 91.00

Curve #	Date	Radius	Angle	Chord Distance	Chord Length	Tangent Bearing
C1	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C2	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C3	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C4	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C5	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C6	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C7	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C8	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C9	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C10	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C11	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C12	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C13	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C14	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C15	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C16	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C17	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C18	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C19	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W
C20	08/10/2020	100.00	180.00	200.00	200.00	N 00° 00' 00" W

OAKES ESTATES SUBDIVISION

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE AND STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

I, MARK R. MADSEN, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped "OAKES ESTATES SUBDIVISION" located in that part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee and State of Wisconsin, bounded and described as follows: Beginning at the Southwest corner of the Northwest 1/4 of said Section 9; run thence N00°00'00"W, 656.67 feet along the West line of the Northwest 1/4 of said Section 9; thence N88°54'18"E, 1325.84 feet to the West line of Stone Hedge Subdivision Addition No. 1, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on June 14, 2006 as Document No. 99028234; thence S00°00'00"E, 859.35 feet along the West line of Stone Hedge Subdivision Addition No. 1 to the South line of the Northwest 1/4 of said Section 9; thence S88°35'21"W, 1326.89 feet along the South line of the Northwest 1/4 of said Section 9 to the point of beginning of the description. Containing 874.719 square feet or 20.081 acres.

June 12, 2020

Mark R. Madsen, S-2271
Mark R. Madsen, S-2271
Nelson Madsen & Barber, S.C.
1458 Horizon Blvd., Suite 200
Racine, WI 53405
(262) 834-5588



CITY OF FRANKLIN CERTIFICATE

I, Paul Kotzenberg, being the duly appointed, qualified and acting Treasurer of the City of Franklin, do hereby certify that the records in my office show no unredemmed tax sales and no unpaid taxes or unpaid special assessments as of July 2, 2020 affecting the lands included in the plat of OAKES ESTATES SUBDIVISION.

Dated this 27th day of July, 2020
CITY TREASURER: Paul Kotzenberg, Treasurer

RESOLVED, that the plat of OAKES ESTATES SUBDIVISION in the City of Franklin, OAKES ESTATES, LLC, as owner, is hereby approved by the Common Council of the City of Franklin on this 27th day of July, 2020.

APPROVED: Stephen Clark, Mayor

I hereby certify that the foregoing is a copy of resolution number 2020-74/A adopted by the Common Council of the City of Franklin on April 16, 2020.

CITY CLERK: Sandra L. Wesowski, Clerk

MILWAUKEE COUNTY TREASURER CERTIFICATE

STATE OF WISCONSIN
COUNTY OF MILWAUKEE) SS.

I, David Cullen, being the duly elected, qualified and acting Treasurer of Milwaukee County, do hereby certify that the records of my office show no unredemmed tax sales and no unpaid taxes or special assessments as of August 10, 2020 affecting the lands included in the plat of OAKES ESTATES SUBDIVISION.

Dated this 10th day of August, 2020.

By: David Cullen, County Treasurer



THE UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by Oakes Estates LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, Grantee, and
Maconin Bell, Inc. d/b/a AT&T Wisconsin, a Wisconsin corporation, Grantee, and
CHARTER COMMUNICATIONS OPERATING, 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, natural gas, telephone and cable TV facilities for such purposes as the same in now or may hereafter be used, all to, 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, shrubs and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantee agrees to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantee's facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantee. After the installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of Grantee.

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

OWNER'S CERTIFICATE OF DEDICATION

OAKES ESTATES, LLC, as owner, I hereby certify that I caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by s. 236.10 or 236.12 to be submitted to the following for approval or objection: Department of Administration, Milwaukee County, City of Franklin.

OAKES ESTATES, LLC

Signed: Dan Oakes, Member of OAKES ESTATES, LLC.

SIGNED: Maxwell Oakes, Member of OAKES ESTATES, LLC.

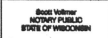
IN WITNESS WHEREOF, this 12th day of July, 2020

Witness: Angela M. Johnson, David A. Oakes

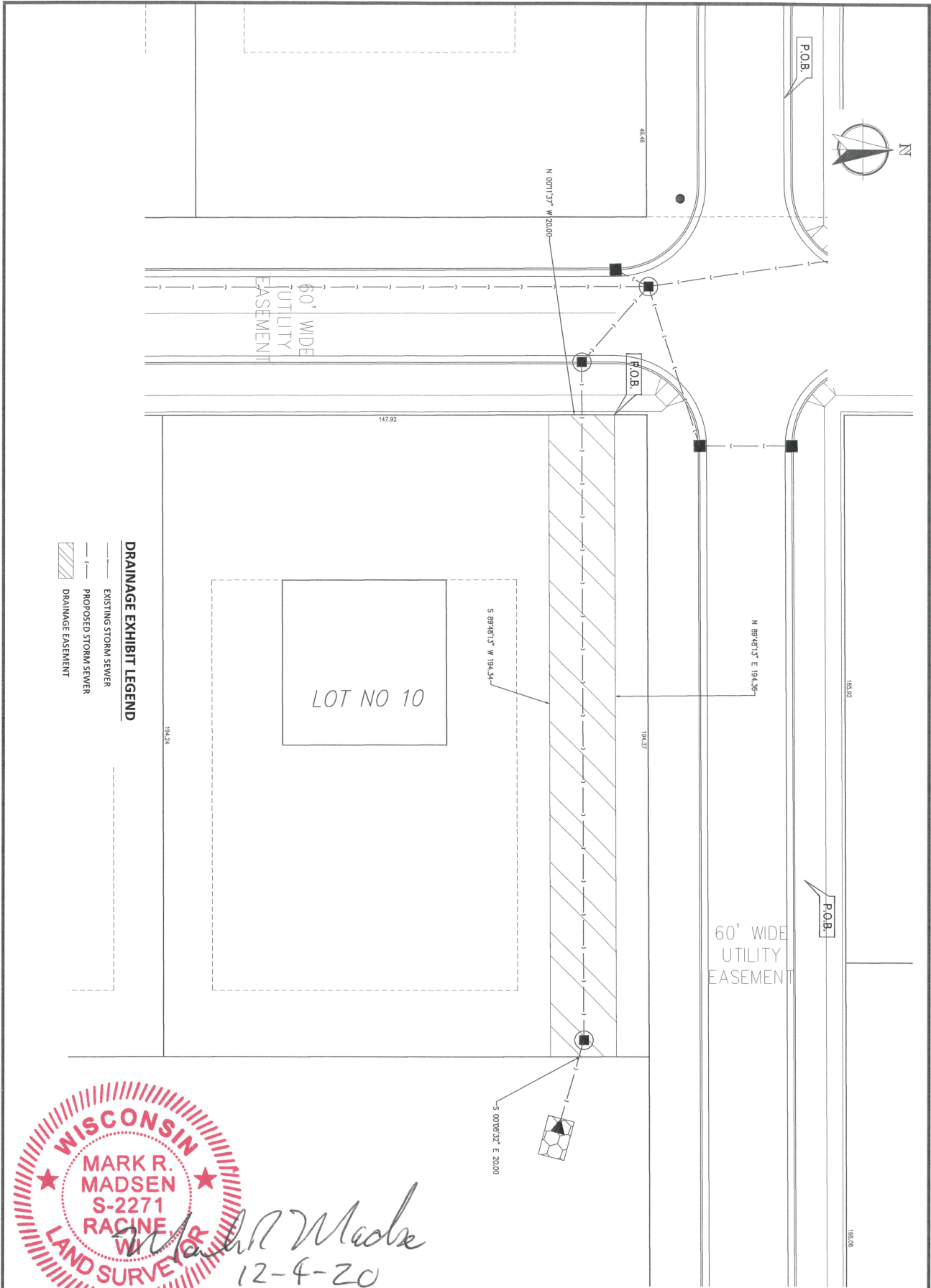
STATE OF Wisconsin)
COUNTY OF Racine) SS.

Personally came before me this 12th day of July, 2020, Dan Oakes and Maxwell Oakes, members of Oakes Estates, LLC, to me known to be the persons who executed the foregoing instrument and to me known to be each authorized signatory of said Limited Partnership, and acknowledged that they executed the foregoing on behalf of said Oakes Estates, LLC, by its authority.

Scott Villone
Print Name: Scott Villone
Notary Public, Racine County, WI
My Commission Expires: 8/27/2023



There are no objections to this plat with respect to s. 236.5, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified June 26, 2020
Katherine Doney
Department of Administration



DRAINAGE EXHIBIT LEGEND

- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- DRAINAGE EASEMENT



NO.	REVISION	BY	DATE

OAKES ESTATES SUBDIVISION
 LOT 10 DRAINAGE EASEMENT EXHIBIT
 FOR
 OAKES ESTATES, LLC
 CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

Nielsen Madsen + Barber
 CIVIL ENGINEERS AND LAND SURVEYORS
 1458 Horizon Blvd, Suite 200, Racine, WI 53406
 Tele: (262)634 5588 Website: www.nmbisc.net



EXHIBIT "C"

Drainage Easement Legal Description for Lot 10:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Commence at the Northwest corner of Lot 10 of the Oakes Estates Subdivision, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on August 10, 2020 as Document No. 11007677; thence S00°11'37"W, 10.00 feet along the East right of way line of South Cambridge Drive and the West line of Lot 10 of said subdivision to the point of beginning of this description; thence N89°48'13"E, 194.36 feet parallel to the North Line of said Lot 10 to the East line of said Lot; thence S00°08'32"E, 20.00 feet along said East line; thence S89°48'13"E, 194.34 feet parallel to the North Line of said Lot to the East right of way line of South Cambridge Drive and said West line of Lot 10; thence N00°11'37"W, 20.00 feet along the said East right of way line to the Point of Beginning. Containing 3,887 square feet or 0.089 acres.



STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020-7698

RESOLUTION FOR ACCEPTANCE OF EASEMENT
FOR STORM DRAINAGE
FOR OAKES ESTATES SUBDIVISION
LOCATED AT APPROXIMATELY
SOUTH 92ND STREET, WEST WARWICK WAY AND SOUTH
CAMBRIDGE DRIVE
TAX KEY NUMBER 754-9998-000 (BEFORE LAND DIVISION)

WHEREAS, easements are required to install, maintain and operate storm drainage, sanitary sewer, watermain and temporary turn around for Oakes Estates Subdivision; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that it would be in the best interest of the City to accept such easements and therefore the Mayor and City Clerk are hereby authorized and directed to execute the easements accepting it on behalf of the City.

BE IT FURTHER RESOLVED, that the City Clerk is directed to record said easement with the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin the 15th day of December, 2020, by Alderman Hanneman.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the 15th day of December, 2020.

APPROVED:



Stephen R. Olson, Mayor

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 5 NOES 0 ABSENT 1 (Ald. Mayer)

STORM DRAINAGE EASEMENT

Oakes Estates Subdivision
At Approximately 92nd St, Warwick Way, and Cambridge Drive
Tax Key of 754-9998-000 (Before Land Division)

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as “City,” and Oakes Estates LLC, a Limited Liability Corporation, as owner (including successors and assigns of the City as may become applicable including the heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called “Grantor,” (if more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain reel particularly described on Exhibit “A” which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a perpetual, non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter collectively called the “Facilities,” in, upon and across said portion of the Property: a storm drainage system consisting of an open swale (ditch) and/or storm sewer and associated manholes and catch basins, all as shown on the plan attached hereto as Exhibit “B.”; and

WHEREAS, the initial construction and installation of the Facilities shall be made by Grantor at Grantor’s expense and the Facilities shall be the property of the City and be deemed dedicated to the City upon the City’s inspection and approval of the Facilities as installed, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, the initial installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive easement on that part of the Northwest quarter of Section Nine (9), Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the “Easement Area”).

1. That said Facilities not including any open swale/ditch shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City. Responsibility for maintaining the ground cover and landscaping, including any open swale/ditch, within the Easement area shall be that of the Grantor (including heirs, executors, administrators, successors, and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed or were otherwise damaged in the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called “sovereign immunity.”
3. That no structure, fence, plantings, or other improvements may be placed within the limits of the Easement Area by the Grantor except that improvement such as walks, pavements for driveways and parking lot surfacing, and landscaping may be constructed or placed within the Easement Area as approved by the City Engineer.

4. In connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage.
5. No charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. The City of Franklin shall in no case be responsible for maintaining at its expense any portion of said storm drainage services outside of the Easement Area and outside the limits of any adjoining easements.
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
8. That the Grantor shall submit plans for all surface alterations of plus or minus 0.05 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.
9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
10. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
11. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
12. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
13. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
14. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
15. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
16. It is understood that at some point in the future all or a portion of the Easement Area may become portions of public streets, in which event, in the City's proceedings for the acquisition of the portion of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.

17. That the Grantor shall submit as-built drawings of the installed facilities for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seals this

ON THIS DATE OF: _____, 20__

Company Name

By: _____
Name and Title

STATE OF _____

ss

COUNTY OF _____

Before me personally appeared on the _____ day of _____, 20__, the above named

_____, _____ of _____
(Name printed) (Title) (Development)

to me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said corporation.

NOTARY PUBLIC _____

My commission expires _____

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF _____

ss

COUNTY OF _____

On this _____ day of _____, 20__, before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority and pursuant to Resolution File No. _____ adopted by its Common Council on _____, 20__

Notary Public

My commission expires _____

Exhibit A

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Beginning at the Southwest corner of the Northwest 1/4 of said Section 9; run thence N00°03'00"W, 659.57 feet along the West line of the Northwest 1/4 of said Section 9; thence N88°34'18"E, 1325.64 feet to the West line of Stone Hedge Subdivision Addition No. 1, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on June 14, 2005 as Document No. 09028234; thence S00°08'32"E, 659.95 feet along the West line of Stone Hedge Subdivision Addition No. 1 to the South line of the Northwest 1/4 of said Section 9; thence S88°35'21"W, 1326.69 feet along the South line of the Northwest 1/4 of said Section 9 to the point of beginning of this description. Containing 874,719 square feet or 20.081 acres.

EXHIBIT "C"

Drainage Easement Legal Description for Lots 1 thru 6:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Commence at the Northwest corner of Lot 1 of the Oakes Estates Subdivision, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on _____, 2020 as Document No. _____; thence S00°03'00"E 12.00 feet along the West line of said Lot 1 and East right of way line of South 92nd Street to the point of beginning of this description; thence N88°34'18"E, 886.44 feet parallel with the North line of said Subdivision to the East line of Lot 6 of said Subdivision and West right of way line of South Cambridge Drive and being the point of curvature to the right, having a Westerly convexity, a radius of 470.00 feet and a chord bearing and distance of S04°03'36"E, 20.02 feet, along said West right of way line of South Cambridge Drive; thence Southerly 20.02 feet along the arc of said curve, thence S88°34'18"W, 411.66 feet parallel to said North Subdivision line; thence S00°03'00"E, 180.85 feet parallel to the West line of Lot 4 of said Subdivision, to the North right of way line of Warwick Way and being the point of curvature to the Left, having a Southerly convexity, a radius of 780.00 feet and a chord bearing and distance of N78°02'38"W, 20.45 feet; thence Westerly 20.45 feet along the arc of said curve; thence N00°03'00"W, 176.11 feet parallel to the West line of said Lot 4; thence S88°34'18"W, 456.18 feet parallel to said North Subdivision line, to the West line of said Lot 1 and East right of way line of said South 92nd Street; thence N00°03'00"W, 20.01 feet along said West line of Lot 1 and East right of way line to the Point of Beginning. Containing 21,317 square feet or 0.489 acres.

Drainage Easement Legal Description for Lots 7 & 8:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Begin at the Northwest corner of Lot No.7 of the Oakes Estates Subdivision, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on _____, 2020 as Document No. _____; thence N88°34'18"E, 335.21 feet along the North line of said Subdivision to the Northeast corner of said Lot 7; thence S00°08'32"E, 309.95 feet along the East line of said Subdivision and east lines of Lots 7 and 8 of said Subdivision to the North right of way line of Warwick Way, also being the Southeast Corner of Lot 8 of said Subdivision; thence S89°48'23"W, 20.00 feet along said North right of way line; thence N00°08'32"W, 289.51 feet parallel to said East Subdivision line; thence S88°34'18"W, 313.48 feet parallel to said North Subdivision line to the East line of said South Cambridge Drive and being the point of curvature to the Left, having a Westerly convexity, a radius of 530.00 feet and a chord bearing and distance of

N05°01'57"W, 20.04 feet; thence Northerly 20.04 feet along the arc of said curve, to the Point of Beginning. Containing 12,480 square feet or 0.287 acres.

Drainage Easement Legal Description for Lot 10:

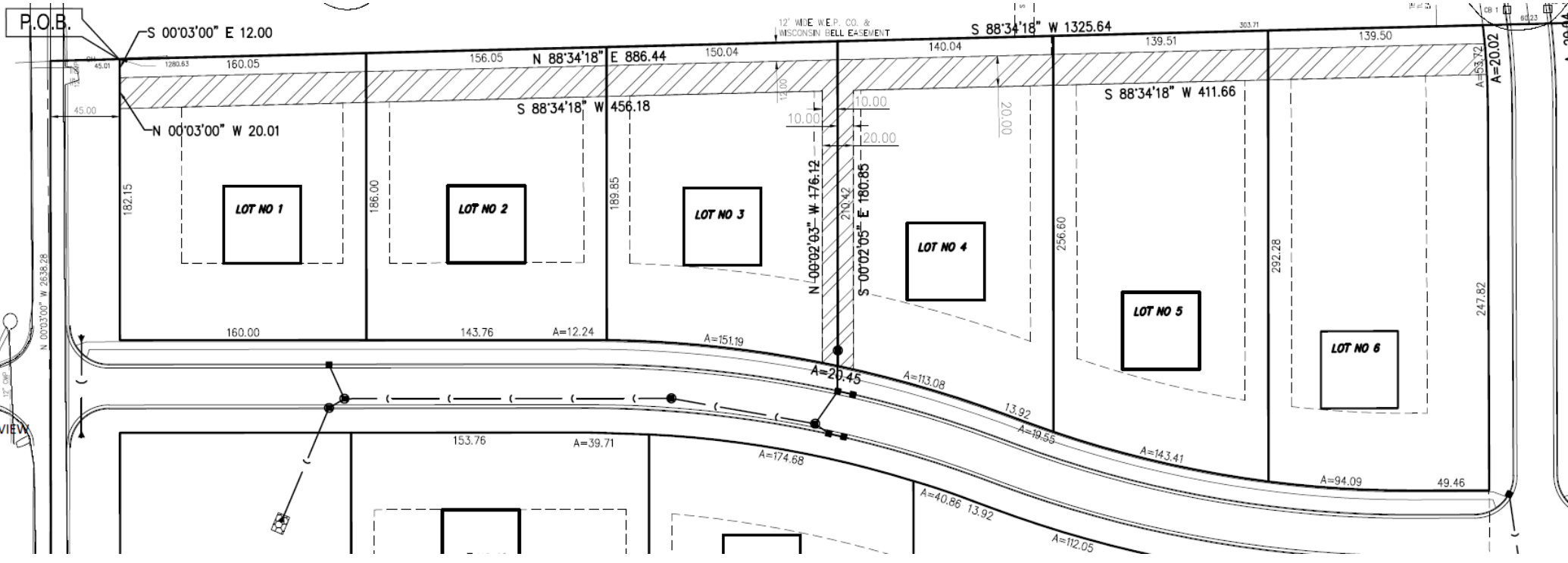
Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Commence at the Northwest corner of Lot 10 of the Oakes Estates Subdivision, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on August 10, 2020 as Document No. 11007677; thence S00°11'37"W, 10.00 feet along the East right of way line of South Cambridge Drive and the West line of Lot 10 of said subdivision to the point of beginning of this description; thence N89°48'13"E, 194.36 feet parallel to the North Line of said Lot 10 to the East line of said Lot; thence S00°08'32"E, 20.00 feet along said East line; thence S89°48'13"E, 194.34 feet parallel to the North Line of said Lot to the East right of way line of South Cambridge Drive and said West line of Lot 10; thence N00°11'37"W, 20.00 feet along the said East right of way line to the Point of Beginning. Containing 3,887 square feet or 0.089 acres.

Drainage Easement Legal Description for Outlot 1:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Begin at the Southeast corner of Outlot No.1 of the Oakes Estates Subdivision, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on _____, 2020 as Document No. _____; thence S88°35'21"W, 24.65 feet along the South line of said Subdivision and Outlot; thence N37°11'04"W, 61.63 feet; thence N88°35'21"E, 24.65 feet parallel to the South line of said Subdivision and Outlot; thence S37°11'04"E, 61.63 feet to the Point of Beginning. Containing 1,233 square feet or 0.028 acres.



P.O.B.

POOL

N 88°34'18" E 335.21

20'00" STORM SEWER EASEMENT

30.00

25.00

29.91

A=20.04

A=55.00

67.53

180.30

S 88°34'18" W 313.48

335.21

20.00

129.95

S 00°08'32" E 309.95

LOT NO 7

332.16

166.08

166.08

N 00°08'32" W 289.51

309.95

OUTLOT 4

STONE FENCE SUBDIVISION

LOT NO 9

180.15

LOT NO 8

180.00

20.00

165.92

166.08

6" 6"

TEMPORARY TURN-AROUND EASEMENT

N 89°51'28" E 174.40

S 89°48'23" W 20.00

N 00°08'32" W 659.95

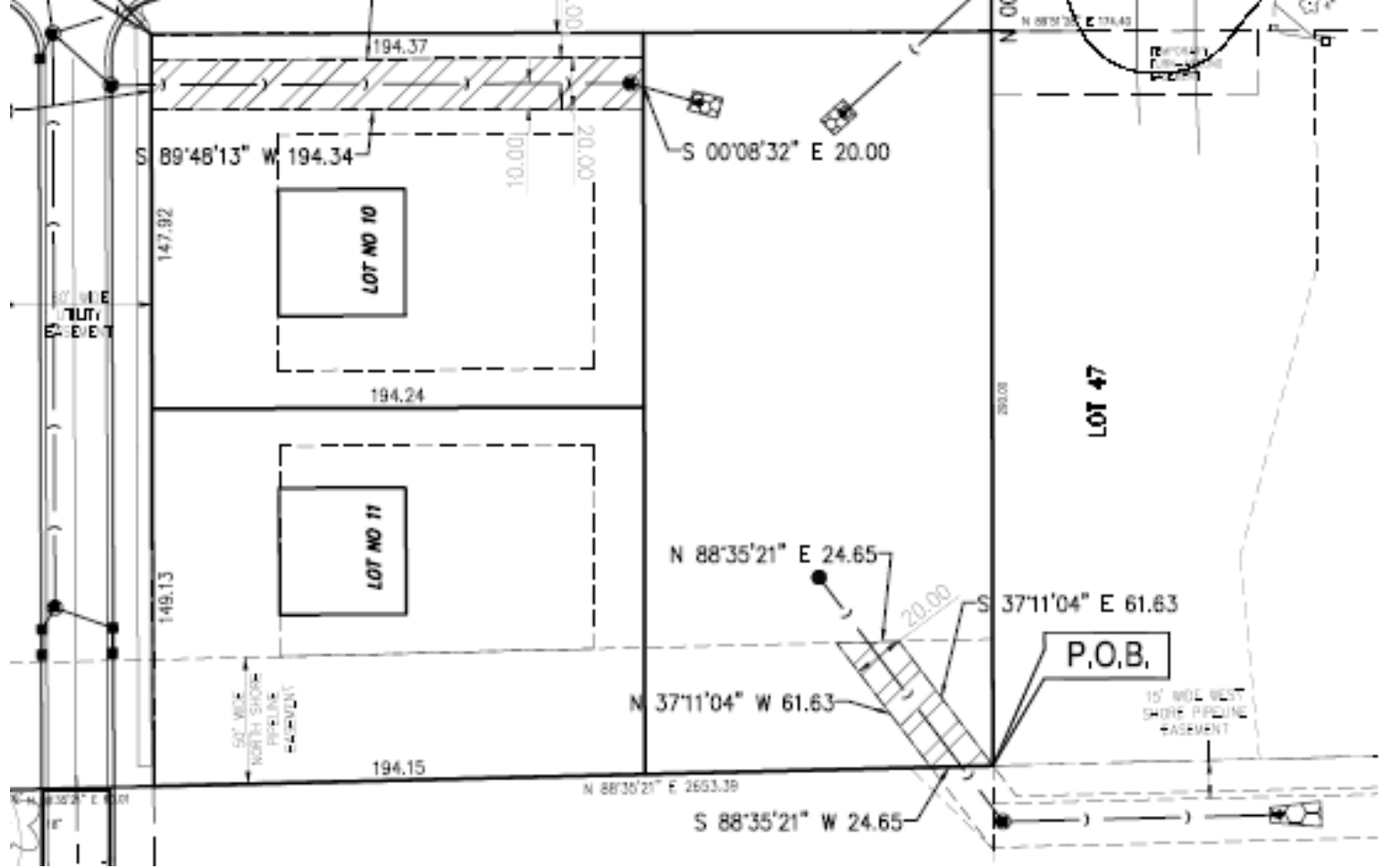
N 89°51'28" E 174.40

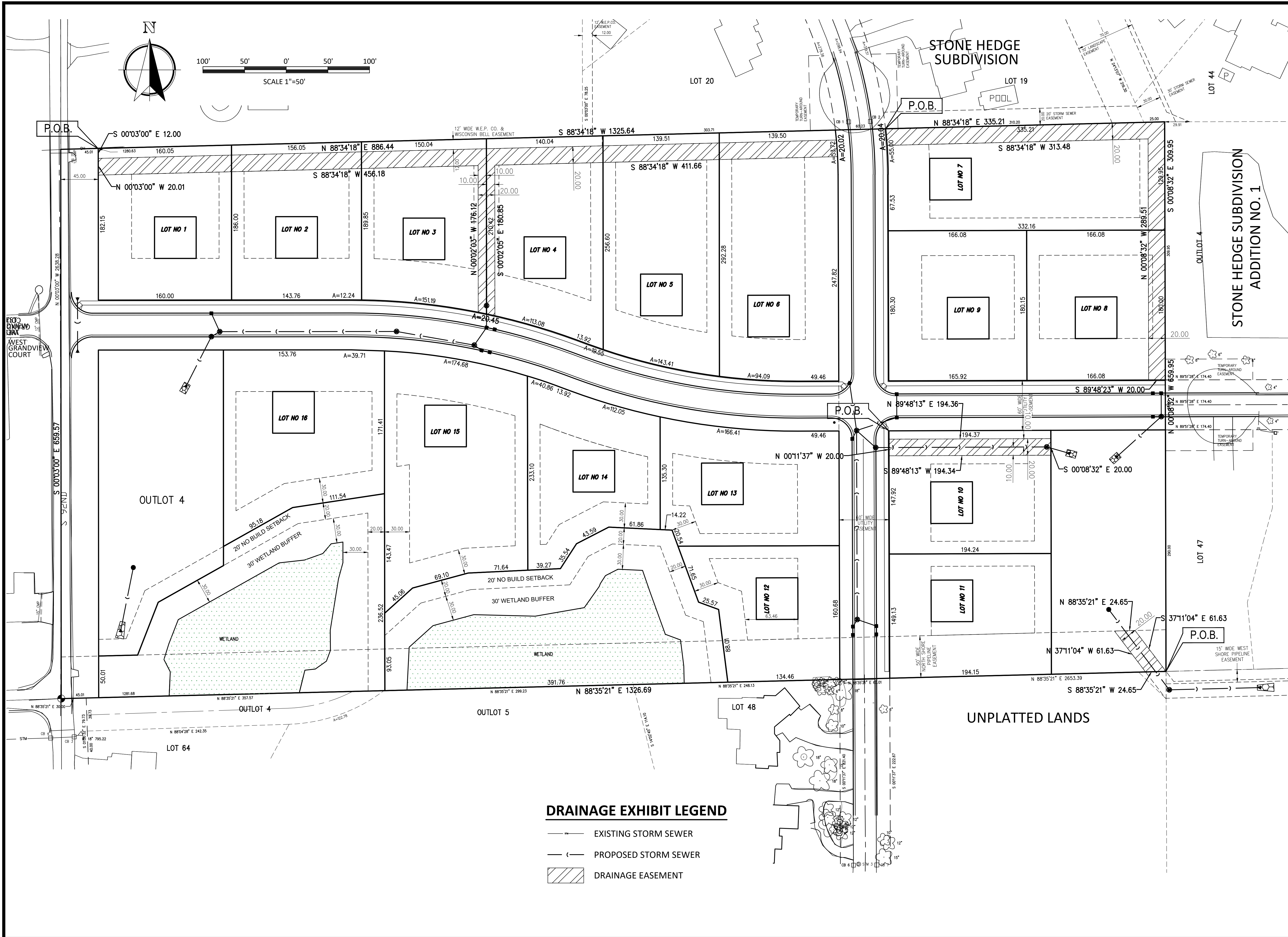
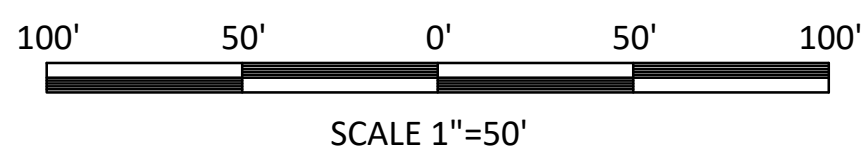
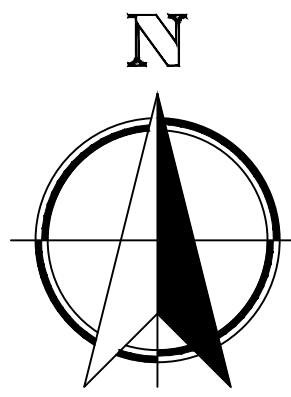
N 89°51'28" E 174.40

TEMPORARY TURN-AROUND EASEMENT

60' WIDE UTILITY EASEMENT

194.37





DRAINAGE EXHIBIT LEGEND

- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- DRAINAGE EASEMENT

Nielsen Madsen + Barber
 CIVIL ENGINEERS AND LAND SURVEYORS
 1458 Horizon Blvd. Suite 200, Racine, WI. 53406
 Tele: (262)634-5588 Website: www.nmbssc.net

OAKES ESTATES SUBDIVISION
 DRAINAGE EASEMENT EXHIBIT
 FOR
OAKES ESTATES, LLC
 CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

NO.	REVISION	DATE

PROJ. MGR: _____ MRM
 DRAFTED: _____ ALJ
 DATE: 05-15-2020
 CHECKED: _____ MRM
 DATE: 12-03-2020

2018.0117.01
 SHEET
EXH-B

ISSUED FOR APPROVAL: 12-03-2020

PLAT OF SURVEY

FOR: LAND COMBINATION APPLICATION

LEGAL DESCRIPTION(S): (PER TAX RECORDS)

Being all of Lot 10 and Lot 11 of Oakes Estates, a recorded subdivision plat, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin;
Address: (not assigned yet)
TAX KEY PIN: (not assigned yet)

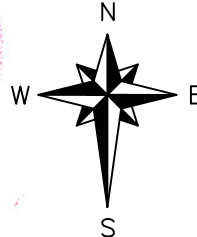
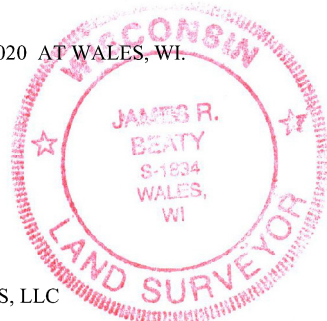
SURVEYORS CERTIFICATE

"I HAVE SURVEYED THE ABOVE PROPERTY AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY."

"THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF, AND TO THEM I WARRANT THE ACCURACY OF SAID SURVEY AND MAP."

DATED THIS 5TH DAY OF OCTOBER, 2020 AT WALES, WI.

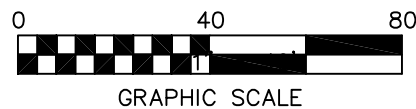
James R. Beaty
James R. Beaty, RLS 1834



PREPARED BY:
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EXIT Realty 262-777-0477

Owner: (CLIENT)
Timothy W. Sullivan
5270 n. Lake Dr.
Whitefish Bay WI 53217



BEARING REFERENCE
BEARINGS ARE REFERENCED TO THE EAST LINE OF S. CAMBRIDGE DRIVE PER PLAT OF OAKES ESTATES, WHICH BEARS S00°11'37"E.

LEGEND

- | | |
|--|---|
| <ul style="list-style-type: none"> ◻ MARKED FIBER OPTIC ⊗ GAS VALVE ⊗ GAS METER ⊗ GAS WARNING SIGN ⊗ STORM MANHOLE ⊗ ROUND INLET ⊗ SQUARE INLET ⊗ STORM SEWER END SECTION ⊗ SANITARY MANHOLE ⊗ SANITARY CLEANOUT OR SEPTIC VENT ⊗ SANITARY INTERCEPTOR MANHOLE ⊗ MISCELLANEOUS MANHOLE ⊗ WATER VALVE ⊗ HYDRANT ⊗ WATER SERVICE CURB STOP ⊗ WATER MANHOLE ⊗ WELL ⊗ WATER SURFACE ⊗ WETLANDS FLAG ⊗ MARSH ⊗ CONIFEROUS TREE ⊗ DECIDUOUS TREE ⊗ SHRUB — EDGE OF TREES — SANITARY SEWER — STORM SEWER — WATERMAIN — MARKED GAS MAIN — MARKED ELECTRIC — OVERHEAD WIRES — MARKED TELEPHONE — MARKED CABLE TV LINE — MARKED FIBER OPTIC | <ul style="list-style-type: none"> () INDICATES RECORDED DIMENSION WHERE DIFFERENT FROM ACTUAL MEASUREMENT OR 1/4 SECTION CORNER AS DESCRIBED • 1" I.D. - (1.3150"D.) IRON PIPE FOUND (UNLESS OTHERWISE NOTED) • 1" DIA. IRON PIPE, 18" LONG-SET (UNLESS OTHERWISE NOTED) ⊗ BOLLARD ⊗ SOIL BORING/MONITORING WELL ⊗ FLAGPOLE ⊗ MAILPOLE ⊗ SIGN — BILLBOARD ⊗ CONTROL BOX ⊗ TRAFFIC SIGNAL ⊗ RAILROAD CROSSING SIGNAL ⊗ CABLE PEDESTAL ⊗ POWER POLE ⊗ GUY POLE ⊗ GUY WIRE ⊗ LIGHT POLE ⊗ SPOT/YARD/PEDESTAL LIGHT ⊗ HANDICAPPED PARKING ⊗ ELECTRIC MANHOLE ⊗ ELECTRIC PEDESTAL ⊗ ELECTRIC METER ⊗ TELEPHONE MANHOLE ⊗ TELEPHONE PEDESTAL |
|--|---|

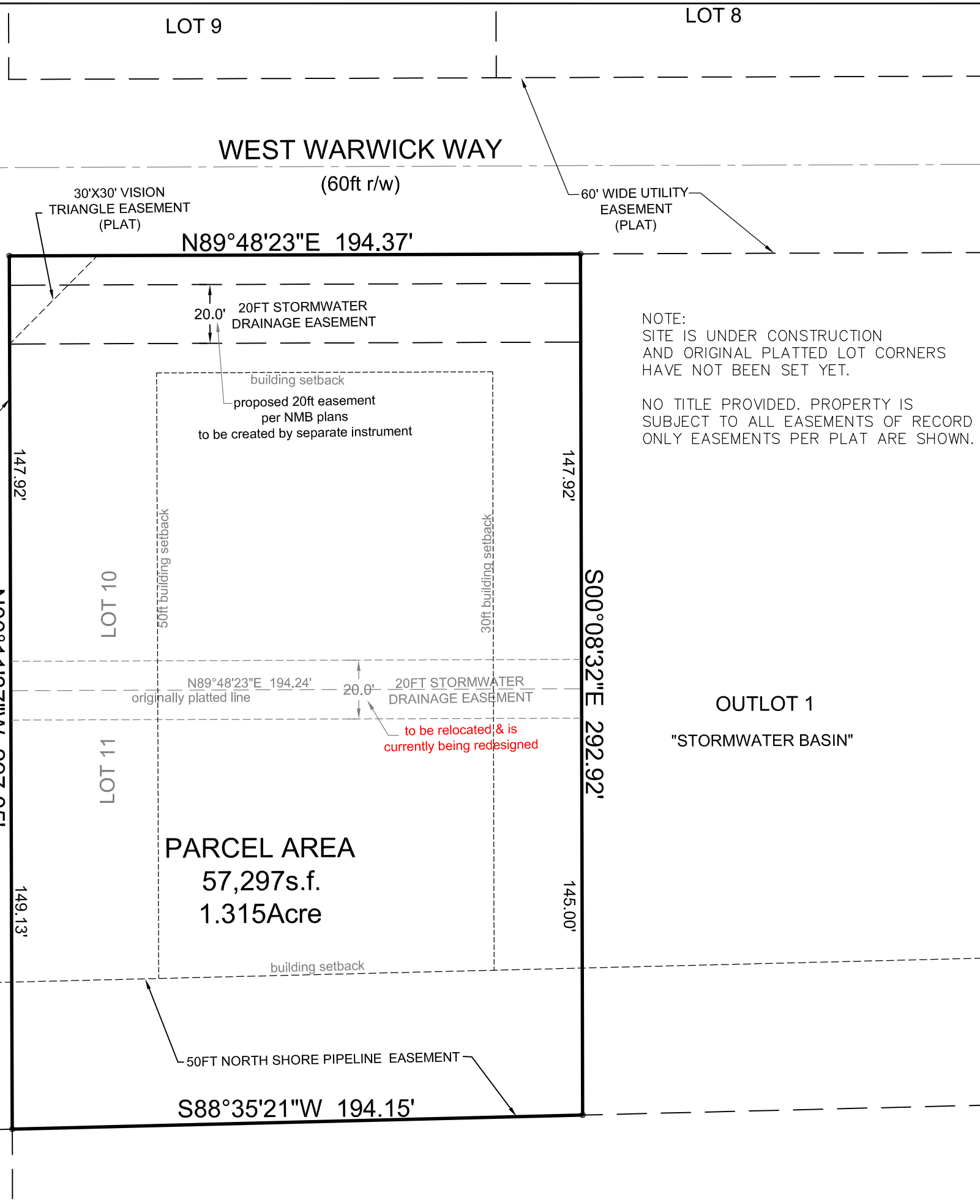


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TOLL FREE

WIS STATUTE 182.0175(1974)
REQUIRES MIN. 3 WORK DAYS
NOTICE BEFORE YOU EXCAVATE

MILW. AREA 259-1181

"THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. IF ADDITIONAL UTILITIES ARE KNOWN TO EXIST IN THE PROPERTY, THE OWNER WILL PROVIDE EXISTING PLANS OF OTHER UTILITIES SERVING THE SITE AND THE BUILDING THAT OTHERWISE CANNOT BE LOCATED BY A VISUAL OBSERVATION OF THE PROPERTY OR OF WHICH THE SURVEYOR WOULD HAVE NO KNOWLEDGE."



NOTE:
SITE IS UNDER CONSTRUCTION AND ORIGINAL PLATTED LOT CORNERS HAVE NOT BEEN SET YET.

NO TITLE PROVIDED. PROPERTY IS SUBJECT TO ALL EASEMENTS OF RECORD ONLY EASEMENTS PER PLAT ARE SHOWN.