



FRANKLIN CITY HALL CHAMBERS  
9229 W. LOOMIS ROAD  
FRANKLIN, WISCONSIN

**PLAN COMMISSION MEETING AGENDA**  
**Thursday, February 22, 2024 at 6:00 P.M.**

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

**B. Approval of Minutes**

1. Approval of the regular meeting of February 8, 2024.

**C. Public Hearing Business Matters**

1. **Ghaffar Area Exception.** Request a lot coverage increase for a storage shed at 5537 W. River Park Court (806 0340 000).

**D. Business Matters**

1. **Spellman Trailers, Inc. Land Combination and Site Plan Amendment.** Request for approval of a Land Combination to combine Lot 1, Lot 2 and Lot 4 of Certified Survey Map No. 1330 and vacated service road lying north abutting Lots 1 and 2 and a Site Plan Amendment to allow construction of a building addition and other site modifications, upon properties located at approximately 5921 West Ryan Road (Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005), and vacated service road.

**E. Adjournment**

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The YouTube channel "City of Franklin WI" will be livestreaming the Plan Commission meeting so the public can watch and listen to it. <https://www.youtube.com/c/CityofFranklinWIGov>. Any questions on this agenda may be directed to the Department of City Development's office at 414-425-4024, Monday through Friday, 8 AM – 4:30 PM.

\*Supporting documentation and details of these agenda items are available at City Hall during regular business hours.

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

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

REMINDERS: Next Regular Plan Commission Meeting: March 7.

**City of Franklin**  
**Plan Commission Meeting**  
**February 8, 2023**  
**Minutes**

unapproved

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

Aldерwoman Courtney Day called the February, 8, 2024 Plan Commission meeting to order at 6:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Aldерwoman Courtney Day and Commissioners Patrick Leon, Kevin Haley and Michael Shawgo. Also present were Director of Administration Kelly Hersh, City Attorney Jesse Wesolowski, Alderman Ed Holpfer, Aldерwoman Michele Eichmann, Principal Planner Régulo Martínez-Montilva, Principal Planner Marion Ecks, Associate Planner Luke Hamill and Planning Associate Nick Fuchs. Excused was Commissioner Patricia Hogan, City Engineer Glen Morrow and Mayor John Nelson.

**B. Approval of Minutes – Regular Meeting of December 21, 2023**

Commissioner Leon moved and Commissioner Haley seconded a motion to approve, with minor corrections, the December 21, 2023 meeting minutes. On voice vote, all voted ‘aye’; motion carried (4-0-2).

**C. Public Hearing Business Matters**

- 1. Hamed Area Exception.** Request for lot coverage increase to allow for a single-family dwelling upon property located at 7780 W. Faith Drive (792 0272 000).

Principal Planner Martínez-Montilva presented the request and application.

The Official Notice of Public Hearing for lot coverage increase to allow for a single-family dwelling was read in to the record by Principal Planner Martínez-Montilva and the Public Hearing opened at 6:07 pm and closed at 6:07 pm.

Commissioner Leon moved and Commissioner Shawgo seconded a motion to recommend approval of an Area Exception to allow for an increased lot coverage of 27.8% for a proposed single-family dwelling, exceeding the R-6 as of right lot coverage of 25%, for property located at 7780 W. Faith Drive. On voice vote, all voted ‘aye’; motion carried (4-0-2).

**D. Business Matters**

- 1. Croatian Park Pavilion Site Plan.** Request for approval of a Site Plan Amendment application to allow for the development of a new pavilion to replace the existing stage, pavilion and other existing buildings in the northwest corner of the park, upon property located at 9100-9140 S. 76th Street (884 9995 000).

Principal Planner Marion Ecks presented the Site Plan Amendment application.

Motion to suspend rules to allow for public comments. Returned to regular order.

Commissioner Haley moved and Commissioner Leon seconded a motion to adopt a Resolution amending the Site Plan for properties located at 9100 South 76th Street to allow for development of a new pavilion, and installation of stormwater facilities, with amended condition No. 6. Pavilion parking facilities must be improved with pavement and stormwater drainage facilities (§15-5.0202.D). Curb and gutter are not required, per §15-5.0202.E.1 and paving shall not be required to occur until June 1, 2025. Temporary occupancy may be issued to allow for the use of newly developed premises prior to completion of this requirement. On voice vote, all voted 'aye'; motion carried (4-0-2).

- 2. Rural and Urban Areas map update.** Proposal to redefine the rural and urban areas as provided in Ordinance No. 85-860 regulating truck parking and raising animals.

Principal Planner Regulo Martínez-Montilva presented the item.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend approval of a Resolution redefining the rural and urban areas as provided in Ordinance No. 85-860 regulating truck parking and raising animals. On voice vote, all voted 'aye'; motion carried (4-0-2).

- 3. Amendment to Plan Commission administrative procedures.** Proposal to change meeting frequency to once a month.

Commissioner Leon moved and Commissioner Shawgo seconded a motion to table to the March 21, 2024 meeting as a public hearing item. On voice vote, all voted 'aye'; motion carried (4-0-2).

Motion made to suspend rules for Alderman Holpfer. Returned to regular order.

- 4. Franklin Public School District Site Plan Amendment.** Request for approval of a Site Plan Amendment for a building addition, parking lot, landscaping, lighting, soccer fields, playground, detached storage building, and storm water management facilities upon property located at 8225, 8255, 8429, and 8459 West Forest Hill Avenue (838 9978 001).

Planning Associate Nick Fuchs presented the Site Plan Amendment application.

Motion to suspend rules to allow for public comments. Returned to regular order.

Motion to suspend rules to allow for public comments. Returned to regular order.

Commissioner Leon moved and Commissioner Shawgo seconded a motion to table to the March 7, 2024, meeting, and to send the application for review and comments to the departments of Engineering, Fire and Police. On voice vote, all voted 'aye'; motion carried (4-0-2).

5. **Forest Home Commercial Condominium Plat.** Request for approval of a Condominium Plat for property located at 11217 West Forest Home Avenue (Tax Key No. 748 9961 001).

Planning Associate Nick Fuchs presented the Site Plan Amendment application.

Commissioner Leon moved and Commissioner Haley seconded a motion to approve the Condominium Plat for the Forest Home Commercial Condominiums located at 11217 West Forest Home Avenue, subject to the conditions in the draft Resolution. On voice vote, all voted 'aye'; motion carried (4-0-2).

6. **Dairy Queen Site Plan.** Request for approval of a Site Plan for a new Dairy Queen for property at 7730 S Lovers Lane Road.

Associate Planner Luke Hamill presented the Site Plan application.

Commissioner Leon moved and Commissioner Haley seconded a motion to approve the Site Plan for the construction of a multi-tenant commercial building for property located at 7730 S Lovers Lane Road subject to the conditions in the draft resolution. On voice vote, all voted 'aye'; motion carried (4-0-2).

**E. Adjournment**

Commissioner Leon moved and Commissioner Haley seconded to adjourn the meeting at 8:17 p.m. On voice vote, all voted 'aye'; motion carried (4-0-2).



**CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION**

**Item C.1.**

**Meeting of February 22, 2024**

**Area Exception**

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**RECOMMENDATION:** City Development Staff recommends to table this Area Exception request until the open enforcement case is closed.

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<b>Project name:</b>	<b>Ghaffar Area Exception, lot coverage increase</b>
<b>Property Owner:</b>	Ghaffar, Imran & Saima
<b>Applicant:</b>	Ghaffar, Imran
<b>Property Address/TKN:</b>	5537 W. River Park Court / 806 0340 000
<b>Aldermanic District:</b>	District 5
<b>Zoning District:</b>	R-6 – Suburban Single-Family Residence District
<b>Staff Planner:</b>	Régulo Martínez-Montilva, AICP, CNUa, Principal Planner

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**INTRODUCTION:**

Area Exception for a lot coverage increase to allow for a storage shed (10 x 15 feet), exceeding the as of right lot coverage of 25% in the R-6 zoning district.

**PROJECT ANALYSIS:**

The process to grant an area exception involves review and recommendation of the Plan Commission followed by approval by the Board of Zoning and Building Appeals.

Per Section 15-10.0209, area exceptions may be granted to increase the maximum lot coverage by no more than 20%. Section 15-10.0209.G. of the Unified Development Ordinance (UDO) specifically lists Standards to be reviewed to grant or deny an Area Exception, which the Plan Commission and Board of Zoning and Building Appeals will use to consider the request.

Lot coverage is defined as “the area of a zoning lot occupied by the principal building or buildings, accessory structure(s) and accessory building(s)”. For example, structures that count towards lot coverage include: principal buildings or dwellings, garages, sheds, swimming pools and associated paved surfaces within four feet from the pool, decks, any structures with a cover or canopy, etc. This lot coverage definition should not be confused with impervious surface ratio (ISR) as driveways and walkways count towards ISR but not for lot coverage.

Staff review comments are included in the meeting packet. The applicant submitted lot coverage calculations to address comments from the Department of City Development.

**Maximum lot coverage calculation:**

- The property area is 10,518 square feet (sq. ft.).
- Per UDO Table 15-3.0207, the maximum lot coverage is 25% in the R-6 Suburban Single-Family Residence District where the subject property is located. Based on the property area, the maximum lot coverage for this property is 2,629 sq. ft.
- According to applicant's calculations, the existing lot coverage is 26.06% (2,742 sq. ft.), specifically dwelling (2,075 sq. ft.), attached garage (480 sq. ft.), deck (131.5 sq. ft.) and porch (55.74 sq. ft.).
- The proposed deck for which this Area Exception has been requested would be 150 sq. ft, resulting in a lot coverage of 27.50% (2,892 sq. ft.).
- With approval of an Area Exception, the maximum lot coverage may be increased up to 20% over the maximum permitted lot coverage in this zoning district (25%), resulting in 30% (3,155 sq. ft.). Therefore, this request falls within the allowable increase if the Area Exception is granted.

Per the River Park Addition No. 2 subdivision plat, there are no protected natural resources on the subject lot.

**SITE COMPLIANCE**

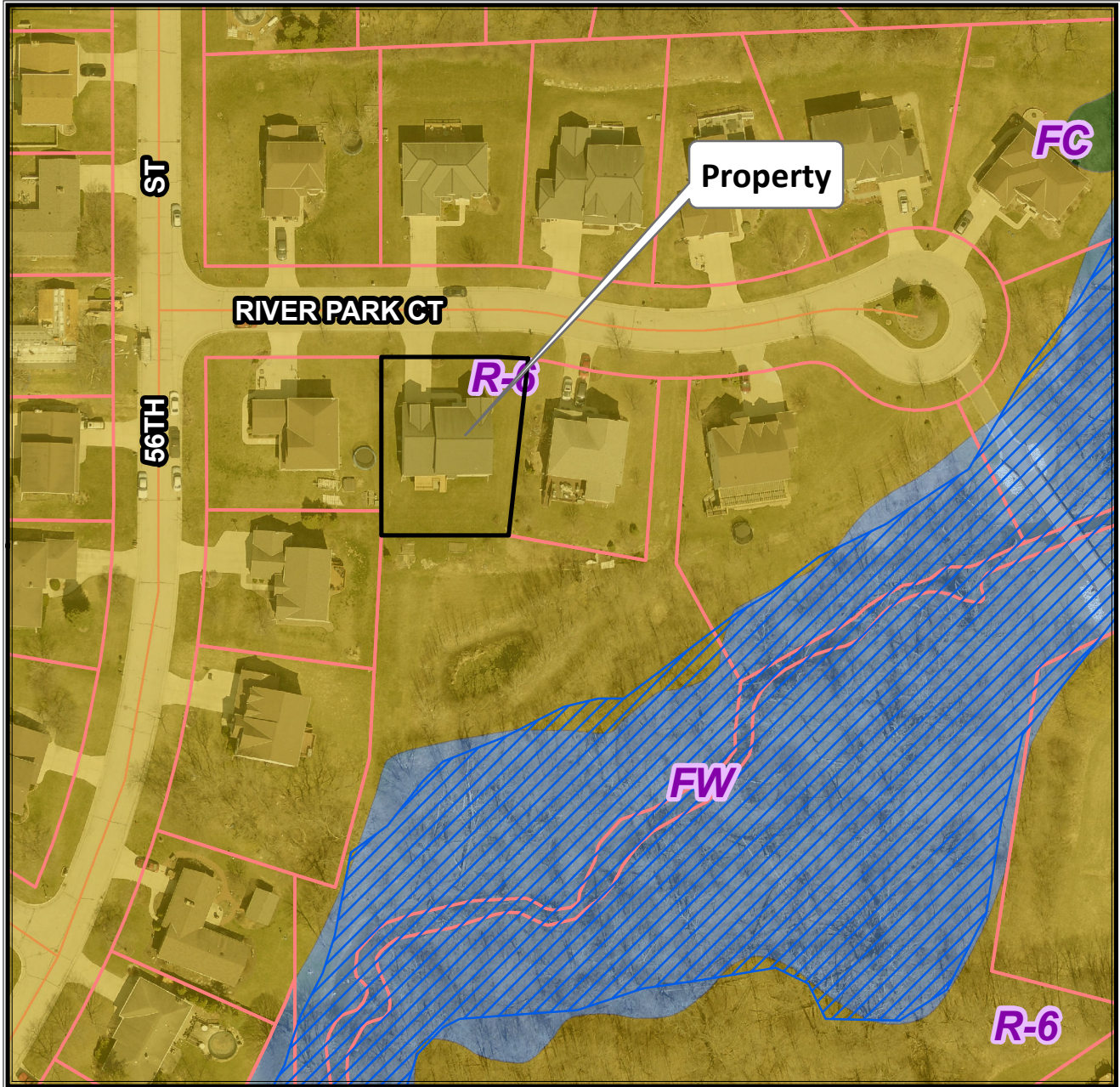
This property is subject to an open enforcement case for unpermitted work in the basement (EN24-0049). It's worth noting that the unpermitted work is inside the dwelling and doesn't affect lot coverage.

**STAFF RECOMMENDATION**

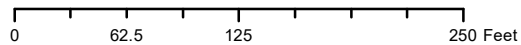
City Development Staff recommends to table this Area Exception request until the open enforcement case (EN24-0049) is closed.

The standard No. 5 for Area Exceptions is “[t]hat the area exception shall be in harmony with the general purpose and intent of this Unified Development Ordinance [UDO]”. In staff's opinion, an open code violation is not in harmony with the intent of the UDO.

5537 W. River Park Court, Franklin WI, 53132  
TKN 806 0340 000



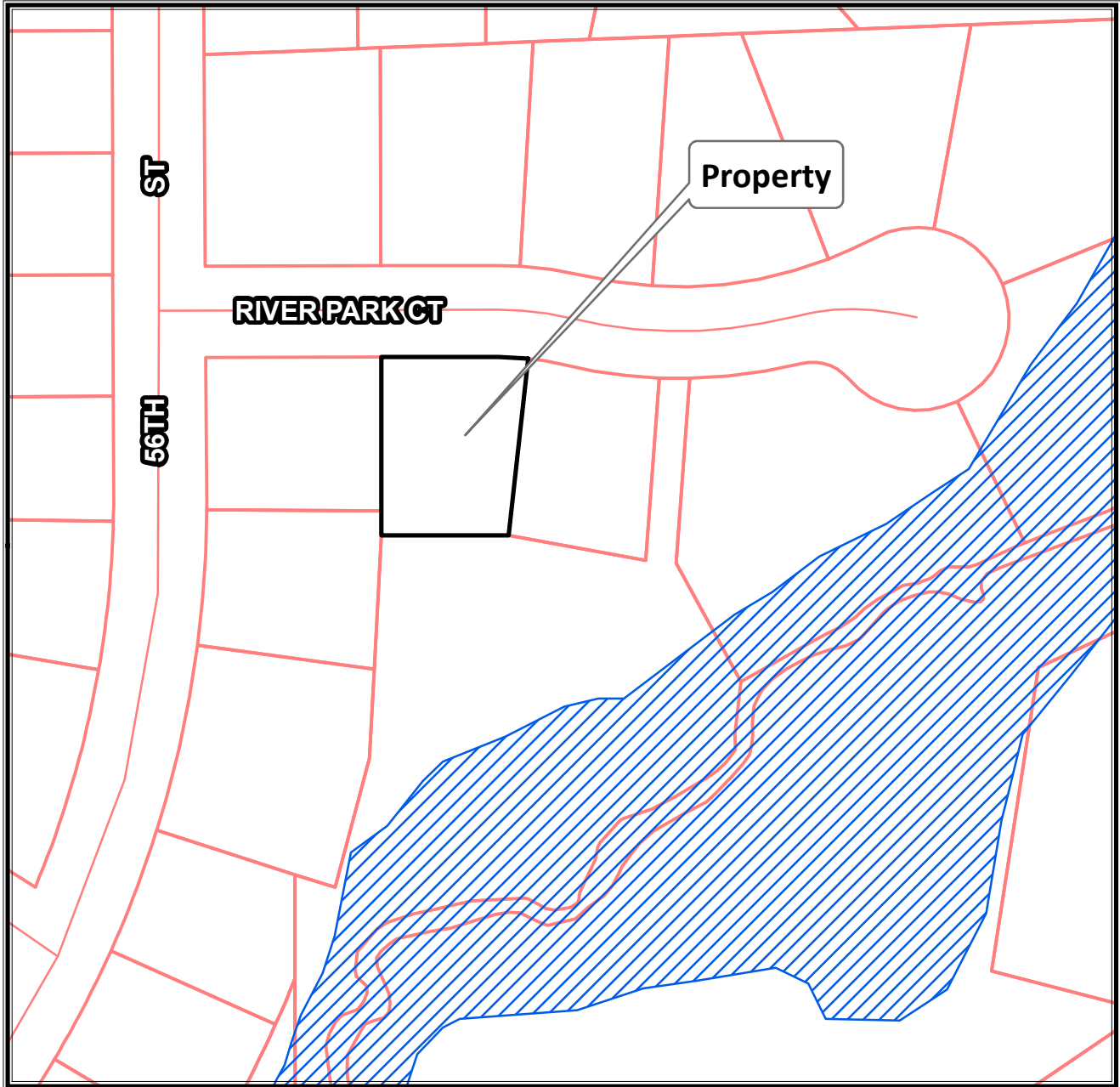
**Planning Department**  
**(414) 425-4024**



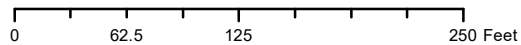
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



5537 W. River Park Court, Franklin WI, 53132  
TKN 806 0340 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.*





## MEMORANDUM

Date: January 9, 2024  
To: Ghaffar, Imram & Saima  
From: Department of City Development.  
Régulo Martínez-Montilva, AICP, CNUa, Principal Planner  
RE: Review comments for Area Exception – 5537 W. River Park Court

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Please be advised that the Department of City Development has reviewed your Area Exception application to allow for an increased lot coverage in the R-6 zoning district.

### **Department of City Development Comments**

1. Your application cannot be scheduled for a Plan Commission meeting until this comment is addressed. Per Section 15-10.0209, area exceptions may be granted to increase the maximum lot coverage by no more than 20%. The lot coverage permitted as of right in the R-6 zoning district is 25%, and it may be increase up to 30% if an area exception is granted.

Your project narrative states that “the current residence covers approximately 30% of the lot”, therefore, the existing lot coverage is already at the maximum that could be approved with an area exception. Staff identifies two options: (1) prepare accurate lot coverage calculations, if the proposed total lot coverage is 30% or less, staff can schedule your application for Plan Commission and Board of Zoning and Building Appeals meetings for public hearing and decision. (2) If the proposed lot coverage is over 30%, you may apply for a variance (application form attached), however, staff anticipates recommending denial of a variance for a shed as it’s difficult to demonstrate that the shed is necessary for the preservation and enjoyment of substantial property rights (Unified Development Ordinance Section 15-10-.0211, finding 4).

Staff suggests to itemize your lot coverage calculations in residence, garage, porch (if any), deck (including stairs and/or ramps) and proposed shed.

### **Engineering Department Comments**

2. Engineering has no objection to the Area Exception request. However, the proposed storage shed should not result in any drainage nuisance.

### **Fire Department Comments**

3. FD has no comments/concerns.

### **Inspection Services Department Comments**

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

Subject Property description

Property type: Single family residence

Property location: 5537 West River  
Park Court, Franklin WI 53132

Location being submitted for approval  
for storage shed: Southeast rear of  
residence

Total size of vacant area being  
submitted for approval: 127m

Total shed size to be installed: 10"x  
15"x10"

# Project Statement

Project will take place upon permit approval. The project we are asking to be approved is for a 10' x 15' Storage Shed in the east rear of the property.

Shed will be no more than 8ft-10 ft tall, and will have no electric, plumbing or HVAC. We are looking to complete project before snowfall so we are respectfully ask if approval is possible that permit be issued in an expedited fashion.

*J. J. J.*  
Contractor (Shirah  
Yuan)

## Lot Coverage

Homeowner is asking that the 150 sq ft( 10ft x15ft) proposed storage shed be placed at the rear of the 10,518 sq foot lot, located at 5537 w River Park Court, Franklin Wi 53132.

Homeowner is proposing the shed to be placed at the south-east end of the property, 5 ft away from the property line on the South- East end, 14ft away from the property line on the South-West End of the property and 15ft away from the existing residence . The proposed shed will have a lot coverage of 1.4%. The current residence covers approximately 30% of the lot.

8060340000

**Property Address** 5537 W River Park Ct, Franklin WI

	<b>Current</b>			<b>Proposed</b>		
	<b>GIS</b>	<b>Accssor</b>	<b>%coverage</b>	<b>GIS</b>	<b>Accssor</b>	<b>%coverage</b>
<b>Los-Area</b>	0.24			0.24		
<b>Lot-SF</b>	10518			10518		
<b>House</b>	2075			2075		
<b>Garage</b>	480			480		
<b>Deck</b>	131.5			131.5		
<b>Porch</b>	55.74			55.74		
<b>Shed</b>				150		
<b>Total Coverage -SF</b>	2742			2892		
<b>Lot Coverage Ratio</b>	26%			27%		

Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132  
Email: [generalplanning@franklinwi.gov](mailto:generalplanning@franklinwi.gov)



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

### Standards in the Review of Area Exceptions

Date: 11-6-2023 Case No. \_\_\_\_\_

Property Owner: IMRAN GHAFFAR

Property Address: 5537 W River Park Ct

Section 15-10.0209G of the City of Franklin Unified Development Ordinance specifically lists Standards to be reviewed by the Board of Zoning and Building Appeals to grant or deny an Area Exception. The Standards are:

1. That the area exception will not be detrimental to or endanger the public health, safety, comfort or general welfare.

I hereby state that we will abide by public safety regulations and area exception will not be detrimental or endanger the public health, safety, comfort or general welfare.

2. That the uses, values and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the area exception.

The values and enjoyment of other property in the neighborhood will not be substantially impaired or diminished by the area exception.

3. That the area exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

I attest that area exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4. That the area exception will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire within the neighborhood.

I agree to the above statement and area exception in no way will impair adequate supply of light/air to adjacent property or substantially increase the congestion or increase fire danger within neighborhood.

5. That the area exception shall be in harmony with the general purpose and intent of this Unified Development Ordinance.

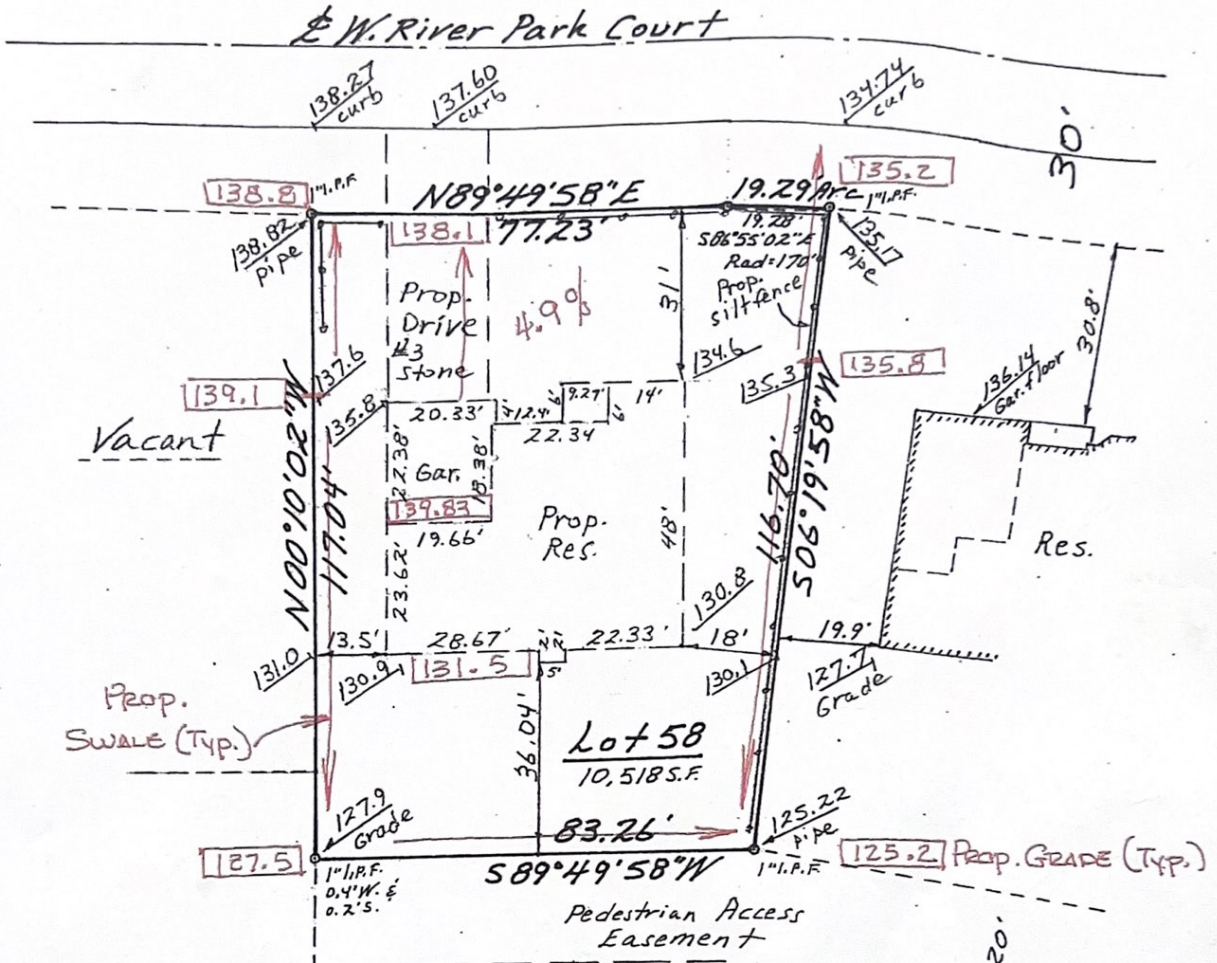
Area exception will be in harmony with the general purpose and intent of this Unified Development Ordinance.

Note: Relative elevations are indicated by underlined figures and are referred to city datum.

Suggested top of foundation: 140.17

Suggested top of footing: 132.17

Suggested finished yard grade: 139.5 front, 131.5 back



**APPROVED** BLDG. GRADE REAR = 131.50  
 20' FINISHED GRADE ELEVATION = 139.83  
 AT GARAGE FLOOR CITY OF FRANKLIN DATUM  
 WJB 1/23/08  
 CITY ENGINEER PER DATE  
 Plan Type: Aberdeen 1

Scale: 1"=30'

STATE OF WISCONSIN } ss.  
 COUNTY OF WAUKESHA }

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



**PLAT OF SURVEY #7246**

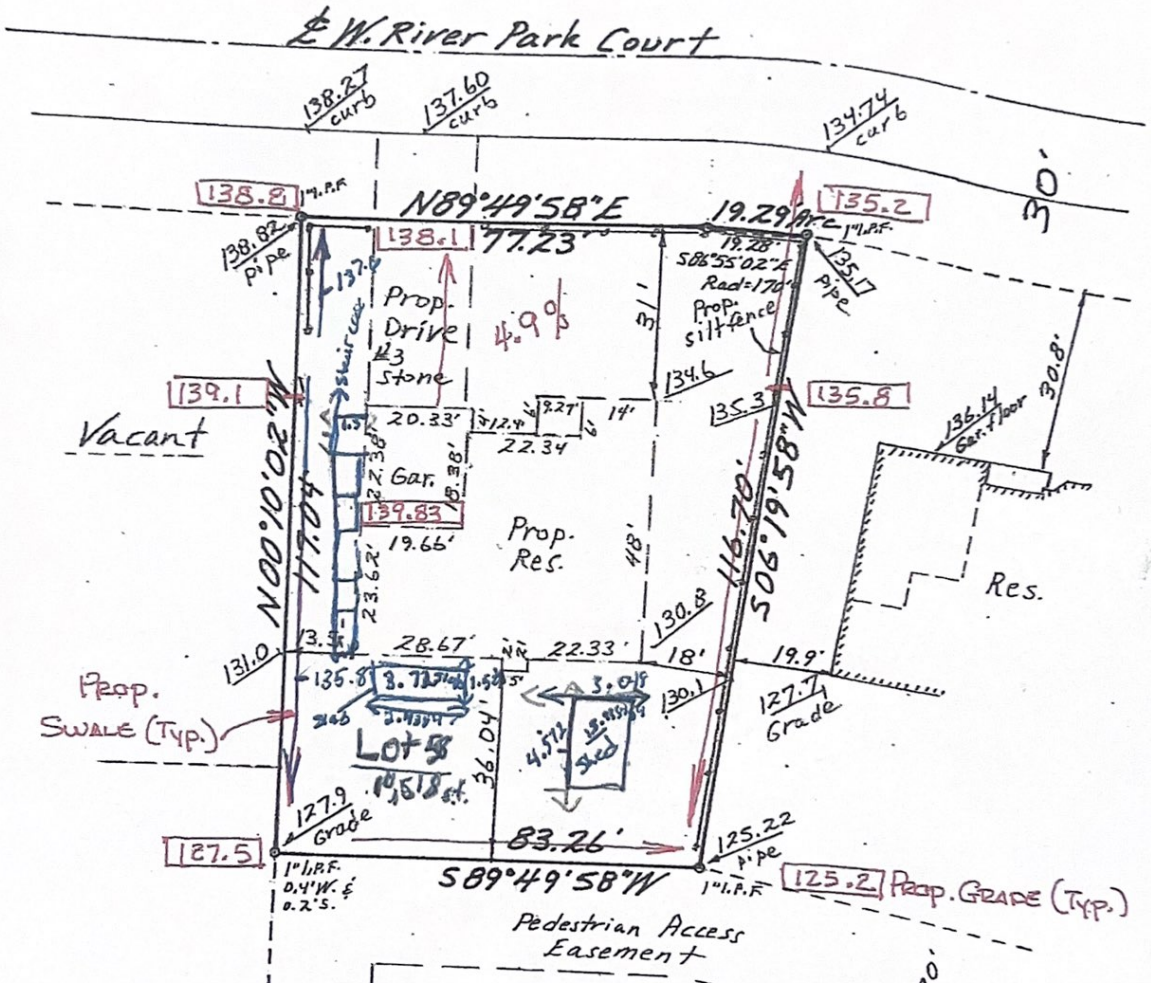
**DESCRIPTION:** Lot 58, River Park Addition No. 2, a re-division of Outlot 4 of River Park, being a part of the SE 1/4 and the SW 1/4 of the NW 1/4 of Section 14, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

Note: Relative elevations are indicated by underlined figures and are referred to city datum.

Suggested top of foundation: 140.17

Suggested top of footing: 132.17

Suggested finished yard grade: 139.5 front, 131.5 back



**APPROVED** BLDG. GRADE REAR = 131.50  
 20' FINISHED GRADE ELEVATION = 139.83  
 AT GARAGE FLOOR CITY OF FRANKLIN DATUM  
 [Signature] WAB 1/23/08  
 CITY ENGINEER PER DATE

Scale: 1"=31'





**REPORT TO THE PLAN COMMISSION**

**Meeting of February 22, 2024**

**Land Combination and Site Plan Amendment**

**RECOMMENDATION:** City Development Staff recommends approval of the Land Combination and Site Plan Amendment Applications for properties located at approximately 5921 W. Ryan Road bearing Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road lying north abutting Lots 1 and 2 of Certified Survey Map No. 1330, subject to the conditions in the draft resolutions.

<b>Property Owner:</b>	Spellman Trailers, Inc.
<b>Applicant:</b>	Elvin Spellman, Spellman Trailers, Inc.
<b>Property Address/Tax Key Number:</b>	Approximately 5921 West Ryan Road / 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road
<b>Aldermanic District:</b>	District 4
<b>Agent:</b>	Leslie Scherrer Pella, PSG, Inc.
<b>Zoning District:</b>	M-1, Limited Industrial District
<b>Use of Surrounding Properties:</b>	Vacant B-3 zoned property to the north and industrial to the south, east, and west
<b>Application Request:</b>	Approval of the proposed Land Combination and Site Plan Amendment applications
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate

**Project Description/Analysis**

The applicant has filed a Land Combination and Site Plan Amendment Application to combine three existing properties and vacated service road into a single lot to allow for the construction of a 1,115 square foot building addition and other site modifications, including a retaining wall and the addition of 1,135 square feet of greenspace. The additional greenspace serves to compensate for the building addition.

Note there are no proposed changes to the use of these properties as part of this request.

Land Combination

The Land Combination is requesting to combine the three existing lots below and a vacated service road to create a single 2.71-acre parcel. The combination of these parcels along with the vacated service roads assist in improving the amount of greenspace currently existing on these individual properties.

- Lot 1 of CSM No. 1330, 5921 W. Ryan Road; Tax Key No. 899 9991 002; 28,741 square feet
- Lot 2 of CSM No. 1330; 5921 W. Ryan Road; Tax Key No. 899 9991 003; 33,117 square feet
- Lot 4 of CSM No. 1330; 0 S. 60th Street; Tax Key No. 899 9991 005; 37,488 square feet
- Vacated service road, 18,749 square feet

Site Plan Amendment

As stated, the Site Plan Amendment includes a building addition, retaining wall, landscaping, and adding greenspace to the site. The proposed landscape retaining wall is located in front or to the north of the building addition and matches the City's retaining wall on the property.

It should be noted that within the vacated right-of-way or service road area, there exists City owned signage, a landscape retaining wall, and landscape plantings. As such, staff recommends Common Council approval of a Signage and Landscape Easement, to be recorded with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit. A draft of this easement document is attached.

The Landscape Plan provided illustrates existing trees as well as four proposed evergreen trees, which are located along the front of the building addition as shown in green on Sheet L100.

The building addition consists of stone, glass, composite siding, and EIFS. The peak height of the addition is 13'-4", well under the 3-story, 40-foot maximum building height allowed under the M-1 District.

All M-1 District development standards are met, except for Landscape Surface Ratio (LSR). The three subject properties currently consist of mostly impervious surfaces and do not conform to the M-1 District LSR of 0.4. Note Section 15-3.1008D. of the UDO does not allow for additions or enlargements with respect to yards, floor area ratio, or any other element of bulk that would increase the degree or extent of its nonconformity with respect to those bulk regulations. In this case, primarily with the acquisition of the previous vacation of adjacent right-of-way, the total amount of greenspace increases. As such, the degree of nonconformity for the site, albeit still not meeting current standards, is improving compared to the existing conditions.

The three properties currently have an LSR of 0.170 (prior to the right-of-way vacation). Following the right-of-way vacation, land combination and site improvements, the resulting 2.71-acre parcel will have an LSR of 0.262.

Generally, staff encourages further compliance with standards in these situations to the most reasonable extent practicable. As previously mentioned, the applicant is adding greenspace to compensate for the building addition. In the responses to staff comments (attached), the applicant has indicated that there is no additional opportunity for greenspace being added to the site without significantly impacting the business operations and historic use of the site.

#### **STAFF RECOMMENDATION**

The Department of City Development staff recommends approval of the Land Combination and Site Plan Amendment Applications for properties located at approximately 5921 W. Ryan Road bearing Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road, subject to the conditions in the draft resolutions.

## RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A LAND  
COMBINATION FOR TAX KEY NOS. 899 9991 002, 899 9991 003 AND 899 9991 005,  
AND VACATED SERVICE ROAD LYING NORTH ABUTTING LOTS 1 AND 2 OF  
CERTIFIED SURVEY MAP NO. 1330  
(APPROXIMATELY 5921 WEST RYAN ROAD)  
(SPELLMAN TRAILERS, INC., APPLICANT)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a proposed land combination for Spellman Trailers, Inc. to combine Lot 1, Lot 2, and Lot 4 of Certified Survey Map No. 1330 and vacated service road lying north abutting Lots 1 and 2 of Certified Survey Map No. 1330, located at approximately 5921 West Ryan Road, Tax Key Nos. 899 9991 002 (0.66 acres), 899 9991 003 (0.76 acres) and 899 9991 005 (0.86 acres), and vacated service road (0.43 acres), for development of a building addition, properties more particularly described as follows:

All of Lots 1, 2, and 4 of Certified Survey Map 1330, as recorded in Milwaukee County Register of Deeds office as document No. 4538848, being a part of the Northwest  $\frac{1}{4}$  of Section 26, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County Wisconsin; further described as follows: commencing at the southwest corner of said Lot 4, thence North  $00^{\circ}24'28''$  West, 315.01 feet to the north line of vacated service road (also being the south line of W. Ryan Road); thence North  $88^{\circ}22'10''$  East along said north line, 374.98 feet; thence South  $00^{\circ}24'28''$  East, 315.01 feet to the southeast corner of said Lot 2; thence South  $88^{\circ}22'10''$  West along the south line of said Certified Survey Map 1330, 374.98 feet to the point of beginning. Said parcels contains 118,095 S.F. (2.71 Acres) more or less; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the proposed land combination for Spellman Trailers, Inc., as submitted by Spellman Trailers, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

SPELLMAN TRAILERS, INC. – LAND COMBINATION  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 2

1. Spellman Trailers Inc., successors and assigns shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Spellman Trailers, Inc. land combination project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
2. The approval granted hereunder is conditional upon Spellman Trailers, Inc. and the Spellman Trailers, Inc. land combination project for the properties located at approximately 5921 West Ryan Road (Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
3. Common Council approval of a Signage and Landscape Easement, to be recorded with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

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

## RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION APPROVING A SITE PLAN AMENDMENT FOR  
THE CONSTRUCTION OF A BUILDING ADDITION AND SITE  
MODIFICATIONS UPON PROPERTY LOCATED AT  
APPROXIMATELY 5921 WEST RYAN ROAD  
(SPELLMAN TRAILERS, INC.,  
APPLICANT/PROPERTY OWNER)

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WHEREAS, Spellman Trailers, Inc., having petitioned the City of Franklin for the approval of a Site Plan Amendment for the construction of a building addition and site modifications including a retaining wall and the addition of greenspace, upon property located at approximately 5921 West Ryan Road, zoned M-1 Limited Industrial District. The properties which are the subject of the application bear Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road lying north abutting Lots 1 and 2 of Certified Survey Map No. 1330.

WHEREAS, the development proposes a building addition, retaining wall, and the addition of greenspace, and the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0309 M-1 Limited Industrial District of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan Amendment for Spellman Trailers, Inc. dated February 8, 2024, as submitted by Spellman Trailers, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

1. Spellman Trailers, Inc., successors and assigns and any developer of the Spellman Trailers, Inc. project shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Spellman Trailers, Inc. project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
2. The approval granted hereunder is conditional upon Spellman Trailers, Inc. and the Spellman Trailers, Inc. project for the properties located at approximately 5921 West Ryan Road (Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals,

SPELLMAN TRAILERS, INC. - SITE PLAN

RESOLUTION NO. 2024-\_\_\_\_\_

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

3. The Spellman Trailers, Inc. project shall be developed in substantial compliance with the plans dated February 8, 2024.
4. Common Council approval of a Signage and Landscape Easement, to be recorded with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.
5. Final approval of grading, erosion control, storm water management, and utilities, as may be applicable, shall be granted by the Engineering Department prior to any land disturbance activities.

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Spellman Trailers, Inc. development as depicted upon the plans dated February 8, 2024, attached hereto as Exhibit A and incorporated herein, shall be developed and constructed within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin; and the Site Plan Amendment for the properties located at approximately 5921 West Ryan Road (Tax Key Nos. 899 9991 002, 899 9991 003 and 899 9991 005, and vacated service road), as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 22<sup>nd</sup> day of February, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 22<sup>nd</sup> day of February, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

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

SPELLMAN TRAILERS, INC. - SITE PLAN

RESOLUTION NO. 2024-\_\_\_\_\_

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EXHIBIT A

PLANS DATED \_\_\_\_\_

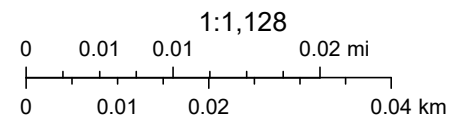
ATTACHED HERETO

# City of Franklin Property Viewer



2/15/2024, 9:51:15 AM

 Parcel



SEWRPC, Maxar, Microsoft, City of Franklin, WI



Spellman Trailers Office Addition  
Site Plan Amendment Application – Project Narrative

Spellman Trailers, Inc. is a well established family business that has been in its current location for decades. At this time their growth requires an expansion of their office.

The proposed project consists of a 1,115 square foot addition and some interior remodeling. The addition will be slab-on-grade construction with a concrete foundation, exterior walls of stone, glass, composite siding, and exterior insulation finish system. The addition, which will provide two new private offices, will be the same height as the existing office and have a membrane roofing system. Interior remodeling includes a new ADA toilet room and remodeling of the existing employee breakroom. Site work includes a landscape retaining wall, complimentary to the City's adjacent landscape retaining wall, to accommodate lawn maintenance. The landscape plan also includes the addition of 1,135 SF of green space. Existing site lighting is to remain.

Site improvement costs are projected at \$11,000 and the building addition and improvement value projected at \$325,000.

The Site Plan Amendment Application is submitted in conjunction with a revised land combination application combining parcels 899-9991-005, 899-9991-002, and 899-9991-003.

upon the face of such Certified Survey Map: "The Natural Resource Features identified herein upon lot[s] [number[s]] are not based upon field surveys. In the event of further land division or development of lot[s] [number[s]] with any such Natural Resource Feature, a complete NRPP with field surveys is required for said parcel."

[Amended 1-21-2020 by Ord. No. 2020-2414]

**§ 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 § 15-3.0501 of this Ordinance.

Table 15-3.0502			
Worksheet for the Calculation of Base Site Area for Both Residential and Nonresidential Development			
<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.		2.71 acres
<b>STEP 2:</b>	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.	-	0.00 acres
<b>STEP 3:</b>	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	-	0.00 acres
<b>STEP 4:</b>	In the case of "Site Intensity and Capacity Calculations" for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of "Site Intensity and Capacity Calculations" for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	-	0.00 acres
<b>STEP 5:</b>	Equals "Base Site Area"	=	2.71 acres

**§ 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 § 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	
	Agricult- ural District	Residential District	Non-Residential District		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X _____	_____
				=	
20-30%	0.65	0.75	0.70	X _____	_____
				=	
+ 30%	0.90	0.85	0.80	X _____	_____
				=	
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X _____	_____
				=	
Young	0.50	0.50	0.50	X _____	_____
				=	
Lakes & Ponds	1	1	1	X _____	_____

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		
				=	
Streams	1	1	1	X _____	
				=	
Shore Buffer	1	1	1	X _____	
				=	
Floodplains	1	1	1	X _____	
				=	
Wetland Buffers	1	1	1	X _____	
				=	
Wetlands & Shoreland Wetlands	1	1	1	X _____	
				=	
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					0.00

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.

**§ 15-3.0504 Calculation of Site Intensity and Capacity for Residential Uses.**

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		
<b>STEP 1:</b>	<b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</b>	
	Take Base Site Area (from Step 5 in Table 15-3.0502): _____	
	Multiple by Minimum Open Space Ratio (OSR) (see specific residential zoning district OSR standard): X _____ Equals <b>MINIMUM REQUIRED ON-SITE OPEN SPACE</b> =	acres
<b>STEP 2:</b>	<b>CALCULATE NET BUILDABLE SITE AREA:</b>	
	Take Base Site Area (from Step 5 in Table 15-3.0502): _____	
	Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required On-Site Open Space (from Step 1 above), whichever is greater:- _____ Equals <b>NET BUILDABLE SITE AREA</b> =	acres
<b>STEP 3:</b>	<b>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</b>	
	Take Net Buildable Site Area (from Step 2 above): _____	
	Multiply by Maximum Net Density (ND) (see specific residential zoning district ND standard): X _____ Equals <b>MAXIMUM NET DENSITY YIELD OF SITE</b> =	D.U.s
<b>STEP 4:</b>	<b>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</b>	
	Take Base Site Area (from Step 5 of Table 15-3.0502): _____	
	Multiply by Maximum Gross Density (GD) (see specific residential zoning district GD standard): X _____ Equals <b>MAXIMUM GROSS DENSITY YIELD OF SITE</b> =	D.U.s

Table 15-3.0504		
Worksheet for the Calculation of Site Intensity and Capacity for Residential Development		
<b>STEP 5:</b>	<b>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</b>	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):	

**§ 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		
<b>STEP 1:</b>	<b>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE:</b> Take Base Site Area (from Step 5 in Table 15-3.0502): <u>2.71</u> Multiple by Minimum Landscape Surface Ratio (LSR) (see specific zoning district LSR standard): X <u>.3</u> Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE</b> =	0.81 acres
<b>STEP 2:</b>	<b>CALCULATE NET BUILDABLE SITE AREA:</b> Take Base Site Area (from Step 5 in Table 15-3.0502): <u>2.71</u> Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required Landscape Surface (from Step 1 above), whichever is greater: - <u>0.81</u> Equals <b>NET BUILDABLE SITE AREA</b> =	1.90 acres
<b>STEP 3:</b>	<b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b> Take Net Buildable Site Area (from Step 2 above): <u>1.90</u> Multiple by Maximum Net Floor Area Ratio (NFAR) (see specific nonresidential zoning district NFAR standard): X <u>0.85</u> Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE</b> =	1.62 acres
<b>STEP 4:</b>	<b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b> Take Base Site Area (from Step 5 of Table 15-3.0502): <u>2.71</u> Multiple by Maximum Gross Floor Area Ratio (GFAR) (see specific nonresidential zoning district GFAR standard): X <u>0.42</u> Equals <b>MAXIMUM GROSS FLOOR AREA YIELD OF SITE</b> =	1.14 acres
<b>STEP 5:</b>	<b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b> Take the lowest of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above):	1.14 acres

<b>Table 15-3.0505</b>		
<b>Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development</b>		
	(Multiple results by 43,560 for maximum floor area in square feet):	( <u>49,658</u> square feet)

**The Response to Staff Comments is included in blue font in the document below.**

**City of Franklin  
Department of City Development**

Date: January 28, 2024

To: Leslie Scherrer Pella. PSG, Inc.

From: Nick Fuchs, Planning Associate

RE: Staff Comments – Land Combination & Site Plan Amendment – Approximately 5921 West Ryan Road

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Please be advised that City Staff has reviewed the above applications. Department comments are as follows for the Land Combination and Site Plan Amendment Applications submitted by Spellman Trailers, Inc. on January 8, 2024.

**Department of City Development**

**Land Combination**

1. It is recommended that the Land Combination Exhibit include the acquisition of right-of-way. **Included in revised land combination exhibit provided 2.8.24.**
2. It is also recommended that the following information be included on the Land Combination Exhibit (See Section 15-9.0312A.2.):
  - a. Address of each of the parcels to be combined; the Milwaukee County tax key number of each parcel; **Included in revised land combination exhibit provided 2.8.24.**
    - i. 5921 W. Ryan Road; Tax Key No. 899 9991 002
    - ii. 5921 W. Ryan Road; Tax Key No. 899 9991 003
    - iii. 0 S. 60<sup>th</sup> Street; Tax Key No. 899 9991 005
  - b. the zoning districts within which each parcel to be combined lies;
    - i. M-1 Limited Industrial District **Included in revised land combination exhibit provided 2.8.24.**
  - c. the City of Franklin Comprehensive Master Plan Land Use District designation of each parcel to be combined;
    - i. Industrial **Included in revised submission provided 2.8.24.**
  - d. the present use of the parcels; **Included in revised land combination exhibit provided 2.8.24.**
  - e. the proposed use of the parcels; and **Included in revised land combination exhibit provided 2.8.24.**
  - f. the area of each parcel to be combined (acres/square feet). **Included in revised land combination exhibit provided 2.8.24.**

**Site Plan Amendment**

3. Please complete and submit the Site Intensity and Capacity Calculation Calculations found within **Division 15-3.0500** of the UDO. **Submitted 2.8.24**
4. Please provide the following information on the site plans in accordance with **Section 15-7.0103** of the UDO.
  - a. Owner's and/or Developer's Name and Address. Owner's and/or developer's name and address noted on the Site Plan. **Included in revised plans provided 2.8.24.**
  - b. Building Height. Height of all building(s), including both principal and accessory, expressed in both feet and stories. **Included in revised building elevations provided 2.8.24.**

- c. On Sheet C103, please show building setbacks for the combined parcel. Included in revised C103 provided 2.8.24.
- 5. On a site plan or a separate landscape plan, please provide information regarding proposed plantings as required by [Section 15-7.0301](#) of the UDO. Included in revised L100 provided 2.8.24.
- 6. Please dimension parking spaces. Note that parking spaces shall be not less than 180 square feet nor less than nine feet in width. Included in revised C103 provided 2.8.24.
- 7. Does the quantity of existing and proposed landscaping conform to [Table 15-5.0302](#) of the UDO?
  - a. According to Code 15-5.0301.B.2, Exemptions to the Required Landscaping include additions to Existing Buildings Where the Total Floor Area is not Increased More than 10%. The addition for this project increases the floor area by 7.8% (see calculations on L100)
  - b. Correspondence between Franklin Planning Department Staff (8-9-23 to 8-31-23) confirmed this exemption applies. The correspondence is attached to this response.
  - c. Ignoring the exemption, the site does not meet the minimum requirements for Evergreens and Decorative Trees. However Code 15-5.0302.B.5 and 15-5.0302.B.6 state that in the event decorative trees, shrubs or evergreens are not appropriate for a development, then those types may be replaced by one shade tree for every one required decorative tree/evergreen. In the case of evergreens, replacement is limited to 70%. This development has 33 shade trees (counted conservatively). With 2 decorative trees and 6 required, there are enough shade trees to supplement the difference. With 4 evergreen trees and 6 required, there are enough shade trees to supplement the difference without exceeding the 70% replacement limit. All this said, as noted in items 7a and 7b above, this development is exempt from this requirement.
- 8. Staff recommends that the greenspace area be enlarged or additional areas of the site be reviewed and considered for greenspace to achieve the allowed Alternative Minimum LSR of 0.30. This along with the addition of plantings as required below would bring the site into conformance with the M-1 District standards.

“Alternative Minimum Landscape Surface Ratio. Use of the Alternative Minimum Landscape Surface Ratio shall require a minimum caliper of three inch shade trees, a minimum caliper of two inch decorative trees and a minimum size of six foot evergreens, along with an increase by 20% of the minimum quantity of plantings required by Table 15-5.0302. If a bufferyard is present, then the required quantity increases by 30%.”

This issue was addressed at length with City of Franklin Planning Department and the Engineering Department along with the City Attorney. Correspondence on this matter is attached at the end of this document. It states “City Development staff consulted with the City Attorney and researched previous approvals as well as the zoning ordinance at the time of these approvals. Per the 1986 zoning ordinance, the Landscape Surface Ratio was not a requirement in the M-1 zoning district, therefore, this Land Combination is not required to comply with the current LSR.”

In the correspondence, it was further clarified that the Owner will be improving the LSR with this project but understands based on this correspondence that they are not required to comply with the current LSR and are also exempt from meeting the requirements on specific numbers of trees and shrubs. City Planning confirmed that statement “correct”.

The existing LSR is .170. The proposed LSR is .262, a marked improvement from the current conditions. The vacation of the right of way will add green space to the property. Furthermore, the plans propose increasing green space on the 5921 W. Ryan Road parcel in an amount greater than the greenspace lost due to the proposed addition.

There is not an opportunity to add greenspace beyond this without causing great hardship to Spellman Trailer's business operations. Due to the nature of their business (semi-trailer sales, service and parts) they need significant space for parking and circulation of semi-trailers. Additional green space would mean the loss of 7-10 trailer spaces, which represents approximately 30% of total trailer spaces.

With the City Development and City Attorney's prior comments about this project being exempt from the LSR and minimum plantings requirements, plus the marked improvement in the LSR, we ask the City approve this site plan amendment and land combination applications.

#### **Signage and Landscape Easement**

1. The Mayor's and City Clerk's names need to be updated on the draft easement document. The Mayor is John R. Nelson and the Clerk is Shirley J. Roberts. Note that if the City originally drafted this easement, staff will make these corrections.
2. Any Engineering Department and City Attorney comments will be forwarded as soon as they are received.

#### **Engineering Department**

9. Please have the tax key numbers shown on the three parcels that will be combined.
10. Please furnish to the City a copy of the recorded land combination from the Register of Deeds.
11. Engineering staff may need to revisit the easement (attached) for revision. This is part of the agreement between the City and the owner.



Addition to Response to Staff Comments - Spellman Trailer Site Plan Amendment  
Correspondence with City Planning Staff 8-9-23 to 8-31-23

**Leslie Scherrer Pella**

---

**From:** Regulo Martinez-Montilva <RMartinez-Montilva@franklinwi.gov>  
**Sent:** Tuesday, August 15, 2023 9:32 AM  
**To:** Leslie Scherrer Pella; Glen Morrow  
**Cc:** Laurie Miller; Jesse Wesolowski; Brian Sajdak; Elvin Spellman; Matt Spellman; Jennifer Spellman; Peter Scherrer  
**Subject:** RE: [External] Staff comments / Spellman Trailers Land Combination  
  
**Categories:** Red Category

Leslie,

See my comments below in red.

Thank you,

**Régulo Martínez-Montilva, AICP, CNUa**  
Principal Planner - Department of City Development  
City of Franklin  
9229 W. Loomis Road  
Franklin, WI 53132

(414) 425-4024 / 427-7564  
[RMartinez-Montilva@franklinwi.gov](mailto:RMartinez-Montilva@franklinwi.gov)



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**From:** Leslie Scherrer Pella <Leslie@psgwisconsin.com>  
**Sent:** Thursday, August 10, 2023 2:45 PM  
**To:** Regulo Martinez-Montilva <RMartinez-Montilva@franklinwi.gov>  
**Cc:** Laurie Miller <LMiller@franklinwi.gov>; Glen Morrow <GMorrow@franklinwi.gov>; Jesse Wesolowski <jweslaw@aol.com>; Brian Sajdak <brian@wrslegal.net>; Elvin Spellman <espellman@spellmantrailers.com>; Matt Spellman <matt@spellmantrailers.com>; Jennifer Spellman <jennifer@spellmantrailers.com>; Peter Scherrer <Peter@psgwisconsin.com>  
**Subject:** RE: [External] Staff comments / Spellman Trailers Land Combination

Thank you for the email, Regulo and to you and your team for the time you put into researching this. A few questions:

- I'm understanding from your email that the process for getting approval for the addition will be a "site plan amendment". I assume that is this form: [Site Plan / Site Plan Amendment Application for the City of Franklin, WI – 2015 \(franklinwi.gov\)](#). Please confirm. A Site Plan amendment is the approval required for the building addition, current application form at

[https://link.edgepilot.com/s/ec58f46d/G6YW\\_wAXik6y5aS4bqrkbw?u=https://www.franklinwi.gov/Files/Planning/PermitApplications/Plan-Commission-Review-Application-2022.pdf](https://link.edgepilot.com/s/ec58f46d/G6YW_wAXik6y5aS4bqrkbw?u=https://www.franklinwi.gov/Files/Planning/PermitApplications/Plan-Commission-Review-Application-2022.pdf)

- We will prepare a landscape plan and it will show improvement from existing conditions. I understand from your email that we are not required to comply with the current LSR and are also exempt from meeting the requirements on specific numbers of trees and shrubs. **Correct.**
- We can easily adjust the exhibit for the land combination. Does it make most sense to submit that at the same time as a landscape plan and site plan amendment application? **That's up to you. However, the landscape plan is required for the Land Combination and Site Plan.**
- If we do submit all at once (site plan amendment, landscape plan, revised exhibit for land combination), can we dovetail the approval processes for these as we discussed in the meeting last week? If so, how would that process go? **The Site Plan and Land Combination can be presented concurrently to the Plan Commission which is the approving authority for site plans. The Land Combination needs to be presented before the Common Council in a separate meeting.**
- Another condition of the ROW vacation was that put easements in place for the city signage that is/will be on the Spellman property. Drafted easements were provided to us and we sent some edits/comments to the language on 5/23/23. Can you tell us if those comments have been accepted? Will those easements be approved at staff level or will they have to go in front of the City Council? If the later, is there a way to dovetail that into our other approval processes? **Please contact City Engineer Glen Morrow [GMorrow@franklinwi.gov](mailto:GMorrow@franklinwi.gov)**

Thank you again,

Leslie Scherrer Pella - PSG, Inc.  
O: 262.758.6064 C: 262.758.3190

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**From:** Regulo Martinez-Montilva <[RMartinez-Montilva@franklinwi.gov](mailto:RMartinez-Montilva@franklinwi.gov)>  
**Sent:** Wednesday, August 9, 2023 4:39 PM  
**To:** Leslie Scherrer Pella <[Leslie@psgwisconsin.com](mailto:Leslie@psgwisconsin.com)>  
**Cc:** Laurie Miller <[LMiller@franklinwi.gov](mailto:LMiller@franklinwi.gov)>; Glen Morrow <[GMorrow@franklinwi.gov](mailto:GMorrow@franklinwi.gov)>; Jesse Wesolowski <[jweslaw@aol.com](mailto:jweslaw@aol.com)>; Brian Sajdak <[brian@wrslegal.net](mailto:brian@wrslegal.net)>  
**Subject:** RE: [External] Staff comments / Spellman Trailers Land Combination

Leslie,

Thank you for your patience. Just to recap, City Development staff identified three issues with your Land Combination application:

1. The existing building located on Lot 1 doesn't appear to comply with the minimum required 20-foot side setback and 15-foot rear setback for the M-1 Limited Industrial zoning district (UDO Table 15-3.0309).
2. UDO Section 15-3.0801.A states that "Accessory uses and structures are permitted in any zoning district but not until the principal structure is present or under construction on the lot or parcel". Lots 2 and 4 don't have a principal structure.
3. Combined Lots 2 and 4 don't meet the minimum landscape surface ratio of 0.4.

During our meeting last week, it was understood that the applicant is willing to combine lots 1, 2 and 4 of CSM No. 1330 resolving the first two issues: setbacks and lack of principal building. Regarding the Landscape Surface Ratio, you mentioned that the applicant is willing to increase the existing LSR but it's difficult to meet the alternative LSR of 0.3 required by the current Unified Development Ordinance (UDO). City Development staff consulted with the City Attorney and researched previous approvals as well as the zoning ordinance at the time of these approvals. Per the 1968 zoning ordinance, the Landscape Surface Ratio was not a requirement in the M-1 zoning district, therefore, this Land

Combination is not required to comply with the current LSR. In order to continue processing your application, please submit:

1. Revised Land Combination exhibit merging lots 1, 2 and 4 of CSM No. 1330.
2. Landscape Plan with existing and proposed Landscape Surface Ratio attesting an improvement to the existing conditions. Note that the landscaping you're proposing on the north side of Lot 2 is considered an improvement to the existing conditions. However, the proposed landscaping on the west side of Lot 2 is not considered an improvement and must be maintained because it's depicted as a landscaped area in the 1987 site plan (attached).

The exemption you're referring in your email is regarding the quantity of required trees/shrubs and not applicable to the Landscape Surface Ratio.

If you're planning to submit the Site Plan amendment for the building addition, please let me know.

I hope this helps, feel free to contact me if you have questions.

Thank you,

**Régulo Martínez-Montilva, AICP, CNUa**

Principal Planner - Department of City Development

City of Franklin

9229 W. Loomis Road

Franklin, WI 53132

{414} 425-4024 / 427-7564

[RMartinez-Montilva@franklinwi.gov](mailto:RMartinez-Montilva@franklinwi.gov)



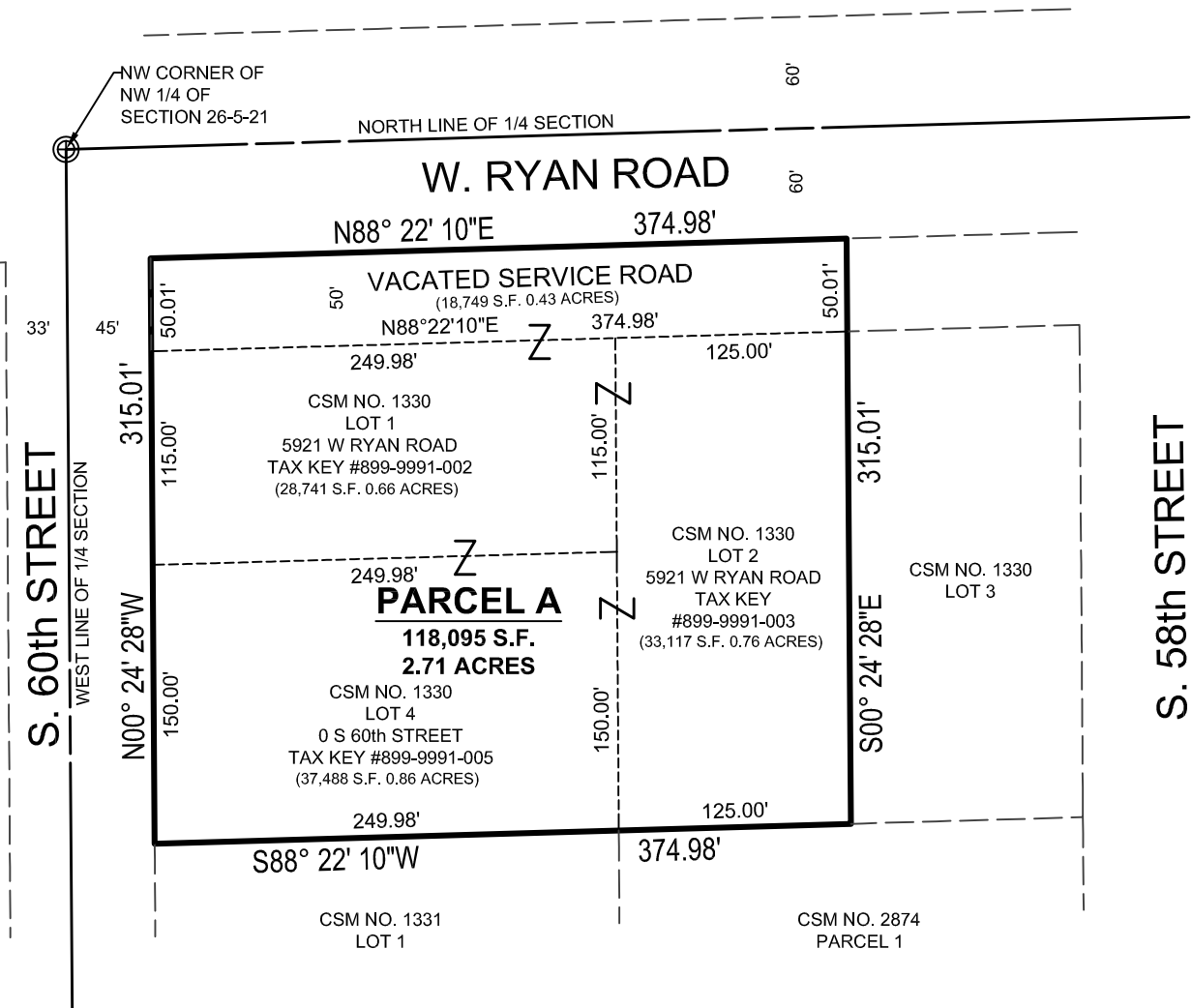
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# Land Combination Exhibit

## LEGAL DESCRIPTIONS:

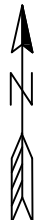
**Parcel A:** All of Lots 1, 2 and 4 of Certified Survey Map 1330, as recorded in Milwaukee County Register of Deeds office as Document No. 4538848, and vacated service road lying north abutting said Lots 1 and 2, all being a part of the Northwest 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Parcel A further described as follows; commencing at the southwest corner of said Lot 4, thence North 00°24'28" West, 315.01 feet to the north line of vacated service road (also being the south line of W. Ryan Road); thence North 88°22'10" East along said north line, 374.98 feet; thence South 00°24'28" East, 315.01 feet to the southeast corner of said Lot 2; thence South 88°22'10" West along the south line of said Certified Survey Map 1330, 374.98 feet to the point of beginning. Said parcels contains 118,095 S.F (2.71 Acres) more or less.



### NOTES:

- CURRENT ZONING - M-1 LIMITED INDUSTRIAL DISTRICT
- THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN LAND USE DISTRICT DESIGNATION OF EACH PARCEL TO BE COMBINED - INDUSTRIAL
- EXISTING AND PROPOSED USE - SEMI TRAILER SALES, PARTS AND SERVICE



REVISED 02/07/2024

DATE:	01/02/2024
DRAWN BY:	BMD
SCALE:	1" = 100'
PAGE 1 of 1	



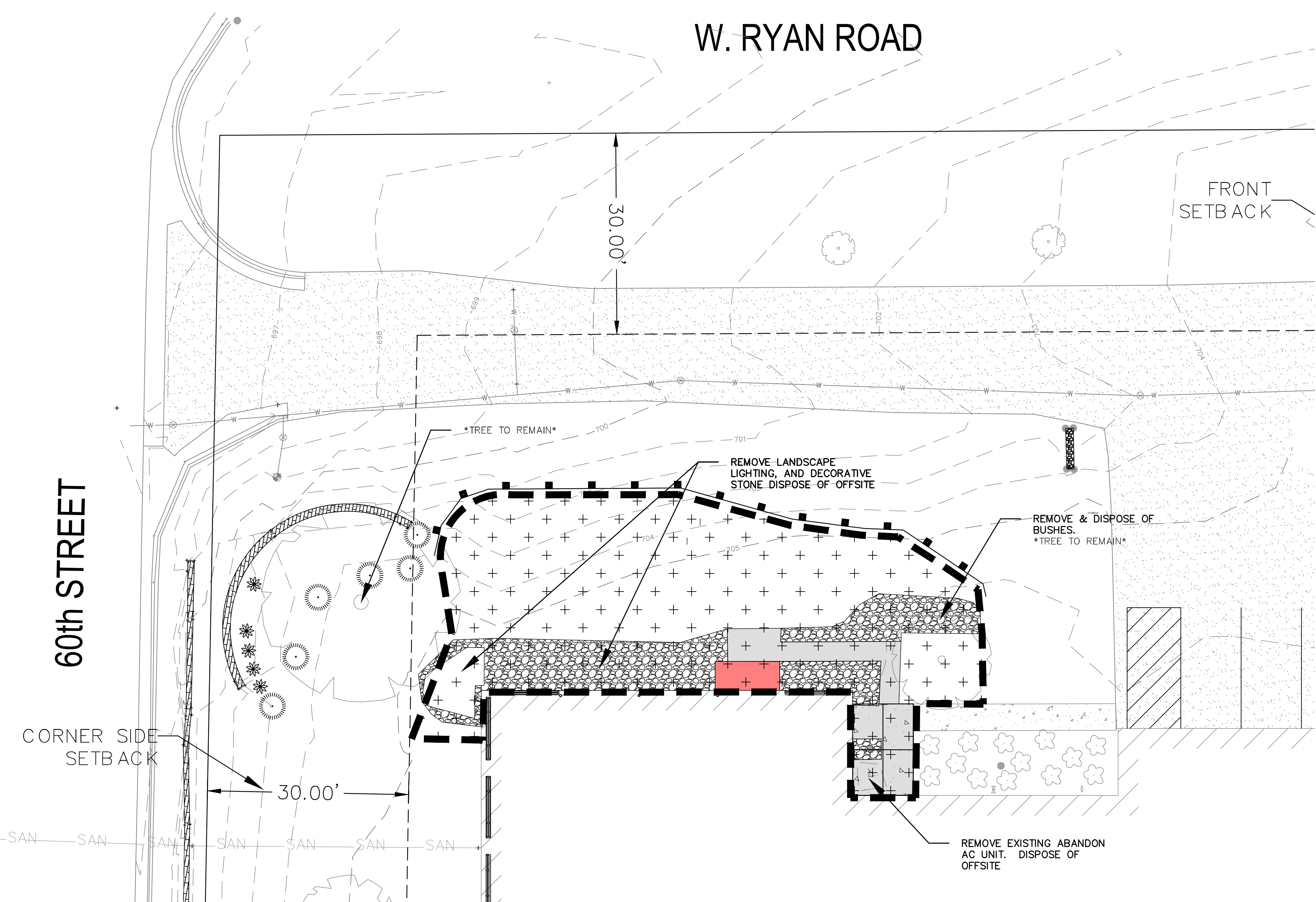
1224 S. Pine Street  
Burlington, Wisconsin 53105  
Kapurinc.com

PLOTTED BY: GREGORY L. GOVERNATORE, PE, CFM

PLOT DATE/TIME: 2/7/2024 11:26 AM

LAST SAVED DATE: 2/7/2024

FILENAME: d:\milwaukee\_co\fromm\city\priv\Design\230310\_spellman\_trailer\_expansion.dwg



**OWNER:**  
**SPELLMAN TRAILERS, INC**  
 5921 W RYAN ROAD  
 FRANKLIN, WI 53132  
 414-421-3200

**PROJECT MANAGER:**  
 PSG, INC  
 LESLIE SCHERRER PELLA  
 448 FALCON RIDGE DRIVE, SUITE B  
 BURLINGTON, WI 53105  
 262-758-6064



1224 S. Pine Street  
 Burlington, Wisconsin  
 53105

kapurinc.com

**PROJECT:**  
 SPELLMAN TRAILER

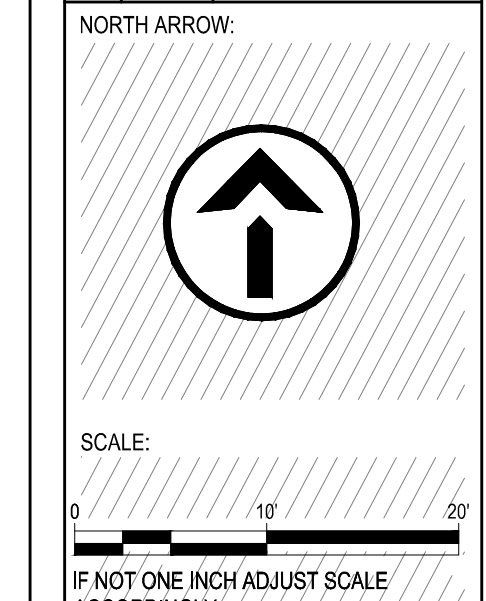
**LOCATION:**  
 CITY OF FRANKLIN,  
 MILWAUKEE  
 COUNTY,  
 WISCONSIN



**RELEASE:**  
 DRAFT PLANS

**REVISIONS:**

#	DATE	DESCRIPTION
1	2/8/2024	City Comments



**KEY INDEX**

	PROJECT LIMITS
	VEGETATION TO BE REMOVED & DISPOSED OF OFFSITE. IF SUITABLE FOR REUSE, TOPSOIL TO BE STOCKPILED. UNUSED & UNSUITABLE TOPSOIL TO BE REMOVED OFFSITE. TOPSOIL THICKNESS MAY VARY. REFER TO GEOTECHNICAL REPORT.
	EXISTING BUILDING & FOUNDATION TO BE RAZED. REFER TO ARCHITECTURAL & STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
	CONCRETE & BASE MATERIAL TO BE REMOVED TO SUB-BASE & DISPOSED OF OFFSITE. CONCRETE & BASE THICKNESS MAY VARY. REMOVE TO NEAREST JOINT.
	CLEAR & CRUB VEGETATION, INCLUDING TREES, UNLESS THE TREES ARE SPECIFICALLY CALLED OUT TO REMAIN. REMOVE ROOTS & STUMPS. ALL MATERIAL SHALL BE DISPOSED OF OFFSITE.
	SAWCUT FULL DEPTH

**DEMOLITION NOTES**

- CONSULT WITH OWNER TO DETERMINE A SAFE STORAGE LOCATION OF ITEMS SPECIFICALLY CALLED OUT TO BE SALVAGED FOR OWNER REUSE. EXERCISE CARE DURING REMOVAL AND TRANSPORT TO PREVENT DAMAGE.
- THE UNDERGROUND AND OVERHEAD UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES, LOCAL MUNICIPALITY, PROPERTY OWNER, AND DIGGERS HOTLINE. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.
- GENERAL CONTRACTOR OR THEIR SUB CONTRACTORS SHALL APPLY FOR AND OBTAIN ALL THEIR REQUIRED PERMITS AND APPROVALS PRIOR TO THE START OF THEIR WORK. CONSULT WITH AND OBTAIN FROM ENGINEER COPIES OF ENGINEERING DESIGN APPROVAL PERMITS, INCLUDING BUT NOT LIMITED TO WDNR, STATE OR LOCAL PLUMBING, WDOT, COUNTY, AND STORM WATER MANAGEMENT.
- GENERAL CONTRACTOR OR THEIR SUB CONTRACTORS SHALL CONTACT DIGGER'S HOTLINE TO ALLOW THEM SUFFICIENT TIME TO LOCATE EXISTING UTILITIES PRIOR TO COMMENCEMENT OF WORK.
- GENERAL CONTRACTOR OR THEIR SUB CONTRACTORS ARE RESPONSIBLE FOR COORDINATING THEIR WORK WITH ALL OTHER CONTRACTORS.
- GENERAL CONTRACTOR OR THEIR SUB CONTRACTORS ARE RESPONSIBLE FOR VERIFYING OWNERSHIP OF AND COORDINATING THE DEMOLITION AND / OR RELOCATION / ELEVATION ADJUSTMENT OF ALL EXISTING PUBLIC OR PRIVATE UTILITIES WITHIN THE PROJECT LIMITS THAT MAY BE AFFECTED BY TOPOGRAPHICAL CHANGES, UTILITIES, OR OTHER PROPOSED CONSTRUCTION ON THE PROJECT, INCLUDING BUT NOT LIMITED TO ELECTRICAL / FIBER OPTIC / TELEPHONE / CABLE / GAS / WATER / SANITARY / STORM. DEMOLITION / RELOCATION OF THIS UTILITY WORK MUST BE IN ACCORDANCE WITH ALL STATE, FEDERAL, LOCAL, AND UTILITY OWNER REGULATIONS.
- FOR ALL WORK, GENERAL CONTRACTOR OR THEIR SUB CONTRACTORS ARE RESPONSIBLE FOR REVIEWING BID DOCUMENTS, VERIFYING THE VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UTILITIES WITHIN THE PROJECT LIMITS, AND INCLUDE IN THEIR CONTRACT THE RELOCATION OF SAID UTILITIES (NOTED OR NOT ON THE BID DOCUMENTS) AS NECESSARY TO PROVIDE PROPER DEPTH/CLEARANCE PER UTILITY OWNER'S REQUIREMENTS.

all in

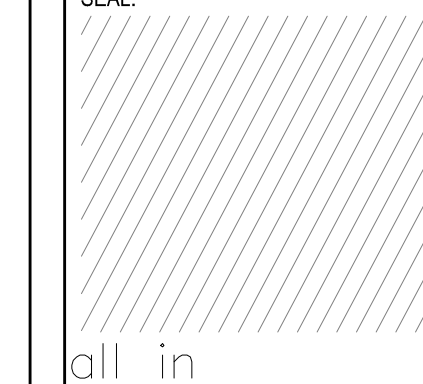
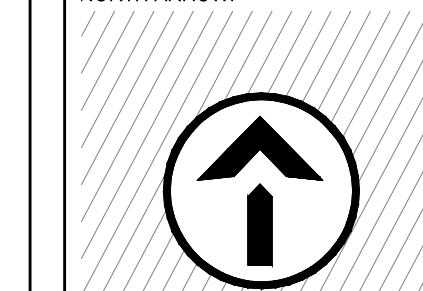
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 SPELLMAN DEMO

**PROJECT MANAGER:** GLG  
**PROJECT NUMBER:** 23.0310  
**DATE:** 11-20-2023

**SHEET NUMBER:**  
**C100**



#	DATE	DESCRIPTION
1	2/8/2024	City Comments

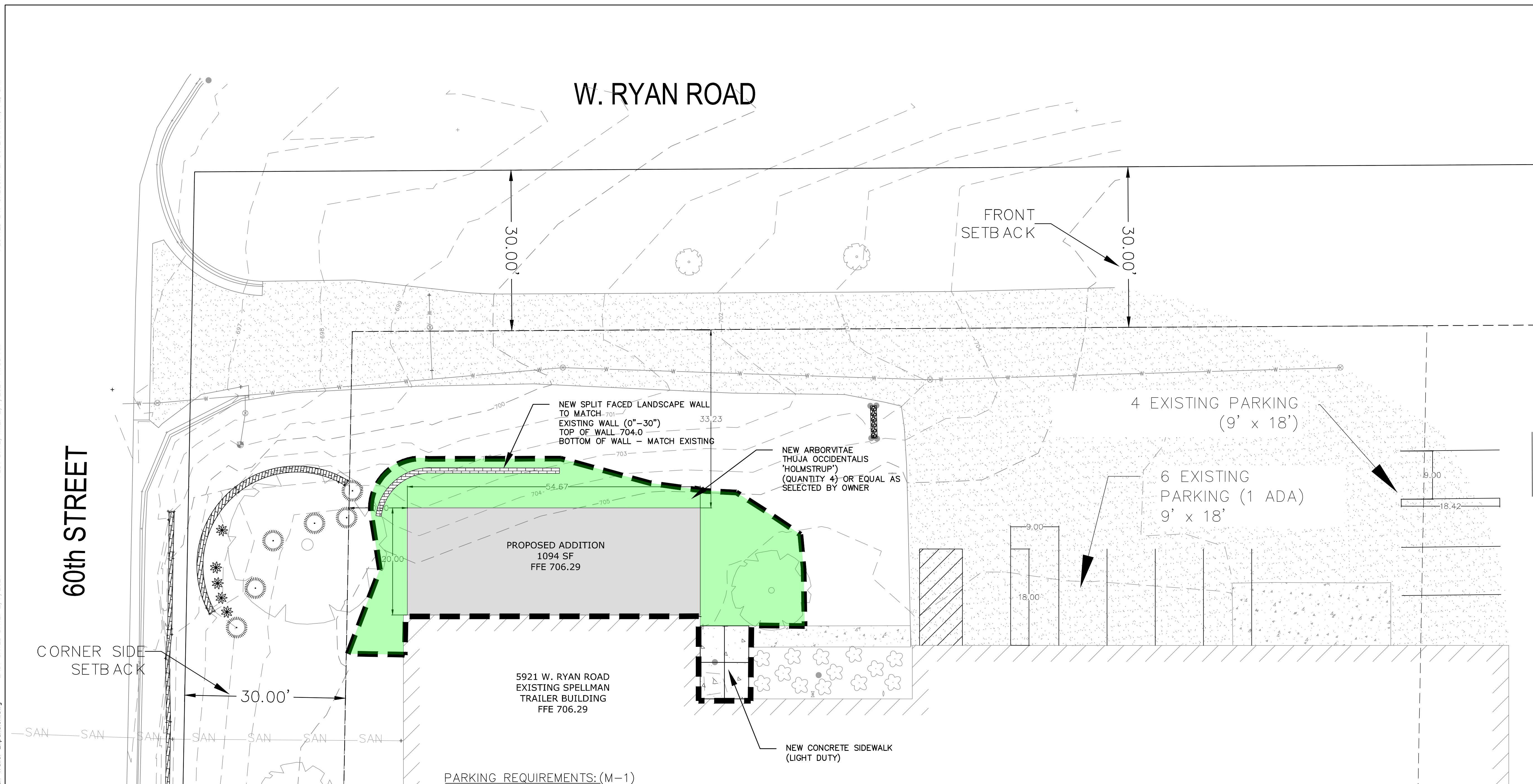


PLOTTED BY: GREGORY L. GOVERNATORE, PE, CFM

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LAST SAVED DATE: 2/7/2024

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**PARKING REQUIREMENTS:(M-1)**  
 PARKING REQUIREMENTS COMMERCIAL BUILDINGS  
 LIGHT INDUSTRY 1/1000 SQUARE FEET GFA  
 CONTRACTOR SHOP 1/1000 SQUARE FEET GFA

15,050 GFA = 15 SPACES REQUIRED (1 ADA)  
 17 SPACES EXISTING (1 ADA)

**ZONING:** M-1 Limited Industrial District

MINIMUM LANDSCAPE SURFACE RATION (LSR) (0.4)  
 ALTERNATIVE LSR WITH MITIGATION (0.3)  
 MAXIMUM GROSS FLOOR AREA RATIO (GFAR) 0.42(A)

**SETBACKS**  
 MINIMUM FRONT 30 FEET  
 MINIMUM SIDE 20 FEET  
 MINIMUM SIDE (CORNER LOT) 30 FEET  
 MINIMUM REAR 15 FEET

MAXIMUM BUILDING HEIGHT 40 FEET (Max. Existing 20 feet)  
 (Max. addition 13' - 4")  
 All Single Story  
 ACCESSORY HEIGHT 25 FEET

**OWNER:**  
 SPELLMAN TRAILERS, INC  
 5921 W RYAN ROAD  
 FRANKLIN, WI 53132  
 414-421-3200

**PROJECT MANAGER:**  
 PSG, INC  
 LESLIE SCHERRER PELLA  
 448 FALCON RIDGE DRIVE, SUITE B  
 BURLINGTON, WI 53105  
 262-758-6064

**KEY INDEX**

	PROJECT LIMITS
	AREAS DISTURBED BY CONSTRUCTION (NOT SPECIFICALLY CALLED OUT ON THE LANDSCAPE PLANS) TO BE RESTORED WITH MINIMUM 4" TOPSOIL, SEED, FERTILIZER, AND MULCH (TYP). USE SALVAGED TOPSOIL OR IMPORT TOPSOIL IF REQUIRED.
	NEW CONCRETE (LIGHT DUTY)
	SILT FENCE

SITE DATA (LSR)		
	EXISTING	PROPOSED
AREA (Lots 1,2,& 4)	99,076 SF	118,095 SF
<b>IMPERVIOUS AREA</b>		
BUILDING	13,956 SF	15,050 SF
PAVEMENT	68,231 SF	71,869 SF
SIDEWALK	340 SF	244 SF
LANDSCAPE	16,843 SF	30,956 SF
LSR	.170	.262

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 PLOTTED BY: GREGORY L. GOVERNADORI, PE, CFM

60th STREET

W. RYAN ROAD

OWNER:  
 SPELLMAN TRAILERS, INC  
 5921 W RYAN ROAD  
 FRANKLIN, WI 53132  
 414-421-3200

PROJECT MANAGER:  
 PSG, INC  
 LESLIE SCHERRER PELLA  
 448 FALCON RIDGE DRIVE, SUITE B  
 BURLINGTON, WI 53105  
 262-758-6064



1224 S. Pine Street  
 Burlington, Wisconsin  
 53105

kapurinc.com

PROJECT:

SPELLMAN TRAILER

LOCATION:

CITY OF FRANKLIN,  
 MILWAUKEE  
 COUNTY,  
 WISCONSIN



RELEASE:

DRAFT PLANS

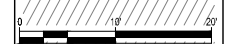
REVISIONS:

#	DATE	DESCRIPTION
1	2/8/2024	City Comments

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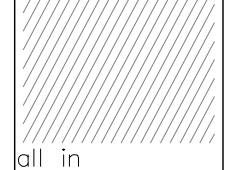


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IF NOT ONE INCH ADJUST SCALE ACCORDINGLY

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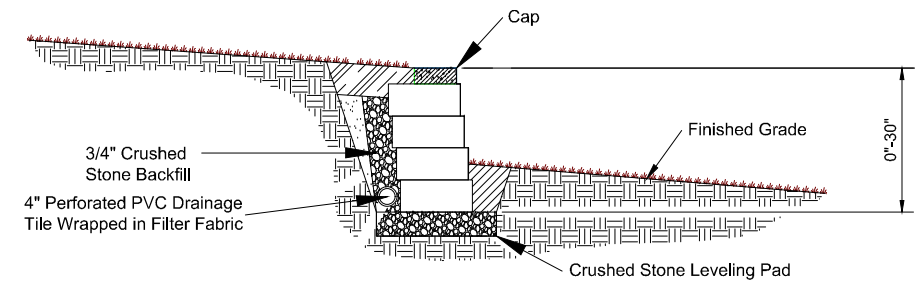
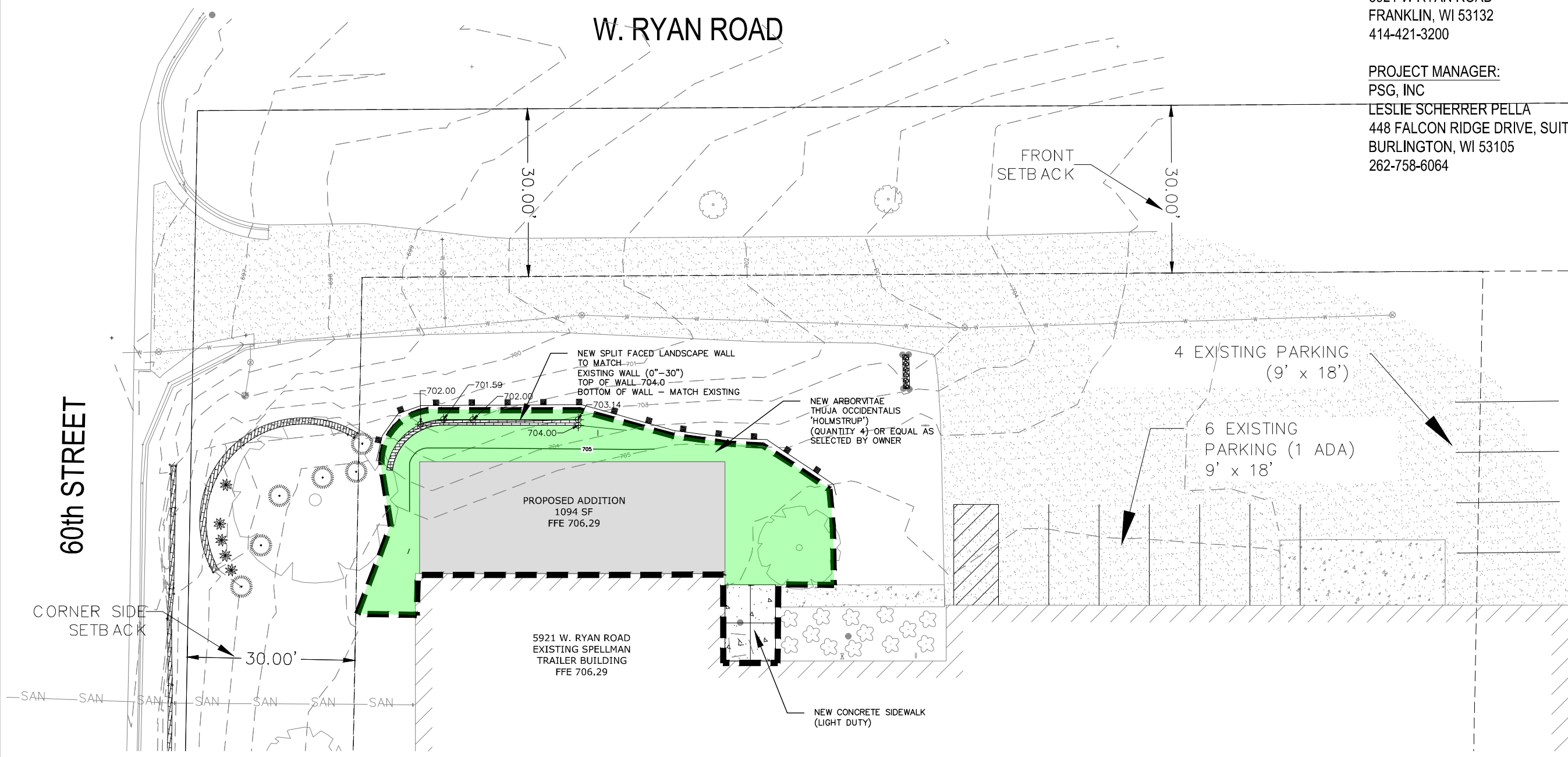
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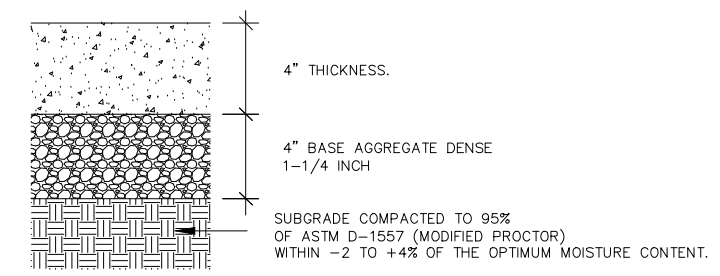
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 PROJECT NUMBER: 23.0310  
 DATE: 11-20-2023

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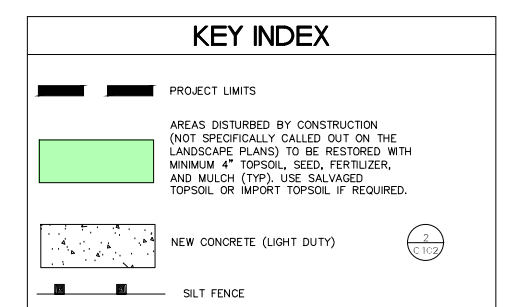
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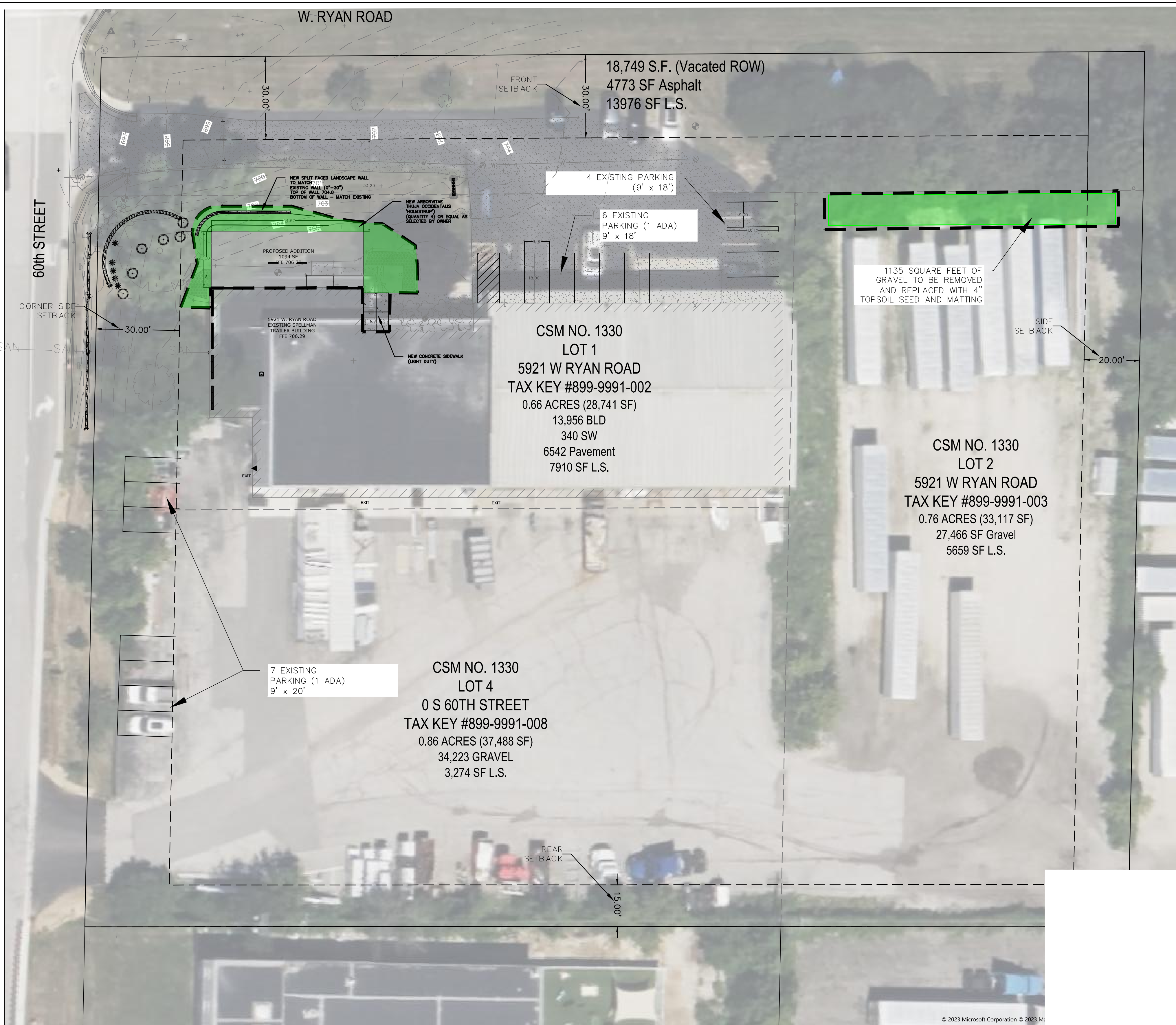
1 GRAVITY WALL SECTION TYPICAL  
 N.T.S.



2 CONCRETE SIDEWALK (LIGHT DUTY)  
 N.T.S.



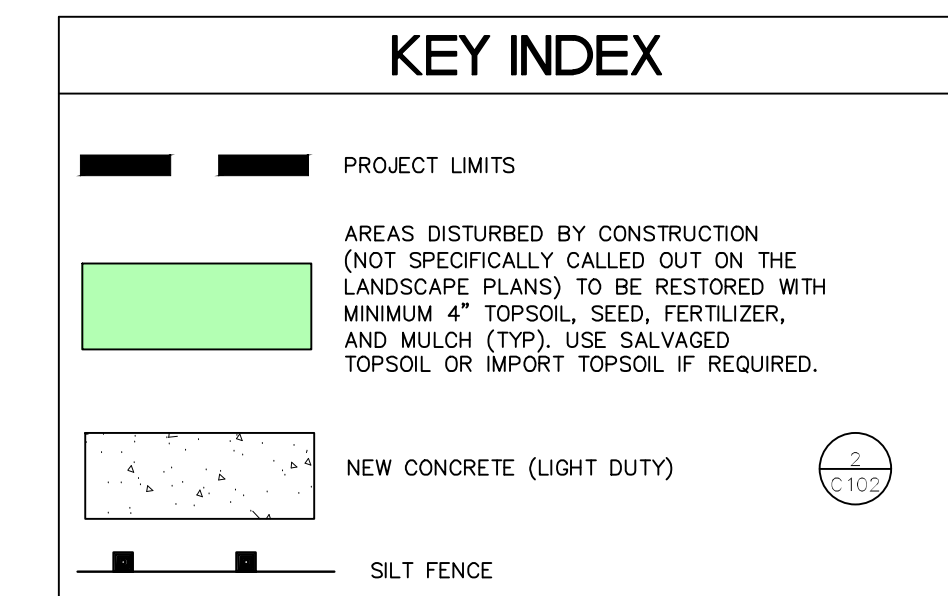
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ZONING: M-1 Limited Industrial District

Minimum Landscape Surface Ration (LSR) (0.4)  
 Alternative LSR with Mitigation (0.3)  
 Maximum Gross Floor Area Ratio (GFAR) 0.42(a)

SETBACKS  
 Minimum Front 30 feet  
 Minimum Side 20 feet  
 Minimum Side (Corner lot) 30 feet  
 Minimum Rear 15 feet



KEY INDEX

- PROJECT LIMITS
- AREAS DISTURBED BY CONSTRUCTION (NOT SPECIFICALLY CALLED OUT ON THE LANDSCAPE PLANS) TO BE RESTORED WITH MINIMUM 4" TOPSOIL, SEED, FERTILIZER, AND MULCH (TYP). USE SALVAGED TOPSOIL OR IMPORT TOPSOIL IF REQUIRED.
- NEW CONCRETE (LIGHT DUTY)
- SILTY FENCE



1224 S. Pine Street  
 Burlington, Wisconsin  
 53105

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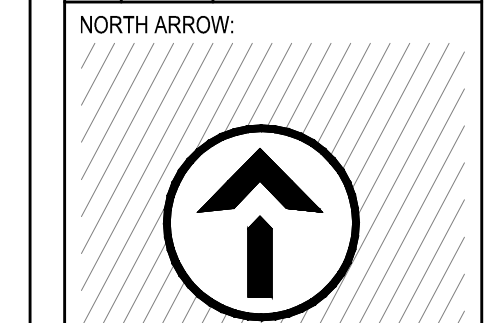
PROJECT:  
**SPELLMAN TRAILER**  
 LOCATION:  
**CITY OF FRANKLIN,  
 MILWAUKEE  
 COUNTY,  
 WISCONSIN**



RELEASE:  
**DRAFT PLANS**

REVISIONS:

#	DATE	DESCRIPTION
1	2/8/2024	City Comments



SCALE:  
 0 20 40  
 IF NOT ONE INCH ADJUST SCALE ACCORDINGLY

SEAL:  
 all in

SHEET:  
**SPELLMAN FULL  
 SITE**

PROJECT MANAGER: GLG  
 PROJECT NUMBER: 23.0310  
 DATE: 11-20-2023

SHEET NUMBER:  
**C103**

CSM NO. 1330  
 LOT 1  
 5921 W RYAN ROAD  
 TAX KEY #899-9991-002  
 0.66 ACRES (28,741 SF)  
 13,956 BLD  
 340 SW  
 6542 Pavement  
 7910 SF L.S.

CSM NO. 1330  
 LOT 2  
 5921 W RYAN ROAD  
 TAX KEY #899-9991-003  
 0.76 ACRES (33,117 SF)  
 27,466 SF Gravel  
 5659 SF L.S.

CSM NO. 1330  
 LOT 4  
 0 S 60TH STREET  
 TAX KEY #899-9991-008  
 0.86 ACRES (37,488 SF)  
 34,223 GRAVEL  
 3,274 SF L.S.

OWNER:  
 SPELLMAN TRAILERS, INC  
 5921 W RYAN ROAD  
 FRANKLIN, WI 53132  
 414-421-3200

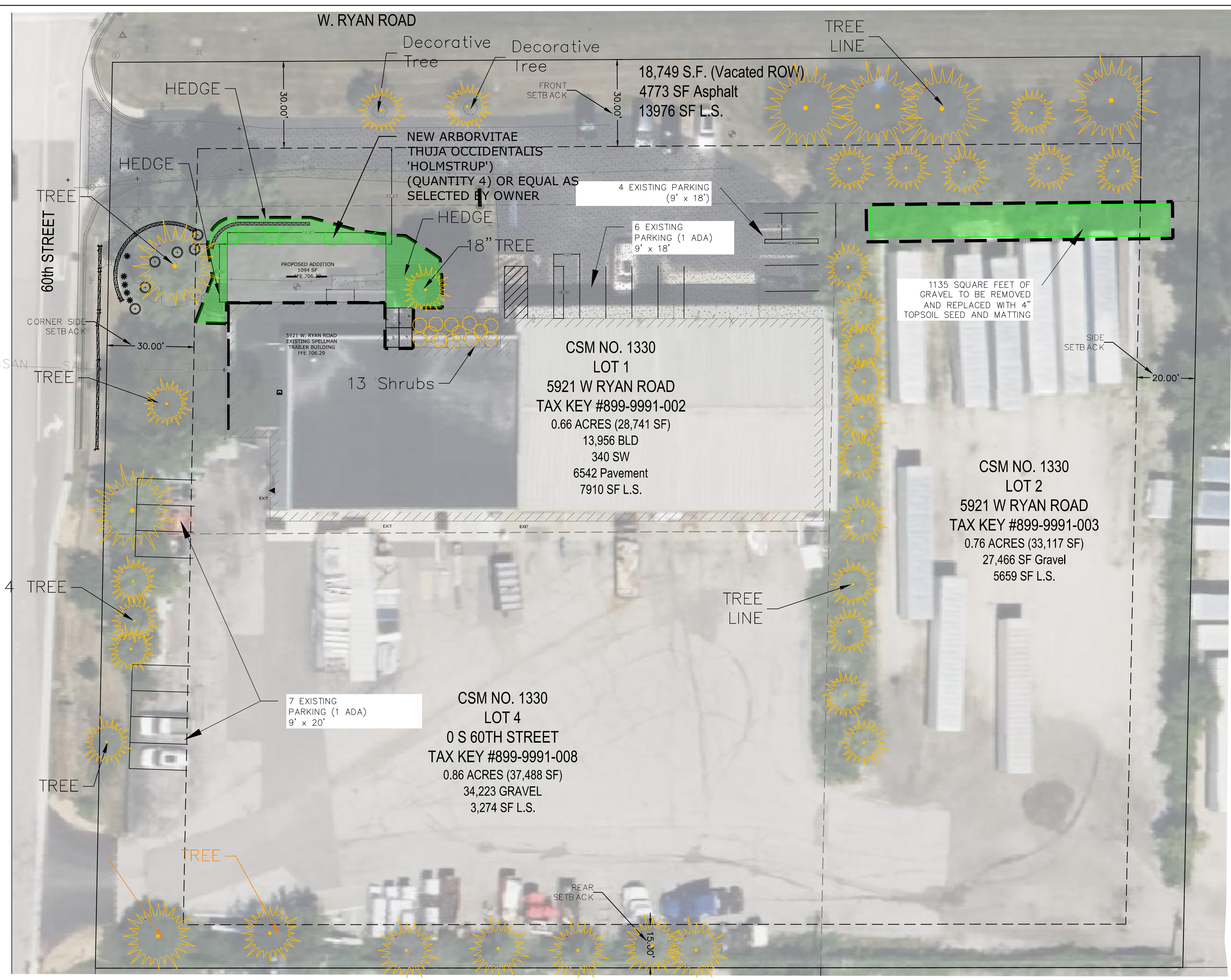
PROJECT MANAGER:  
 PSG, INC  
 LESLIE SCHERRER PELLA  
 448 FALCON RIDGE DRIVE, SUITE B  
 BURLINGTON, WI 53105  
 262-758-6064

SITE DATA (LSR)		
	EXISTING	PROPOSED
AREA (Lots 1,2,& 4)	99,076 SF	118,095 SF
<b>IMPERVIOUS AREA</b>		
BUILDING	13,956 SF	15,050 SF
PAVEMENT	68,231 SF	71,869 SF
SIDEWALK	340 SF	244 SF
LANDSCAPE	16,843 SF	30,956 SF
LSR	.170	.262

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PLOTTED BY: GREGORY L. GOVERNATORE, PE, CFM  
 PLOT DATE/TIME: 2/7/2024 11:59 AM  
 LAST SAVED DATE: 2/7/2024  
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**ZONING:** M-1 Limited Industrial District

Minimum Landscape Surface Ration (LSR) (0.4)  
 Alternative LSR with Mitigation (0.3)  
 Maximum Gross Floor Area Ratio (GFAR) 0.42(a)

**SETBACKS**  
 Minimum Front 30 feet  
 Minimum Side 20 feet  
 Minimum Side (Corner lot) 30 feet  
 Minimum Rear 15 feet

SITE DATA (LSR)		
	EXISTING	PROPOSED
AREA (Lots 1,2,& 4)	99,076 SF	118,095 SF
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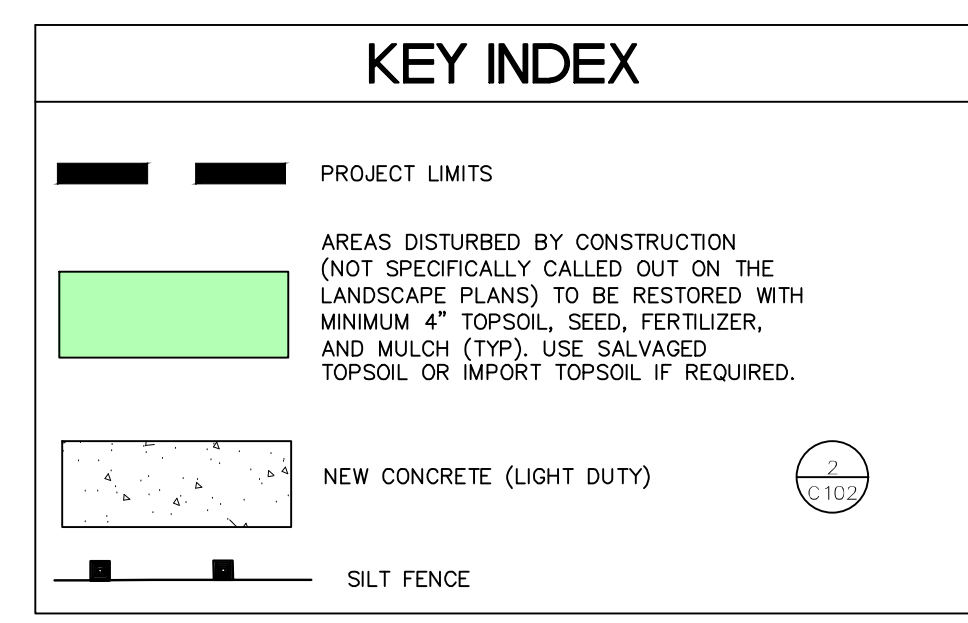
**LANDSCAPE EXEMPTION**

15-5.0301 (b.) additions to buildings where the total floor area is not increased by more than 10%.

Existing Building = 13,956  
 Addition = 1098 sf  
 Total Increase = 7.8%

**OWNER:**  
 SPELLMAN TRAILERS, INC  
 5921 W RYAN ROAD  
 FRANKLIN, WI 53132  
 414-421-3200

**PROJECT MANAGER:**  
 PSG, INC  
 LESLIE SCHERRER PELLA  
 448 FALCON RIDGE DRIVE, SUITE B  
 BURLINGTON, WI 53105  
 262-758-6064



Manufacturing Planting Requirements (Alternative Minimum Ratio)						
TYPE	Planting Size	Min. Qty.	Required	Existing Qty	Proposed Qty	
Canopy/Shade Tree	3" Caliper	1 per 10 Parking spaces	2 (6 min)	33	33	
Evergreens	6 Feet Tall	1 per 10 Parking spaces	2 (6 min)	0	4	
Decorative Trees	2" Caliper	1 per 10 Parking spaces	2 (6 min)	2	2	
Shrubs	3 Feet Tall	1 per 10 Parking spaces	2 (6 min)	15	13	



1224 S. Pine Street  
 Burlington, Wisconsin  
 53105

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PROJECT:  
 SPELLMAN TRAILER

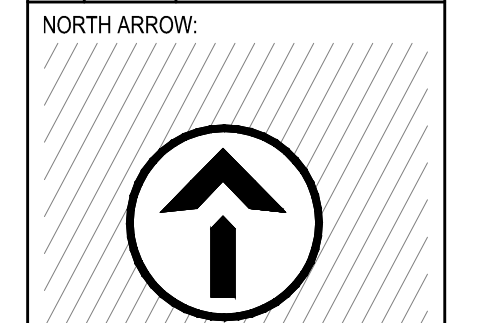
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 CITY OF FRANKLIN,  
 MILWAUKEE  
 COUNTY,  
 WISCONSIN



RELEASE:  
 DRAFT PLANS

REVISIONS:

#	DATE	DESCRIPTION
1	2/8/2024	City Comments



SCALE:  
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 IF NOT ONE INCH ADJUST SCALE ACCORDINGLY

SEAL:  
 all in

SHEET:  
 SPELLMAN  
 LANDSCAPE RATIOS

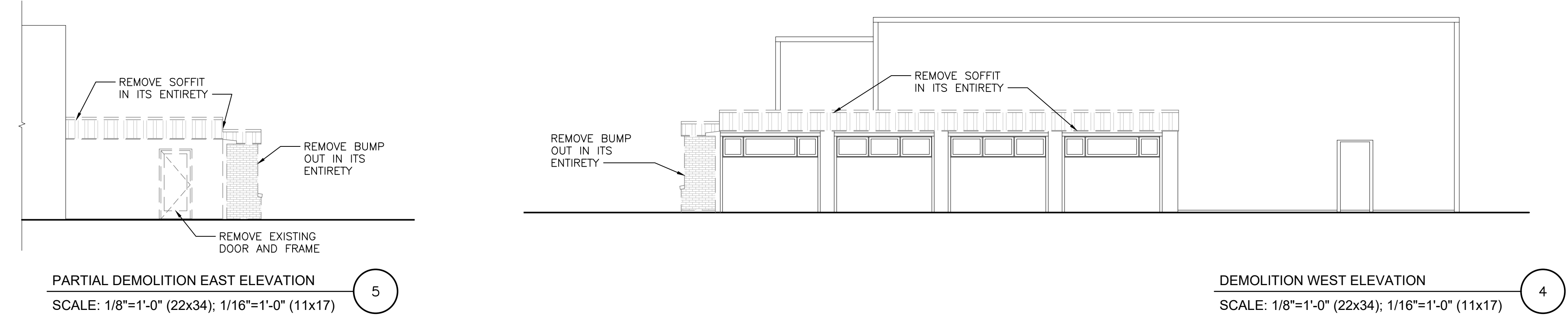
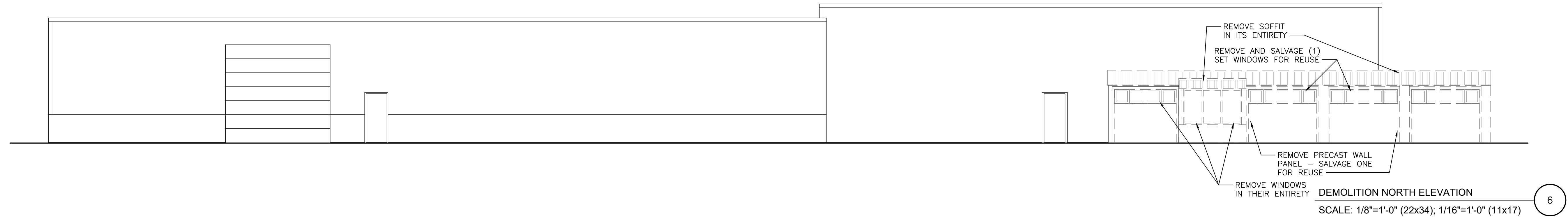
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 PROJECT NUMBER: 23.0310  
 DATE: 11-20-2023

SHEET NUMBER:  
**L100**

Drawn by	Checked by
KJV	JMS

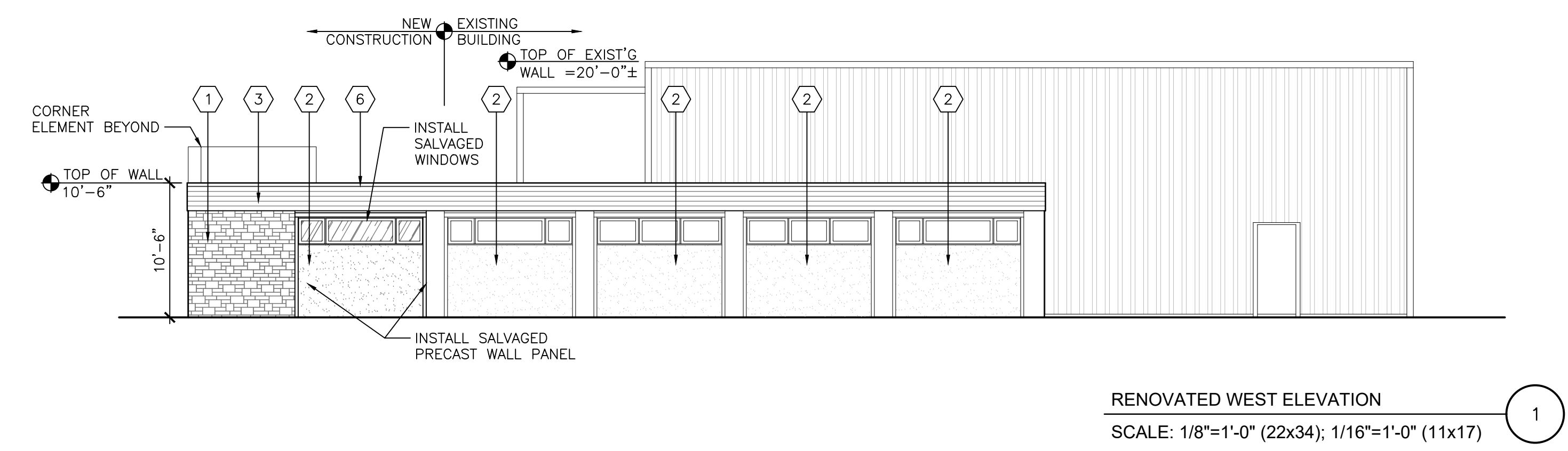
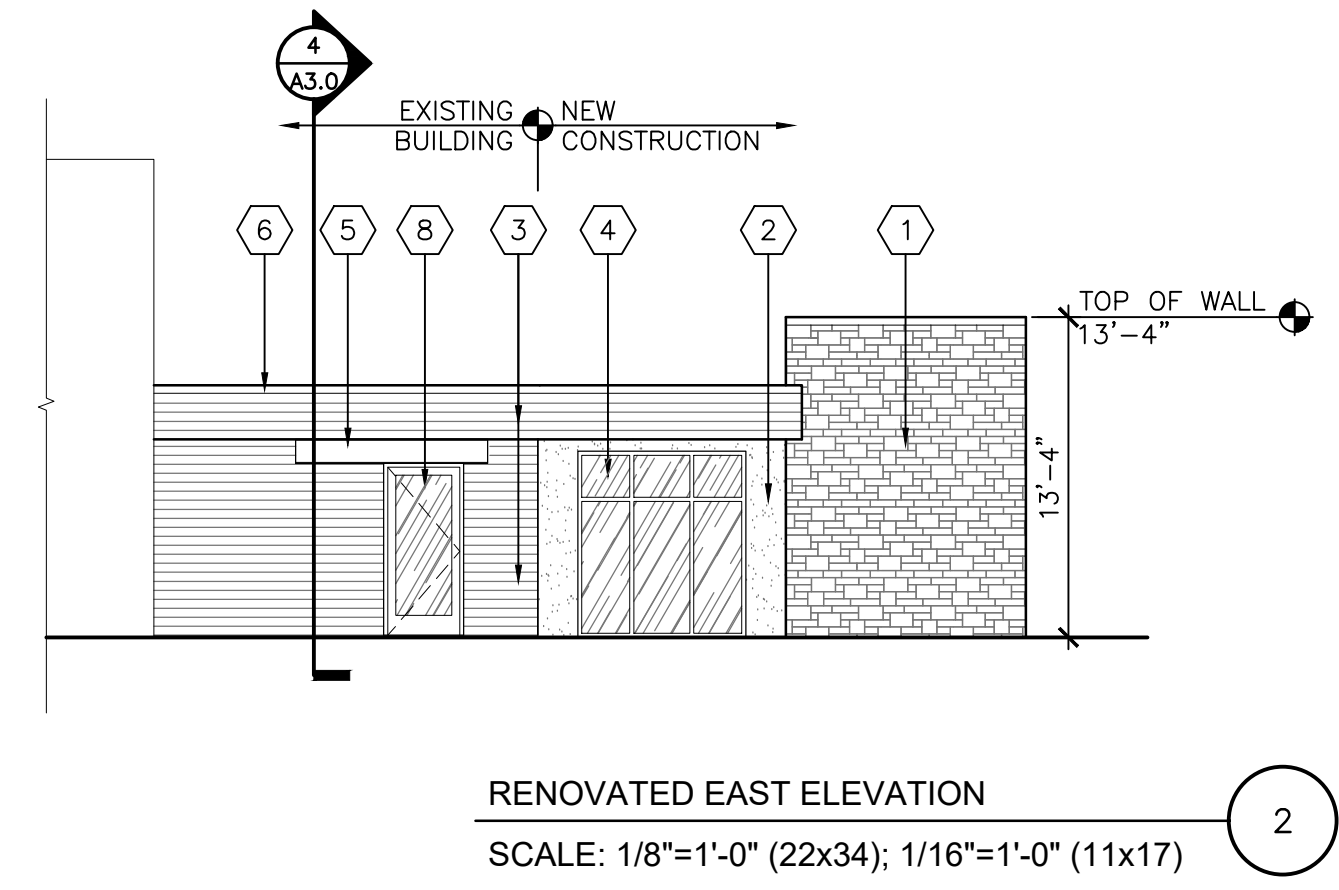
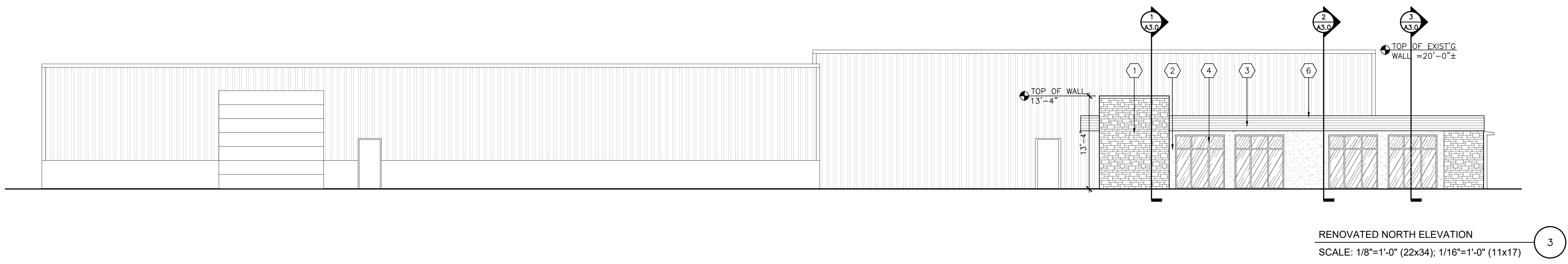
Revisions		
No.	Date	Description
	12.15.23	PC SUBMITTAL

2024-02-05 REVIEW SET



**ELEVATION KEYNOTES**

- 1 STONE VENEER - HALQUIST STONE BLEND COLLECTION, COLOR - DUBLIN
- 2 EIFS SYSTEM - SANDPEBBLE FINISH, COLOR TO MATCH SHERWIN WILLIAMS 7066 GRAY MATTER.
- 3 COMPOSITE SIDING - TIMBERTECH CLADDING BY AZEK. COLOR - ENGLISH WALNUT.
- 4 THERMAL STOREFRONT SYSTEM. COLOR - DARK BRONZE w/ 1" INSULATED, SOLARBRONZE GLAZING
- 5 PAINTED STEEL CHANNEL. COLOR - DARK BRONZE.
- 6 PRE-FINISHED METAL COPING. COLOR - DARK BRONZE.
- 7 NOT USED.
- 8 REPLACE DOOR AND FRAME w/ DARK BRONZE STOREFRONT SYSTEM w/ INSULATED, SOLARBRONZE GLAZING.



ELEVATION KEYNOTES

- ① STONE VENEER - HALQUIST STONE BLEND COLLECTION, COLOR - DUBLIN
- ② EIFS SYSTEM - SANDPEBBLE FINISH, COLOR TO MATCH SHERWIN WILLIAMS 7066 GRAY MATTER.
- ③ COMPOSITE SIDING - TIMBERTECH CLADDING BY AZEK. COLOR - ENGLISH WALNUT.
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- ⑤ PAINTED STEEL CHANNEL. COLOR - DARK BRONZE.
- ⑥ PRE-FINISHED METAL COPING. COLOR - DARK BRONZE.
- ⑦ NOT USED.
- ⑧ REPLACE DOOR AND FRAME w/ DARK BRONZE STOREFRONT SYSTEM w/ INSULATED, SOLARBRONZE GLAZING.

\*Building heights are as noted. All buildings are single story



Architect  
259 South Street, Suite A  
WAUKESHA, WI 53186  
p: 833-380-6180



PSG  
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Burlington, WI 53105  
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Project Info. — 23130

**SPELLMAN TRAILERS**  
OFFICE ADDITION  
5921 W. RYAN ROAD  
FRANKLIN, WI 53132

Sheet Title

**RENDERING**

Drawn by	Checked by
KJV	JMS

Revisions		
No.	Date	Description
	12.15.23	PC SUBMITTAL

Sheet No.

**A9.0**



EAST ELEVATION RENDERING  
SCALE: 3/8"=1'-0" (22x34); 3/16"=1'-0" (11x17)

2024-02-05 REVIEW SET

**ELEVATION KEYNOTES**

- ① STONE VENEER - HALQUIST STONE BLEND COLLECTION, COLOR - DUBLIN
- ② EIFS SYSTEM - SANDPEBBLE FINISH, COLOR TO MATCH SHERWIN WILLIAMS 7066 GRAY MATTER.
- ③ COMPOSITE SIDING - TIMBERTECH CLADDING BY AZEK. COLOR - ENGLISH WALNUT.
- ④ THERMAL STOREFRONT SYSTEM. COLOR - DARK BRONZE w/ 1" INSULATED, SOLARBRONZE GLAZING.
- ⑤ PAINTED STEEL CHANNEL. COLOR - DARK BRONZE.
- ⑥ PRE-FINISHED METAL COPING. COLOR - DARK BRONZE.
- ⑦ NOT USED.
- ⑧ REPLACE DOOR AND FRAME w/ DARK BRONZE STOREFRONT SYSTEM w/ INSULATED, SOLARBRONZE GLAZING.

\* Building heights are as noted. All buildings are single story



WEST ELEVATION RENDERING  
SCALE: 3/8"=1'-0" (22x34); 3/16"=1'-0" (11x17) ②



NORTH ELEVATION RENDERING  
SCALE: 3/8"=1'-0" (22x34); 3/16"=1'-0" (11x17) ①

**THRIVE ARCHITECTS**  
Architect  
259 South Street, Suite A  
WAUKESHA, WI 53186  
p: 833-380-6180

**PSG** CONSULT DEVELOP CONSTRUCT  
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**SPELLMAN TRAILERS**  
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2024-02-05 REVIEW SET

Sheet No.  
**A9.1**

## SIGNAGE & LANDSCAPE EASEMENT

### SPELLMAN TRAILERS, INC.

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

### WITNESSETH

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

WHEREAS, the City desires to acquire a permanent easement with the right of entry in and across the property hereinafter described with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate, and inspect as may be or may become applicable the following facilities such as signage, wall, landscape plantings thereto, hereinafter called “Facilities,” in, upon and across said portion of the property; a signage & landscape easement, as shown on the plan attached hereto as Exhibit “B”; and

WHEREAS, the construction and installation of the Facilities shall be made by City at City’s expense and the Facilities shall be the property of the City (recognizing that the property interest of the City is only that as arises under this easement), subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, and the payment of One Dollar (\$1.00) and other valuable consideration to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual easement on that part of the Property in Section 26, Township Five (5) North, Range Twenty-one(21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit “C” attached hereto (the “Easement Area”).

1. That said facilities shall be maintained and kept in good order and condition by the City at the sole cost and expense of the City. No structure, sign or improvement may be erected in the Easement Area that exceeds the height of the current signage located in the Easement Area as of the date of this Easement.
2. That in and during whatever construction, reconstruction or repair work is or becomes necessary in constructing or maintaining of said Facilities, so much of the surface or subsurface of the easement area or the Grantor’s property adjacent to the easement area as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than the ordinary lawns, which were required to be removed or were otherwise damaged on the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury, or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said facilities; provided that if the above loss, claim, cost, damage,

injury, or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under the law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."

3. That no structure may be placed within the limits of the easement area by the Grantor.
4. That no charges will be made against the property for the cost of maintenance or operation of said Facilities in the property.
5. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City for any underground installation within the easement area, which approval shall not unreasonably be withheld, conditioned or delayed. The Grantor makes no representation or warranty with respect to any other easements which may exist at the time of the granting of this easement which may encroach upon or interfere with the use contemplated in this easement. In the event there is a conflict, this easement shall be subordinate to previously granted easements and the City shall hold the Grantor harmless from any conflict.
6. That the Grantor shall not alter the surface elevation within the limits of said Easement Area.
7. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
8. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
9. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
10. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
11. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
12. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

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

ON THIS DATE OF: \_\_\_\_\_, 2023

\_\_\_\_\_  
Spellman Trailers, INC.

By: \_\_\_\_\_  
Name and Title

STATE OF \_\_\_\_\_  
ss

COUNTY OF \_\_\_\_\_

Before me personally appeared on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, the above named

\_\_\_\_\_, \_\_\_\_\_ of Spellman Trailers, Inc.  
(Name printed) (Title) (Development)

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

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires \_\_\_\_\_

CITY OF FRANKLIN

By: \_\_\_\_\_  
John R. Nelson, Mayor

By: \_\_\_\_\_  
Shirley J. Roberts, City Clerk

STATE OF WISCONSIN )  
  ss  
COUNTY OF MILWAUKEE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared Stephen R. Olson and Karen L. Kastenson, who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority and pursuant to resolution file No. \_\_\_\_\_ adopted by its Common Council on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

This instrument was drafted by the City of Franklin.

Approved as to contents  
Date:  
Approved as to form only  
Date:

\_\_\_\_\_  
City Engineer  
\_\_\_\_\_  
City Attorney

Exhibit A

(Legal Description of the Property)  
5921 Ryan Road (Tax key No. [REDACTED]) & Vacated Service Road

Parcel A: Tax Key No. [REDACTED]

All of lots 1,2 and 4 of Certified Survey Map 1330, as recorded in Milwaukee County Register of Deeds office as Document No. 4538848, being a part of the Northwest 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

AND

Vacated Service Road

The right of way used for Service Road purposes which abuts the southside of West Ryan Road (STH100) from South 60th Street to South 58th Street and which abutted on its boundary the 5921 West Ryan Road (Tax key No. [REDACTED]) and 5825 West Ryan Road (Tax Key No. 899-9991-004)





Exhibit C

(Description of the Easement)

SIGNAGE EASEMENT

Being a part of the recorded Certified Survey map No. 1330, Document # 4538848, Reel # 542 Image # 304-305, Recorded on July 27, 1970 at Milwaukee County Register of Deeds, also being a part of the NW 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, bounded and described as follows:

Commencing at the Northwest corner of said NW 1/4 of Section 26; thence S0°24'28"E along the West line of said 1/4 of Section, 110.02 feet to a point; thence N88°22'10"E, 45.01 feet to a point of beginning of the land to be described; thence continuing N88°22'10"E, 35.00 feet to a point; thence S00°24'28"E, 10.00 feet to a point; thence S88°22'10"W, 20.00 feet to a point; thence S43°57'20"W, 7.15 feet to a point; thence S0°24'28"E, 20.00 feet to a point; thence S88°22'10"W, 10.00 feet to a point; thence N00°24'28"W, 35.00 feet to a place of beginning.

Said lands containing 612.41 square feet or 0.01 acres.

AND

LANDSCAPE EASEMENT

Commencing at the Northwest corner of said NW 1/4 of Section 26; thence S0°24'28"E along the West line of said 1/4 of Section, 60.02 feet to a point; thence N88°22'10"E, 291.87 feet to a point of beginning of the land to be described; thence continuing N88°22'10"E, 30.01 feet to a point; thence S00°24'28"E, 30.00 feet to a point; thence S88°22'10"W, 30.01 feet to a point; thence N0°24'28"W, 30.00 feet to a place of beginning.

Said lands containing 900.30 square feet or 0.02 acres.