

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, JANUARY 20, 2022, 7:00 P.M.

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

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

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

B. **Approval of Minutes**

1. Approval of regular meeting of January 6, 2022.

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

1. **BEAR DEVELOPMENT, LLC DUPLEX CONDOMINIUMS/SINGLE-FAMILY HOME DEVELOPMENT.** Natural Resource Features Special Exception application by Stephen R. Mills, President of Bear Development, LLC (Boomtown, LLC, property owner), for the purpose of grading of approximately 23,970 square feet of wetland buffer (temporary) and construction impact (building footprint-permanent) to approximately 1,350 square feet of wetland buffer and construction impact (building footprint-permanent) to approximately 3,586 square feet of wetland setback, property located at 12000 West Loomis Road, such property being zoned R-8 Multiple-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-9011-000 and 891-9012-000. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

2. **BEAR DEVELOPMENT, LLC INDUSTRIAL DEVELOPMENT.** Certified Survey Map and Rezoning applications by Stephen R. Mills, President of Bear Development, LLC (Loomis & Ryan, Inc. and Gurjit Singh and Gurmit Kaur, property owners), to reconfigure Lot 84 of Ryan Meadows subdivision and an adjacent property located on the west side of South 112th Street:
Certified Survey Map: the proposed Certified Survey Map reconfigures the subject two properties: Lot 84 of Ryan Meadows is owned by Loomis & Ryan, Inc. on the east side of Monarch Drive and south of Chicory Street (approximately 24.06 acres); the other property bearing Tax Key Number 938-9994-004 is owned by Gurjit Singh and Gurmit Kaur (approximately 31.93 acres), [the Certified Survey Map creates three new lots with Lot 1 having an area of approximately 9.39 acres (to be owned by Loomis & Ryan, Inc.); Lot 2 approximately 22.88

acres (to be owned by Loomis & Ryan, Inc.) and Lot 3 with 23.57 acres (to be owned by Singh and Kaur) (the land division request essentially allows Loomis & Ryan, Inc. to purchase about 8 acres of land), also including a temporary turn around easement at the end of Monarch Drive and a 20 foot trail easement.

Rezoning: the applicant is requesting to change the zoning of the proposed Lot 2 from M-1 Limited Industrial District and R-2 Estate Single-Family Residence District to M-1 Limited Industrial District for industrial development; properties generally located at the end of Monarch Drive in the Ryan Meadows subdivision, zoned M-1 Limited Industrial District, R-2 Estate Single-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-1084-000 and 938-9994-004. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE REZONING APPLICATION OF THIS MATTER.**

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

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: February 3, 2022

City of Franklin
Plan Commission Meeting
January 6, 2021
Minutes

unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the January 6, 2022, regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Alderwoman Shari Hanneman, Commissioners Patricia Hogan and Patrick Leon, and City Engineer Glen Morrow. Commissioner Kevin Haley participated remotely and Commissioner Adam Burckhardt was excused. Also present were City Attorney Jesse Wesolowski, Planning Manager Heath Eddy and Principal Planner Régulo Martínez-Montilva.

B. Approval of Minutes

1. Regular Meeting of December 9, 2021

Commissioner Leon moved and Alderwoman Hanneman seconded approval of the December 9, 2021 regular meeting minutes. On voice vote, all voted 'aye'. Motion carried (5-0-2).

C. Public Hearing Business Matters

1. **SAPUTO CHEESE USA INC. CONSUMER FOOD PRODUCT CONVERTING FACILITY DEVELOPMENT.** Special Use and Site Plan applications by Saputo Cheese USA Inc. (HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, property owner) as follows:
Special Use: to operate an “Office/Light Industrial Flex Space” in the Gateway Area of Planned Development District No. 39 (Mixed-Use Business Park) (Office/Light Industrial Flex Space requires a Special Use per Section 15-3.0444A B.3.a. of Ordinance No. 2016-2238);
Site Plan: for construction of an approximately 310,485 square foot consumer food product converting facility, including a two-story welfare and office area supporting the production facility at the northeast portion of the facility, 459 parking spaces for cars in front of the building on West Oakwood Road and South 27th Street, loading areas for trucks on the west and south

Planning Manager Eddy presented the request by Saputo Cheese USA Inc. (HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, property owner) as follows:
Special Use: to operate an “Office/Light Industrial Flex Space” in the Gateway Area of Planned Development District No. 39 (Mixed-Use Business Park) (Office/Light Industrial Flex Space requires a Special Use per Section 15-3.0444A B.3.a. of Ordinance No. 2016-2238);
Site Plan: for construction of an approximately 310,485 square foot consumer food product converting facility, including a two-story welfare and office area supporting the production facility at the northeast portion of the facility, 459 parking spaces for cars in front of the building on West Oakwood Road and South 27th Street, loading areas for trucks on the west and south facing sides of the proposed building and stormwater ponds on the north and south sides of the site for onsite stormwater management and visual amenities (the proposed stormwater elements have been designed to account for potential future expansion of key areas of the facility to accommodate growth for Saputo) upon property zoned Planned Development District No. 39 (Mixed-Use Business Park), located on the eastern half of the parcel at the intersection of West Oakwood Road and South 27th Street in the Gateway Area District of Planned Development District No. 39 (Mixed-Use Business Park) (Lot 2 of Certified Survey Map No. 9362, recorded on November 5, 2021);

facing sides of the proposed building and stormwater ponds on the north and south sides of the site for onsite stormwater management and visual amenities (the proposed stormwater elements have been designed to account for potential future expansion of key areas of the facility to accommodate growth for Saputo) upon property zoned Planned Development District No. 39 (Mixed-Use Business Park), located on the eastern half of the parcel at the intersection of West Oakwood Road and South 27th Street in the Gateway Area District of Planned Development District No. 39 (Mixed-Use Business Park) (Lot 2 of Certified Survey Map No. 9362, recorded on November 5, 2021); Requested Waivers/Modifications of Planned Development District No. 39 (Mixed-Use Business Park) Design Standards, Section 15-3.0444A.D. Gateway Area Design Standards:

Requested Waivers/Modifications of Planned Development District No. 39 (Mixed Use Business Park) Design Standards, Section 15-3.0444A.D. Gateway Area Design Standards.

The Official Notice of Public hearing was read in to the record by Planning Manager Eddy and the Public Hearing was opened at 7:15 p.m. and closed at 7:17 p.m.

Special Use

Alderman Hanneman moved and Commissioner Leon seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use to allow a 310,485 square foot “office/light industrial flex space” to develop a food processing operation, including the provision of materials delivery, processing, packaging and distribution of food products, with supporting office and employee welfare facilities upon property located on the eastern half of the parcel at the intersection of West Oakwood Road and South 27th Street (lot 2 of Certified Survey Map No. 9362). On voice vote, all voted ‘aye’; motion carried (5-0-2).

Site Plan and requested waivers

Alderman Hanneman moved and Commissioner Hailey seconded a motion to direct staff to work with the developer with regards to the inclusion of a water main in that area with the result of that coordination to be completed and presented to the Common Council when this subject matter gets to the Common Council. On voice vote, all voted ‘aye’; motion carried (5-0-2).

Alderman Hanneman moved and Commissioner Hogan seconded a motion to waive the required standards under various sections of 15-3.0444 pertaining to: (a) parking standards, (b) site furnishings, (c) bicycle and pedestrian amenities, (d) landscaping, (e) central area features, (f) building character and (g) signage. On voice vote, all voted ‘aye’; motion carried (5-0-2).

Alderman Hanneman moved and Commissioner Hogan seconded a motion to waive the required standards under Section 15-3.0352 et al pertaining to: (a) parking, (b) reducing the number of parking stalls, (c) coordination of site furnishings, (d) pedestrian considerations, (e) pedestrian considerations, (f) bicycle and pedestrian amenities, (g) foundation landscaping, (h) off-street parking landscaping, (i) central area features, (j) parking lot landscaping, (k) trees, (l) off-street parking landscaping, (m) off-street parking areas, (n) building character and design, (o) building façades, (p) building locations and (q) wetland buffer disturbance by the fence as previously discussed. On voice vote, all voted ‘aye’; motion carried (5-0-2).

Aldерwoman Hanneman moved and Commissioner Hogan seconded a motion to adopt a Resolution imposing conditions and restrictions for the approval of a Site Plan for construction of an approximately 310,485 square foot consumer food product converting facility, including a two-story welfare and office area supporting the production facility at the northeast portion of the facility, 459 parking spaces for cars in front of the building on West Oakwood Road and South 27th Street, loading areas for trucks on the west and south facing sides of the proposed building and stormwater ponds on the north and south sides of the site for onsite stormwater management and visual amenities (the proposed stormwater elements have been designed to account for potential future expansion of key areas of the facility to accommodate growth for Saputo) upon property zoned Planned Development District No. 39 (Mixed-Use Business Park) located on the eastern half of the parcel at the intersection of West Oakwood Road and South 27th Street in the Gateway area district of Planned Development District No. 39 (Mixed-Use Business Park) (lot 2 of Certified Survey Map No. 9362, recorded on November 5, 2021) (part of Tax Key No. 951-9994-001, otherwise known as lot 2 of Certified Survey Map No. 9362). On voice vote, all voted 'aye'; motion carried (5-0-2).

Commissioner Hogan moved and City Engineer Morrow seconded a motion to amend the motion regarding the water main to include discussion on sidewalk on 27th Street. On voice vote, all voted 'aye'; motion carried (5-0-2).

D. Business Matters

1. None

Adjournment

Commissioner Hogan moved and Alderwoman Hanneman seconded to adjourn the Plan Commission meeting of January 6, 2022 at 8:13 p.m. On voice vote, all voted 'aye'; motion carried. (5-0-2).



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of January 20, 2022

Natural Resource Special Exception

RECOMMENDATION: Recommended conditions of approval of are incorporated into the decisions section of the draft Standards, Findings, and Decision of the Common Council

Project Name:	12000 W Loomis Road NRSE
Project Location:	12000 W Loomis Road (Tax Key No: 891 9011 000 & 891 9011 000)
Property Owner:	Boomtown LLC
Applicant:	S.R. Mills, Boomtown LLC
Agent:	Dan Szczap, Boomtown LLC
Current Zoning:	R-8 – Multiple-Family Residence District
2025 Comprehensive Plan:	Commercial, Residential-Multifamily and Areas of Natural Resources
Applicant’s Action Requested:	Recommendation to the Plan Commission for approval of the Natural Resource Special Exception Application.
Planner:	Marion Ecks, Associate Planner

On September 3, 2021, the applicant submitted an application requesting approval of a Natural Resource Special Exception to allow for grading and construction related to the development of a residential neighborhood consisting of single-story duplexes. Data about the extent/amount of the request was provided on October 27, 2021. The request is for impacts to wetland setback and buffer; impacts to wetlands and Isolated Natural Resource Area on the site or other natural resources are not proposed at this time.

Project Description:

This site is part of a complex of developments located in the southwest quadrant of the City of Franklin, in Tax Increment District 6. The area includes a new industrial park and single-family residential subdivision. It is generally identified in the Comprehensive Master Plan as a “Business Park;” the specific property is identified for future land use of multifamily residential and commercial uses, with areas of natural resources.

The applicant proposes 13 building pads on this 15.61-acre property to accommodate 13 single-story buildings and a total of 26 homes with attendant parking facilities (garages). The development will be located on a new cul-de-sac with a single access point on Ryan Road, and stormwater facilities in roughly the southwest corner of the lot. Site Intensity calculations have been prepared (§15-3.0500), and the proposed development meets specifications regarding density and “site intensity” or the balance of developed land to open space. The applicant has stated that feedback from a Concept Review of the development with the City of Franklin Common Council encouraged a single-story home type. The proposed development will be

served by municipal water and public sanitary sewer. The property is also adjacent to the future City of Franklin 116th Street Trail which makes up the northwest property line.

The property is currently vacant; the proposed use has been affirmed through a rezoning of the entire property to R-8 Multifamily (ORD 2021-2480), to remove C-1 Conservancy zoning. The applicant has completed a Concept Review and Certified Survey Map approval in seeking this development approval.

A Natural Resource Protection Plan (NRPP) has been completed for the development as part of these approvals. The property contain wetlands, a portion of a pond, young woodlands, and Southeastern Wisconsin Regional Plan Commission (SEWRPC) designated “Isolated Natural Resource Area” indicating the presence of significant wildlife and natural resources communities. Wetland delineations were completed by assured delineators in 2014 by R.A. Smith National Inc. (R.A. Smith National Inc. RASN Project No. 1140273), and in 2021 by Heartland Ecological Group Inc. (Heartland Ecological Group Inc. Project No. 20180093).

Variance Application

The applicant has submitted a request for a Variance from the Unified Development Ordinance (UDO) Table 15-3.0209A, which describes required setbacks of the R-8 Multiple-Family Residence District, to allow for a reduced front yard setback of 20 feet for the entire development. The minimum required front yard setback for single-family and two-family homes is 25 feet. The item is scheduled for the January 19, 2022 meeting of the Board of Zoning and Building Appeals (BZBA); information about the decision of the BZBA will be provided at the Plan Commission meeting on January 20, 2022.

If approved, the variance will allow for a reduction in proposed permanent wetland buffer impacts to zero. The applicant has provided two versions of the Natural Resource Protection Plan for Commission review reflecting this alternative. At their January 12, 2022 meeting, the Environmental Commission adopted a motion to recommend approval of the reduction of front yard setbacks to a 20 foot setback to the BZBA.

Fill Permit

On March 14, 2018, the applicant received permission to place 37,500 cubic yards of fill on the site under City of Franklin Permit I20180438, as part of a road project for the redevelopment of S. 108th St. The placement of fill on site was at the request of Bear Development to “raise the sites and help with future development plans (Ruffing, A. 2018, January 14).” The applicant obtained appropriate approvals from the WI Department of Natural Resources at that time, and fill permits were approved by the City of Franklin Engineering Department. According to the NRPP submitted on January 10, 2022, fill limits are the same as the limits of impacts proposed for this NRSE. Fill was placed in the wetland setback and buffer, but City approvals for fill impacts to wetland setback and buffer were not sought by the applicant at that time.

NATURAL RESOURCE SPECIAL EXCEPTION REQUEST

The applicant has provided the attached Natural Resource Special Exception Application, Questionnaire, Project Description, and associated information.

The requested Natural Resource Special Exception is for property bearing Tax Key No. 891 9011 000 & 891 9011 000. The NRSE request is to allow for impacts to wetland buffer, and setback of Wetland 1 (W-1) and Wetland 2 (W-2). Wetland 1 is 69,696 square feet (1.60 acres) located on the west side of the property and includes SEWRPC Isolated Natural Resource Area. Wetland 2 is 97,138.8 square feet (2.23 acres) and located on the east side of the property. Only a portion of this wetland is on the property. On January 12, 2022, the applicant provided a revised request. Specifically, the request is for impacts to:

	25' Option		20' Option	
	Permanent	Temporary	Permanent	Temporary
			<i>Requires BZBA Approval</i>	
Wetland	0	0	0	0
Wetland Buffer	1,350	25,320	0	25,320
Wetland Setback	3,586	0	1,105	0

Staff recommends that the applicant clarify whether any temporary impacts to the wetland setback are proposed.

The applicant has obtained verification from the Army Corps of Engineers that the parcel does not contain waters of the United States.

Conservation easements must be submitted for all natural resources to be protected. Staff further recommends that wetland setbacks shall have conservation signage or boulders placed to delineate the area(s) as protected and unbuildable. Restoration is proposed for areas of disturbance in accordance with §15-4.0102I for appropriate plantings.

Ability to Enforce

The UDO requires that an exception, if granted “Not effectively undermine the ability to apply or enforce the requirement with respect to other properties (§UDO-15-10.0208B2.c.ii),” and that the Common Council make a determination as to the “degree of noncompliance” under §UDO-15-10-10.0208B2.d.v. that the exception will allow.

The applicant states in their NRSE questionnaire responses that “The situation and conditions related to this project are unique as the affected property was a properly permitted to impact the wetland buffer/setback. Applying the wetland setback/buffer at this point serves no purpose and does not protect the actual wetland resources. Other properties seeking the same relief would need to meet similar standards.”

Placement of fill on site was at the request of Bear Development to “raise the sites and help with future development plans (Ruffing, A. 2018, January 14).” Fill permits for Wisconsin DOT project were approved by the City of Engineering Department. Approvals for fill impacts to wetland setback and buffer were not sought by the applicant at that time. According to the NRPP submitted on January 10, 2022, fill limits are the same as the limits of impacts proposed for this NRSE. Fill was placed in the wetland setback and buffer.

The applicant is seeking approval for impacts related to this current residential development on a site they describe as “previously impacted;” however, the prior impacts were at their behest, with their permission and in the interest of forwarding their development goals by creating a graded site condition.

The site has experienced infestation by invasive species during the applicant’s ownership. W-1, a SEWRPC Isolated Natural Resource Area, is described in the 2014 wetland delineation provided by the applicant as “predominantly native sedge meadow and shallow marsh communities (R.A. Smith National Inc. RASN Project No. 1140273).”

In NRSE questionnaire responses, the applicant describes these wetlands as “low-quality” and stated this area is “previously impacted” by fill, in particular noting the presence of invasive species (Page 2). In 2021 the new wetland delineation finds that that this wetland has been impacted by invasive species such as purple loosestrife (Heartland Ecological Group Inc. Project No. 20180093 Pg. 9).

Invasive species gain a foothold in areas of disturbed soils. The Wisconsin DNR notes that “There is no better opportunity for invasive plants to establish themselves than on newly disturbed soil following construction (Thompson et al., 2010).” In addition, invasive species spread through the transportation of soils and other materials.

Approval of this NRSE without consideration of these facts would set a precedent that other developers may emulate, to circumvent local ordinances. Should the City choose to grant approval of this exception, Staff recommends that the applicant provide for removal of invasive species and restoration of native wetland species in Wetlands 1 and 2 as remedy. The Environmental Commission recommended an alternative condition that the applicant provide an invasive species management plan for the wetland setback and buffer. Their recommendation is reflected in the draft Standards, Findings, and Decision.

Alternative Site Configurations

In evaluating the request, UDO requires an analysis of alternative designs of a site, and allows for an exception if there are “no reasonable practicable alternatives (§15-10.0208B2.b.i and .ii).”

Per the staff report for the Variance application:

“The applicant could accommodate duplex homes on the side of the cul-de-sac road without the need of this variance by reducing the building footprint. In the R-8 zoning district, the minimum living area set by the UDO for a single-story dwelling unit is 1,250 sf, therefore 2,500 sf for a duplex, while the proposed building pads range from 4,200 sf to 6,000 sf (from 70 x 60 feet to 80 x 75 feet).

The building footprint may be reduced even more with two-story duplexes, the minimum first floor living area for these is 1,900 sf (950 sf per unit). In this case, the proposed building footprint is more than 2 times the minimum living area.”

Applicant responses in the NRSE questionnaire regarding possible alternatives that “The compliance with the wetland buffer/setback cannot be achieved. This is an “after the fact” situation. Fill was permitted to be placed in this area and the impacts to the wetland

setback/buffer already exists (Page 8).” The applicant states in responses to staff comments that “proceeding with a multi-story apartment plan was not supported by the Common Council during Concept Plan discussions (Page 5).

Natural Resource Protection Plan

A few technical corrections to the Natural Resource Protection Plans are required including clarification to the amount of each requested impact, and inclusion of required basic information (§15-7.0201, §15-7.0200, etc.). The NRPP for the reduced setback should also include complete information about temporary impacts to due to grading or clarify if they are no longer necessary.

Environmental Commission Review and Recommendation

Pursuant to Section 15-10.0208 of the Unified Development Ordinance (UDO), all requests for a Natural Resource Special Exception shall be provided to the Environmental Commission for its review and recommendation. The Environmental Commission reviewed this request for a Natural Resources Special Exception at their January 12, 2022 meeting. At that meeting, they adopted the attached Environmental Commission Special Exception Review and Recommendation. Recommended conditions are also incorporated into the draft Standards, Findings and Decision.

Prior to the meeting of the Environmental Commission, staff recommended a condition that “the applicant shall provide for removal of invasive species and restoration of native wetland species in Wetlands 1 and 2,” and that “the applicant shall provide for financial sureties for implementation of restoration, as permitted by §15-4.0103.D.” These conditions were deleted. The proposed condition C regarding restoration and maintenance of wetland setback and buffer was amended to allow for grasses or native plantings, and to require that management and implementation information be provided to staff.

Recommended conditions of approval have also been incorporated into the draft Standards, Findings and Decision of the Common Council.

CONCLUSION

Staff and Environmental Commission recommendations for proposed conditions of approval are incorporated into the decisions section of the draft Standards, Findings, and Decision of the Common Council as recommended conditions of approval.

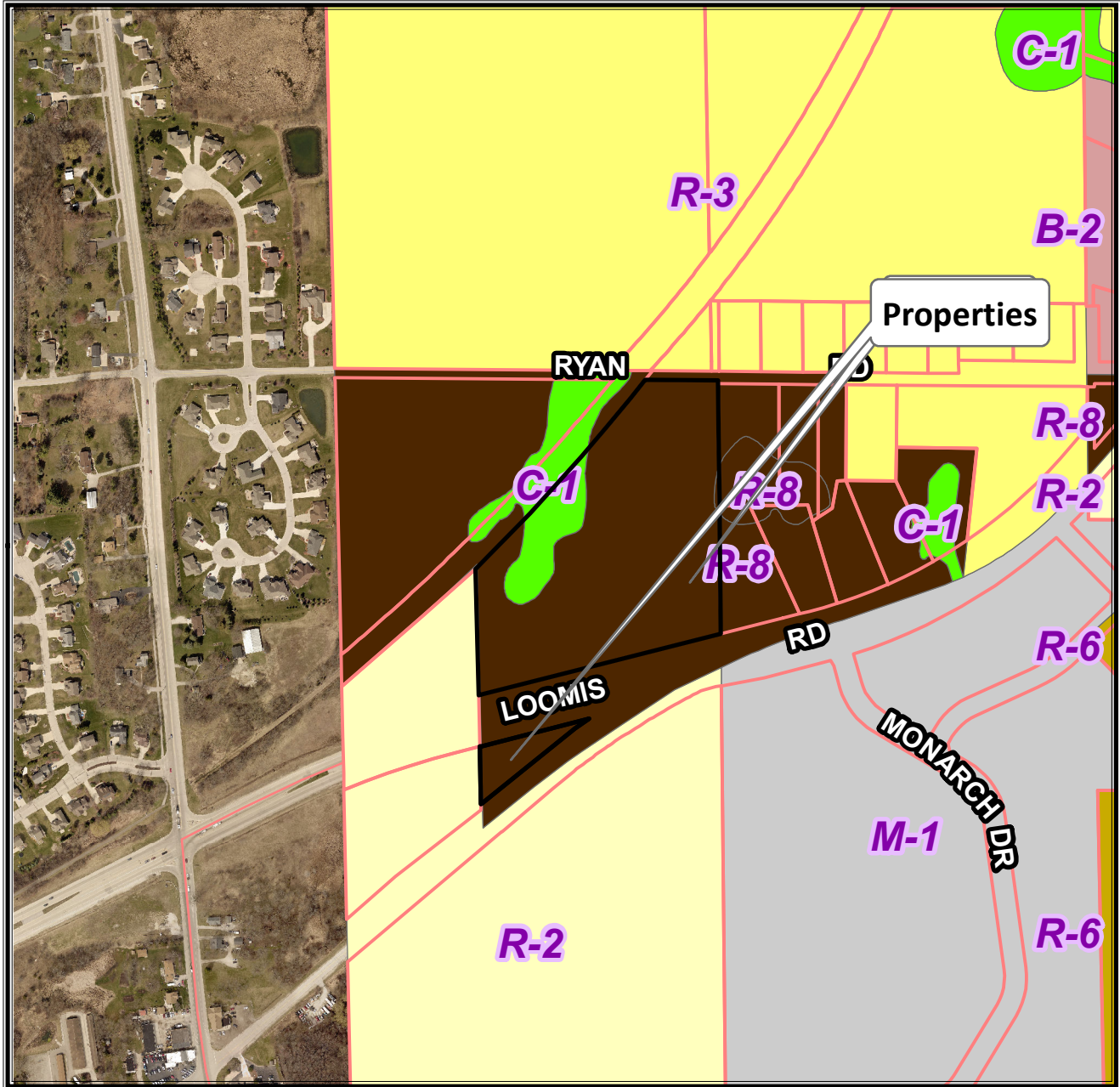
Per Section 15-10.0208 of the Unified Development Ordinance (UDO), the applicant shall have the burden of proof to present evidence sufficient to support a Natural Resource Special Exception (NRSE) request. The applicant has presented evidence for the request by answering the questions and addressing the statements that are part of the Natural Resource Special Exception (NRSE) application. The applicant’s responses to the application’s questions and statements are attached for your review.

Also attached is a copy of the document titled, “City of Franklin Environmental Commission” that reflects the review of the Environmental Commission which must be forwarded to the Common Council. The questions and statements on this document correspond with the Natural Resource Special Exception (NRSE) application questions and statements that the applicant has answered and addressed.

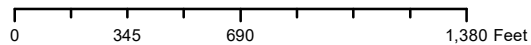
References

Thompson, A. L., Luthin, C. S., A., G. M. P., & Watermolen, D. J., Wetland Restoration Handbook for Wisconsin Landowners⁶⁰ (2010). Madison, WI; Bureau of Integrated Science Services, Wisconsin Dept. of Natural Resources.

12000 W. Loomis Road
TKNs 891 9011 000 & 891 9012 000

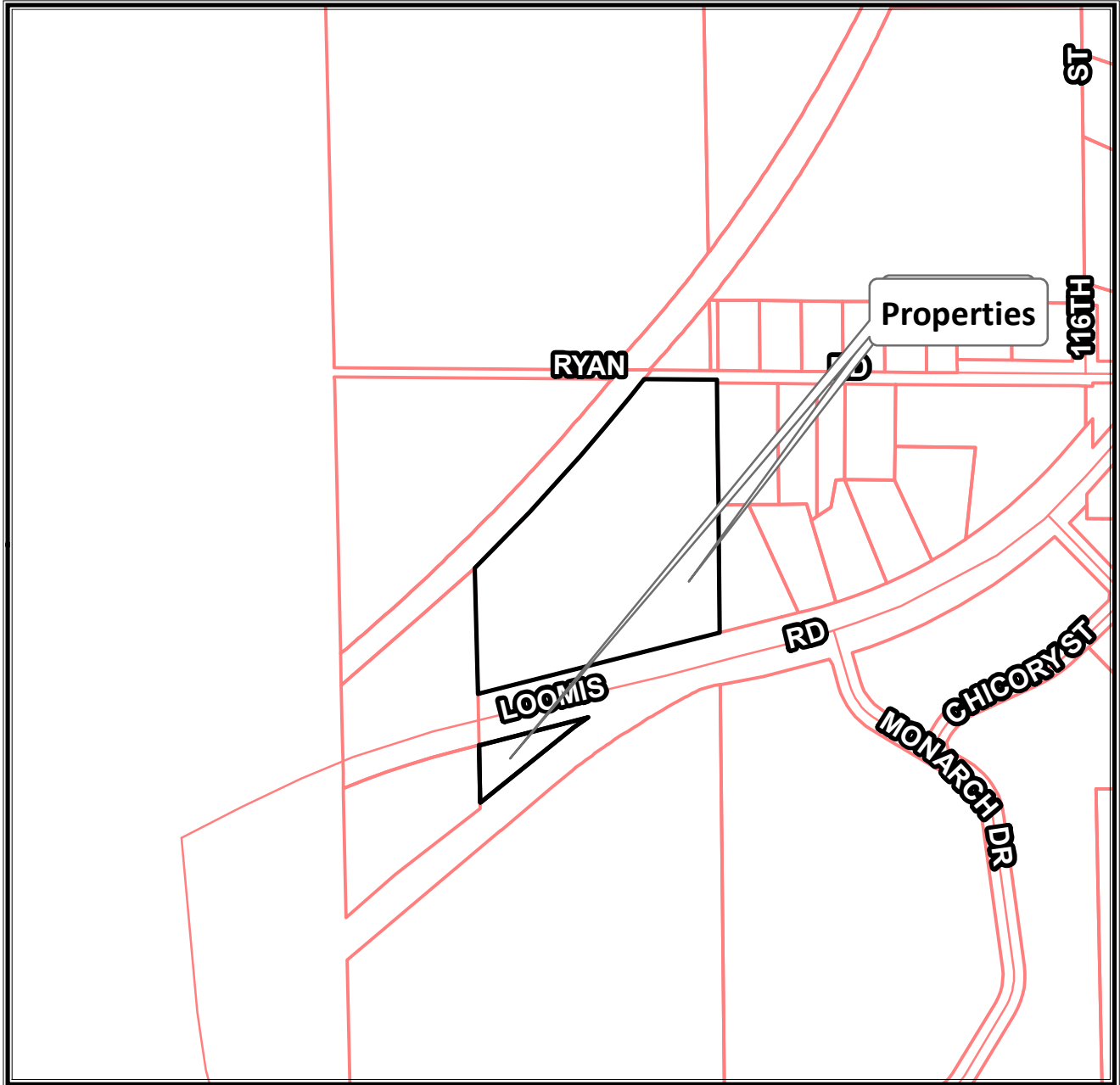


Planning Department
(414) 425-4024

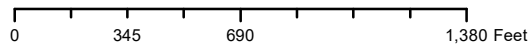


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

12000 W. Loomis Road
 TKNs 891 9011 000 & 891 9012 000



Planning Department
(414) 425-4024



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



Draft 1/20/22

Standards, Findings and Decision
of the City of Franklin Common Council upon the Application of Stephen R. Mills,
President of Bear Development, LLC, applicant, for a Special Exception
to Certain Natural Resource Provisions of the City of Franklin
Unified Development Ordinance

Whereas, Stephen R. Mills, President of Bear Development, LLC, applicant, having filed an application dated September 3, 2021, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated January 12, 2022 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated January 20, 2022 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the property which is the subject of the application for a Special Exception is located at 12000 West Loomis Road, zoned R-8 Multiple-Family Residence District and C-1 Conservancy District, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

Whereas, Section 15-10.0208B. of the City of Franklin Unified Development Ordinance, as amended by Ordinance No. 2003-1747, pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature, provides in part: “The decision of the Common Council upon any decision under this Section shall be in writing, state the grounds of such determination, be filed in the office of the City Planning Manager and be mailed to the applicant.”

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated September 3, 2021, by Stephen R.

Mills, President of Bear Development, LLC, applicant, pursuant to the City of Franklin Unified Development Ordinance, the proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *but rather*, _____.

2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:

a. be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives: _____; *or*

b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives: _____.

3. The Special Exception, including any conditions imposed under this Section will:

a. be consistent with the existing character of the neighborhood: *the proposed development with the grant of a Special Exception as requested will be consistent with the existing character of the neighborhood; and*

b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: _____; *and*

c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: _____; *and*

d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development: *(this finding only applying to an application to improve or enhance a natural resource feature).*

The Common Council considered the following factors in making its determinations pursuant to Section 15-10.0208B.2.d. of the Unified Development Ordinance.

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: _____.

2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: _____.
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: _____.
4. Aesthetics: _____.
5. Degree of noncompliance with the requirement allowed by the Special Exception: _____.
6. Proximity to and character of surrounding property: _____.
7. Zoning of the area in which property is located and neighboring area: *Residential*.
8. Any negative affect upon adjoining property: *No negative affect upon adjoining property is perceived.*
9. Natural features of the property: _____.
10. Environmental impacts: _____.
11. A recommendation from the Environmental Commission as well as a review and recommendation prepared by an Environmental Commission-selected person knowledgeable in natural systems: *The Environmental Commission recommendation and its reference to the report of _____ is incorporated herein.*
12. The practicable alternatives analysis required by Section 15-9.0110C.4. of the Unified Development Ordinance and the overall impact of the entire proposed use or structure, performance standards and analysis with regard to the impacts of the proposal, proposed design solutions for any concerns under the Ordinance, executory actions which would maintain the general intent of the Ordinance in question, and other factors relating to the purpose and intent of the Ordinance section imposing the requirement: *The Plan Commission recommendation and the Environmental Commission recommendation address these factors and are incorporated herein.*

Decision

Upon the above findings and all of the files and proceedings heretofore had upon the subject application, the Common Council hereby grants a Special Exception for such relief as is described within Exhibit C, upon the conditions:

- 1) *that the natural resource features and mitigation areas upon the properties to be developed be protected by a perpetual conservation easement to be approved by the*

Common Council prior to any development within the areas for which the Special Exception is granted prior to prior to any land disturbing activities.;

2) that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted;

3) that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for Stephen R. Mills, President of Bear Development, LLC, applicant, and all other applicable provisions of the Unified Development Ordinance.

4) that the applicant shall provide plans for management of wetland setback that conforms to the standards of §15-4.0102I for appropriate plantings. Turf grasses are prohibited. Other grasses or native plantings are acceptable. Non-vegetative cover is permitted in areas subject to erosion. Management and implementation information shall be included on development plans including landscape plans subject to the review of the Department of City Development.

5) that the applicant shall place boulders or other markers to demarcate the wetland setback on the property.

6) that the applicant shall make required technical corrections (UDO §15-4.0102 and §15-7.0200) to Natural Resource Protection Plans including information about the limits of fill and related grading from fill permit I20201541, subject to staff approval, prior to the commencement of any land disturbance.

7) that the applicant shall clarify the amount of temporary grading impacts.

The duration of this grant of Special Exception is permanent.

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

City of Franklin Environmental Commission

TO: Common Council
DATE: January 12, 2022
RE: Special Exception application review and recommendation
APPLICATION: Stephen R. Mills, President of Bear Development, LLC,
Applicant, dated: September 3, 2021
(12000 West Loomis Road)

I. §15-9.0110 of the Unified Development Ordinance Special Exception to Natural Resource Feature Provisions Application information:

1. Unified Development Ordinance Section(s) from which Special Exception is requested: *The applicant is requesting an exception from §15-4.0101 Natural Resource Protection Standards, and §15-4.0102 Natural Resource Features Determination which require that identified natural resources features be protected from impacts of development.*
2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions): *The Special Exception is being requested to allow for impacts to wetland buffer, consisting of 23,979 SF of temporary grading impact and 1,350 SF of permanent building footprint; and to 3,586 of permanent wetland setback impact related to building footprint.*
3. Applicant's reason for request: *To allow building footprints to be located within the Wetland Buffer and Setback.*
4. Applicant's reason why request appropriate for Special Exception: *The applicant states that "The City of Franklin Plan Commission and City Council has approved a zoning classification and Certified Survey Map for this property. The intended use of the property is condominium neighborhood.*

The applicant has completed a wetland delineation for the property. It was discovered that the property includes wetlands that have expanded due to the fill operation that occurred in 2018. The expansion of the wetlands, artificially, has impacted the buildable area of the site.

Please note that the permitted fill was placed in the wetland setback and buffer, before a development plan was drafted. The fill was placed within the guidelines of a permit granted by the City of Franklin.

The disturbance within the Wetland Buffer and Setback already exists. The Applicant is not proposing any impact to the wetland resource, but simply

requesting that buildings be placed within the Buffer and Setback which has already been impacted.

No permits from either the Wisconsin Department of Natural Resources or the US Army Corps of Engineers are required, as no impact to the wetlands will occur.”

II. Environmental Commission review of the §15-9.0110C.4.f. Natural Resource Feature impacts to functional values:

1. Diversity of flora including State and/or Federal designated threatened and/or endangered species: *The wetland buffer and setback consist of commercial landscape seed mix used to restore the property after the filling operation. Restoration was done as a permit condition. In 2014 prior to the filling operation, Wetland 1, W-1, a SEWRPC Isolated Natural Resource Area, was described as “predominantly native sedge meadow and shallow marsh communities.” Subsequently in 2021 a new delineation finds that that this wetland has been impacted by invasive species.*
2. Storm and flood water storage: *The property is not in a designated floodplain or floodway.*
3. Hydrologic functions: *The applicant states that “the wetland setback/buffer does not have a hydrologic function.” City of Franklin ordinances protect these areas of natural resources as essential to the health of a wetland.*
4. Water quality protection including filtration and storage of sediments, nutrients or toxic substances: *The applicant states that “the site will be fully restored and stabilized after project grading. We anticipate the area between the wetland and future home will be left natural, as it includes a significant slope.”*
5. Shoreline protection against erosion: *Not applicable; impacts to shoreline or shoreline buffer are not proposed.*
6. Habitat for aquatic organisms: *Not applicable.*
7. Habitat for wildlife: *The applicant states that “wildlife habitat will not be impacted. The impact to the wetland buffer/setback was an agricultural field before the filling operation occurred.”. In 2014 prior to the filling operation, Wetland 1 (W-1), which contains SEWRPC Isolated Natural Resource Area, was described as “predominantly native sedge meadow and shallow marsh communities.” Subsequently in 2021 a new delineation finds that that this wetland has been impacted by invasive species.*

8. Human use functional value: *The applicant states that “the proposed areas of impacts are not being used for any type of human use.” At this time, the property is vacant.*
9. Groundwater recharge/discharge protection: *The applicant states that “Groundwater and surface water will continue to drain to the peripheral wetlands.” As part of the development proposal stormwater detention facilities meeting the standards of the UDO will be required.*
10. Aesthetic appeal, recreation, education, and science value: *The applicant states that “there is no educational or scientific function to the impacted areas. There is no aesthetic appeal.” The current site condition is a vacant site impacted by fill.*
11. State or Federal designated threatened or endangered species or species of special concern: *The applicant states that the “owners are not aware of any State or Federal designated threatened or endangered species on our site.” Wetland delineation reports do not provide information about endangered species.*
12. Existence within a Shoreland: *Not applicable; impacts to shoreline buffer are not proposed.*
13. Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time: *The wetland identified as Wetland 1 (W-1), also contains SEWRPC Isolated Natural Resource Areas indicating the presence of important habitat and species. Impacts to the Isolated Natural Resource Area are not proposed.*

III. Environmental Commission review of the §15-10.0208B.2.d. factors and recommendations as to findings thereon:

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *The applicant notes that the site is already impacted by fill. Wetland delineations from 2014 show the existing wetland complexes in the same general locations as 2021; the development cannot proceed as designed without impacts to wetland setback and buffer.*
2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:
 - a. be unreasonably burdensome to the applicants and that there are no reasonable practicable alternatives: *The applicant notes that the site is already impacted by*

fill. The zoning classification (R-8 Multifamily) and allowable site intensity for the property allow for greater intensity of use, however the site access and configuration, and required setbacks create constraints on the placement of buildings and other infrastructure.

; or

b. unreasonably and negatively impact upon the applicants' use of the property and that there are no reasonable practicable alternatives: *The applicant notes that the site is already impacted by fill. The parcel is currently vacant; the proposed use has been affirmed through a rezoning to R-8 Multifamily (ORD 2021-2480), and the applicant has completed a Concept Review and Certified Survey Map approval in seeking this development approval.*

3. The Special Exception, including any conditions imposed under this Section will:

a. be consistent with the existing character of the neighborhood: *The applicant states that "The proposed impact and resulting development will be consistent with the neighborhood and consistent with the existing zoning and Comprehensive Plan." Surrounding properties include future industrial and developing residential uses; and*

b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: *The applicant states that "The situation and conditions related to this project are unique as the affected property was a properly permitted to impact the wetland buffer/setback. Applying the wetland setback/buffer at this point serves no purpose and does not protect the actual wetland resources. Other properties seeking the same relief would need to meet similar standards"; and*

Placement of fill on site was at the request of Bear Development to "raise the sites and help with future development plans (Ruffing, A. 2018, January 14)." The site has since experienced significant degradation and impacts by invasive species. Fill permits for Wisconsin DOT project were approved by the City of Engineering Department. Approvals for fill impacts to wetland setback and buffer were not sought by the applicant at that time.

It is not possible to determine the extent of impact to wetland setback or buffer without complete information about the limits of fill on the property, which the applicant has not provided as of January 6, 2022.

§UDO-15-10.0208B2.c.ii requires that an exception, if granted "Not effectively undermine the ability to apply or enforce the requirement with respect to other properties."

- c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: *Applicant represents that the unique circumstances involved with this request is what the NRSE process was intended for; and*
- d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development (*this finding only applying to an application to improve or enhance a natural resource feature*): *not applicable.*

IV. Environmental Commission review of the §15-10.0208B.2.a., b. and c. factors and recommendations as to findings thereon:

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *The applicant states that “The improvements will not negatively affect surrounding properties.” Proposed impacts will occur within the site and do not extend past the property line.*
2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: *The applicant states that “The exceptional, extraordinary or unusual circumstance is that the resource being impacted has already been impacted and the property has been included in a TID Project Plan whereby the resulting improvements are necessary to generate tax increment.” Tax Increment Districts must include a residential component.*
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The proposed use has been affirmed through a rezoning to R-8 Multifamily (ORD 2021-2480), and the applicant has completed a Concept Review and Certified Survey Map approval in seeking this development approval.*
4. Aesthetics: *The applicant states that “There will be no negative impact to aesthetics. The resulting development will be a residential neighborhood with required street trees and significant green space.”*
5. Degree of noncompliance with the requirement allowed by the Special Exception:

The applicant states that “Considering the that the area of impact was previously disturbed, the NRSE is not over-reaching.”

Placement of fill on site was at the request of Bear Development to “raise the sites and help with future development plans (Ruffing, A. 2018, January 14).” The site has since experienced significant degradation and impacts by invasive species. Fill permits for Wisconsin DOT project were approved by the City of Engineering

Department. Approvals for fill impacts to wetland setback and buffer were not sought by the applicant at that time.

It is not possible to determine the extent of impact to wetland setback or buffer without complete information about the limits of fill on the property, which the applicant has not provided as of January 6, 2022.

6. Proximity to and character of surrounding property: *Proposed impacts will occur within the site and do not extend past the property line. The applicant notes that “Applicant owns the adjacent properties to the east and south. W. Ryan Road separates neighboring land to the north, a WE Energies ROW separates neighboring land to the west and a remnant WDOT parcel is located to the west.”*

7. Zoning of the area in which property is located and neighboring area: *Surrounding zoning consists of Single and Multifamily Residential. There is an area of M-1 Limited Industrial District to the southeast.*

8. Any negative affect upon adjoining property: *Proposed impacts will occur within the site and do not extend past the property line.*

9. Natural features of the property: *The applicant does not propose impacts to natural resource features beyond those included in this request.*

10. Environmental impacts: *The applicant states that “There are no other environmental impacts associated with the NRSE.”*

V. Environmental Commission Recommendation:

The Environmental Commission has reviewed the subject Application pursuant to §15-10.0208B. of the Unified Development Ordinance and makes the following recommendation:

1. The recommendations set forth in Sections III. and IV. Above are incorporated herein.
2. The Environmental Commission recommends [approval] [denial] of the Application upon the aforesaid recommendations for the reasons set forth therein.
3. The Environmental Commission recommends that should the Common Council approve the Application, that such approval be subject to the following conditions:
 - a) The applicant shall submit conservation easements for areas of preserved natural resources (§15- 4.0103.B.1.d, §15-7.0201.H) for

Common Council review and approval, prior to any land disturbing activities.

- b) The applicant shall obtain all necessary approvals from Federal and State regulatory agencies, (§15-10.0208.B.3) prior to any land disturbing activities.
- c) The applicant shall provide plans for management of wetland setback that conforms to the standards of §15-4.0102I for appropriate plantings. Turf grasses are prohibited. Other grasses or native plantings are acceptable. Non-vegetative cover is permitted in areas subject to erosion. Management and implementation information shall be included on development plans including landscape plans subject to the review of the Department of City Development.
- d) The applicant shall place boulders or other markers to demarcate the wetland setback on the property.
- e) The applicant shall make required technical corrections (UDO §15-4.0102 and §15-7.0200) to Natural Resource Protection Plans including information about the limits of fill and related grading from fill permit I20201541, subject to staff approval, prior to the commencement of any land disturbance.
- f) The applicant shall clarify the amount of temporary grading impacts are greater under a reduced setback option.

The above review and recommendation was passed and adopted at a regular meeting of the Environmental Commission of the City of Franklin on the 12th day of January, 2022.

Dated this ____ day of January, 2022.

Linda Horn, Chairman

Attest:

Jamie Groark, Vice-Chairman

Date of Application: _____

NATURAL RESOURCE SPECIAL EXCEPTION APPLICATION

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

<p>Applicant (Full Legal Name[s]): Name: <u>S.R. Mills</u> Company: <u>Boomtown, LLC</u> Mailing Address: <u>4011 80th Street</u> City / State: <u>Kenosha, WI</u> Zip: <u>53142</u> Phone: <u>(262) 949-3788</u> Email Address: <u>dan@beardevelopment.com</u></p> <p>Project Property Information: Property Address: _____ Property Owner(s): <u>Boomtown, LLC</u> _____ Mailing Address: <u>4011 80th Street</u> City / State: <u>Kenosha, WI</u> Zip: <u>53142</u> Email Address: <u>dan@beardevelopment.com</u></p>	<p>Applicant is Represented by (contact person) (Full Legal Name[s]): Name: <u>Daniel Szczap</u> Company: <u>Bear Development</u> Mailing Address: <u>4011 80th Street</u> City / State: <u>Kenosha, WI</u> Zip: <u>53142</u> Phone: <u>(262) 949-3788</u> Email Address: <u>dan@beardevelopment.com</u></p> <p>Tax Key Nos: <u>891-9993-000, 891-9996-000 and 891-997-000</u> _____ Existing Zoning: <u>R-8</u> Existing Use: <u>Agriculture</u> Proposed Use: <u>Two Family Ranch Condominiums</u> Future Land Use Identification: <u>Commercial, MF Residential and Areas of Natural Resource</u></p>
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*The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>


Natural Resource Special Exception Application submittals for review must include and be accompanied by the following:
 (See Section 15-10.0208 of the Unified Development Ordinance for review and approval procedures.)
<http://www.franklinwi.gov/Home/Planning/UnifiedDevelopmentOrdinanceUDO.htm>

- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin: \$500
- Legal Description for the subject property (WORD.doc or compatible format).
- Seven (7) complete **collated** sets of Application materials to include:
 - One (1) original and six (6) copies of a written Project Narrative.
 - Three (3) **folded** full size, drawn to scale copies (at least 24" x 36") of the Plat of Survey (as required by Section 15-9.0110(B) of the Unified Development Ordinance).
 - Three (3) **folded** full size, drawn to scale copies (at least 24" x 36") of the Natural Resource Protection Plan (See Sections 15-4.0102 and 15-7.0201 for information that must be denoted on or included with the NRPP).
 - Four (4) **folded** reduced size (11"x17") copies of the Plat of Survey and Natural Resource Protection Plan.
- Three copies of the Natural Resource Protection report, if applicable. (see Section 15-7.0103Q of the UDO).
- One copy of all necessary governmental agency permits for the project or a written statement as to the status of any application for each such permit.
- Email (or CD ROM) with all plans/submittal materials. Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable).

- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- Natural Resource Special Exception requests require review by the Environmental Commission, public hearing at and review by the Plan Commission, and Common Council approval prior to recording with Milwaukee County Register of Deeds.

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

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



 Signature - Property Owner
Stephen R. Mills
 Name & Title (PRINT)
 Date: 9/1/21

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



 Signature - Applicant
Stephen R. Mills
 Name & Title (PRINT)
 Date: 9/1/21



 Signature - Applicant's Representative
DANIEL J. SZCZAP
 Name & Title (PRINT)
 Date: 9/1/21

December 29, 2021

Ms. Marion Ecks
Associate Planner
City of Franklin
9229 W. Loomis Road
Franklin, Wisconsin 53132

RE: Boomtown, LLC NRSE Response

Dear Ms. Ecks:

We are in receipt of your Review Letter dated December 15, 2021, regarding the Boomtown, LLC application for Natural Resource Special Exception. Please accept this letter and the enclosed materials as our formal response.

Project Narrative

Boomtown, LLC is seeking a Natural Resource Exception for a property located between W. Ryan Road and STH 36 bearing Tax Key Number 891-9011-000. The purpose and need of the NRSE is to except certain natural resource protection standards found in the Unified Development Ordinance to accommodate a residential condominium project and a proposed City of Franklin multi-use trail.

Boomtown, LLC is respectfully requesting approval of the NRSE for lands defined as Wetland Setback and Wetland Buffer in the UDO. The subject request does not include any impacts to delineated wetlands. Further, the areas of NRSE request have been previously impacted with lawful and permitted filling and grading.

Unified Development Ordinance Requirements

- 1.) Conservation Easements

Per City approved and recorded Certified Survey Map Number 9338:

Note 5: Conservation Easements to be recorded via separate documents.

Note 8: Recording of conservation easements for protected natural resources present on Lots 1 and 2 are required prior to the issuance of building or land disturbance permits.

During the approval process of Certified Survey Map #9338, the City recognized that the NRSE was required to facilitate the proposed development. Accordingly, the City approved the CSM with the requirement that Conservation Easements be recorded after the limits of the NRSE were defined and before building/grading permits are issued.



Phone: 262.694.2327



beardevelopment.com



4011 80th Street, Kenosha, WI 53142

Further, the City of Franklin recognized that the Conservation Easement limits would need to exclude the proposed trail. The alignment of the trail has not been finalized.

Enclosed, please find the Revised Natural Resource Protection Plan which depicts the proposed Conservation Easement Limits. It is our intent to include all open spaces within the Conservation Easements to maximize the Preservation/Mitigation Area.

Natural Resource Protection Plan (NRPP)

2) Please include proposed name of the development on the NRPP map (§15-7.0201.A).

The NRPP has been labeled Ryan Road Condominiums

3) Include the names, addresses, and telephone numbers of the owners and/or developer(s) of the property and of the designer of the plan (§15-7.0201.C.)

The NRPP has been revised to include the Owner and Designer contact information.

4) The NRPP map must include information about all impacts and proposed mitigation. Pursuant to §15-4.0102.K and §15-7.0201.J of the UDO, clearly indicate the amount and type of natural resource features to be impacted on the NRPP maps. Please include the following information in the table on the NRPP map (§15-7.0201 and §15-4.0102):

- a. The total site area (§15-7.0201.E). *Total Site Area is 15.60 Acres*
- b. The amount and type of any areas of overlapping natural resource features (§15-4.0102.K). *Overlapping Natural Resource Area have been identified on the NRPP Exhibit and the most restrictive natural resource has been used in the calculations.*
- c. Indicate any areas of the site where natural resources are to be mitigated (§15-7.0201.J). *The applicant will agree to dedicate portions of remaining open space as preservation/mitigation areas. Please see revised NRPP Exhibit.*

5) Indicate preservation and mitigation areas to be included in conservation easements on the NRPP map (§15-7.0201.K and §15-7.0201.J). *Please see revised NRPP Exhibit for proposed Conservation Easements and Preservation Mitigation Areas.*

6) Please clarify the amount and uses of dedicated land in Step 2 of table 15-3.0502 of Site Intensity calculations – what facilities are being counted? *0.19 acres pf property is being dedicated as Ryan Road Right-of-Way.*

Natural Resource Special Exception (NRSE)

7) Please provide a rough estimate of increment that would be provided to the Tax Increment District by the development, as described in the response to NRSE questionnaire question 4.C.vii (§15-9.0110.C.4.b.vi) *The applicant projects a total increase of taxable value of \$9,100,000.00.*



- 8) Please revise response to NRSE questionnaire question 4.D.i. through iv. and 4.E to include information about the current variance request under review (§15-9.0110.C.4.c and §15-9.0110.C.4.d).

Please see enclosed NRSE questionnaire that has been revised.

- 9) Please provide information about any temporary impacts to wetland setbacks due to grading and construction, and plans for restoration of these areas. Restoration of wetland setback must conform to the standards of §15-4.0102I for appropriate plantings. Turf grasses are prohibited. Non-vegetative cover is permitted in areas subject to erosion.

Please note that the Applicant has not initiated detailed civil engineering design efforts. The extent of Natural Resource impacts, at this time, is based off professional opinion of probable impacts. The feasibility of the project is completely dependent on the approval of the NRSE.

Much of the requested impacts to Wetland Buffer and Wetland Setbacks will be temporary in nature. The applicant seeks approval to perform grading and underground utility installation within these areas. Upon completion the temporary disturbance, the areas will be restored with existing earth materials and stabilized with permanent vegetation.

It is important to note that the areas where impacts are proposed have already impacted by previously permitted filling/grading. The area which impacts are requested are not natural and consist of compacted fill.

- 10) Is mitigation or restoration proposed? Please provide information seed mixes and soils for restoration and mitigation areas. Note that plants and soils must be of superior quality to areas of disturbance (§15-4.0103.B.5 and §15-4.0103.B.5).

The Applicant will restore, mitigate, and preserve any areas of the site that are not proposed as building pad, yard, public right-of-way or detention basins.

- 11) Please provide copies of all necessary governmental agency permits for the project or a written statement as to the status of any application for each such permit (§15-10.0208.B.3.).

WDNR NOI- Application due upon final engineering approval from City of Franklin.

WDNR Sanitary Sewer Extension- Application due upon final engineering approval from City of Franklin.

WDNR Public Water Main Extension- Application due upon final engineering approval from City of Franklin.

- 12) No other impacts are proposed to other categories of resources this time. Please note that future impacts in excess of the standards of UDO Part 4 would require an NRSE.



Additional Planning Comments:

1. Conceptual site plan dated 02/10/2021 shows a proposed design without requiring impacts. What changed?
The Concept Plan dated 2/10/21 would indeed require an NRSE for grading within the Wetland Setback, however, encroachment into the Wetland Setbacks were not needed. The City of Franklin required the Applicant to update the Wetland Delineation.

From 2014 to 2021 the existing wetland limits expanded to an extent where impacts to Wetland Setbacks are now required. Please note that the expanded wetlands are likely artificial as they formed due to grading activities and farming has ceased on the subject property.
2. Fill permits were approved by Engineering without additional review for impacts to setback and buffers but not wetland. Was restoration provided for the fill permit guaranteed or subject to maintenance requirements?
The site has been completely stabilized and restored in accordance with the City Permits. No maintenance requirements were imposed.
3. Please continue to label the wetland setback “no build” and the buffer “no touch.” This labeling should also be used when indicating wetland areas on any future Site Plan or landscape plan.
Noted.
4. Note that §15-4.0103D allows for financial sureties to be required for restoration. Plan Commission may choose to impose this requirement on landscape and restoration plans.
Noted.
5. Staff recommends that boulders or other markers be placed to demarcate the wetland setback on the property.
The Applicant will provide boulders and/or signage to delineate the wetland setback. Upon approval of the Condominium Plat, a Declaration of Restrictive Covenants, Restrictions and Easements will be recorded that will restrict the use of the wetland setback and buffer, including the prohibition of any additional buildings within these areas.
6. What is the slope of the existing limits of the fill pile?
The slope of the existing fill varies, but generally are at a 3:1 slope.
7. Staff recommends that the applicant reconfigure the proposal to minimize impacts to areas of W-1, due to the presence of SEWRPC natural resource areas.
No impact to the Isolated Natural Area is proposed. The proposed buildings and associated grading have been shifted as far east as possible to create distance between the proposed grading and wetland.



8. Can building pad depths be reduced? Staff suggests increased building heights to minimize impacts while maintaining floor area.

The proposed building pads are designed to accommodate a residential building product that is marketable and endorsed by the Common Council. Based on the existing Multi-Family zoning on the site, the site could accommodate 48 residential units. Proceeding with a multi-story apartment plan was not supported by the Common Council during Concept Plan discussions.

9. Staff suggests moving building pads around the bulb of the cul-de-sac towards the west, to minimize impacts to W-2.

Please see revised Conceptual Plans. The cul-de-sac has been shifted west to minimize impacts to W-2.

10. Staff notes that the applicant currently has a variance under review in the department. It is recommended that, subject to this approval, the applicant reconfigure site design to minimize proposed wetland buffer impacts.

The Applicant appreciates the suggestion by City Staff to incorporate a reduced front yard setback to reduce impacts. The Variance is being pursued. A Conceptual Plan has been provided that minimizes wetland buffer/setback impacts.

Also included is a NRPP with the original site plan with the typical 25' front yard setback. The variance significantly reduced the wetland setback impacts.

11. Can the cul-de-sac dimensions be reduced to allow for a reduction in impact?

The cul-de-sac shown in the Concept Plan includes the standard City of Franklin specification. The Applicant would be open to suggestions on reducing the size of the cul-de-sac and eliminating the landscape island.



Natural Resource Special Exception Question and Answer Form

Section 1: Per Section 15-9.0110, Applications for a Special Exception to stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback provisions, and for improvements or enhancements to a natural resource feature of this Ordinance shall include the following:

- A. Name and address of the applicant and all abutting and opposite property owners of records.
(Please attach supplemental documents as necessary)

Applicant: **Boomtown, LLC
4011 80th Street
Kenosha, WI 53142**

Abutting Property Owners:

**North: Franklin DC Land, LLC
142 E. Capitol Drive
Hartland, WI 53029-2104**

**WI Electric Power Co.
c/o Real Estate
231 W. Michigan Street
Milwaukee, WI 53203**

**South: Boomtown, LLC
4011 80th Street
Kenosha, WI 53142**

**East: Boomtown, LLC
4011 80th Street
Kenosha, WI 53142**

**West: Wisconsin WDOT
PO Box 798
Waukesha, WI 53187**

**WI Electric Power Co.
c/o Real Estate
231 W. Michigan Street
Milwaukee, WI 53203**

- B. Plat of survey. Plat of survey prepared by a registered land surveyor showing all of the information required under §15-9.0102 of this Ordinance for a Zoning Compliance Permit.

Please see attached.

C. Questions to be answered by the applicant. Items on the application to be provided in writing by the applicant shall include the following:

1. Indication of the section(s) of the UDO for which a Special Exception is requested.

15-4.0101

15-4.0102

2. Statement regarding the Special Exception requested, giving distances and dimensions where appropriate.

The subject property consists of approximately 15.60 acres and includes public road frontage on STH 36 and West Ryan Road. The property is zoned R-8 Multi-Family Residential. A Concept Plan for a 2-family condominium neighborhood has been presented to the Common Council and received very positive feedback. A Certified Survey Map was approved by the City of Franklin earlier this year.

A Wetland Delineation was completed in 2014. The City required an updated wetland be completed in 2021. Between 2014 and 2021 the wetlands have expanded, likely due to grading activities that have occurred on the property.

The property includes two (2) delineated wetlands on the east and west sides of the property. An Approved Jurisdictional Determination was completed by the US Army Corps of Engineers. According to the jurisdiction, the wetlands are not waters of the United States and do not require any Federal permitting. As such, they are considered isolated non-federal wetlands.

Per the delineation, the wetlands are isolated and dominated by reed canary grass, purple loosestrife, narrow leaved cattail and green ash. This species mix indicates a low-quality wetland.

In 2018 the property was fully permitted as a Wisconsin Department of Transportation Select Fill Site. While a WDOT Select fill site is exempt from local municipal regulations, a Land Disturbing Permit was obtained from the City of Franklin. Per the approved permit, select fill was hauled, placed and compacted on the site. The fill was graded to form a “table-top” to facilitate future development of the site. The fill limits were approved outside of the wetland areas, but within the wetland buffers and setback. The limits of fill are depicted on the topographic survey.

The Applicant is requesting a Natural Resource Exception to position buildings within the wetland buffer and setback. The existing wetland boundaries (the natural resource) will not be impacted. Please note that the fill exists within the setback and buffer, as permitted.

3. Statement of the reason(s) for the request.

As part of the mass grading, underground utility construction and public roadway construction, associated with a condominium project, Boomtown LLC is requesting approval of a Natural Resource Special Exception to allow building footprints to be

located within the Wetland Buffer and Setback. Please note that significant fill exists within these areas.

If the UDO Wetland Buffers and Setbacks were enforced, several buildings would not be allowed to be constructed.

Enclosed as part of this submittal, are detailed survey exhibits and grading plans showing the location of the permitted fill and the proposed improvements of the project.

4. Statement of the reasons why the request is an appropriate case for a Special Exception, together with any proposed conditions or safeguards, and the reasons why the proposed Special Exception is in harmony with the general purpose and intent of the Ordinance. In addition, the statement shall address any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district, including a practicable alternative analysis as follows:

The City of Franklin Plan Commission and City Council has approved a zoning classification and Certified Survey Map for this property. The intended use of the property is condominium neighborhood

The applicant has completed a wetland delineation for the property. It was discovered that the property includes wetlands that have expanded due to the fill operation that occurred in 2018. The expansion of the wetlands, artificially, has impacted the buildable area of the site.

Please note that the permitted fill was placed in the wetland setback and buffer, before a development plan was drafted. The fill was placed within the guidelines of a permit granted by the City of Franklin.

The disturbance within the Wetland Buffer and Setback already exists. The Applicant is not proposing any impact to the wetland resource, but simply requesting that buildings be placed within the Buffer and Setback which has already been impacted.

No permits from either the Wisconsin Department of Natural Resources or the US Army Corps of Engineers are required, as no impact to the wetlands will occur.

- a. Background and Purpose of the Project.
 - i. Describe the project and its purpose in detail. Include any pertinent construction plans.

The project is planned for a future residential neighborhood consisting of two-family condominiums.

- ii. State whether the project is an expansion of an existing work or new construction.

New Construction

- iii. State why the project must be located in or adjacent to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback to achieve its purpose.

The wetland exists at the toe of a significant slope of placed and compacted fill material. The fill material exists, not proposed.

The future plans of the property will include buildings with footprints that extend into the wetland buffer and setback. Because of the narrow shape of the property and the location and orientation of the wetland resources, the project cannot be feasibly completed without locating the buildings within the wetland buffer and setback.

- b. Possible Alternatives.

c.

- i. State all of the possible ways the project may proceed without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback as proposed.

While the project cannot proceed without some level of impact to the Wetland Buffer and Setbacks, the Applicant has applied for a Variance to reduce the front yard setback from 25' to 20'. The approval of the Variance would reduce the total amount of impact.

The wetland buffer and setback have already been encroached upon. The applicant is requesting to construct homes within the area that has already been impacted.

- ii. State how the project may be redesigned for the site without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback.

A Variance of the Front Yard Setback would allow the building pads and associated grading to be shifted an additional 5' from the wetland edge. Impacts would still be needed to accommodate the project, but the impact would be reduced.

The wetland buffer and setback have already been encroached upon. The applicant is requesting to construct homes within the area that has already been impacted.

- iii. State how the project may be made smaller while still meeting the project's needs.

iv.

All wetlands on the periphery of the property will be preserved, however, the wetland buffers and setbacks have been impacted by permitted activities.

- v. State what geographic areas were searched for alternative sites.

None

- vi. State whether there are other, non-stream, or other non-navigable water, non-shore buffer, non-wetland, non-wetland buffer, and/or non-wetland setback sites available for development in the area.

It is assumed that there are other areas in the City of Franklin that do not exhibit these unique conditions. However, this property is adjacent to STH 36 and planned for development by the City of Franklin.

- vii. State what will occur if the project does not proceed.

If the project does not proceed, the anticipated tax increment contemplated by the future development will not be generated. The land will sit fallow and vacant within the City limits of Franklin.

- d. Comparison of Alternatives.

- i. State the specific costs of each of the possible alternatives set forth under sub.2., above as compared to the original proposal and consider and document the cost of the resource loss to the community.

Incorporating a reduced front yard, would affect the project costs.

- ii. State any logistical reasons limiting any of the possible alternatives set forth under sub. 2., above.

There would be no logistical reason why the reduced front yard setback could not be implemented.

- iii. State any technological reasons limiting any of the possible alternatives set forth under sub. 2., above.

Please see above.

- iv. State any other reasons limiting any of the possible alternatives set forth under sub. 2., above.

N/A

- e. Choice of Project Plan. State why the project should proceed instead of any of the possible alternatives listed under sub.2., above, which would avoid stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback impacts.

The Applicant would prefer to use a combination of a Front Yard Variance and limited NRSE to facilitate the project. There are no alternatives that completely eliminate the need for the NRSE. The project should proceed because it implements the best design practices and engineering to develop this unique site.

Further, the resource that is being buffered consists of low-quality wetland, that is not federally regulated and likely not subject to State regulation. Further, no impact to the actual resource will occur.

- f. Stream or Other Navigable Water, Shore Buffer, Wetland, Wetland Buffer, and Wetland Setback Description. Describe in detail the stream or other navigable water shore buffer, wetland, wetland buffer, and/or wetland setback at the site which will be affected, including the topography, plants, wildlife, hydrology, soils and any other salient information pertaining to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback.

The wetland Buffer and Setback consists of placed and compacted fill that was placed under a City Permit. The buffer includes a 4:1 slope from the wetland edge to a building pad.

- g. Stream or Other Navigable Water, Shore Buffer, Wetland, Wetland Buffer, and Wetland Setback Impacts. Describe in detail any impacts to the above functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback:

- i. Diversity of flora including State and/or Federal designated threatened and/or endangered species.

The wetland buffer and setback consist of commercial landscape seed mix used to restore the property after the filling operation. Restoration was done as a permit condition.

- ii. Storm and flood water storage.

The property is not in a designated floodplain or floodway.

- iii. Hydrologic functions.

The wetland setback/buffer does not have a hydrologic function.

- iv. Water quality protection including filtration and storage of sediments, nutrients or toxic substances.

The site will be fully restored and stabilized after project grading. We anticipate the area between the wetland and future home will be left natural, as it includes a significant slope.

- v. Shoreline protection against erosion.

N/A

- vi. Habitat for aquatic organisms.

N/A

- vii. Habitat for wildlife.

The wildlife habitat will not be impacted. The impact to the wetland buffer/setback was an agricultural field before the filling operation occurred.

- viii. Human use functional value.

The proposed areas of impacts are not being used for any type of human use.

- ix. Groundwater recharge/discharge protection.

Groundwater and surface water will continue to drain to the peripheral wetlands.

- x. Aesthetic appeal, recreation, education, and science value.

There is no educational or scientific function to the impacted areas. There is no aesthetic appeal .

- xi. Specify any State or Federal designated threatened or endangered species or species of special concern.

Owners are not aware of any State or Federal designated threatened or endangered species on our site.

- xii. Existence within a Shoreland.

N/A

- xiii. Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time.

The property in question does not include any land designated as Primary or Secondary Environmental Corridor as defined by SEWRPC.

- h. Water Quality Protection. Describe how the project protects the public interest in the waters of the State of Wisconsin.

The installation of professionally engineered/designed storm sewer through the area of impact will correct overland drainage issues. Further, on-site storm water detention will improve the quality and rate of storm drainage leaving the site.

- 5. Date of any previous application or request for a Special Exception and the disposition of that previous application or request (if any).

N/A

D. Copies of all necessary governmental agency permits for the project or a written statement as to the status of any application for each such permit. *(Please attach accordingly)*

Section 2: Staff recommends providing statements to the following findings that will be considered by the Common Council in determining whether to grant or deny a Special Exception to the stream, shore buffer, navigable water-related, wetland, wetland buffer and wetland setback regulations of this Ordinance and for improvements or enhancements to a natural resource feature, per Section 15-10.0208B.2. of the Unified Development Ordinance.

a. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature):

The request for Natural Resource Exception is based on fill material being placed in the wetland setback/buffer under a City granted permit. Documentation of the situation is enclosed for review and reference.

b. Compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:

i. be unreasonably burdensome to the applicants and that there are no reasonable practicable alternatives:

The compliance with the wetland buffer/setback cannot be achieved. This is an “after the fact” situation. Fill was permitted to be placed in this area and the impacts to the wetland setback/buffer already exists. The project does not impact streams, waterways, wetlands or navigable waterways. All wetlands on the property have been avoided.

; or

ii. unreasonably and negatively impact upon the applicants’ use of the property and that there are no reasonable practicable alternatives:

Applicant represents that the denial of the NRSE would be unreasonable and negatively impact the applicants proposed use of the property based on the fact that the impacts were permitted and the impact to any functional natural resources is minimal.

c. The Special Exception, including any conditions imposed under this Section will:

i. be consistent with the existing character of the neighborhood:

The proposed impact and resulting development will be consistent with the neighborhood and consistent with the existing zoning and Comprehensive Plan.

; and

ii. not effectively undermine the ability to apply or enforce the requirement with respect to other properties:

The situation and conditions related to this project are unique as the affected property was properly permitted to impact the wetland buffer/setback. Applying the wetland setback/buffer at this point serves no purpose and does not protect the actual wetland resources. Other properties seeking the same relief would need to meet similar standards.

; and

- iii. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement:

Applicant represents that the unique circumstances involved with this request is what the NRSE process was intended for.

; and

- iv. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development (*this finding only applying to an application to improve or enhance a natural resource feature*):

The applicant understands and agrees to place Conservation Easements on other natural resource features within the site, including any areas of mitigation. Further, the project calls for significant installation and maintenance of municipal street trees.

- d. In making its determinations, the Common Council shall consider factors such as:
 - i. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks:

The improvements will not negatively affect surrounding properties.

- ii. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district:

The exceptional, extraordinary or unusual circumstance is that the resource being impacted has already been impacted and the property has been included in a TID Project Plan whereby the resulting improvements are necessary to generate tax increment.

- iii. Existing and future uses of property; useful life of improvements at issue; disability of an occupant:

The future use of the property has been affirmed through zoning, Concept Review and Certified Survey Map.

The future improvements will be permanent.

iv. Aesthetics:

There will be no negative impact to aesthetics. The resulting development will be a residential neighborhood with required street trees and significant green space.

v. Degree of noncompliance with the requirement allowed by the Special Exception:

Considering the that the area of impact was previously disturbed, the NRSE is not over-reaching.

vi. Proximity to and character of surrounding property:

Applicant owns the adjacent properties to the east and south. W.Ryan Road separates neighboring land to the north, a WE Energies ROW separates neighboring land to the west and a remnant WDOT parcel is located to the west.

vii. Zoning of the area in which property is located and neighboring area:

Zoning in the general area is generally Residential.

viii. Any negative affect upon adjoining property:

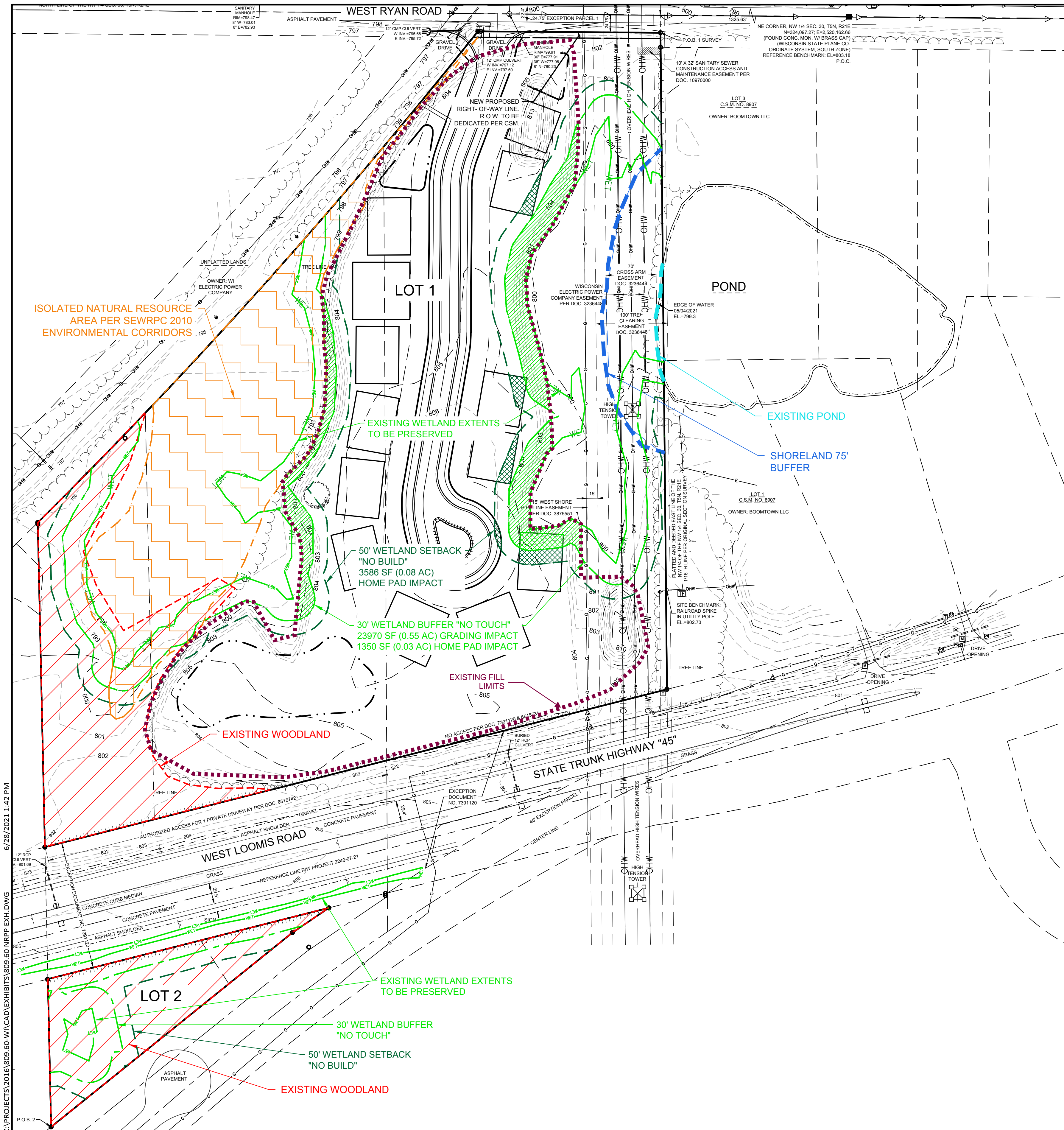
There are no negative affects to the surrounding property.

ix. Natural features of the property:

The natural features of the property are not proposed for disturbance. The project does not include any wetland or forest impact.

x. Environmental impacts:

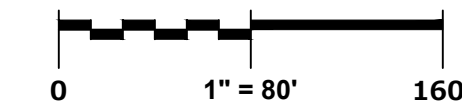
There are no other environmental impacts associated with the NRSE.



25' FRONT SETBACK OPTION



GRAPHICAL SCALE (FEET)



SITE DATA	
PROJECT NAME	LOOMIS ROAD - NORTH DUPLEX DEVELOPMENT
LOCATION/ADDRESS	FRANKLIN, WI 53132
OWNER CONTACT INFORMATION	DAN SZCZAP 4011 80TH ST KENOSHA WI, 53142 DAN@BEARDEVELOPMENT.COM

NATURAL RESOURCE FEATURE AREAS

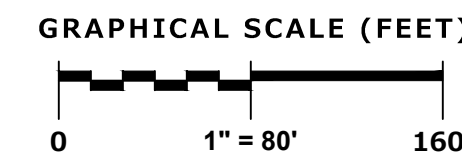
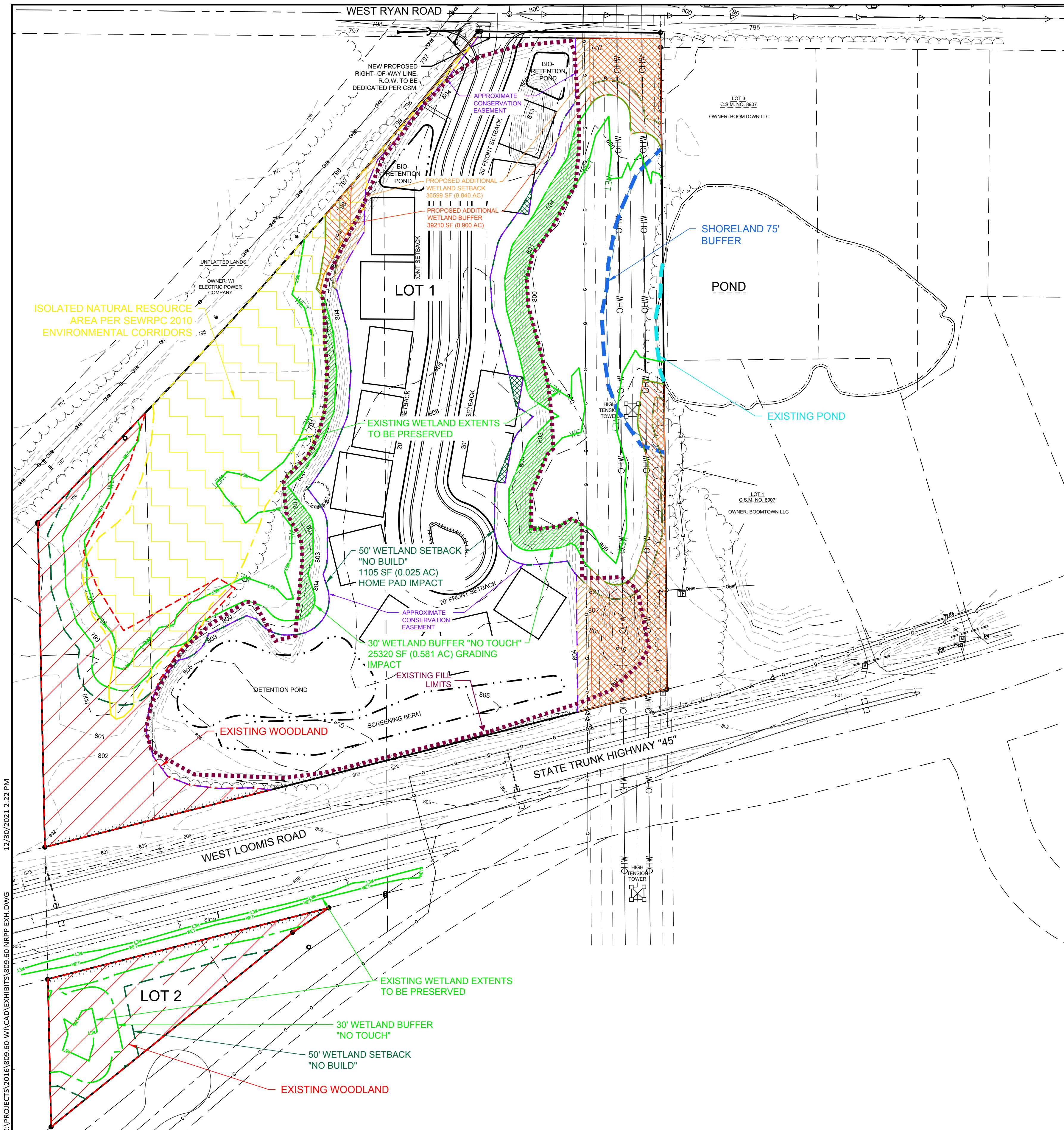
RESOURCE TYPE	AREAS OF RESOURCE	
	LOT 1	LOT 2
STEEP SLOPES AREA*** - 10-19% SLOPES - PER PEG SURVEYED CONTOURS	N/A	N/A
STEEP SLOPES AREA *** - 20-30% SLOPES - PER PEG SURVEYED CONTOURS	N/A	N/A
WETLANDS -SEE DELINEATION INFORMATION BELOW**	164,559 SF (3.78 AC)	2,175 SF (0.05 AC)
WETLAND BUFFER "NO TOUCH" - 30' OFFSET, BASED OFF WETLAND DELINEATION	84,895 SF (1.95 AC)	15,362 SF (0.35 AC)
WETLAND SETBACK "NO BUILD" - 50' OFFSET, BASED OFF WETLAND DELINEATION	53,880 SF (1.24 AC)	9,937 SF (.023 AC)
LAKES & PONDS -FIELD DELINEATED BY PEG SURVEY IN JANUARY OF 2019	1,021 SF (.02 AC)	N/A
SHORE BUFFER - 75' OFFSET, BASED OFF WETLAND DELINEATION	27,137 SF (0.62 AC)	N/A
YOUNG WOODLANDS & FORESTS - BASED OFF PEG SURVEY	75,284 SF (1.73 AC)	39,792 SF (0.91 AC)
STREAMS (NOT PRESENT ON SITE)	N/A	N/A
FLOODPLAINS (NOT PRESENT ON SITE)	N/A	N/A
SEWRPC AREA - BASED OFF 2010 SEWRPC ENVIRONMENTAL CORRIDORS	108,944 SF (2.50 AC)	N/A

* ADDITIONAL INFORMATION IS INCLUDED IN THE ATTACHED SITE INTENSITY CALCULATIONS.
 **WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP INC ON 6-25-2021.
 *** STEEPER SLOPES EXIST ONSITE DUE TO RECENT FILL GRADING THAT WAS COMPLETED. DUE TO THIS (AND BEING MANMADE) THEY ARE NOT INCLUDED IN THIS NRPP.

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FRANKLIN DEVELOPMENT - NATURAL RESOURCES PROTECTION PLAN

10/27/21



SITE DATA	
PROJECT NAME	RYAN ROAD CONDOMINIUMS
LOCATION/ADDRESS	FRANKLIN, WI 53132
OWNER CONTACT INFORMATION	DAN SZCZAP BEAR DEVELOPMENT 4011 80TH ST KENOSHA, WI 53142 dszczap@beardevelopment.com
DESIGNER CONTACT INFORMATION	MATT CAREY PINNACLE ENGINEERING GROUP 20725 WATERTOWN RD BROOKFIELD, WI 53186 matt.carey@pinnacle-engr.com

NATURAL RESOURCE FEATURE AREAS

RESOURCE TYPE	AREAS OF RESOURCE LOT 1 (15.61 AC)		AREAS OF RESOURCE LOT 2 (0.91 AC)	
STEEP SLOPES AREA*** - 10-19% SLOPES - PER PEG SURVEYED CONTOURS	N/A		N/A	
STEEP SLOPES AREA *** - 20-30% SLOPES - PER PEG SURVEYED CONTOURS	N/A		N/A	
WETLANDS - SEE DELINEATION INFORMATION BELOW**	164,559 SF (3.78 AC)	19,845 SF (0.451 AC) RESOURCE OVERLAP	2,175 SF (0.05 AC)	
WETLAND BUFFER "NO TOUCH" - 30' OFFSET, BASED OFF WETLAND DELINEATION	84,895 SF (1.95 AC)	4,288 SF (0.098 AC) RESOURCE OVERLAP	25,320 SF (0.581 AC) GRADING IMPACTS	15,362 SF (0.35 AC)
WETLAND SETBACK "NO BUILD" - 50' OFFSET, BASED OFF WETLAND DELINEATION	53,880 SF (1.24 AC)	2,153 SF (0.049 AC) RESOURCE OVERLAP	1,105 SF (0.025 AC) HOME PAD IMPACTS	9,937 SF (.023 AC)
LAKES & PONDS - FIELD DELINEATED BY PEG SURVEY IN JANUARY OF 2019	1,021 SF (0.02 AC)		N/A	
SHORE BUFFER - 75' OFFSET, BASED OFF WETLAND DELINEATION	27,137 SF (0.62 AC)		N/A	
YOUNG WOODLANDS & FORESTS - BASED OFF PEG SURVEY	75,284 SF (1.73 AC)	33,652 SF (0.773 AC) RESOURCE OVERLAP	39,792 SF (0.91 AC)	27,391 SF (0.629 AC) RESOURCE OVERLAP
STREAMS (NOT PRESENT ON SITE)	N/A		N/A	
FLOODPLAINS (NOT PRESENT ON SITE)	N/A		N/A	
SEWRPC AREA - BASED OFF 2010 SEWRPC ENVIRONMENTAL CORRIDORS	108,944 SF (2.50 AC)		N/A	

* ADDITIONAL INFORMATION IS INCLUDED IN THE ATTACHED SITE INTENSITY CALCULATIONS.
 **WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP INC ON 6-25-2021.
 *** STEEPER SLOPES EXIST ONSITE DUE TO RECENT FILL GRADING THAT WAS COMPLETED. DUE TO THIS (AND BEING MANMADE) THEY ARE NOT INCLUDED IN THIS NRPP.

WETLAND IMPACTS DATA TABLE	
TOTAL WETLAND BUFFER IMPACT:	25,320 SF (0.581 AC)
REQ BUFFER MITIGATION (x1.5):	37,980 SF (0.872 AC)
PROP BUFFER ADDITION:	39,210 SF (0.900 AC)
TOTAL WETLAND SETBACK IMPACT:	1,105 (0.025 AC)
REQ SETBACK MITIGATION (x1.5):	1,658 SF (0.038 AC)
PROP SETBACK ADDITION:	36,599 SF (0.084 AC)

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FRANKLIN DEVELOPMENT - NATURAL RESOURCES PROTECTION PLAN

12/30/21



General Permit

For

Fill

Permit Number: I20180438



Property Location: 12000 W Loomis Rd

Issue Date: 03/14/2018

Tax Key #: 891-9993-000

Expiration Date: 03/15/2020

Subdivision:

Estimated Cost: \$ 4,000.00

Lot:

Project Description: Strip and stockpile topsoil. Approx. 37,500 CY of fill will used to raise the field. The area will be restored with topsoil and seeded. ALL SILT FENCE MUST BE IN PLACE PRIOR TO THE START OF WORK. As DOT contractor, Musson Bros. acknowledges the fill will only come from the project described. Written verification of DNR approval must also be provided to the City. The 4:1 maximum slope must be held. Access to the site must be off STH 36/Loomis Rd. only. There will be no access off of W. Ryan Rd. at any time.

Property Owner:

Mills Hotel Wyoming LLC
4015 80th St
Kenosha WI 53142

Contractor:

Musson Brothers, Inc.
4215 N 124th St
Brookfield WI 53005

Fees Amount

Balance Due \$ 4,000.00

Soil Fill \$ 4,000.00

Total \$ 4,000.00

Permit Issued By:

Owner or Agent:

FRANKLIN CITY
DATE 03/15/2018 10:00:15 AM
REF 4279 - SOIL/FILL PERMIT
RECEIPT 131641
AMOUNT \$4,000.00

Project File Data	Coordinate System
Name: C:\Users\Lisa\Desktop\2018 Jobs\118501 108th Street\Dumpsites\Bear Development\BEAR DEVELOPMENT 11- 6-17.vce	Name: SCS900 Localization
Size: 13 MB	Datum: WGS84 Equivalent Datum
Modified: 4/20/2020 12:23:53 PM (UTC:-5)	Zone: SCS900 Record
Time zone: Central Standard Time	Geoid:
Reference number:	Vertical datum:
Description:	Calibrated site:
Comment 1:	
Comment 2:	
Comment 3:	

Earthwork Volume Report

Unclassified surface compared to Unclassified surface

Surfaces	
11-6-17 topo	Classification: Unclassified
FINAL TOPO	Classification: Unclassified

Bank Volumes Based on Surface Geometry Alone	
Cut material	83.4 yd ³
Fill material	46,804.4 yd ³
Deficit	46,721.0 yd ³

Bank Areas Based on Surface Geometry Alone	
Cut area	8,147.4 ft ²
Fill area	356,671.2 ft ²
Zero volume area	0.9 ft ²
Total	364,819.5 ft ²

Depth summary	
Maximum depth of cut material	1.504 ft
Maximum depth of fill material	6.183 ft

Project File Data	Coordinate System
Name: C:\Users\Lisa\Desktop\2018 Jobs\118501 108th Street\Dumpsites\Bear Development\BEAR DEVELOPMENT 11- 6-17.vce	Name: SCS900 Localization
Size: 14 MB	Datum: WGS84 Equivalent Datum
Modified: 4/24/2020 12:28:56 PM (UTC:-5)	Zone: SCS900 Record
Time zone: Central Standard Time	Geoid:
Reference number:	Vertical datum:
Description:	Calibrated site:
Comment 1:	
Comment 2:	
Comment 3:	

Stockpile Volume Analysis

Measured stockpile surface compared to estimated foundation surface

Surfaces	
TOPSOIL SOUTH PILE	Classification: Unclassified

Volumes from Surface Geometry

Approximate stockpile volume	964.1 yd ³
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Areas from Surface Geometry

Approximate stockpile area	7,162.8 ft ²
Zero volume area	0.4 ft ²
Total	7,163.2 ft ²

Depth summary

Maximum depth of stockpile	7.500 ft
Maximum depth of depression	0.000 ft

This is a report of the volume of a stockpile, as measured between the stockpile surface and a surface constructed from the base of the stockpile.

Project File Data	Coordinate System
Name: C:\Users\Lisa\Desktop\2018 Jobs\118501 108th Street\Dumpsites\Bear Development\BEAR DEVELOPMENT 11- 6-17.vce	Name: SCS900 Localization
Size: 14 MB	Datum: WGS84 Equivalent Datum
Modified: 4/24/2020 12:28:56 PM (UTC:-5)	Zone: SCS900 Record
Time zone: Central Standard Time	Geoid:
Reference number:	Vertical datum:
Description:	Calibrated site:
Comment 1:	
Comment 2:	
Comment 3:	

Stockpile Volume Analysis

Measured stockpile surface compared to estimated foundation surface

Surfaces	
TOPOSIL NORTH PILE	Classification: Unclassified

Volumes from Surface Geometry	
Approximate stockpile volume	944.3 yd ³

Areas from Surface Geometry	
Approximate stockpile area	7,605.6 ft ²
Zero volume area	0.7 ft ²
Total	7,606.2 ft ²

Depth summary	
Maximum depth of stockpile	8.000 ft
Maximum depth of depression	0.000 ft

This is a report of the volume of a stockpile, as measured between the stockpile surface and a surface constructed from the base of the stockpile.

Project File Data	Coordinate System
Name: C:\Users\Lisa\Desktop\2018 Jobs\108th Street\Dumpsites\Bear Development\BEAR DEVELOPMENT 11-6-17.vce	Name: SCS900 Localization
Size: 1 MB	Datum: WGS84 Equivalent Datum
Modified: 3/8/2018 5:49:53 AM (UTC:-6)	Zone: Default
Time zone: Central Standard Time	Geoid:
Reference number:	Vertical datum:
Description:	
Comment 1:	
Comment 2:	
Comment 3:	

Earthwork Volume Report

Unclassified surface compared to Unclassified surface

Surfaces	
11-6-17 topo	Classification: Unclassified
FINAL SURFACE 3-7-18	Classification: Unclassified

Bank Volumes Based on Surface Geometry Alone	
Cut material:	133.0 yd ³
Fill material:	37,405.0 yd ³
Deficit:	37,272.0 yd ³

Note: 'Cut Material' is defined as material where [FINAL SURFACE 3-7-18] is lower than [11-6-17 topo]. 'Fill Material' is defined as the volume of material where [FINAL SURFACE 3-7-18] is higher than [11-6-17 topo].

Note: The above volumes are calculated solely from the geometries of the selected surfaces. No material properties are applied to the above numbers.

Date: 3/8/2018 5:56:59 AM	Project: C:\Users\Lisa\Desktop\2018 Jobs\108th Street\Dumpsites\Bear	Business Center - HCE
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RECEIVED

FEB 14 2018

City of Franklin
Engineering Department

READY MIXED CONCRETE • ASPHALT PAVING • EXCAVATION • TRUCKING

February, 14, 2018

City of Franklin Engineering Dept.
Attn: Glen Morrow
9229 W. Loomis Road
Franklin, WI 531321

Re: Musson Brothers, Inc. - Filling on Bear Development Lands

Glen,

Thanks for discussing the Bear Development project with me this morning. I have been working with Dan Szczap, from Bear Development, for a number of months now and want to make sure things go smoothly for his project and for ours. Their lands near Ryan Road and Loomis are in need of clean fill. I have clean fill available from our 108th Street project between College Ave and Edgerton Ave. The clean fill will raise the sites and help with their future development plans.

As you requested, I have filled out the City of Franklin Fill/Soils Disturbing Permit Application and attached it to our ECIP (erosion control implementation plan). I am required to submit an ECIP, to the WDOT/WDNR, for each selected site where we intend to haul fill, stockpile recyclables, or use as a borrow site. The Bear Site North needs about 60,000 CY's of fill per the proposed site plan that we submitted. I submitted the ECIP to the WDOT/WDNR last week. I have since spoken with Kristina Betzold from the WDNR. I forwarded to her the Wetland Delineation Report that Bear had done recently. She will be reviewing the ECIP and the Delineation Report and will reply with any comments or concerns. I expect that she will ask for a site visit to discuss placement of the Silt Fence and any other BMP's that may be necessary. The WDOT environmental staff will also review and consult with the WDNR and make their own comments. I will revise my ECIP to incorporate any changes that the WDOT/WDNR requires. I will keep the City informed as to any changes, to the ECIP, that the WDOT/WDNR requires.

Please let me know if we will be required to pay the fees as per the matrix on your Permit Application. The Bear Site North could use approximately 60,000 CY's and the south sites at least that much. That could mean an expense of \$10,000 to \$15,000 in fees that had not been accounted for in our bid.

Please feel free to contact me with any questions. My mobile #414-303-2721, email aruffing@mussonbrothers.com.

Sincerely,
Andy Ruffing
Musson Brothers, Inc.

P.O. Box 818
Rhinelander, Wisconsin 54501
(715) 365-8700
Fax (715) 369-9296

AN EQUAL OPPORTUNITY EMPLOYER

4215 N. 124th Street
Brookfield, WI 53005
(262) 790-5060
Fax (262) 790-5069



<i>Office Use Only:</i>	
Permit No. _____	Address: _____
Issue Date: _____	Owner: _____
Expire Date: _____	WIDNR Permit No. _____

FILL/SOILS DISTURBING PERMIT APPLICATION

This permit application and permit are authorized by Division 15-8.0300 of the City of Franklin Unified Development Ordinance ("UDO"). Please call the Engineering Dept. at 414-425-7510 with any questions regarding this application.

Classes of Applications:

Class	Fee	Nature of land disturbing construction activity
1	\$50	1/4 to 1/2 acres disturbed and/or 25 to 100 cu. Yds. fill or excavation
2	\$100	1/2 to 2 acres disturbed and/or 100 to 500 cu. yds. fill or excavation; Supporting or Adjoining Natural Resource Features (see UDO §15-8.0302A.6); and Adverse Drainage Impacting (see UDO §15-8.0302A.7)
3	\$250 +\$50*	2 or more acres disturbed and/or 500 or more cu. yds. fill or excavation; *\$50 for each 500 cu. yds. or portion thereof in addition to the base 500 cu. yds.

Class 3 at fee amount of \$250 plus 120 additional 500 cu. yds. at \$50 = \$6,250 Total Fee Paid

Application Notes:

- Each Fill/Soils Disturbing Permit Application must include an erosion and sediment control plan (see UDO §15-8.0307), except as set forth below.
- The fill site plan shall include existing and proposed contours, site cross-sections at a minimum of 100-foot intervals or closer on smaller sites, and perimeter down sloping no greater than 4:1.
- In lieu of a control plan, a Class 1 applicant may submit a plat of survey depicting the area and describing any volume of and the nature of the land disturbing construction activity, and the restoration to be performed, if any, together with such other information as reasonably required by the City Engineer or designee (see UDO §15-8.0306A.).
- In lieu of a control plan, an Adverse Drainage Impacting Class 2 applicant may submit an erosion and sediment control plan statement, which shall briefly describe the site, including a site map, the best management practices that will be used, and the site development schedule (see UDO §15-8.0307B.).
- An application may have to include additional information (see UDO §15-8.0306C.) and any permit granted may include conditions, including, but not limited to a form of surety bond (letter of credit) (see UDO §15-8.0306D.).
- If a land disturbing construction site activity involves 1 or more acres of land area, a permit is additionally required from the Wisconsin Department of Natural Resources prior to the commencement of such activity.

Applicant Agent/Owner to Complete:

Nature of land disturbing construction activity:

Describe: (fill, grade, etc.) Filling & Grading

Land Area Involved: (acres) Approx 8 acres

Volume of Material: (cu. yds.) Approx 60,000 cy's

Location(s) of Fill Source: 108th Street (College Ave. to Edgerton Ave.)

Natural Resource Feature(s) Within 100 Feet: YES NO

Proposed Start Date: March 12, 2018

Proposed Completion Date: November 2, 2018

I have reviewed and understand Division 15-8.0300 of the City of Franklin Unified Development Ordinance pertaining to erosion control and I shall implement the control plan, control plan statement, best management practices, and/or restoration as applicable to my activity and as may be required by any permit granted to me for this project.

I further grant the right of entry onto the property which is the subject of this Permit Application, to the City of Franklin City Engineer or designee, for the purpose of inspecting and monitoring for compliance with Division 15-8.0300 of the City of Franklin Unified Development Ordinance.

I hereby certify that the information provided by me upon and with this Permit Application is, to the best of my knowledge and belief, true, accurate and complete.

Property & Location:

Street Address: Approx. 12300 W. Ryan Rd.
City/State/Zip: Franklin, WI 53132
Tax Key #: 891-9993-000 12000 W. LOOMIS RD.

Owner(s) Bear Development
Name: Mills Hotel Wyoming, LLC
Street Address: 4015 80th Street
City/State/Zip: Kenosha, WI 53142
Tax Key #: _____
Phone: 262-842-0456
Fax: 262-842-0457
Email: dszazap@bearddevelopment.com
Date: _____

Applicant /Agent
Name: Nusson Brothers, Inc / Andy Ruffing
Street Address: 4215 N. 124th Street
City/State/Zip: Brookfield, WI 53005
Tax Key #: _____
Phone: 414-303-2721
Fax: 262-790-5069
Email: aruffing@nussonbrothers.com
Date: February 14, 2018

Signature: _____

Signature: Andy J. Ruffing

Signature: _____

FILL/SOILS DISTURBING PERMIT

The above Fill/Soils Disturbing Permit Application is hereby conditionally approved upon all of the above statements and terms and the terms and provisions of Division 15-8.0300 of the City of Franklin Unified Development Ordinance, including, but not limited to the requirement of the Owner and any Applicant Agent to notify the City Engineer or City Engineer's designee within 48 hours of the commencement of any land disturbing construction activity, and all other applicable laws. This approval is also subject to those conditions as may be set forth below.

Conditions of Approval:

Approved By:

Franklin City Engineer or Authorized Representative

Date

B. Erosion Control Implementation Plan Requirements - Selected Sites

Project ID: 2140-11-70 Highway: USH 45 County: Milwaukee

Name of Road/Project: 108th Street (Hales Corners) - College Avenue – Edgerton Avenue

Type of Work: Removals, common excavation, excavation below subgrade, underdrain, breaker run, base aggregate dense, HMA pavement, concrete pavement, concrete curb and gutter, concrete sidewalk, roundabout, colored concrete, stamping colored concrete, standard lighting, decorative lighting, storm sewer, temporary and permanent traffic signal, pavement marking, permanent signing, and all incidental items necessary to complete the work as shown on the plans and included in the proposal and contract.

Prime Contractor: Musson Brothers, Inc.

Address: 4215 N. 124th St. Brookfield, WI 53005

Contact Person: Andrew Ruffing Phone: 262-790-5060

DOT Project Manager: Charles Krummel Project Leader: Paul Watry

The ECIP shall also include, at a minimum, a narrative and pictorial description for each of the selected sites, if any, and attendant erosion control and storm water management measures for the selected sites. If the combined area of the project site and all selected sites disturbs 1 or more acres as determined by WisDOT the following information is required for **each** selected site.

If a selected site is used prior to WisDOT approval, it is not covered under the Cooperative Agreement between DOT and DNR and all applicable permits need to be obtained before the selected site can be used.

- 1. Selected Site Name: Bear Site North
Address: Between W. Ryan Rd and W. Loomis Rd. (approx.. 1,500 ft W. of the intersection of Ryan & Loomis.)
City/Village/Town: Franklin County: Milwaukee
Part of NW ¼ Sec 30, T5N
R21E
Township Range Section 1/4 Sect. 1/4-1/4 Sect.
Include a location map, i.e. a plat map.

- 2. Principal contact of the contractor or other person responsible for installation, maintenance, and removal of erosion control and storm water management measures at the selected site.
Name: Tyler Trimberger Phone: (262) 224-7377
Firm: Arbor Green, Inc.
Address: 430 E. Albert Street
Portage, WI 53901

- 3. Is this a commercial pit? No If no, continue to #4
If yes, Name of the pit: _____
Contact for the pit: _____ Phone: _____

Include cover sheet of NR 216, NR 135 or COMM permit displaying the permit number, CUP number and expiration date.

Will the waste or borrow be in the permitted area? Yes

If yes then end of Part B for this selected site. If no then complete remainder of Part B.

4. Have applicable permits been obtained? Na. see above
5. Is the selected site on tribal land? No
6. Has the Archaeological Review (Form DT1919) been sent to BEES? Yes
What was the Bureau recommendation? x Have not received response yet
 Survey Recommended High Potential OK to Proceed
7. Construction activity dates at the selected site: Start: March 5, 2018 Comp.: Oct 12, 2018
8. A narrative description of the selected site as it exists before construction, the nature of the activities to be performed at the site including approximate quantity of waste/borrow material, and land use anticipated after restoration to the site. – ***The site is a relatively flat farm field, with a crown, that slopes both east and west to adjacent wetland areas. Approximately 60,000 CY of fill will be used to raise the field on average between 3 to 7 vertical feet. Topsoil will be stripped from the areas to be filled and moved to temporary stockpile areas to the NE and SW. Fill will be added and topsoil will be respread. Drainage on the site goes to the east and west towards the adjacent wetlands. The general area is eastward sloping. The site will be accessed directly from Loomis Rd.***
9. A description of the intended sequence of major land disturbing activities at the selected site: ***After the installation of silt fence, topsoil will be stripped and stockpiled on the northeastern and southwestern parts of Fill Area. Filling will happen from south to north. Positive drainage will be maintained at all times. All areas will be restored with topsoil, fertilizer, and seed upon completion of our filling. Fertilizer application rates and seeding will be discussed with the farmer prior to the work being done.***
10. Estimated total area of selected site: Total disturbed area: 8.5 +/- acres
11. Immediate receiving waters: _____
(Attach FEMA Floodplain maps)
12. Runoff coefficients at the selected site. (Attach the Runoff Coefficient Table)
Supply the following estimates: Site slope before construction: 2% After: 2%
13. Site map(s) including: (See Trans 401.08(2)(b)(11) for details).
 - a. Boundaries of the site and areas of soil disturbance.
 - b. Existing topography and drainage patterns, roads and surface waters.
 - c. Drainage patterns and approximate slopes anticipated after major grading activities.
 - d. Location of major structural and non-structural erosion control and stormwater management practices.
 - e. Location of areas where stabilization will be employed, including but not limited to

- vegetation, following construction or maintenance activities.
 - f. Area and extent of wetland acreage on the site, whether disturbed or not.
 - g. Locations where storm water is discharged to a surface water or wetland.
 - h. Location of any internal haul roads.
- (Recommend using USGS maps, Orthophotos, SCS Soils maps, or equivalent.)

14. A description of appropriate erosion control and storm water management measures that will be employed at the selected site to prevent sediments and pollutants from reaching waters of the state, including wetlands. The plan shall clearly describe the appropriate best management practice for each major activity identified and the timing during the construction process that the measures will be implemented. The description of best management practices shall include:
- a. Description of permanent or temporary erosion control and storm water management measures. Plans shall ensure the preservation of existing vegetation where practical.
 - b. Description of structural practices to divert runoff away from exposed soils, to store flows or to otherwise limit runoff and the discharge of pollutants from the site.
 - c. Management of overland flow at the site.
 - d. Trapping of sediment in channelized flow.
 - e. Staging construction to limit bare areas subject to erosion.
 - f. Protection of downslope drainage inlets where they occur.
 - g. Minimization of tracking at the site.
 - h. Clean up of off-site sediment deposits.
 - i. Proper disposal of building and waste material at the site.
 - j. Stabilization of drainage ways.
 - k. Installation of permanent stabilization practices as soon as possible after final grading.
 - l. Minimization of dust to the maximum extent practical.
 - m. Stabilization of the disturbed portions of the site.

Silt fence will be installed prior to filling on the site. Hay bale reinforcement or a second line of silt fence will be added if it is determined that additional protection is necessary. Temporary seeding will be applied to topsoil stockpiles if the stockpiles are to be left for more than 2 weeks. Efforts will be made to leave existing vegetation in place to aid in the control of erosion and sedimentation. A tracking pad will be built and used to access the site from Loomis Rd. The tracking pad will be maintained to help reduce tracking to public roadways. If soils are tracked from the site, cleanup will be accomplished using loader, sweeper with water spray mechanisms, and water truck. A pick up broom will be utilized if other methods are unsuccessful. Dust will be controlled using water. Silt fence will be removed after vegetation has been re-established and the site is stabilized.

16. A description of the procedures to maintain vegetation, best management practices and other protective measures, in good and effective operating condition. If the selected site will remain open for more than 2 weeks without construction activities (i.e. over-winter), how will the site be stabilized and how often will it be inspected? ***Vegetation will be left in all areas as long as possible until the areas are required for waste excavation placement. Best management practices will be used to control erosion and sedimentation. The site erosion control devices will be inspected at a minimum weekly and after all ½" or greater rain events.***

If permanent infiltration devices are employed, complete:

17. Existing data describing the surface soil, subsoils, and depth to groundwater at the selected site. (Refer to Soil Conservation Service's County Soil Survey Book or equivalent where available.)



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Item C.2.

Meeting of January 20, 2022

Rezoning and Certified Survey Map

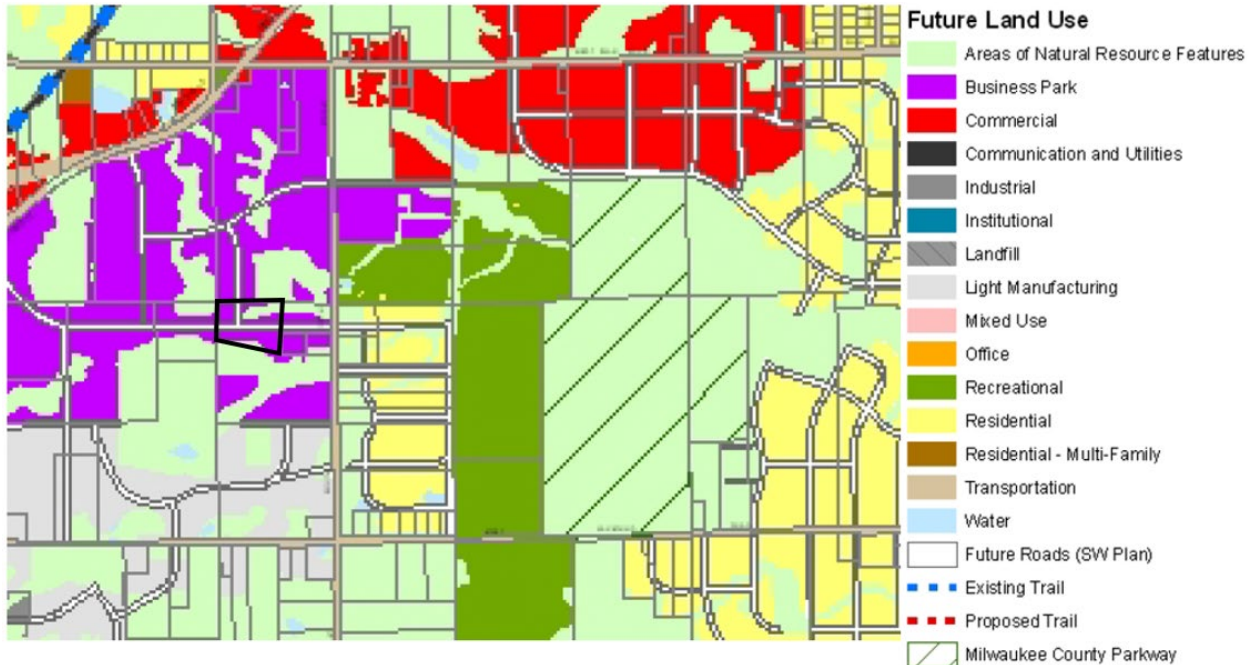
RECOMMENDATION: City Development staff recommends approval of the subject applications for Rezoning and Certified Survey Map.

Project Name:	Bear Development & Singh, Rezoning and Certified Survey Map
Project Address:	Unassigned address. Properties approximately located at the end of Monarch Drive. Total area: 56.04 acres
Applicant:	S.R. Mills. Bear Development, LLC
Property Owner:	Loomis & Ryan, Inc. (891 1084 000); Gurjit Singh and Gurmit Kaur (938 9994 004)
Current Zoning:	M-1 Limited Industrial, R-2 Estate Single-Family Residence District and C-1 Conservancy District
2025 Comprehensive Plan:	Business Park and Areas of Natural Resource Features
Use of Surrounding Properties:	Vacant lots zoned M-1 in the Ryan Meadows subdivision to the north and northwest, outlot of the Ryan Meadows subdivision to the northeast, residential zoned R-2 to the east and south, Copart facility under construction to the west
Applicant’s Action Requested:	Recommendation to the Common Council for approval of the subject applications for Rezoning and Certified Survey Map
Planner:	Régulo Martínez-Montilva, Principal Planner

The subject Rezoning and Certified Survey Map applications are for the reconfiguration of lot 84 of Ryan Meadows and an adjacent property located on the west side of S. 112th Street.

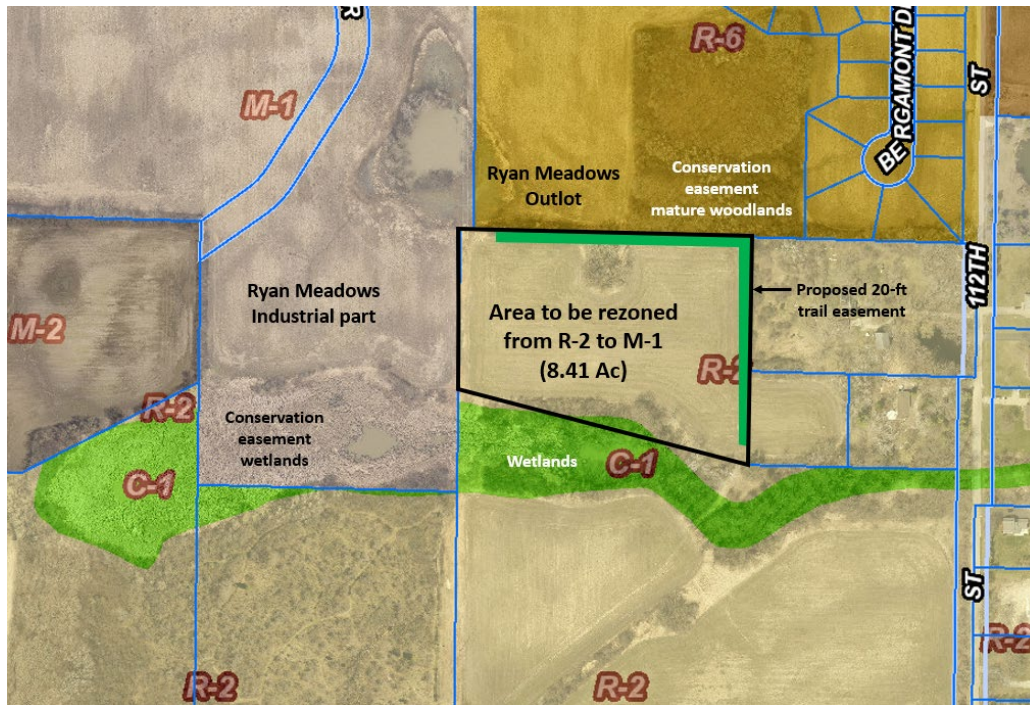
Rezoning:

The applicant is requesting to change the zoning of a part of the proposed Lot 2 from R-2 Estate Single-Family Residence District to M-1 Limited Industrial for future industrial development. The area to be rezoned (8.41 acres) is designated as Business Park and Area of Natural Resource Features in the 2025 Future Land Use Map. The proposed M-1 zoning is consistent with the Business Park use designation of the Comprehensive Plan. A city zoning ordinance is required to be consistent with the local comprehensive plan per Wisconsin Statutes §66.1001(3), “consistent with” means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan”.



City of Franklin 2025 Future Land Use Map, black shape indicates area to be rezoned.

With regards to compatibility with adjacent land uses, the proposed Lot 2 with M-1 zoning for industrial use would have access from Monarch Drive through the industrial part of the Ryan Meadows subdivision which is currently zoned M-1. The adjacent properties zoned residential (R-2) to the north, east and south would be buffered by the proposed trail easement and wetlands areas from any future industrial development in Lot 2.



Current zoning map, area to be rezoned and surroundings.

If approved, this rezoning would not allow for impact to existing natural resource features, such impact would require a separate Natural Resource Special Exception.

Certified Survey Map:

The proposed Certified Survey Map reconfigures the subject two properties: Lot 84 of Ryan Meadows owned by Loomis & Ryan, Inc. on the east side of Monarch Drive and south of Chicory Street, about 24.06 acres; the other property bearing Tax Key Number (TKN) 938 9994 004 is owned by Gurjit Singh and Gurmit Kaur and it is about 31.93 acres.

The CSM creates three new lots with Lot 1 having an area of approximately 9.39 acres (to be owned by Loomis & Ryan, Inc.); Lot 2 about 22.88 acres (to be owned by Loomis & Ryan, Inc.) and Lot 3 with 23.57 acres (to be owned by Singh and Kaur). The land division request essentially allows Loomis & Ryan, Inc. to purchase about 8 acres of land. This CSM also includes a temporary turn around easement at the end of Monarch Drive (sheet 15), a 20-foot trail easement (sheet 9).

If the concurrent rezoning request is approved, lots 1 and 2 would be zoned M-1 for industrial use. These two proposed lots meet the dimensional standards of the M-1 Limited Industrial zoning district, such as the minimum lot area of 20,000 square feet and minimum lot width of 100 feet. Lot 3 would remain zoned R-2 Estate Single-Family Residence District and exceed the lot standards for this district: 40,000 square feet for minimum lot area and 150 feet for minimum lot width.

Landscape bufferyard easements are required between different zoning districts, for example between the R-2 and M-1 zoning districts. City Development staff does not recommend separate landscape bufferyard easements for this certified survey map due to wetlands located between lots 2 and 3, as well as the proposed trail easement on lot 2 (CSM sheet #9).

Natural resource protection and conservation easements:

Part of this Certified Survey Map (CSM) is located in the in the Ryan Meadows subdivision, specifically Lot 84, where the existing wetland located in the southernmost portion of this lot is already protected by a conservation easement (Doc #10995757).

The proposed lots 2 and 3 contain wetland areas subject to the natural resource protection standards of the Unified Development Ordinance (UDO) as depicted in CSM sheets #4-5. UDO Section 15-7.0702P states that “conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map” and “shall be filed with the Certified Survey Map or submitted for review as a condition of any approval thereof”.

City Development staff indicated the applicant to shade the areas to be protected by conservation easements. The applicant is requesting to defer this requirement prior to the issuance of a building permit or land disturbance permit rather than concurrently with the recording of this CSM (sheet #14, note 7). The applicant’s basis for this request is potential impact to natural resources in Lot 2 and no immediate development plans for Lot 3.

Recommendation

City Development staff recommends approval of this Rezoning and Certified Survey Map subject to the conditions in the draft resolution.

City Development sent a memorandum with review comments to the applicant on December 27, 2021. Some of the items have been addressed while others have not been fully addressed and are outlined in the attached resolution for consideration by the Plan Commission, specifically for the Certified Survey Map:

- **Condition #6, City Development staff recommends** that a conservation easement be provided as part of, and recorded simultaneously with, the Certified Survey Map (CSM) as required by Section 15-7.0702P. of the UDO. However, staff acknowledges that the applicant is providing graphical delineation of present wetland boundaries and associated buffers and setbacks (sheets 4-5 & 12-13). If approved, the subject CSM and rezoning are not authorizing any impacts to existing natural resources.

The applicant is requesting that the recording of a conservation easement be deferred to the time of development, prior to issuance of building or land disturbance permits. The Plan Commission may remove this condition to defer the conservation easement as requested by the applicant (sheet #14, note 7).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 12-28-21]

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF
LAND FROM M-1 LIMITED INDUSTRIAL DISTRICT AND R-2 ESTATE SINGLE-
FAMILY RESIDENCE DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT
(GENERALLY LOCATED AT THE END OF MONARCH DRIVE IN THE RYAN
MEADOWS SUBDIVISION (LOT 84 OF RYAN MEADOWS AND AN ADJACENT
PROPERTY LOCATED ON THE WEST SIDE OF SOUTH 112TH STREET)
(APPROXIMATELY 22.88 ACRES)
(STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT)

WHEREAS, Stephen R. Mills, President of Bear Development, LLC having petitioned for the rezoning of approximately 22.88 acres of land, from M-1 Limited Industrial District and R-2 Estate Single-Family Residence District to M-1 Limited Industrial District, such land generally located at the end of Monarch Drive in the Ryan Meadows subdivision (Lot 84 of Ryan Meadows subdivision and an adjacent property located on the west side of South 112th Street) [*the Rezoning is contingent upon approval of the concurrent Certified Survey Map application*]; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 20th day of January, 2022, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for land generally located at the end of Monarch Drive in the Ryan Meadows subdivision (Lot 84 of Ryan Meadows subdivision and an adjacent property located on the west side of South 112th Street), described below, be changed from M-1 Limited Industrial District and R-2 Estate Single-Family Residence District to

M-1 Limited Industrial District:

Being a part of Parcel 1 of Certified Survey Map No. 975, as recorded in the Register of Deeds office for Milwaukee County as Document No. 4446377, located in the Northwest 1/4 of the Southeast 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Beginning at the northwest corner of Parcel 1 of Certified Survey Map No. 975; Thence South 89°42'41" East along the north line of said Parcel 1, 743.83 feet to the east line of said Parcel 1; Thence South 00°33'39" East along said east line and then continuing, 575.04 feet; Thence North 77°18'53" West, 764.02 feet to the west line of said Parcel 1; Thence North 00°34'05" West along said west line, 411.00 feet to the Point of Beginning.

Tax Key No.: part of 938-9994-004.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022, by Alderman _____.

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

APPROVED:

Stephen R. Olson, Mayor

ORDINANCE NO. 2022-_____

Page 3

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2022-_____

A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING ALL OF LOT 84 IN RYAN MEADOWS AND A PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 975, LOCATED IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 ALL IN SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT (LOOMIS & RYAN, INC. AND GURJIT SINGH AND GURMIT KAUR, PROPERTY OWNERS)) (LOT 84 OF RYAN MEADOWS SUBDIVISION AND AN ADJACENT PROPERTY LOCATED ON THE WEST SIDE OF SOUTH 112TH STREET (APPROXIMATELY LOCATED AT THE END OF MONARCH DRIVE IN THE RYAN MEADOWS SUBDIVISION))

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being all of Lot 84 in Ryan Meadows and a part of Parcel 1 of Certified Survey Map No. 975, located in the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 AND the Northwest 1/4 of the Southeast 1/4 AND the Northeast 1/4 of the Southwest 1/4 AND the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, Lot 84 of Ryan Meadows subdivision and an adjacent property located on the west side of South 112th street (approximately located at the end of Monarch Drive in the Ryan Meadows subdivision) [Lot 84 of Ryan Meadows is owned by Loomis & Ryan, Inc., on the east side of Monarch Drive and south of Chicory Street (Tax Key Number 891-1084-000; approximately 24.06 acres); the other property bearing Tax Key Number 938-9994-004 is owned by Gurjit Singh and Gurmit Kaur (approximately 31.93 acres); the Certified Survey Map creates three new lots with Lot 1 having an area of approximately 9.39 acres (to be owned by Loomis & Ryan, Inc.); Lot 2 approximately 22.88 acres (to be owned by Loomis & Ryan, Inc.) and Lot 3 with 23.57 acres (to be owned by Singh and Kaur)], Stephen R. Mills, President of Bear Development, LLC, applicant, Loomis & Ryan, Inc. and Gurjit Singh and Gurmit Kaur, property owners; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP

RESOLUTION NO. 2022-_____

Page 2

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Stephen R. Mills, President of Bear Development, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9 of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Stephen R. Mills, President of Bear Development, LLC, successors and assigns, and any developer of this 3-lot certified survey map, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Stephen R. Mills, President of Bear Development, LLC and the 3 lot certified survey map project at Lot 84 of Ryan Meadows subdivision and an adjacent property located on the west side of South 112th street (approximately located at the end of Monarch Drive in the Ryan Meadows subdivision): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other

STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2022-_____

Page 3

governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

6. The applicant shall submit a written conservation easement document for Lot 2 and Lot 3, subject to review by City staff, and approval by the Common Council, for recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map.
7. The technical corrections noted by the Engineering Department in memorandum dated December 14, 2021, and Milwaukee County Register of Deeds in letter dated November 22, 2021, must be addressed prior to recording of this Certified Survey Map.
8. The applicant shall revise the Certified Survey Map, sheet #14, note 4, to indicate that Lot 3 is not served by public water, for City Development Department review, prior to recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Loomis & Ryan, Inc. and Gurjit Singh and Gurmit Kaur, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

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

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

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

STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC – CERTIFIED
SURVEY MAP
RESOLUTION NO. 2022-_____
Page 4

APPROVED:

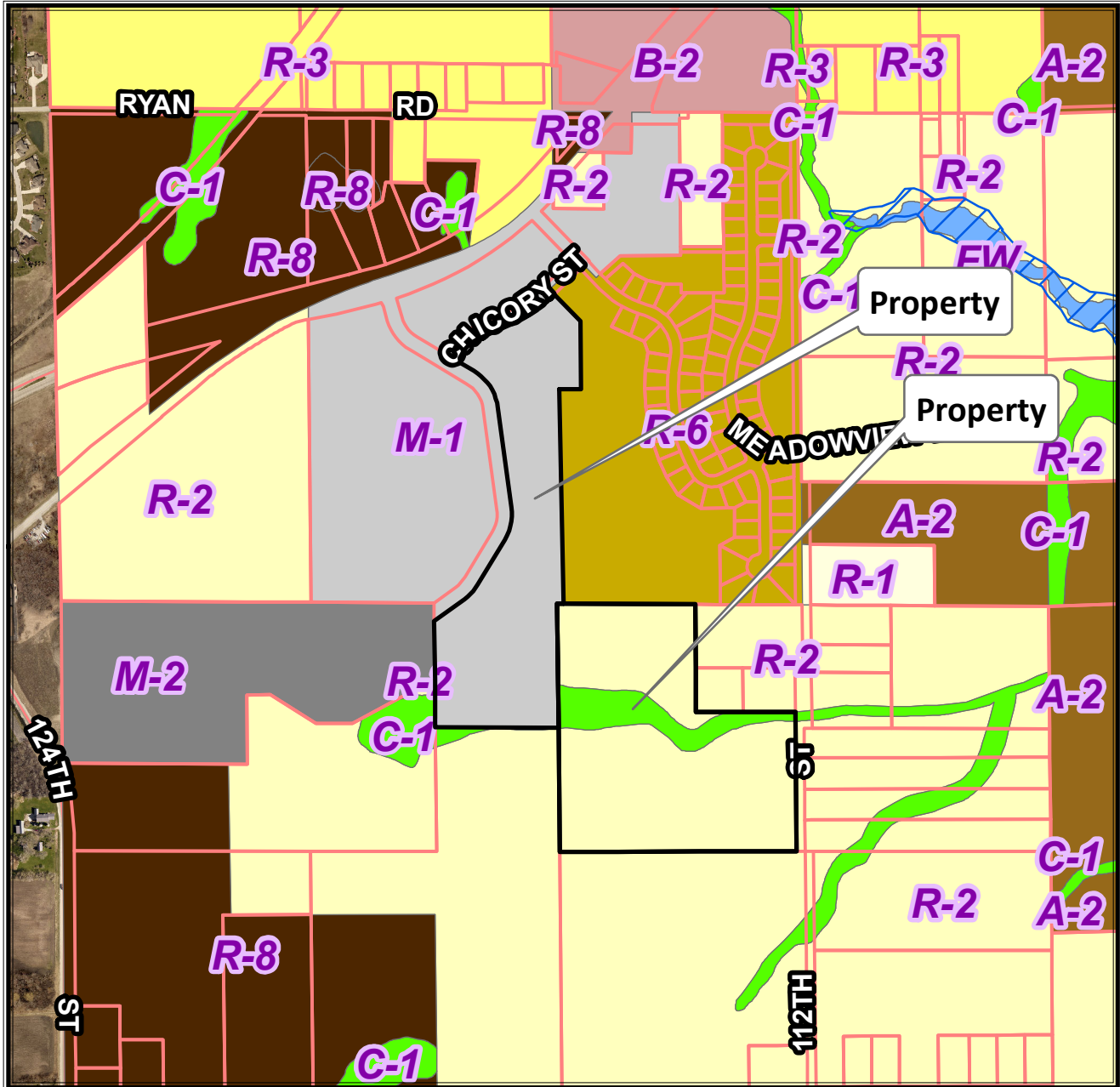
Stephen R. Olson, Mayor

ATTEST:

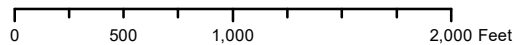
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

TKNs: 891 1084 000 & 938 9994 004

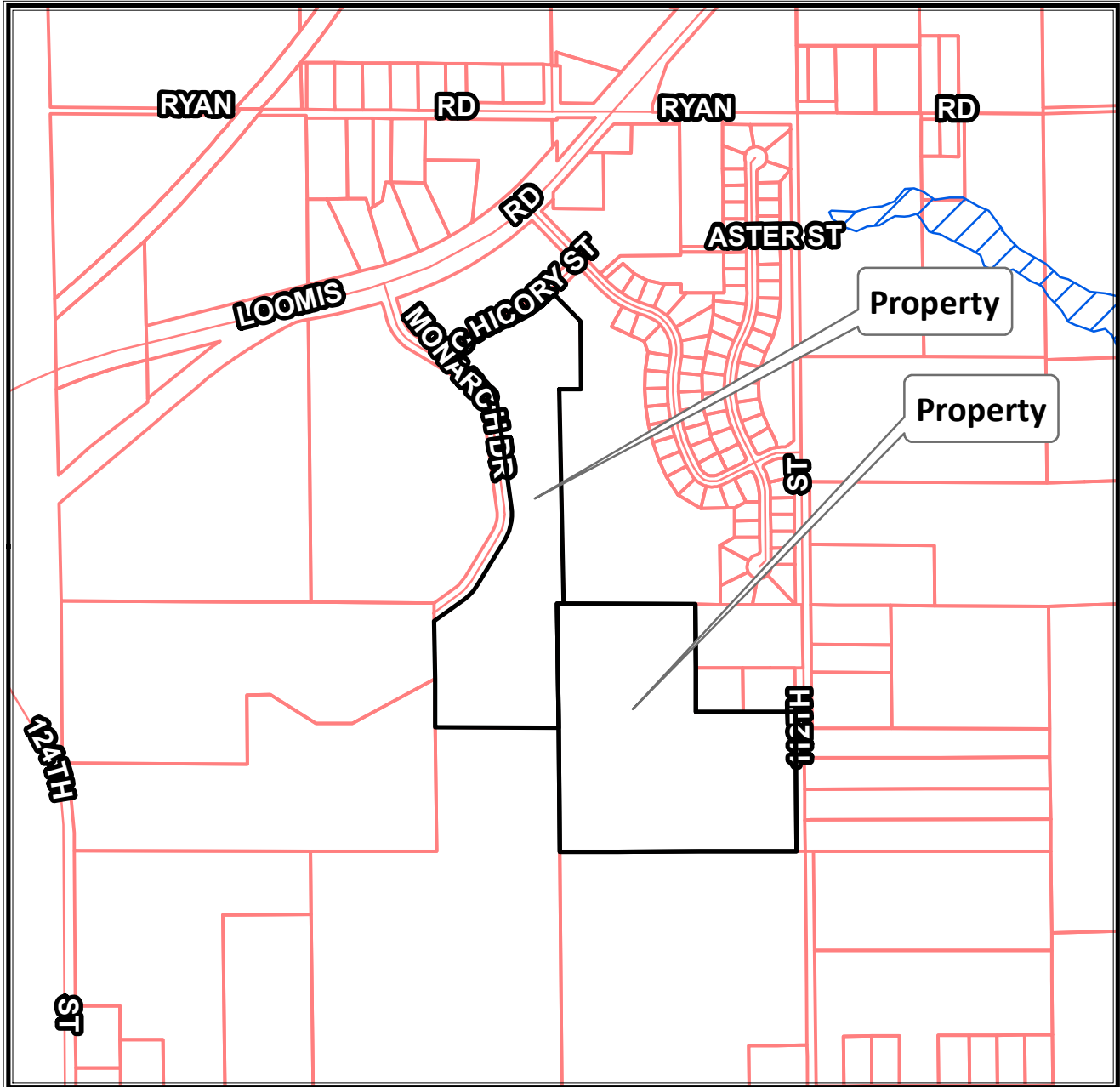


Planning Department
(414) 425-4024

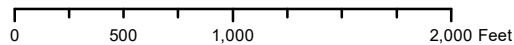


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

TKNs: 891 1084 000 & 938 9994 004



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 27, 2021

To: Daniel Szczap, Bear Development, LLC

From: Régulo Martínez-Montilva, Principal Planner
City of Franklin, Department of City Development

RE: Review comments for rezoning and certified survey map (CSM) applications,
Lot 84 of Ryan Meadows and property bearing 938 9994 004.

Below are review comments and recommendations for the above-referenced applications submitted by Boomtown, LLC and deemed complete for review on November 15, 2021.

REZONING

Department of City Development comments

1. No objections, because the area to be rezoned (8.41 acres) from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District is designated as Business Park in the Future Land Use Map of the City of Franklin 2025 Comprehensive Master Plan.

Engineering Department comments

2. No comments.

Inspection Services Department comments

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

Police Department comments

4. The PD has no comment regarding this request.

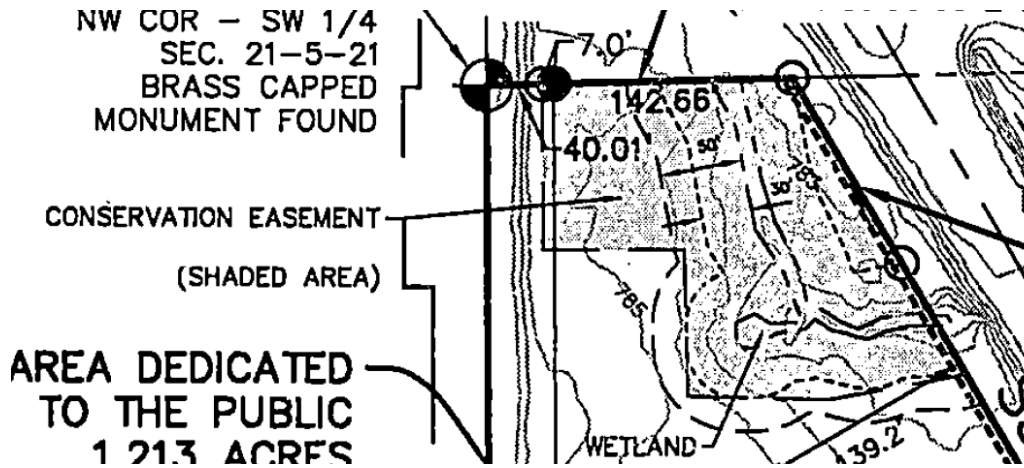
Fire Department comments

5. FD has no comments on the rezoning. Comments/requirements will be provided for individual plan submittals.

CERTIFIED SURVEY MAP (CSM)

Department of City Development comments

1. For clarity, please shade the proposed conservation easement area, see example below (next page). This comment does not apply to the Ryan Meadows subdivision plat as those natural resource areas are already subject to previous conservation easements. The city's conservation easement template is attached for your convenience.



- If the requested rezoning is approved, please add the new zoning district to lot 2 (sheets 2-3).
- Please revise the site intensity and capacity calculations for lot 3, it is listed as non-residential and it should be residential.

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
Steep Slopes: 10-19%	0.00	0.60	0.40	X 1.99*	.80
20-30%	0.65	0.75	0.70	X 0	0
+ 30%	0.90	0.85	0.80	X 0	0
Woodlands & Forests					

- Note: Landscape bufferyard easements are required between different zoning districts, for example between the R-2 and M-1 zoning districts. City Development staff does not recommend separate landscape bufferyard easements for this certified survey map due to wetlands located between lots 2 and 3, as well as the proposed trail easement on lot 2.

Engineering Department comments

- See separate letter.
- There is a recorded storm water facility maintenance agreement for the pond adjacent to the wetland in the proposed Lot 2. (Please add note or label)

Inspection Services Department comments

- Inspection Services has no comments on the proposal at this time.

Police Department comments

- The PD has no comment regarding this request.

Milwaukee County Register of Deeds comments

- See separate letter.



Date: December 14, 2021, 2021

To: Planning and Zoning Department

From: Ronnie Asuncion, Eng Lead Tech

Re: Certified Survey Map

Owner: Loomis & Ryan Inc

Address: Lot 84 of Ryan Meadows & Parcel 1 of CSM No. 975

Comments:

- On page 2 of 18;
 - a) Show the coordinates of the southwest corner monument.
- On pages 2, 4, & 10 of 18:
 - a) Show the temporary turnaround easement and label same as shown on page 8.
- On pages 3, 5, 7, 9, & 11 of 18;
 - a) Show the half-width of the right of way (45-ft), along the east property line at South 112th Street.
- On page 14 of 18, under Notes # 4;
 - a) Include Lot 3, also served by Public Sewer and Water.

Note:

The rezoning has to be approved by the Common Council before recommending its approval.

Thank you



REGISTER OF DEEDS

Milwaukee County

ISRAEL RAMÓN • Register of Deeds

November 22, 2021

Attn: Regulo Martinez-Montilva
City of Franklin Planning Dept.
9229 W. Loomis Rd
Franklin, WI 53132-9728

Re: Preliminary Review of Certified Survey Map
Lot 84 in Ryan Meadows and Pt Parcel 1 of CSM No. 975, NW ¼ Sec 30-5-21, City of
Franklin, County of Milwaukee, State of Wisconsin

Owner(s): Loomis & Ryan Inc. (891-1084) and Gurjit Sing and Gurmit
Kaur (938-9994-004)
Parcel Nos.: 891-1084 and 938-9994-004
Review Fee: \$75, Paid 11/22/2021

Comment 1: Currently Lot 2 of CSM is owned by both parties. This should be addressed, and deed(s) recorded prior to recording of CSM.

Comment 2: Milwaukee County is reviewing this CSM for closure issues and to verify ownership. Please review your preliminary for any typos and all other requirements per WI State Statutes and local municipality ordinances.

Please feel free to contact me with questions.

Sincerely,

Kristine Kampa

Kristine J. Kampa
Real Property Analyst
(414) 278-4048

kristine.kampa@milwaukeecountywi.gov

cc: John P. Konopacki, Surveyor – john.konopacki@pinnacle-engr.com
cc: Ronnie Asuncion, Engineering Dept. - rasuncion@franklinwi.gov



October 18, 2021

Mr. Regulo Martinez-Montilva
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Re: Singh Parcel Rezoning

Dear Mr. Martinez-Montilva:

Please accept this letter and the enclosed submittal materials as formal application for zoning reclassification for a portion of the Gurjit Singh property in the City of Franklin. Bear Development is the contract purchaser of the subject property.

Project Summary

Bear Development, LLC is the contract purchaser of approximately 8 acres of land in the City of Franklin. The land is part of a 32-acre parcel located on the west side of 112th Street. The property is vacant and currently being used for agricultural purposes.

The subject property is directly east of the Loomis Business Park. The property is vacant and currently being used for agricultural purposes.

Part of Tax Key Number: 938-9994-004

The Rezoning application is being submitted together with a Comprehensive Plan Amendment and Certified Survey. Upon favorable hearing, the applicant intends to incorporate the subject property into the Loomis Business Park and develop the site in compliance with M-1 Limited Industrial District

Current Zoning- East Side of Loomis Road

The subject property is currently zoned R-2 Single-Family District.

Adjacent Zoning

North: R6 Residential (Ryan Meadows Outlot)
South: R2 Residential
East: R2 Residential
West: M-1 Industrial and R2 Residential

Proposed Zoning

The applicant is requesting a zoning reclassification from the R-2 Residential District to the M-1 Limited Industrial District. The requested reclassification is in conformance with the Comprehensive Plan designation of Business Park

Current Land Use

The property is currently vacant and used for agricultural purposes. The property is separated from the “parent” parcel acreage by a significant wetland.

Adjacent Land Use

North: Vacant, Ryan Meadows HOA Outlot

South: Agriculture

East: Residential

West: Vacant, Loomis Business Park

Proposed Land Use

The Rezoning application is being submitted together with a Comprehensive Plan Amendment and Certified Survey. Upon favorable hearing, the applicant intends to incorporate the subject property into the Loomis Business Park and submit a Site Plan for a commercial end user to develop the site in compliance with M-1 Limited Industrial District.

Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

Daniel Szczap
Bear Development, LLC

CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

CONCEPT REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$250 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) copies of the Preliminary Site/Development Plan of the subject property(ies) and immediate surroundings on 8 ½" X 11" or 11" X 17" paper (i.e., a scaled map identifying the subject property and immediate environs, including existing and proposed parcels, existing and proposed structures, existing and proposed land uses, existing and proposed zoning, existing and proposed infrastructure and utilities [approximate locations only], and existing and proposed site conditions/site constraints [i.e. approximate locations of public road access, rights-of-way, natural resources/green space and drainage issues/concerns, etc.])
 - Three (3) colored copies of building elevations on 11" X 17" paper if applicable.
- Email or flash drive with all plans / submittal materials.

COMPREHENSIVE MASTER PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$125 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded copies of a Site Development Plan / Map, drawn to reasonable scale, at least 11" X 17" paper or as determined by the City Planner or City Engineer, identifying the subject property and immediate environs, including parcels, structures, land use, zoning, streets and utilities, and natural resource features, as applicable.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
 - Requires a Class I Public Hearing Notice at least 30 days before the Common Council Meeting

PLANNED DEVELOPMENT DISTRICT (PDD)

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
 - \$6,000: New PDD
 - \$3,500: PDD Major Amendment
 - \$500: PDD Minor Amendment
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded full size, of the Site Plan Package, drawn to scale copies, on 24" x 36" paper, including Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc. (See Sections 15-7.0101, 15-7.0301, and 15-5.0402 of the UDO for information that must be denoted or included with each respective plan.)
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- One (1) copy of the Site Intensity and Capacity Calculations, if applicable (see division 15-3.0500 of the UDO)
- Email or flash drive with all plans / submittal materials.
 - PDD and Major PDD Amendment requests require Plan Commission review, a public hearing, and Common Council approval.
 - Minor PDD Amendment requests require Plan Commission review and Common Council approval.

REZONING

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
 - \$1,250
 - \$350: one parcel residential.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded copies of a Plot Plan or Site Plan, drawn to reasonable scale, at least 11" X 17" paper or as determined by the City Planner or City Engineer, and fully dimensioned showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
 - Additional notice to and approval required for amendments or rezoning in the FW, FC, FFO, and SW Districts
 - Requires a Class II Public Hearing notice at Plan Commission.

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
 - \$1,500: New Special Use > 4000 square feet.
 - \$1,000: Special Use Amendment.
 - \$750: New Special Use < 4000 square feet.
- Word Document legal description of the subject property.
- Word Document legal description of the subject property.
- One copy of a response to the General Standards, Special Standards, and Considerations *found in Section 15-3.0701(A), (B), and (C) of the UDO available at www.franklinwi.gov.*
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded copies of the Site Plan package, drawn to scale at least 24" X 36", *The submittal should include only those plans/items as set forth in Section 15-7.0101, 15-7.0301 and 15-5.0402 of the UDO that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.*
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
 - Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval.

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Three (3) project narratives, *including description of the proposed text amendment.*
 - Requires a Class II Public Hearing notice at Plan Commission.
 - The City's Unified Development Ordinance (UDO) is available at www.franklinwi.gov.

OUTLOT 3
 RYAN MEADOWS
 TAX KEY #891-1087-000
 ZONED: R6



((R) N89°20'00"W (CSM 975))
 S89°42'41"E 2645.59'
 NORTH LINE OF THE SE 1/4
 SEC. 30, T5N, R21E

NE CORNER, SE 1/4
 SEC. 30, T5N, R21E

CENTER SEC. 30
 T5N, R21E
 NW CORNER
 CSM 975

((R) S89°20'00"E 743.78' (CSM 975))
 S89°42'41"E 743.83'

LOT 84
 RYAN MEADOWS

ZONED: M1

N00°34'05"W 411.00'

(PART OF)
 PARCEL 1
 C.S.M. NO. 975
 366,665 SQ. FT.
 8.4175 ACRES

S00°33'39"E 575.04'
 ((R) S00°10'00"E (CSM 975))

TAX KEY #938-9993-000
 UNPLATTED LANDS
 ZONED: R2

764.02'
 N77°18'53"W

(PART OF)
 PARCEL 1
 C.S.M. NO. 975
 TAX KEY #
 938-9994-003
 ZONED: R2

PARCEL 2
 C.S.M. NO. 975
 TAX KEY #
 938-9994-002
 ZONED: R2

S89°42'41"E 533.96'
 ((R) S89°20'00"E (CSM 975))

SOUTH 112TH STREET

ZONED: R2

S00°34'05"E 2669.87'

WEST LINE OF THE SE 1/4 SEC. 30, T5N, R21E

N00°34'05"W 1334.93'
 ((R) N00°10'40"W 1334.79' (CSM 975))

(PART OF)
 PARCEL 1
 C.S.M. NO. 975
 ZONED: R2
 TAX KEY #
 938-9994-004

WETLANDS

LEGAL DESCRIPTION:

Being a part of Parcel 1 of Certified Survey Map No. 975, as recorded in the Register of Deeds office for Milwaukee County as Document No. 4446377, located in the Northwest 1/4 of the Southeast 1/4 Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County Wisconsin, described as follows:

Beginning at the northwest corner of Parcel 1 of Certified Survey Map No. 975; Thence South 89°42'41" East along the north line of said Parcel 1, 743.83 feet to the east line of said Parcel 1; Thence South 00°33'39" East along said east line and then continuing, 575.04 feet; Thence North 77°18'53" West, 764.02 feet to the west line of said Parcel 1; Thence North 00°34'05" West along said west line, 411.00 feet to the Point of Beginning.

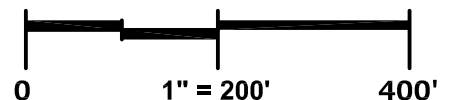
SOUTH LINE OF THE NORTH 1/2 OF THE SE 1/4 SEC. 30, T5N, R21E

S89°57'02"W 1277.53'
 ((R) N89°39'58"W 1277.33' (CSM 975))

UNPLATTED LANDS
 TAX KEY #938-9995-000

SW CORNER, SE 1/4
 SEC. 30, T5N, R21E

GRAPHICAL SCALE (FEET)



UNPLATTED LANDS
 TAX KEY #939-9999-000

1334.94'

((R) S00°10'00"E (CSM 975))
 S00°33'39"E 752.36'



October 21, 2021

Mr. Regulo Martinez-Montilva
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Martinez-Montilva:

Bear Development is pleased to submit this letter and the enclosed submittal materials as formal application for Certified Survey Map review and approval. Bear Development is acting on behalf of, and with authorization from the record owners, Loomis & Ryan, Inc and Gurjit Singh.

Project Summary

The property in question, consists of approximately 44.84 acres and is identified as Tax Key Numbers 89-1084-000 and 938-9994-004. A portion of the subject property is located within Loomis Business Park. Also includes is an adjacent parcel (Singh) which consists of 32 acres with frontage on 112th Street. The property is currently vacant and is zoned M-1 Limited Industrial and R-2 Residential.

We respectfully request City of Franklin approval of a Certified Survey Map to create three (3) individual lots as shown on the enclosed maps, with the intention of developing portions of the property for commercial purposes.

The proposed land division would create the following lots:

Lot 1: 9.39 Acres

The parcel is part of the Loomis Business Park and has public road frontage on Chicory Street and Monarch Drive. The property is zoned M-1 Limited Industrial.

Lot 2: 22.88 Acres

The proposed Lot 2 is a combination of lands within Loomis Business Park and a portion of the Singh property. The property has public road frontage on Monarch Drive. The proposed parcel is subject to a Comprehensive Plan Amendment and Rezoning Petition which accompanies this Certified Survey Map. The lot is being created for the purposes of an end user who wishes to locate in Loomis Business Park. Lot 2 will also include a trail easement for extension of the future Ryan Creek Trail. The final alignment has not been determined to date.

Lot 3: 23.57 Acres

The proposed Lot 3 will be retained by the Singh Family and remain zoned R-2 Residential.

In accordance with City of Franklin requirements, we have completed a Natural Resource Protection Plan. A copy has been included in this submittal.

We feel the requested land division will create separate parcels with future land use that is consistent with the City Comprehensive Plan and with properties in the general area.

Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

Daniel Szczap
Bear Development, LLC

Planning Department
 9229 West Loomis Road
 Franklin, Wisconsin 53132
generalplanning@franklinwi.gov
 (414) 425-4024
franklinwi.gov



APPLICATION DATE: _____

STAMP DATE: _____ city use only _____

LAND DIVISION REVIEW APPLICATION

PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME:	NAME:
COMPANY:	COMPANY:
MAILING ADDRESS:	MAILING ADDRESS:
CITY/STATE: ZIP:	CITY/STATE: ZIP:
PHONE:	PHONE:
EMAIL ADDRESS:	EMAIL ADDRESS:

PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS:	TAX KEY NUMBER:
PROPERTY OWNER:	PHONE:
MAILING ADDRESS:	EMAIL ADDRESS:
CITY/STATE: ZIP:	DATE OF COMPLETION: office use only

APPLICATION TYPE

Please check the application type that you are applying for

- Affidavit of Correction (Plat)
 Certified Survey Map
 Condominium Plat
 Land Combination
 Right of Way Vacation
 Final Subdivision Plat
 Preliminary Subdivision Plat

Most requests require Plan Commission review and Common Council approval.

Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

SIGNATURES

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

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

- I, the applicant, certify that I have read the following page detailing the requirements for land division approvals and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE:	APPLICANT SIGNATURE:
NAME & TITLE: DATE:	NAME & TITLE: DATE:
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE:
NAME & TITLE: DATE:	NAME & TITLE: DATE:

CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

AFFIDAVIT OF CORRECTION APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$125 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded full size, drawn to scale copies of the Plat of Affidavit of Correction (See Section 59.43(2)(m) of the Wisconsin Statutes for information that must be included on the correction instrument.
- Email or flash drive with all plans / submittal materials.
 - Applications for an Affidavit of Correction shall comply with Section 236.295 of the Wisconsin Statutes.

CERTIFIED SURVEY MAP APPLICATION MATERIALS

- \$75 Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds
 - One (1) map copy for Milwaukee County Review, prepared at 8 1/2" X 14" on durable white paper and must be clearly legible.
- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$1,500 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - One (1) original and two (2) copies, prepared at 8 1/2" X 14" on durable white paper and must be clearly legible.
 - As may be required, three (3) copies of a Natural Resource Protection Plan and Report, see Division 15-9.0309D of the UDO.
 - If applicable, three (3) copies of a Landscape Plan for any buffer yard easement areas.
- If applicable, one (1) copy of the Site Intensity and Capacity Calculations, see Division 15-3.0500.
- Email or flash drive with all plans / submittal materials.
 - All Certified Survey Map requests shall comply with Chapter 236 of the Wisconsin State Statutes.
 - Applicants are responsible for review copies for the county subject to Milwaukee County Requirements

CONDOMINIUM PLAT APPLICATION MATERIALS

- \$100 Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds
- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$1,000 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) full size copies of the Condominium Plats/Plans, drawn to scale, on 14" X 22" paper, per s. 703.11 (2) (d) Wis. Stats.
- If applicable, Two (2) copies of the Declarations and By-Laws per UDO Section 15-7.0603A. For administrative review and approval.
- Email or flash drive with all plans / submittal materials.
 - Within 60 days of the date of complete filing, Common Council shall approve, conditionally approve, or reject the Final Plat, unless the time is extended by agreement with the Subdivider.

LAND COMBINATION APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$400 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) copies of a boundary survey of the parcels to be combined graphically showing the relationship to street access and to adjoining properties.
- Email or flash drive with all plans / submittal materials.
 - Review and consideration of Land Combination approvals shall be in accordance with Section 15-9.0312(B) of the Unified Development Ordinance.

PROJECT PROPERTY #2
PROPERTY ADDRESS:
TAX KEY NUMBER:

RIGHT-OF-WAY VACATION APPLICATION MATERIALS

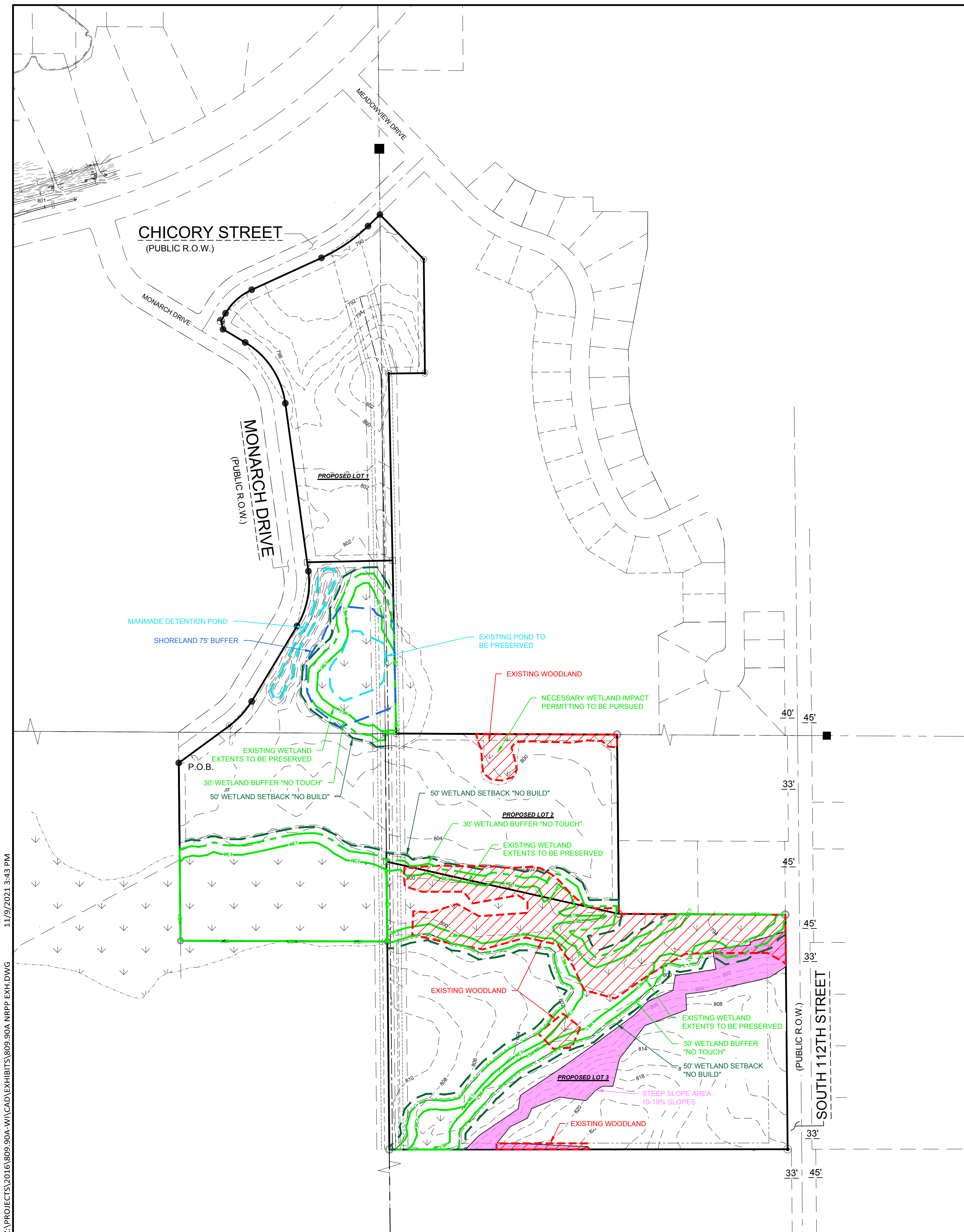
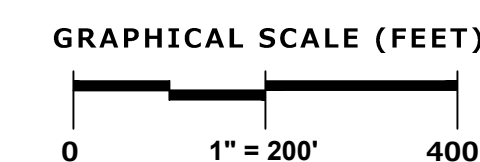
- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$125 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) Plat of Survey of the area to be vacated, *drawn to scale at least 11" X 14"*.
- Email or flash drive with all plans / submittal materials.
 - Common Council will set a Public Hearing date, take final action, and record the document of approval with Milwaukee County Register of Deeds.

FINAL SUBDIVISION PLAT APPLICATION MATERIALS

- \$100 Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds
- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$1,000 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- One (1) copy of the Department of Administration "Letter of Certification"
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) full size copies of the Final Plat, *drawn to scale on 22" X 30" paper, per s. 236.25(2) (a) Wis. Stats, and Division 15-7.600 FINAL PLAT of the UDO*
- Email or flash drive with all plans / submittal materials.
 - Within 60 days of the date of complete filing, Common Council shall approve, conditionally approve, or reject the Final Plat, unless the time is extended by agreement with the Subdivider.

PRELIMINARY SUBDIVISION PLAT APPLICATION MATERIALS

- \$150 Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds *[only applicable if Preliminary Plat was not submitted]*
- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$5,000 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- One (1) copy of the Department of Administration "Request for Land Subdivision Plat Review" and "WISDOT Subdivision Review Request" *if applicable. Per s. 236.12 (4m) Wis. Stats. The surveyor must submit copies of the plat directly to all approving agencies.*
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) full size copies of the Preliminary Plat, *drawn to scale on 22" x 30" paper, per s. 236.25(2) (a) Wis. Stats.*
 - Three (3) full size copies of the Natural Resource Protection Plan [and report], *on 22" x 30" paper, per Division 15-7.0200 of the UDO, if applicable.*
 - Three (3) full size copies of the Landscape Plan, *on 22" x 30" paper for any landscape bufferyard easement areas per Division 15-7.0300 of the UDO.*
- One (1) copy of the Site Intensity and Capacity Calculations, *if applicable (see division 15-3.0500 of the UDO)*
- Email or flash drive with all plans / submittal materials.
 - Within 90 days of the date of complete filing, Common Council shall approve, conditionally approve, or reject the Plat, unless the time is extended by agreement with the Subdivider.

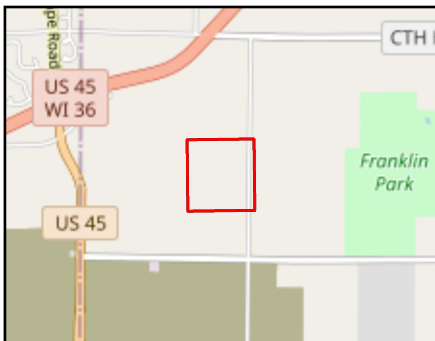


SITE DATA	
PROJECT NAME	FRANKLIN BUSINESS PARK LOT 84
LOCATION/ADDRESS	FRANKLIN, WI 53132
OWNER CONTACT INFORMATION	DAN SZCZAP 4011 80TH ST KENOSHA WI, 53142 DAN@BEARDEVELOPMENT.COM

NATURAL RESOURCE FEATURE AREAS			
RESOURCE TYPE	AREAS OF RESOURCE LOT 1	AREAS OF RESOURCE LOT 2	AREAS OF RESOURCE LOT 3
STEEP SLOPES AREA - 10-19% SLOPES - PER PEG SURVEYED CONTOURS	N/A	N/A	103,526 SF*** (2.38 AC)
STEEP SLOPES AREA - 20-30% SLOPES - PER PEG SURVEYED CONTOURS	N/A	N/A	N/A
WETLANDS -SEE DELINEATION INFORMATION BELOW**	N/A	265,242 SF (6.09 AC)	190,997 SF (4.38 AC)
WETLAND BUFFER "NO TOUCH" - 30' OFFSET, BASED OFF WETLAND DELINEATION	N/A	68,378 SF (1.57 AC)	118,932 SF (2.73 AC)
WETLAND SETBACK "NO BUILD" - 50' OFFSET, BASED OFF WETLAND DELINEATION	N/A	50,426 SF (1.16 AC)	68,482 SF (1.57 AC)
LAKES & PONDS -FIELD DELINEATED BY PEG SURVEY IN JANUARY OF 2019	N/A	28,733 SF (0.66 AC)	N/A
SHORE BUFFER - 75' OFFSET, BASED OFF WETLAND DELINEATION	N/A	57,599 SF (1.32 AC)	N/A
MATURE WOODLANDS & FORESTS - BASED OFF PEG SURVEY	N/A	51,410 SF (1.18 AC)	213,959 SF (4.91 AC)
STREAMS (NOT PRESENT ON SITE)	N/A	N/A	N/A
FLOODPLAINS (NOT PRESENT ON SITE)	N/A	N/A	N/A

* ADDITIONAL INFORMATION IS INCLUDED IN THE ATTACHED SITE INTENSITY CALCULATIONS.
 **WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP, INC. ON 10-7-2021 AND R.A. SMITH NATIONAL, INC ON 12-8-2014.
 ***TOPO PER MILWAUKEE COUNTY GIS.

Z:\PROJECTS\2016\809.90A-WI\CAD\EXHIBITS\809.90A_NRPP_EXH.DWG 11/19/2021 3:45 PM



- Study Area (32.73 ac)
- Field Delineated Wetlands (4.88 ac)
- Waterway
- Culvert
- Milwaukee Co 1' Contours

Sample Points

- Upland
- Wetland



Heartland
ECOLOGICAL GROUP INC

Figure 6. Field Map

Singh Parcel
Project #20210588
T5N, R21E, S30
C Franklin, Milwaukee Co

2020 NAIP
County Co, HEG



January 3, 2022

Mr. Regulo Martinez-Montilva
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Martinez-Montilva:

Bear Development is pleased to submit this letter and the revised enclosed submittal materials for the Loomis & Ryan, Inc/Singh Certified Survey Map. The Certified Survey Map and Site Intensity Calculations have been revised in accordance with the City review letter dated December 27, 2021.

Per our recent phone conversation, we have added notes to the CSM that requires the Conservation Easements to be recorded prior to the issuance of a building and/or grading permit. As discussed, we have made this request because we have recently made application for a Natural Resource Special Exception for Lot 2. Upon favorable hearing for the zoning amendment and CSM, we intend to submit a Site Plan for a commercial development. To facilitate the development an NRSE is needed.

As for Lot 3, the property will be retained by Mr. Singh. However, Mr. Singh has no immediate plans for development as has requested that the Conservation Easements be recorded in the future, when a development proposal is brought forward.

A similar request was made, and granted for the Boomtown, LLC CSM on STH 36.

Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

Daniel Szczap
Bear Development, LLC

LOT 1

SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

The *base site area* shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in Section 15-3.0501 of this Ordinance.

Table 15-3.0502

WORKSHEET FOR THE CALCULATION OF BASE SITE AREA FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	9.39 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 1.39 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	- 0 acres
STEP 5:	Equals "Base Site Area"	= 8.00 acres

SECTION 15-3.0503

CALCULATION OF THE AREA OF NATURAL RESOURCES TO BE PROTECTED

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the *base site area* (as defined in Section 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective *natural resource protection standard* (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the *total resource protection land*. The *total resource protection land* shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X 0 =	0
20-30%	0.65	0.75	0.70	X 0 =	0
+ 30%	0.90	0.85	0.80	X 0 =	0
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X 0 =	0
Young	0.50	0.50	0.50	X 0 =	0
Lakes & Ponds	1	1	1	X 0 =	0
Streams	1	1	1	X 0 =	0
Shore Buffer	1	1	1	X 0 =	0
Floodplains	1	1	1	X 0 =	0
Wetland Buffers	1	1	1	X 0 =	0
Wetlands & Shoreland Wetlands	1	1	1	X 0 =	0
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					0

Note: In conducting the calculations in Table 15-3.0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1.0 which represents the higher of the two standards.

SECTION 15-3.0505

**CALCULATION OF SITE INTENSITY AND CAPACITY
FOR NONRESIDENTIAL USES**

In order to determine the maximum floor area which may be permitted on a parcel of land zoned in a nonresidential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0505 shall be performed.

A. Maximum Permitted Floor Area for a Retail Building:

- 1 Notwithstanding the provisions of Table 15-3.0505, no individual retail building in any of the following districts shall exceed a total of 125,000 gross square feet of floor area, including all roofed area.
 - a. B-1 Neighborhood Business District
 - b. B-2 General Business District
 - c. B-3 Community Business District
 - d. B-5 Highway Business District

- 2 Notwithstanding, any other provision of this Ordinance, no special use permit, special exception or variance may be approved or granted that would allow a retail building to exceed the size limits of this subparagraph (1) and no nonconforming use or structure may be expanded in any manner that would increase its nonconformance with the limits of subparagraph (1).

Table 15-3.0505

WORKSHEET FOR THE CALCULATION OF SITE INTENSITY AND CAPACITY FOR NONRESIDENTIAL DEVELOPMENT

<p>STEP 1: M-1</p>	<p>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE: Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>8</u> Multiple by Minimum <i>Landscape Surface Ratio (LSR)</i> (see specific zoning district LSR standard): X <u>0.4</u> Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</p>	<p><u>3.2</u> acres</p>
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA: Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>8</u> Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503 or <i>Minimum Required Landscape Surface</i> (from Step 1 above), whichever is greater: - <u>3.2</u> Equals NET BUILDABLE SITE AREA =</p>	<p><u>4.8</u> acres</p>
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE: Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>4.8</u> Multiple by Maximum <i>Net Floor Area Ratio (NFAR)</i> (see specific nonresidential zoning district NFAR standard): X <u>0.85</u> Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =</p>	<p><u>4.08</u> acres</p>
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE: Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>8</u> Multiple by Maximum <i>Gross Floor Area Ratio (GFAR)</i> (see specific nonresidential zoning district GFAR standard): X <u>0.42</u> Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</p>	<p><u>3.36</u> acres</p>
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE: Take the <i>lowest</i> of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above): (Multiple results by 43,560 for maximum floor area in square feet):</p>	<p><u>3.36</u> acres (<u>146,362</u> s.f.)</p>

LOT 2

SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

The *base site area* shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in Section 15-3.0501 of this Ordinance.

Table 15-3.0502

WORKSHEET FOR THE CALCULATION OF BASE SITE AREA FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	23.08 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 1.16 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	- 0 acres
STEP 5:	Equals "Base Site Area"	= 21.92 acres

SECTION 15-3.0503

CALCULATION OF THE AREA OF NATURAL RESOURCES TO BE PROTECTED

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the *base site area* (as defined in Section 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective *natural resource protection standard* (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the *total resource protection land*. The *total resource protection land* shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X 0 = =	0
20-30%	0.65	0.75	0.70	X 0 = =	0
+ 30%	0.90	0.85	0.80	X 0 = =	0
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X 0 = X 0.78*	0 0.55
Young	0.50	0.50	0.50	=	
Lakes & Ponds	1	1	1	X 0* = =	0
Streams	1	1	1	X 0 = =	0
Shore Buffer	1	1	1	X .04* = =	.04
Floodplains	1	1	1	X 0 = =	0
Wetland Buffers	1	1	1	X 2.73 = =	2.73
Wetlands & Shoreland Wetlands	1	1	1	X 6.09 = =	6.09
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					9.41

Note: In conducting the calculations in Table 15-3.0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1.0 which represents the higher of the two standards.

*AREAS SMALLER THAN SHOWN ON NRPP ARE DUE TO OVERLAP BETWEEN NATURAL RESOURCES

SECTION 15-3.0505

**CALCULATION OF SITE INTENSITY AND CAPACITY
FOR NONRESIDENTIAL USES**

In order to determine the maximum floor area which may be permitted on a parcel of land zoned in a nonresidential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0505 shall be performed.

A. Maximum Permitted Floor Area for a Retail Building:

- 1 Notwithstanding the provisions of Table 15-3.0505, no individual retail building in any of the following districts shall exceed a total of 125,000 gross square feet of floor area, including all roofed area.
 - a. B-1 Neighborhood Business District
 - b. B-2 General Business District
 - c. B-3 Community Business District
 - d. B-5 Highway Business District

- 2 Notwithstanding, any other provision of this Ordinance, no special use permit, special exception or variance may be approved or granted that would allow a retail building to exceed the size limits of this subparagraph (1) and no nonconforming use or structure may be expanded in any manner that would increase its nonconformance with the limits of subparagraph (1).

Table 15-3.0505

WORKSHEET FOR THE CALCULATION OF SITE INTENSITY AND CAPACITY FOR NONRESIDENTIAL DEVELOPMENT

<p>STEP 1: M-1</p>	<p>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE: Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>21.92</u> Multiple by Minimum <i>Landscape Surface Ratio (LSR)</i> (see specific zoning district LSR standard): X <u>0.4</u> Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</p>	<p><u>8.77</u> acres</p>
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA: Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>21.92</u> Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503 or <i>Minimum Required Landscape Surface</i> (from Step 1 above), whichever is greater: - <u>9.41</u> Equals NET BUILDABLE SITE AREA =</p>	<p><u>12.51</u> acres</p>
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE: Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>12.51</u> Multiple by Maximum <i>Net Floor Area Ratio (NFAR)</i> (see specific nonresidential zoning district NFAR standard): X <u>0.85</u> Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =</p>	<p><u>10.63</u> acres</p>
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE: Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>21.92</u> Multiple by Maximum <i>Gross Floor Area Ratio (GFAR)</i> (see specific nonresidential zoning district GFAR standard): X <u>0.42</u> Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</p>	<p><u>9.21</u> acres</p>
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE: Take the <i>lowest</i> of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above): (Multiple results by 43,560 for maximum floor area in square feet):</p>	<p><u>9.21</u> acres (<u>401,031</u> s.f.)</p>

LOT 3

SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

The *base site area* shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in Section 15-3.0501 of this Ordinance.

Table 15-3.0502

WORKSHEET FOR THE CALCULATION OF BASE SITE AREA FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	23.58 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0.82 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	- 0 acres
STEP 5:	Equals "Base Site Area"	= 22.76 acres

SECTION 15-3.0503

CALCULATION OF THE AREA OF NATURAL RESOURCES TO BE PROTECTED

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the *base site area* (as defined in Section 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective *natural resource protection standard* (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the *total resource protection land*. The *total resource protection land* shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District.		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X <u>1.99*</u> =	<u>1.19</u>
20-30%	0.65	0.75	0.70	X <u>0</u> =	<u>0</u>
+ 30%	0.90	0.85	0.80	X <u>0</u> =	<u>0</u>
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X <u>0.21*</u> =	<u>0.15</u>
Young	0.50	0.50	0.50	X <u>0</u> =	<u>0</u>
Lakes & Ponds	1	1	1	X <u>0</u> =	<u>0</u>
Streams	1	1	1	X <u>0</u> =	<u>0</u>
Shore Buffer	1	1	1	X <u>0</u> =	<u>0</u>
Floodplains	1	1	1	X <u>0</u> =	<u>0</u>
Wetland Buffers	1	1	1	X <u>4.30</u> =	<u>4.30</u>
Wetlands & Shoreland Wetlands	1	1	1	X <u>4.38</u> =	<u>4.38</u>
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					10.02

Note: In conducting the calculations in Table 15-3.0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1.0 which represents the higher of the two standards.

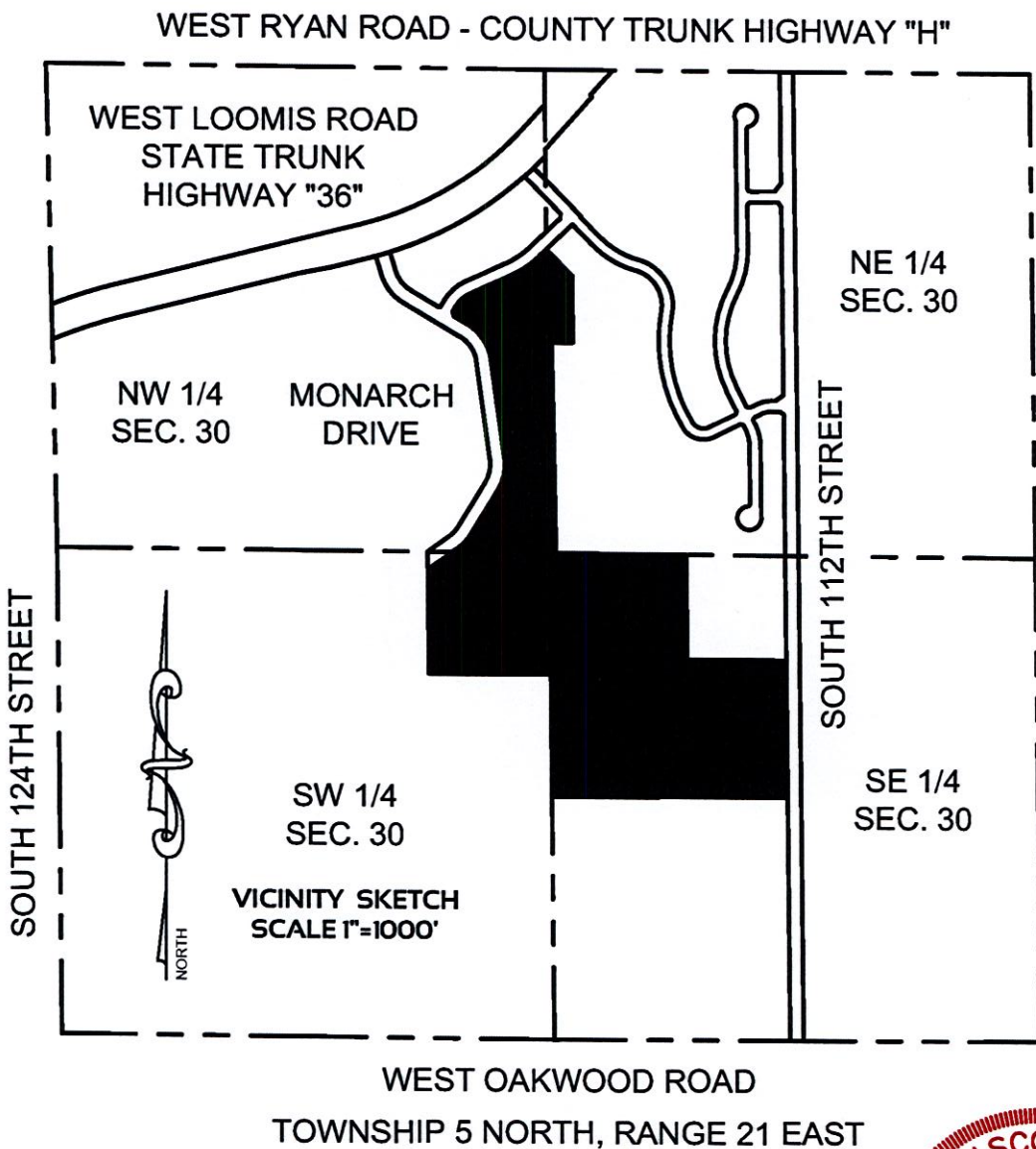
*AREAS SMALLER THAN SHOWN ON NRPP ARE DUE TO OVERLAP BETWEEN NATURAL RESOURCES

In order to determine the maximum number of dwelling units which may be permitted on a parcel of land zoned in a residential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0504 shall be performed.

Table 15-3.0504		
Worksheet for the Calculation of Site Intensity and Capacity for Residential Development		
STEP 1:	CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE	0 acres
	Take Base Site Area (from Step 5 in Table 15-3.0502): <u>22.76</u>	
	Multiple by Minimum Open Space Ratio (OSR) (see specific residential zoning district OSR standard): X <u>0</u>	
	Equals MINIMUM REQUIRED ON-SITE OPEN SPACE =	
STEP 2:	CALCULATE NET BUILDABLE SITE AREA:	12.74 acres
	Take Base Site Area (from Step 5 in Table 15-3.0502): <u>22.76</u>	
	Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required On-Site Open Space (from Step 1 above), whichever is greater:- <u>10.02</u>	
	Equals NET BUILDABLE SITE AREA =	
STEP 3:	CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:	11.44 D.U.s
	Take Net Buildable Site Area (from Step 2 above): <u>12.74</u>	
	Multiple by Maximum Net Density (ND) (see specific residential zoning district ND standard): X <u>0.898</u> R-2	
	Equals MAXIMUM NET DENSITY YIELD OF SITE =	
STEP 4:	CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:	20.44 D.U.s
	Take Base Site Area (from Step 5 of Table 15-3.0502): <u>22.76</u>	
	Multiple by Maximum Gross Density (GD) (see specific residential zoning district GD standard): X <u>0.898</u> R-2	
	Equals MAXIMUM GROSS DENSITY YIELD OF SITE =	
STEP 5:	DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:	11.44 D.U.s
	Take the lowest of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):	

CERTIFIED SURVEY MAP NO. _____

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



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

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

Prepared By:

PINNACLE ENGINEERING GROUP

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



DECEMBER 30, 2021

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

PEG JOB#809.90A
SHEET 1 OF 18

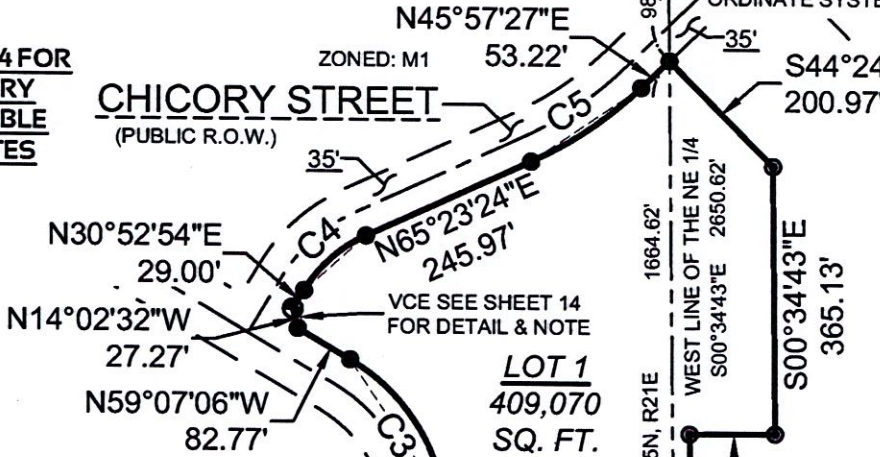
CERTIFIED SURVEY MAP NO.

SEE SHEET 14 FOR
BOUNDARY
CURVE TABLE
AND NOTES



CHICORY STREET
(PUBLIC R.O.W.)

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

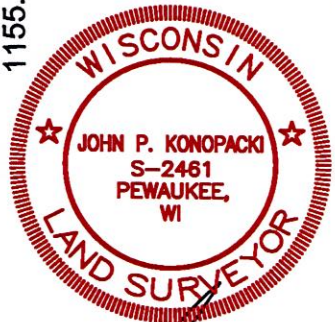


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- LEGEND:**
- - Denotes Found 1" Iron Pipe
 - - Denotes Found 1-1/4" Iron Rod
 - ⊙ - Denotes Found 3/4" Iron Rod
 - ⊠ - Denotes Found Mag Nail
 - ⊞ - Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
 - ⬇ - Denotes Wetland
 - (R) - Denotes "Recorded As"

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

OWNER: STRAUSS
INVESTMENTS LLC
ZONED: M1



DECEMBER 30, 2021

((R) N89°20'00"W (CSM 975))
S89°42'41"E 2645.59'
SOUTH LINE OF THE NE 1/4
SEC. 30, T5N, R21E
S89°42'41"E 708.82'

N53°44'29"E 201.16'
N89°39'32"W 2671.72'
SOUTH LINE OF THE NW 1/4
SEC. 30, T5N, R21E
2008.73'
NORTH LINE OF THE SW 1/4
SEC. 30, T5N, R21E
S00°34'08"E 98.50'

OWNER: STRAUSS
INVESTMENTS LLC
ZONED: M1
P.O.B.
TEMPORARY TURN
AROUND EASEMENT
SEE SHEET 15 FOR
DETAIL
CENTER
SEC. 30
T5N, R21E
(FOUND 1"
IRON PIPE)

ZONED: M1
WETLAND

**GRAPHICAL
SCALE (FEET)**



SEE SHEET 3

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

LOT 2
1,005,391 SQ. FT.
23.0806 ACRES

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

UNPLATTED LANDS
OWNER: GRANDLICH
ZONED: R2

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

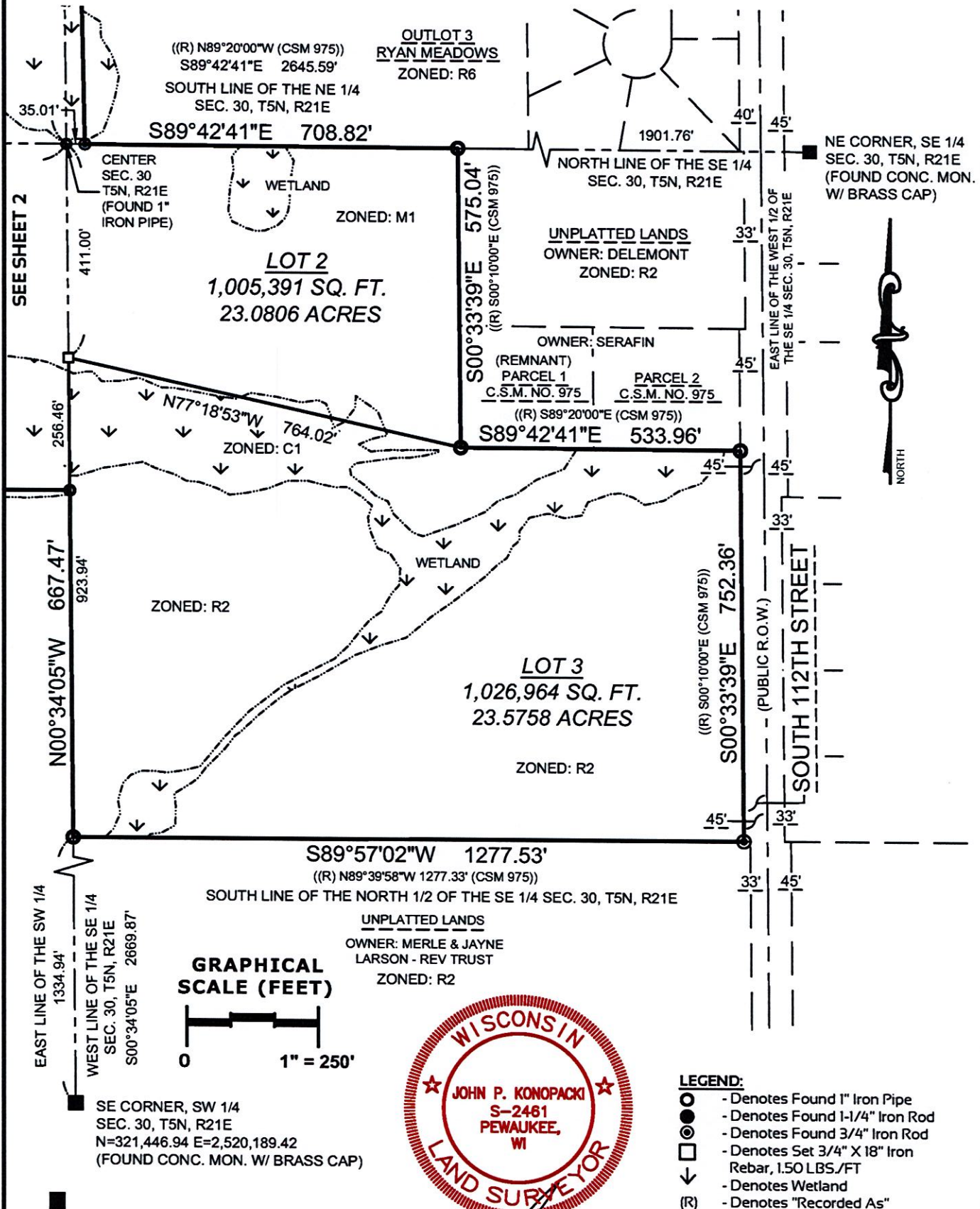
Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

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

PEG JOB#809.90A
SHEET 2 OF 18

CERTIFIED SURVEY MAP NO. _____

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



SE CORNER, SW 1/4
SEC. 30, T5N, R21E
N=321,446.94 E=2,520,189.42
(FOUND CONC. MON. W/ BRASS CAP)

Prepared By:
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DECEMBER 30, 2021

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

PEGJOB#809.90A
SHEET 3 OF 18

CERTIFIED SURVEY MAP NO.



CHICORY STREET
(PUBLIC R.O.W.)

N45°57'27"E 53.22'

S44°24'10"E 200.97'

35'

C5

N30°52'54"E 29.00'

N14°02'32"W 27.27'

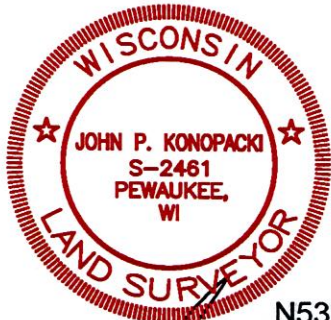
N59°07'06"W 82.77'

C4

N65°23'24"E 245.97'

C3

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



DECEMBER 30, 2021

TEMPORARY TURN AROUND EASEMENT SEE SHEET 15 FOR DETAIL

LEGEND:

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

CONSERVATION EASEMENT

CONSERVATION EASEMENT

50' WETLAND SETBACK NO BUILD AND CONSERVATION EASEMENT

30' WETLAND BUFFER NO TOUCH

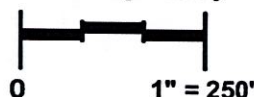
50' WETLAND SETBACK NO BUILD AND 50' CONSERVATION EASEMENT

30' WETLAND BUFFER - NO TOUCH

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

WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP, INC. 2021

GRAPHICAL SCALE (FEET)



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
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This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A
SHEET 4 OF 18

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

SEE SHEET 5

LOT 1

LOT 2

LOT 3

MONARCH DRIVE
(PUBLIC R.O.W.)

N14°02'32"W 27.27'

N59°07'06"W 82.77'

N53°44'29"E 201.16'

N31°05'13"E 282.33'

N00°34'08"W 570.47'

N89°47'21"W 662.96'

S89°42'41"E 708.82'

S01°10'06"E 1155.10'

S89°25'17"W 116.04'

S00°34'43"E 365.13'

N45°57'27"E 53.22'

N65°23'24"E 245.97'

N07°48'36"W 543.63'

S88°49'54"W 273.89'

N31°05'13"E 282.33'

N00°34'08"W 570.47'

N89°47'21"W 662.96'

N77°18'53"W 764.02'

667.47'

514.75'

28.88'

40'

40'

40'

30'

30'

30'

30'

30'

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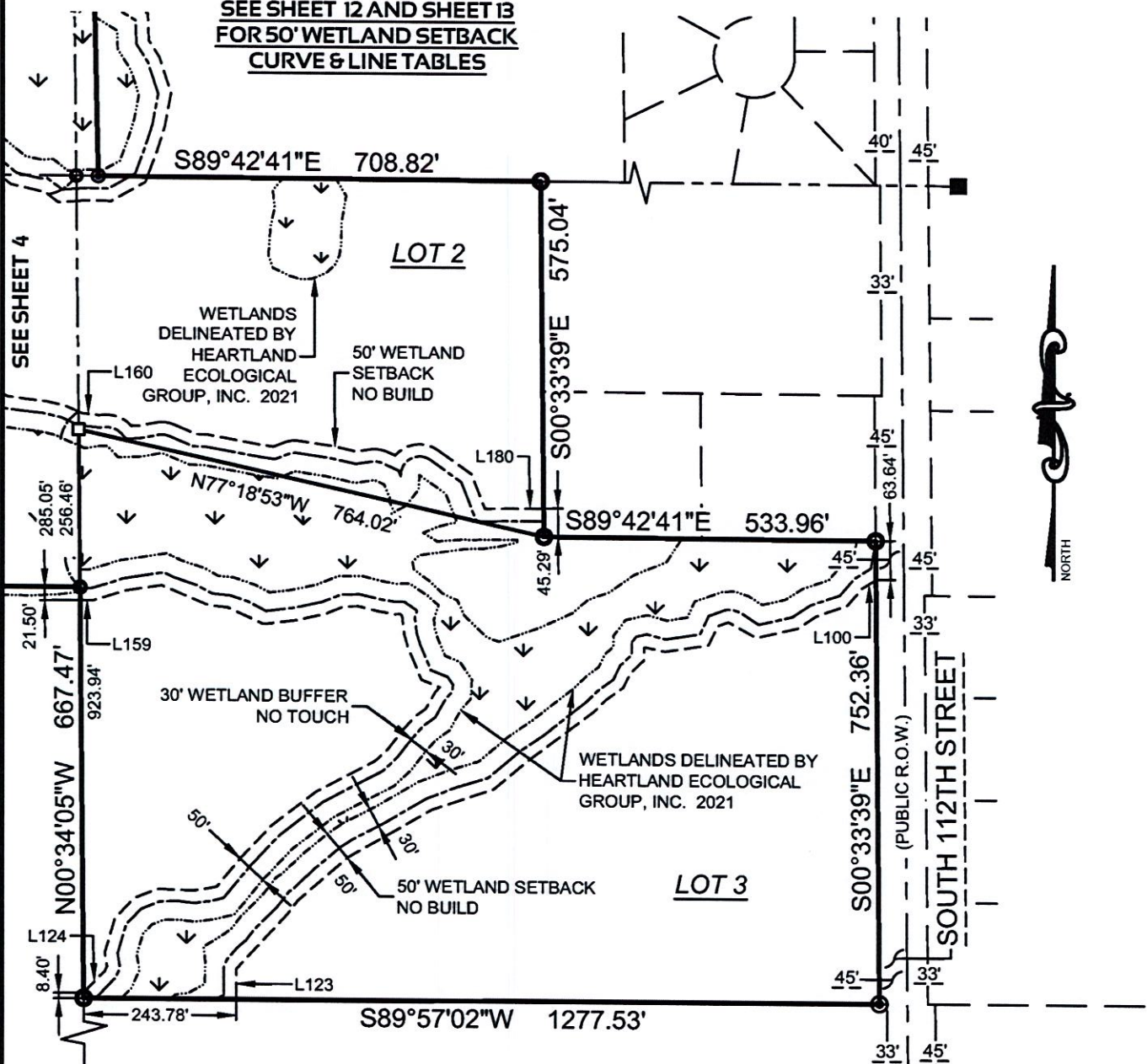
35'

35'

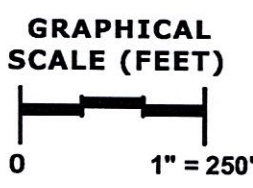
CERTIFIED SURVEY MAP NO. _____

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

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



DECEMBER 30, 2021



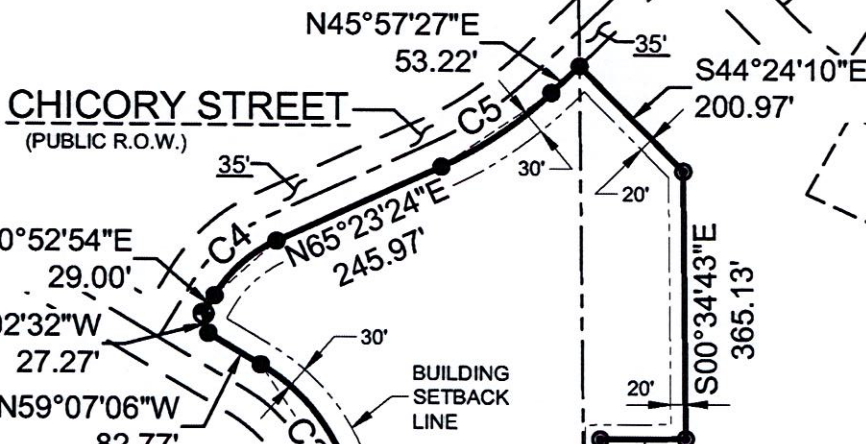
- LEGEND:**
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 - - Denotes Found 1-1/4" Iron Rod
 - ⊙ - Denotes Found 3/4" Iron Rod
 - ⊕ - Denotes Found Mag Nail
 - - Denotes Set 3/4" X 18" Iron Rebar, 1.50 LBS./FT
 - ↓ - Denotes Wetland

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

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

PEG JOB#809.90A
 SHEET 5 OF 18

CERTIFIED SURVEY MAP NO.



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



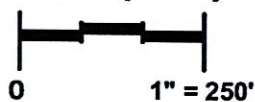
DECEMBER 30, 2021

TEMPORARY TURN AROUND EASEMENT SEE SHEET 15 FOR DETAIL

LEGEND:

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

GRAPHICAL SCALE (FEET)



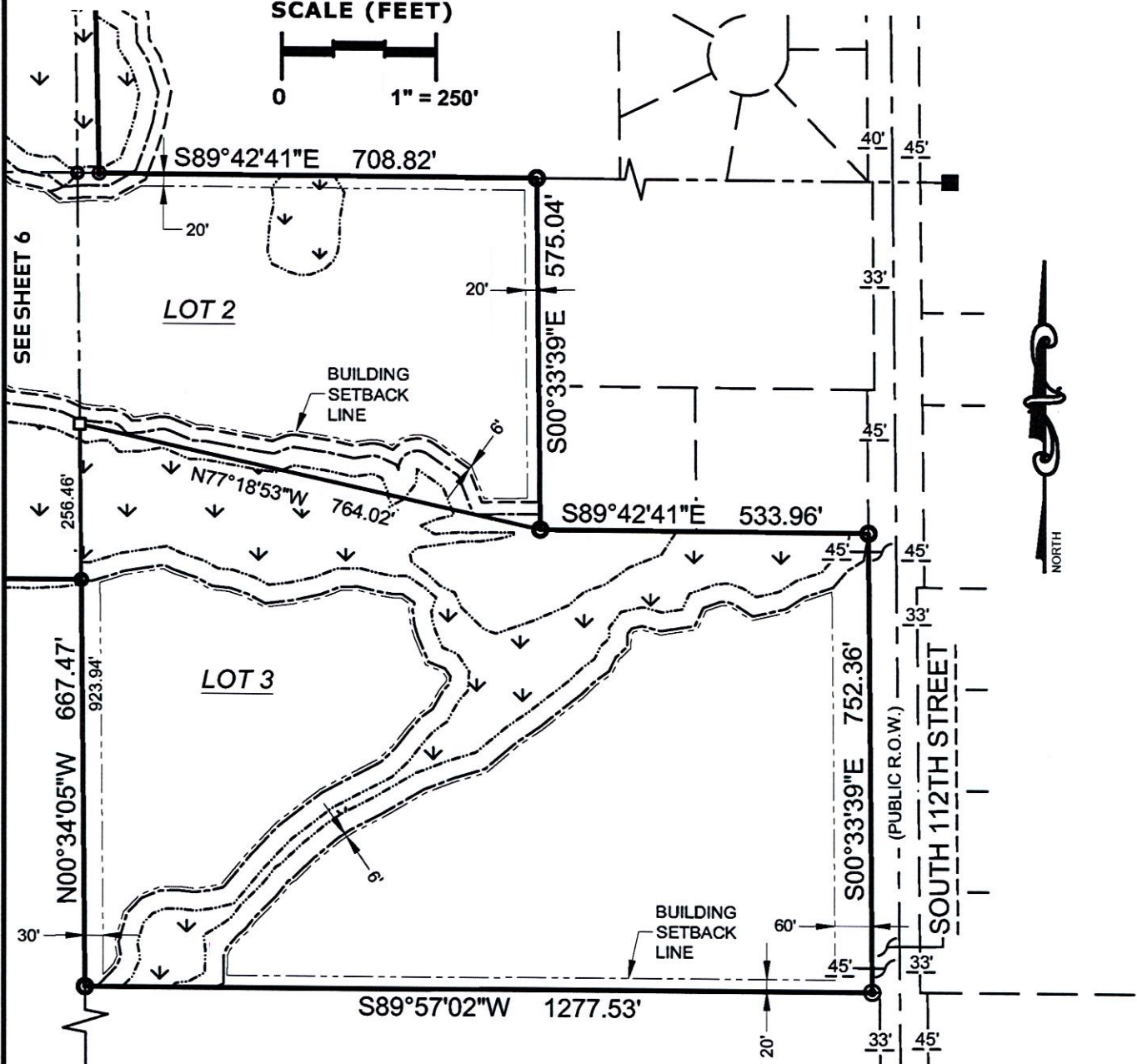
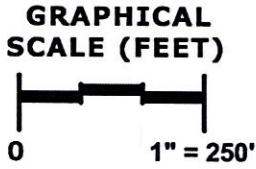
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PEG JOB#809.90A
SHEET 6 OF 18

CERTIFIED SURVEY MAP NO. _____

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



DECEMBER 30, 2021

- LEGEND:**
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 - - Denotes Found 1-1/4" Iron Rod
 - ⊙ - Denotes Found 3/4" Iron Rod
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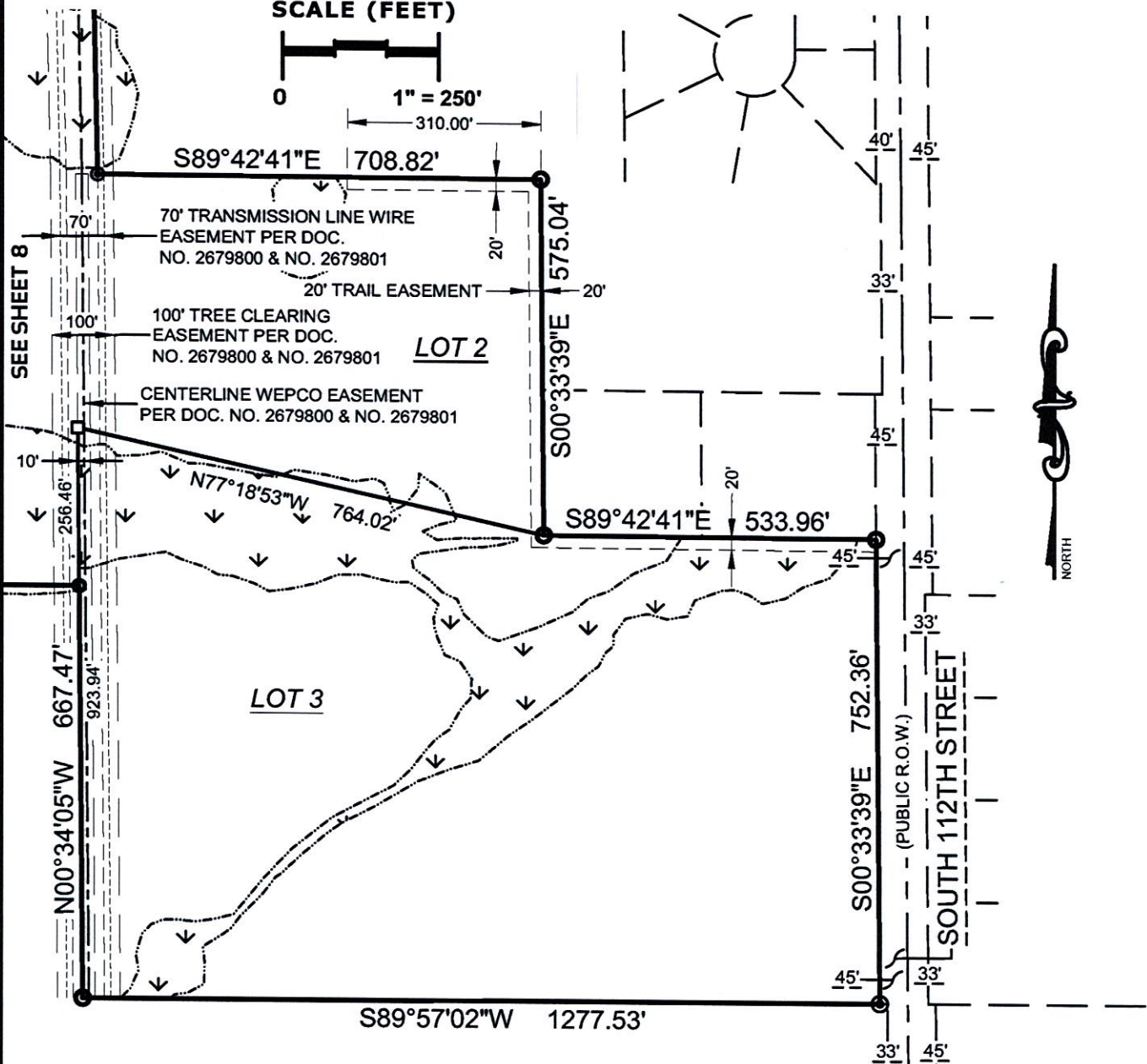
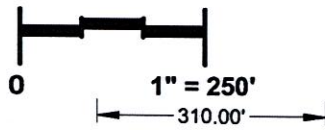
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#809.90A
 SHEET 7 OF 18

CERTIFIED SURVEY MAP NO. _____

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GRAPHICAL SCALE (FEET)



DECEMBER 30, 2021

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Prepared By:

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20725 WATERTOWN ROAD | SUITE 100

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PEG JOB#809.90A

SHEET 9 OF 18

CERTIFIED SURVEY MAP NO.

CHICORY STREET
(PUBLIC R.O.W.)

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



DECEMBER 30, 2021

MONARCH DRIVE
(PUBLIC R.O.W.)

LOT 1
409,070
SQ. FT.
9.3910
ACRES

LOT 2
1,005,391 SQ. FT.
23.0806 ACRES

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

EXISTING TOPOGRAPHY

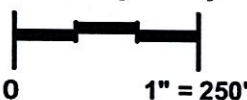
Vertical Datum: National Geodetic Vertical Datum of 1929 (NGVD29). Contours are shown at a 2' interval based on actual ground survey of the current ground terrain.
Reference Benchmark: Concrete monument with brass cap at the Northwest corner of the Northeast 1/4 Section 30, Town 5 North, Range 21 East,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

LEGEND:

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

TEMPORARY TURN AROUND EASEMENT
SEE SHEET 15 FOR
DETAIL

GRAPHICAL SCALE (FEET)



Prepared By:

PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
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PEG JOB#809.90A
SHEET 10 OF 18

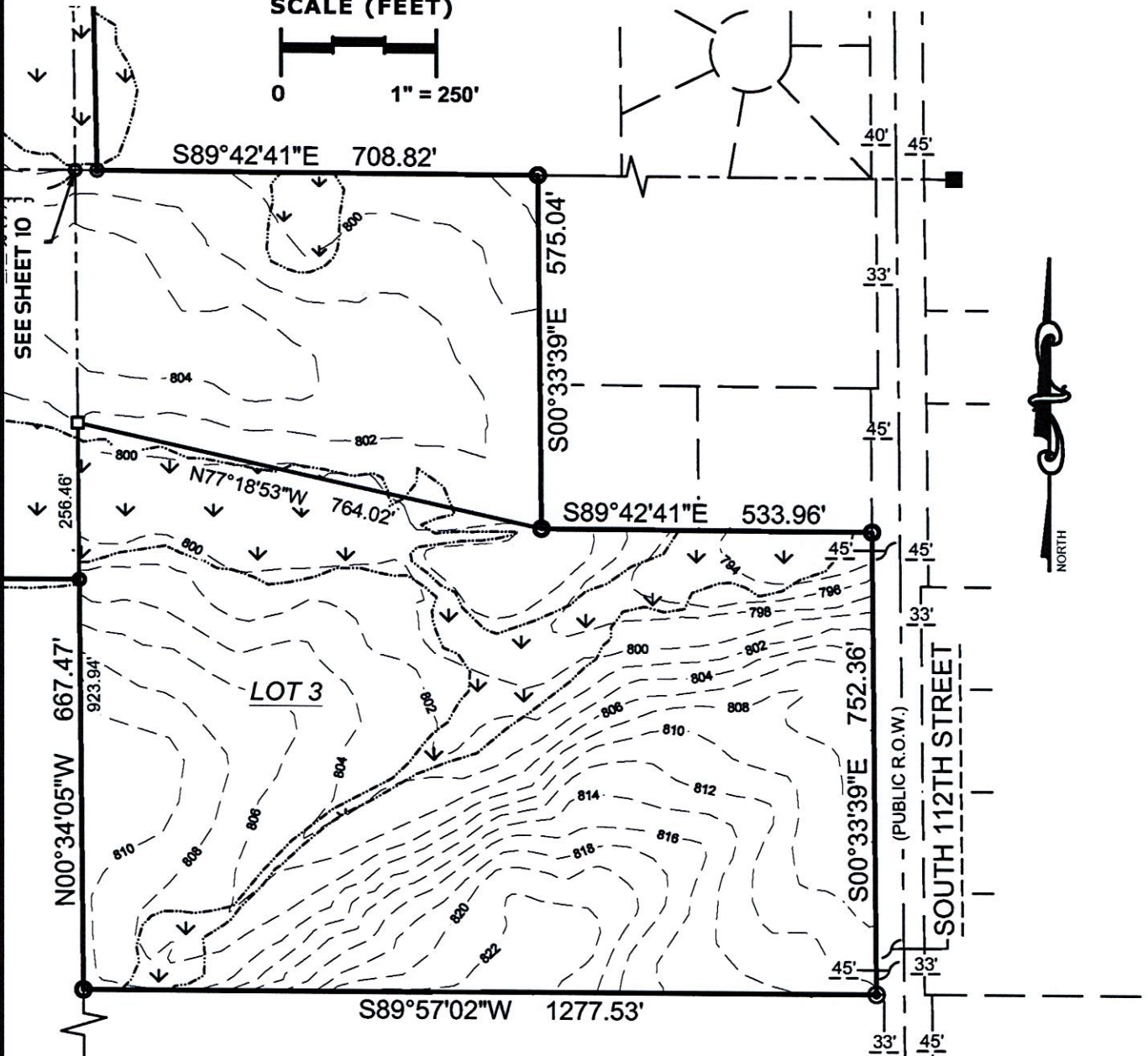
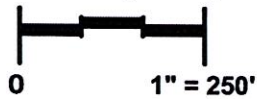
SEE SHEET 11



CERTIFIED SURVEY MAP NO. _____

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

GRAPHICAL SCALE (FEET)



DECEMBER 30, 2021

EXISTING TOPOGRAPHY

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

LEGEND:

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- - Denotes Found 1-1/4" Iron Rod
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- - Denotes Set 3/4" X 18" Iron Rebar, 150 LBS./FT
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Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

PEG JOB#809.90A

SHEET 11 OF 18


CERTIFIED SURVEY MAP NO. _____

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

50' CONSERVATION EASEMENT

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

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



DECEMBER 30, 2021

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

Prepared By:
PINNACLE ENGINEERING GROUP
 20725 WATERTOWN ROAD | SUITE 100
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PEG JOB#809.90A
SHEET 12 OF 18

CERTIFIED SURVEY MAP NO. _____

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

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

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



DECEMBER 30, 2021

Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

PEG JOB#809.90A

SHEET 13 OF 18

CERTIFIED SURVEY MAP NO. _____

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

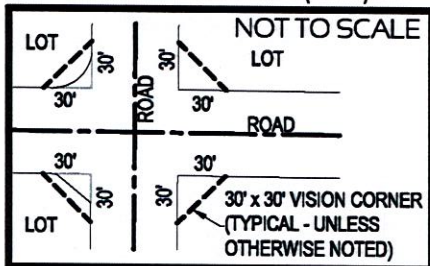
BOUNDARY CURVE TABLE

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

NOTES:

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

CITY OF FRANKLIN VISION CORNER
EASEMENT DETAIL (VCE)



DECEMBER 30, 2021

CITY OF FRANKLIN COMMON COUNCIL APPROVAL

Approved by the Common Council of the City of Franklin by Resolution No. _____
Signed this _____ day of _____, 20__.

Date

Stephen R. Olson, Mayor

Date

Sandra L. Wesolowski, City Clerk

Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

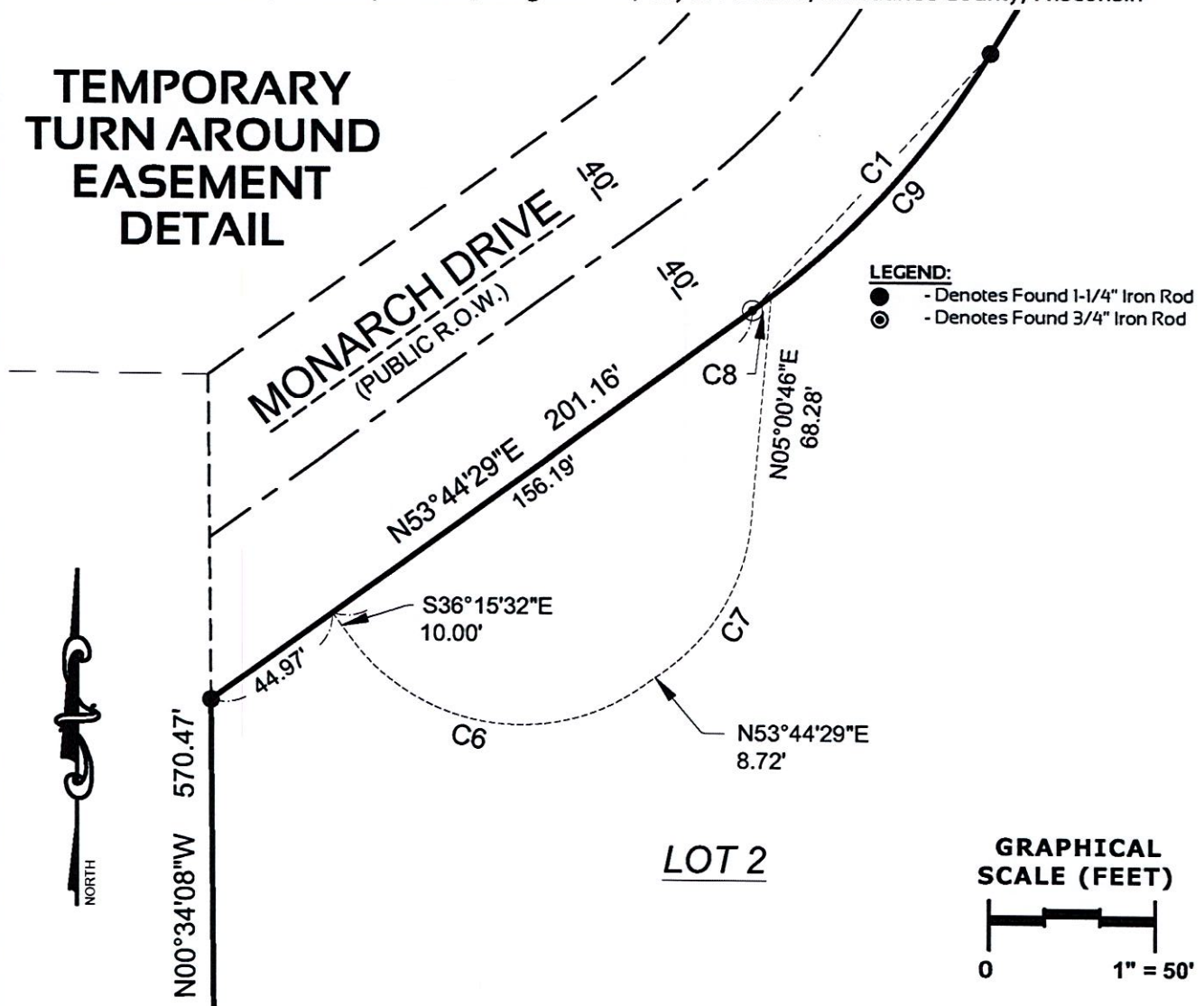
PEG JOB#809.90A

SHEET 14 OF 18

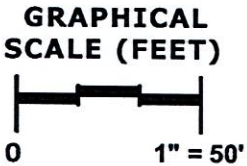
CERTIFIED SURVEY MAP NO. _____

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

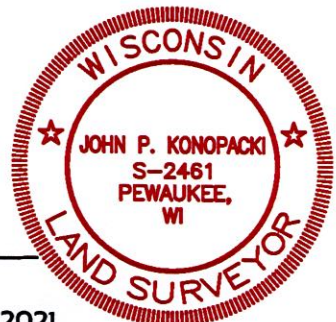
TEMPORARY TURN AROUND EASEMENT DETAIL



LEGEND:
 ● - Denotes Found 1-1/4" Iron Rod
 ⊙ - Denotes Found 3/4" Iron Rod



CURVE TABLE							
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT	TANGENT
C1	106.76'	270.00'	022°39'16"	N42°24'51"E	106.06'	N53°44'29"E	N31°05'13"E
C6	98.17'	62.50'	089°59'59"	S81°15'32"E	88.39'	S36°15'32"E	N53°44'29"E
C7	53.15'	62.50'	048°43'42"	N29°22'38"E	51.57'	N53°44'29"E	N05°00'46"E
C8	7.05'	270.00'	001°29'44"	N52°59'37"E	7.05'	N53°44'29"E	N52°14'44"E
C9	99.71'	270.00'	021°09'31"	N41°39'59"E	99.14'	N52°14'44"E	N31°05'13"E



DECEMBER 30, 2021

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

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

PEG JOB #809.90A
 SHEET 15 OF 18

CERTIFIED SURVEY MAP NO. _____

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

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

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

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

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

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

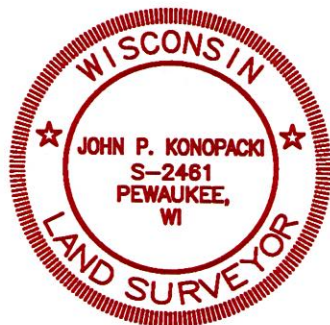
Containing 2,441,425 square feet (56.0474 acres) of land Gross, more or less.


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

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

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the City of Franklin Land Division Ordinance and the Unified Development Ordinance Division - 15 of the City of Franklin in surveying the certified survey map.

Date: DECEMBER 30, 2021




John P. Konopacki
Professional Land Surveyor S-2461

Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

PEGJOB#809.90A
SHEET 16 OF 18

CERTIFIED SURVEY MAP NO. _____

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

OWNER'S CERTIFICATE

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

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

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

1. City of Franklin

IN WITNESS WHEREOF, the said LOOMIS & RYAN INC has caused these presents to be signed by (name - print) _____, (title) _____, at (city) _____, _____ County, Wisconsin, on this _____ day of _____, 20__.

In the presence of: LOOMIS & RYAN INC.

Name (signature) - Title

Date

GURJIT SINGH

Date

GURMIT KAUR

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20__, (name) _____, (title) _____, of the above named LOOMIS & RYAN INC, to me known to be the persons who executed the foregoing instrument, and to me known to be such _____ (title) of said corporation and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Notary Public

Name: _____

State of Wisconsin _____

My Commission Expires: _____

Personally came before me this _____ day of _____, 20__, GURJIT SINGH and GURMIT KAUR, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public

Name: _____

State of Wisconsin _____

My Commission Expires: _____



DECEMBER 30, 2021

Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

PEGJOB#809.90A

SHEET 17 OF 18

CERTIFIED SURVEY MAP NO. _____

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

CONSENT OF CORPORATE MORTGAGEE - LOOMIS & RYAN INC.

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

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

Date

President

STATE OF WISCONSIN)
_____ COUNTY) SS

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

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE - GURJIT SINGH and GURMIT KAUR

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

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

Date

President

STATE OF WISCONSIN)
_____ COUNTY) SS

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

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



DECEMBER 30, 2021

Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

PEG JOB#809.90A
SHEET 18 OF 18